

HOUSE OF ASSEMBLY

Thursday 8 June 2006

The **SPEAKER (Hon. J.J. Snelling)** took the chair at 10.30 a.m. and read prayers.

FLINDERS UNIVERSITY: 40th ANNIVERSARY

The **Hon. R.B. SUCH (Fisher)**: I move:

That this house congratulates the Flinders University of South Australia on its 40th anniversary and applauds the positive role played by universities in the life of this state.

I am not being too parochial in focusing on Flinders University, because I also want to acknowledge the great work done by the other universities. I have had the privilege of studying at each one and managed somehow to complete the requirements of the various courses, so I actually have awards from each of the universities and can thus approach this subject with a degree of impartiality. Flinders University was established in 1966 and, as members would know, takes its name from the British navigator Matthew Flinders, who explored and surveyed the South Australian coastline in 1802. It currently has 15 000 students and over 600 academic staff.

The time that I spent at Flinders University is a time that I recall with great fondness, and I will highlight some of the famous academics who were there at the time and subsequent to my time there, because I was there in the very early days. We had Professor Peter Karmel, and many of you who have studied economics would know his name; and Professor Keith Hancock, another famous economist. We had someone who was not quite so famous but a wonderful tutor in economics, Mrs Slade, who is now somewhat elderly but a lovely lady and an excellent tutor. We had Phil Bentley; Dr Barry Hughes, a consultant with one of the top economic firms; Bob Wallace, a fantastic economics lecturer who had a great sense of humour; and Dr Jim Main, who was a lecturer in Australian history and one of the best historians that I have ever come across, someone who lived and breathed history.

He took us on a trip to the gold fields of Victoria, which was a fantastic experience. I remember that Greg Hill, Senator Hill's brother, was on that trip. He is the best joke teller I have ever come across in my life and I can still remember the jokes—although I cannot repeat them in here because I might upset some people. The other academics included Dr David Plant and Dr Neal Blewett. At the time I was at Flinders University, I was active in the Liberal Club, which was not an affiliate of the Liberal Party but a small 'I' Liberal Club.

I have always had great respect for Neal Blewett because, as often happens at university, you get a few people who would be categorised as left wing who tried to, I guess, seek special favours from Dr Blewett or intimated that way because of their political persuasion. Like the other academic staff, he was highly professional, had the utmost integrity and quickly told those students not to try that one on him because he was going to mark their work, as he should, in an objective and impartial way. Other outstanding people associated with the university were Prof. Ian Chubb, Prof. John Lowering, the current Vice-Chancellor Prof. Anne Edwards, Sister Deidre Jordan, Sir Eric Neal and other academics. I could list many more, such as Prof. Dean Jaensch.

There has been a great history at Flinders University in terms of academics, vice-chancellors, chancellors, and the list goes on. The fact that it is a relatively young university in some ways has not detracted from its achievements, and part of the reason for that is that it was an offshoot of the University of Adelaide. I will talk in a minute about some of the challenges facing our universities, but I think it important to remind members and the wider community what the higher education sector, the universities, contribute to the state. I am talking here in financial terms, but their contribution obviously is in non-monetary terms as well.

Together, the universities have a revenue in excess of \$1 000 million and manage assets in excess of \$2 000 million. They have invested \$380 million in assets in the last five years and are projected to invest \$620 million over the next five years, and they will generate \$250 million to support research. They employ 12 000 people, and in the last academic year 16 000 students graduated from our universities. Currently, they are educating something like 66 000 students.

Apart from the educational and social benefits, they are significant in regard to the financial impact in a community. I think our society is maturing a little, but some people in the past, through ignorance, have denigrated universities; they talk about people being 'out of touch with the community' and all that sort of thing. It is inaccurate because in nearly every facet of life, whether you are talking about law, engineering, medicine or dentistry, they have a strong connection with the university. It is hard to think of anything linked more to the daily life of each of us than travelling over a bridge that an engineer has designed or going to a doctor, and so on.

The three universities are very much part of the life of South Australia. They should be recognised and celebrated—in particular Flinders University in its 40th year. In relation to some of the challenges facing our universities, the main purpose of universities—some people tend to forget—is the search for truth. That is what universities are fundamentally there for; that is, to find out what is true, correct and accurate. That focus can sometimes get lost in the sea of commercialisation, but a university's fundamental role, while clearly there to create and develop skills, is to keep searching for truth. One of the challenges facing universities, particularly since the federal government has put a financial squeeze on them, is to generate enough money to carry out their important functions.

Personally I oppose HECS; I always have. I do not believe that in a country such as Australia we need HECS. I went to university when we did not have HECS. I paid my own way the first year out of money I had saved. I got through my last exam with a couple of dollars in my pocket and then started working within two days carting hay at Keith for a relative of the Minister for Agriculture, Food and Fisheries. Fortunately I got a commonwealth scholarship which carried me through to my honours—and I was grateful for that. As a nation we can afford to educate our people. Anyone who has the ability—

The Hon. M.J. Atkinson: What was your thesis on?

The Hon. R.B. SUCH: It was on the Young Liberal movement. No-one is perfect! I have always opposed HECS because I believe a nation such as Australia can afford to let anyone with the ability and desire go to university. Basically, that is what has happened in Ireland and, as a result, they have elevated themselves from being almost at the bottom of the European community to being virtually at the top. If you

have a fair tax system—we do not quite have a fair system; we may be getting closer—you pay back as you earn. I am happy to pay significant tax because I have had the benefit of an education at our three universities. I do not accept the logic that we need to continue with HECS, but, sadly, the students today, when I look at them on the train or bus, do not know what they are missing in terms of what universities can offer and what some of us enjoyed a few years ago—without the burden of HECS. Young people who are trying to establish a family and get a house are also burdened with paying off the HECS debt. I do not believe it is necessary, and no-one can, or has been able to, convince me to the contrary.

Much learning today is via online learning. There is nothing wrong with that per se, but universities are more than just the acquisition of knowledge. If we are going to have online learning, we need to supplement it with social interaction. The best experiences—and probably the most meaningful learning—occurs in the interaction at university in tutorials and at the refectory, and places such as that. I am not anti-online learning or modern technology, but it needs to be tempered with the knowledge that universities are more than just a place where one acquires skills or knowledge. Universities are about educating people in the full sense of the term—that means in literature and history; having a tolerance for different views; and being able to argue in a rational, logical manner. I am not saying I always practise that, but I try to.

A couple of aspects concern me in relation to universities. One is the abuse of the title ‘honorary doctorate’. Sadly, the media do not seem to know the difference between an honorary doctorate and a substantive one; and I am not saying that simply because I have a PhD. For many years in here I did not use the title. Sadly, some people get an honorary doctorate, which is a university-based acknowledgment of their contribution to the community or the university. They use it for commercial or other purposes, which, in my view, is quite improper and a wrong use of the title ‘honorary doctorate’. Likewise, in America nearly every academic is called ‘professor’. I prefer that we keep that title for people who have reached a particular level or have a particular expertise, and who have demonstrated outstanding abilities in the academic arena—research or teaching or both—and not go down the path of at least one English university which is about to call all teaching staff ‘professor’. It is a nonsense that devalues and undermines a title that should mean something. Likewise, there is a danger that some of the awards will become trivialised or minimised. I do not accept doctorates which are done by coursework. Doctorates should be a contribution to original research and theory, not through sitting in a class listening to a lecturer talk about a topic. That is an abuse of the term.

South Australians are easily fooled by people using titles. The Americans look closely to see where you got your qualification, not simply that you claim to have one. We had a character when I was an academic who put PhD CAN after his name. People thought he had obtained his PhD from Canada, but he was a candidate doing a PhD; he did not have one at all. Under our law, you can call yourself doctor or professor, or whatever you like. I believe it is a loophole that should be closed off.

I congratulate Flinders University on its great achievement of over 40 years of service, and I acknowledge and thank the academics who not only serve today but have served in the past. The support staff sometimes get overlooked a bit in places like universities and even here in parliament, but

universities cannot function without the wonderful contribution of support staff. I could talk a lot about some of the activities that went on in Flinders during the exciting days when there was a siege of the registry, but I will have to leave that for another day. I believe the Hon. Steph Key is a graduate of Flinders University—and there are many others who, like the Hon. Steph Key, wear that badge with pride. The university recently acknowledged 40 alumni to celebrate this year.

In conclusion, I commend Flinders University for its 40th anniversary, and I also acknowledge the great work done by the University of Adelaide and the University of South Australia and their contribution not only to the economy but also to the general education of this state and their contribution to the development of a highly skilled work force. I commend the motion to the house.

The Hon. S.W. KEY (Ashford): I want to speak to this motion because, as the member for Fisher has just said, I am a graduate of Flinders University. I appreciated the opportunity of being able to go to university. One of the ways in which I got into university was not through my academic prowess in secondary school but rather as a mature-age student. At the time, Flinders University, quite in advance of its time, I think, decided that it would make sure that it was accessible to as many people as possible. Victoria Beasley, who was in charge of the program at the time, together with Murray Bramwell, who is still well known in South Australia, particularly for his work as an arts critic, set up a program to make sure that people who had the ability to study at university had that access point. I was fortunate enough to be involved in the first round of adult education in South Australia, and I then gained access to Flinders University to undertake a Bachelor of Arts. They were very heady times, and I am pleased to say they were past the time of the university occupation in 1977. I am pleased to say that I went through university with a number of people who, up until that time, had never expected to have access to university.

Although I worked every night of my time as a university student in a restaurant or two—and I had a couple of other part-time jobs as well—to put me through my university course, I have to say it was one of the most enjoyable and exciting times of my life. I was later honoured by being elected as the general secretary of the Students Association at Flinders University, where I had the opportunity not only to serve Flinders University in South Australia but also to serve as an executive member of the Australian Union of Students, which I think has now been replaced by the National Union of Students. This gave me the opportunity not only to represent students but also to have access to what was a very major review of the education sector at the time, which was conducted by Professor Karmel, and also to make representations on behalf of the students on a whole range of matters, whether it be student loans or problems students were having in their school, or whether it was just support for the different projects in which the students were involved.

I will be forever grateful for my experience at Flinders University. I guess what could be seen as one of the more dubious honours I had in my time as general secretary of the Students Association was when I was editor of the *Empire Times*. There were many occasions when I had very interesting discussions with different people working on the *Empire Times* about what would and would not go into the newspaper. I guess I started off as someone who thought that censorship was absolutely inappropriate but then went on to

being someone who was a bit more practical, realising that I had to negotiate with the *Empire Times* contributors on some of their proposed articles.

I do not know whether it is still a problem, but I also had the dubious honour, I suppose, of being the editor of the Orientation Guide. The year I had that responsibility, I ended up having huge battles with some of the contributors about what was appropriate information for first-time university students. I suppose I surprised myself by being a little more conservative than I anticipated when I first entered university. Anyway, it had a happy ending, and we managed to produce a quite reasonable *Empire Times* and Orientation Guide, which were well received by the readers of those publications.

I particularly wanted to speak today, because today is a significant day for Flinders University. I am sad to report that the student associations as we have known them—certainly, when the member for Fisher and I were at Flinders University—cease today. It is also a sad day because I have been advised that the infamous Andrew McHugh, the community and university sector printer, will cease to work at Flinders University. Having known Andrew since 1977, I am really sad to see that someone who has contributed so much to life at Flinders University is now taking his retirement. I am sure he will find plenty to do. He is a very gifted music commentator. I remember having the opportunity to talk to him about more contemporary music, in particular. I suppose it depends on what your view is of contemporary music. I remember, in particular, having a very deep discussion with him about the Doors and Fleetwood Mac in their early days. Many people in this chamber may remember those august bands, but there are probably others who are far too young to know what I am even talking about. The member for Fisher paid tribute to a number of academics and people who have certainly contributed to the life of Flinders University.

I take this opportunity to talk about the tragedy of the voluntary student union saga. Many people on both sides of this house have talked about the negative effects of getting rid of the sports association, the clubs, the societies, the students association and the union. I note that the current General Secretary (soon to be the ex general secretary) at Flinders University, Leijla Sarcevic, said this morning on radio that she is very disappointed to see that these services will now not be available to students. It will be very difficult on all the campuses in South Australia. My colleague the member for Giles yesterday talked about the tragedy of the services going at the Whyalla campus, for example, which is in an even more difficult situation. Flinders University has always been slightly isolated, particularly, if you, like me, travelled backwards and forwards by bus. It meant that you really had to rely on the services available on campus.

Having been the general secretary, I know how many students were very much helped and saved from dropping out of university by getting access to student loans and the health and counselling service, as well as some extra tuition they needed to get through their courses. As an adult student, I was very aware of how these services were also important for my fellow adult students because of their many responsibilities, but that is not say that young students do not have responsibilities, too. These services included the child-care centre for the international students, the university hall, and the support for overseas students, which, as we all know in this house, is a very important part of our economy, not to mention the employment and wellbeing of both the staff and students at

the university campus. It is a tragedy. I take my hat off to the students, who are there now acting as representatives, for trying to negotiate with the Vice Chancellor and the university council what sort of service can be made available. I think that the Vice Chancellor, Anne Edwards, is certainly to be commended. However, on this day, considering the demise of the student services at Flinders University, it is really in their court.

In finalising my speech today, I mention that the member for Fisher referred to the Distinguished Alumni awards at Flinders University for its 40th year celebrations. Dr Bob Such was one of the recipients of the award, as I was. I was particularly pleased to receive it because it reflected my service in the areas of social justice, the environment and human rights. I am very proud to say that Flinders University takes a lot of responsibility for my being able to do that work and having the necessary skills to do it.

Mr KENYON (Newland): First, I congratulate Flinders University on 40 years of achievement. I am also a graduate of the university, and I am very proud to be so. I am happy to say that my father is also a graduate of the university, being one of the first mature-aged students the member for Ashford spoke about. It was excellent for him and, if it were not for the combination of the Whitlam government reforms in the university sector and the mature-aged reforms at Flinders University, my father would not have gone to university. I am very grateful for that.

I think that it is the best administered uni in the state, having gone to both UniSA and Flinders and graduated from both. Having had a fair bit to do with Adelaide University, I can say that, of all the universities, I think that Flinders is the best administered of the three. I was involved in and elected to the student union, and I was also involved in a lot of the clubs and societies. I think that one of the best things about life at university is all the opportunities presented to you as part of your life on campus, which is more than just learning and turning up. I think that the real tragedy of the VSU legislation introduced by the federal government is that from now on students will be denied all these opportunities to learn new things, to meet new people, to enrich their experience and to become more well-rounded people, simply because of some ideological fixation the federal government has had over all this time.

I joined the ALP when I was at Flinders University. I was signed up by you, Mr Speaker, after one election for *Empire Times* that was unsuccessful. I was consoling myself with a bottle of whisky, and Mr Speaker took advantage of that and signed me up to the ALP; I have to say that is something I have not regretted.

The Hon. M.J. Atkinson: Where are the people who defeated you for *Empire Times*? Where are they these days?

Mr KENYON: I don't know; I have never heard of them again. I think that the Attorney's chief of staff is also a graduate of Flinders Uni. I attended university with the member for Hartley, and she is another august person. I join the member for Ashford in congratulating Andrew McHugh on a distinguished career. He was instrumental in the good running and administration of the union. Surprisingly, for someone who liked to consider himself a bit of a radical leftie, he was the financial backbone of that organisation and made sure that it never ran into some of the financial troubles that other student unions have around the country. I congratulate him on his retirement, and I hope that he has a long, distinguished and very enjoyable retirement. I again congratu-

late Flinders University on its 40th anniversary. I was there on its 25th, when Midnight Oil played; it was a great night. I hope the university enjoys its celebrations in a similar fashion.

Mr RAU (Enfield): I will only make a brief contribution. I was not a student at Flinders University, and at the time that I was at University of Adelaide the only thing that I can clearly recall about Flinders was that the Flinders University canoeing and kayaking association had a very interesting T-shirt. It is a great thing that we have an institution like Flinders University, and it is celebrating its 40th anniversary. By my reckoning, and judging by the quality of many of its graduates, it has done an excellent job, and is to be commended for that. Since attending university myself I have had the opportunity of going there on many occasions, and I have been impressed by what I have seen.

I will mention briefly a few things arising from remarks made by the honourable member for Fisher. He made some comments about HECS and the consequences of the introduction of that scheme. Like him, I have never been a supporter of the introduction of HECS, and I think it was a shame that it was introduced. It has brought with it the commodification of higher education. There was a time when universities were a place of excellence which delivered something quite unique to those people who attended those institutions. Since the commodification of education, as I would call it—it is now, in effect, a sophisticated form of any other thing you can buy from a shop, and it is not held in much greater esteem than a motor car or a washing machine—there has been a number of consequences. The first is the number of people who are there because they are able to purchase, in effect, the opportunity to be there. I cannot help but think that some of the shortages that we have in our, for example, medical specialist services, are not in many respects contributed to by the fact that the spots in those universities have been, in effect, sold. A number of the people who have been buying those spots are people who, ultimately, and from their point of view, quite reasonably, return to their countries of origin and get on with their lives. To me it is a lamentable fact that higher education has reached the point where it is, in effect, a commodity.

Another concerning matter over the last 40 years is the relentless drive for professionalisation across the board. There are some jobs for which a university training is not necessarily the most appropriate method of preparation, and for reasons, presumably, of keeping up with other perceived similar professions or, in order to enhance career structures or, for whatever reason, a number of callings that previously did not require a university education have now entered the university stream, and I am not sure that that is entirely for the better, either for the universities concerned, or for the professions or callings concerned. Finally, over the last 40 years, to my way of thinking, we have seen something of a proliferation of—and I emphasise, Mr Acting Speaker, these remarks are not directed in any way as a criticism of Flinders University, that needs to be understood. I made it clear at the beginning, I am supporting the honourable member for Fisher's remarks and I wish Flinders University very well. I am really commenting on a more generally concerning aspect, that is, along with the growth in the numbers of universities, and the proliferation of courses, we, lamentably, have a number of what have been described as Mickey Mouse courses, or non-courses in some respect and, again, I wonder what value ultimately is delivered to the community, and to

the people participating in those courses. So, those are general remarks about the tertiary sector.

Returning back to Flinders University, judging by the standard of their graduates, it has done an excellent job. I wish Flinders University well for the future, and I think it is very clear that, with a history of some 40 years behind it, Flinders has given itself a stamp amongst the major universities of Australia, and one of which it can be properly proud.

Ms THOMPSON (Reynell): I wish to thank the member for Fisher for putting this motion on the *Notice Paper* and support the remarks that he and others have made about the achievements of Flinders in its short 40 year history. I think that notable through that time is the way in which Flinders has met challenges that it had to establish itself, both on the national scene and the international scene as a university of credibility, and it has done that somewhat in the way of South Australia, by fighting well above its weight. The research grants that it has received, its ability to attract high calibre staff over a long period, and its recognition in various international forums is to be commended.

Like the member for Fisher, I have an association in some way with all three universities, being a graduate of Adelaide; working for some time at one of the predecessor institutions of the University of South Australia; and being on the Flinders University governing council for 10 years, where I even earned my long service. I was also chair of the Equal Opportunities Committee at Flinders for many years. In that area I was able to see the way in which Flinders met challenges. In the early time of my involvement with Flinders, particularly on the Equal Opportunities Committee in the early 1980s, there were many people who did not see the barriers to access to university for various groups, and did not see the differences in gender needs and ethnic needs within the university.

I remember being on a selection panel for a professor in one discipline, and all applicants were asked questions about the need to ensure that this discipline was attractive to women as well as men, because it was one that was very non-traditional for women. We were told by one applicant that he did not notice whether his students were male or female. I commented to the selection panel afterwards that I did not want someone working at the university whose powers of observation were so bad that he could not tell whether the students were male or female, and that person did not get the job, for that and other reasons.

Flinders has been prepared to face up to the need to change itself, its staff and its students to meet the needs of the community, and it is doing that at the moment by its pioneering of the Southern Alliance for Innovation and Learning. Flinders is a lead organisation in what we know locally as SAIL, and this brings together businesses, TAFE, high schools and community organisations in the south for the advancement of all. Flinders has been very aware of the fact that there are areas in the south where there are low participation rates in university study.

In my own electorate of Reynell, for instance, the university qualifications held by people rate to less than half of the average across the community. Some time ago, the Parliamentary Library did some research for me about the participation of young people in my area in universities. It found that if at the time of the last census the young people in Reynell, that is, those under 29 years, had been participating in universities to the same extent as the average across Adelaide, there would have been over 600 young people

participating at university. The member for Enfield mentioned the fact that there are shortages in a number of the professions, and in the south, for instance, there is a critical shortage of doctors. In fact, the ratio of doctors to population in some parts of the south is worse than in many areas of rural Australia.

When there is a lack of doctors in rural Australia we try to address that by a number of support mechanisms, including suggesting that rural and regional young people should be supported to become doctors. My view is that we need to address some of the shortages in the professions in the outer suburban areas by saying that young people in those areas should be supported to become teachers, doctors, lawyers, speech pathologists and social workers because, in general, those professions are brought into my community: they are not of the community. There are people from Christies Beach High School who have become doctors, but not many—in fact, I believe there is only one. There are people from Wirreanda who have become members of the professions, but very few, and Flinders is involved in actions within the community which will help some of the students and their parents understand that going to university does not turn you into a three-headed freak.

There are financial barriers to going to university for people from poor families, and they are absolutely undeniable. However, there is also the problem that people will not put themselves into debt, and they will not risk taking on a profession when they really do not understand what its lifestyle and outcomes mean. Flinders University's program that provides students to work in the local high schools in my area alongside school students is a really important step to enabling the people of Morphett Vale, McLaren Vale, Seaford, etc., to grow their own doctors, for example, to meet their needs.

Flinders has been successful over many years in attracting a range of local luminaries to participate in its governance, and the member for Fisher has mentioned several of them. I would also like to mention some people who have been involved over the last 20 years that I have been involved with Flinders and made really important contributions, and they are the Chief Justice (Hon. John Doyle), Ms Judith Roberts, Mr Ian Yates and Ms Erica Jolly—notable community figures who have supported the development and guidance of Flinders University.

Flinders is facing the challenge of the abolition of what is known as the compulsory student union fee, which I prefer to see called the compulsory student facilities fee because that money is used to provide facilities for students. In its normal manner, Flinders has been active in working with its student body, and today there was an announcement of the dissolution of five student organisations in order to merge into one organisation. From brief discussions I had about this with one of the governing council members the other day, it seems that nobody is really clear whether that will be able to meet the needs that exist—there are doubts that it will—but it is seen as the best way of being able to meet the challenges accorded by the Howard government, which simply does not understand the life of many people attending university.

It has too much association with people who have inherited professional credentials and do not know the challenges that face people who have never had anyone in the family going to university and who (like me, when I went to university) do not know that you actually have to choose the subjects you study. I wanted to do a Bachelor of Arts, and I thought I would just enrol to do a Bachelor of Arts and they

would tell me what I had to do. It was a great shock to me to discover that I had to choose subjects. I was fortunate to be involved with someone through a youth group at the time who suggested I might be very good at a particular subject—social and economic history. I was going to university part time while I was working full time, not coming from a family that could support university education. Fortunately, he judged my interests well and I greatly enjoyed it and went on to complete a degree following the theme of social and economic history and economics.

Flinders has been very supportive of adult learning, as the member for Ashford mentioned, and was one of the first to really commit to enabling people to have a second chance. I commend the university for the work that it is doing, by enabling people to taste university at the Hackham West Community Centre, and this term I think there will also be a Flinders entry program at Christies Beach High School. Flinders has been excellent in meeting the challenges that have been placed before it and I congratulate it on its 40th anniversary.

Dr McFETRIDGE (Morphett): I rise on behalf of the Liberal Party to support the motion of the member for Fisher. Flinders University certainly is an outstanding academic institution. My son, Lachlan, attended Flinders. He did his undergraduate degree in electronic and electrical engineering and now works for Freescale at Mawson Lakes—only for a little while, I should say, because the 121 jobs there are going to India fairly shortly and he will be out of a job. However, his qualification from Flinders, which led to a PhD in robotics, will enable him to get another job in the defence industries in South Australia—all because of Flinders University's fine teaching.

I was also involved in Flinders University as a deputy on the Animal Ethics Committee. The range of research that is being done at Flinders is just amazing and certainly the regard to the ethics of all of its research is paramount, and it was a pleasurable but very small part I played directly in Flinders University.

I went to the photographic exhibition that opened recently at the Mortlock Wing of the State Library: 40 years of history of Flinders University. The members for Ashford and Norwood were there, as were a few other members from this side, such as the member for Unley. There was memorabilia in the form of photographs and also a number of lapel badges, and the many student organisations and student movements were represented there. It was quite a memory jogger, and it brought a smile to my face remembering when I attended Adelaide University many years ago studying agricultural science. Similar movements were in place at Adelaide then.

The university's insignia is a design incorporating the coat of arms with an open page of Matthew Flinders' journal, *A Voyage to Terra Australis*. It depicts a section of the coastline of South Australia where the university is located. I have just been down to the library to look at Flinders' journals but they are not there at the moment. There is another display on the history of this parliament, which, as we know, is celebrating 150 years this year. I have asked the library if we could get Flinders' journal and perhaps have it displayed somewhere, open at that particular page.

As to the history of Flinders University, as we have heard from speakers on the other side—and as I said, the Liberal Party supports this motion with great enthusiasm—it was opened on—

The Hon. S.W. Key: 25 March 1966.

Dr McFETRIDGE: Thank you, member for Ashford—25 March 1966. It was opened by Her Majesty The Queen Mother. That was after a bill was assented to through this place early in March 1966. The current enrolment at Flinders is 15 110 students with 631 academic staff and 946 general staff. The student enrolment was far less than that when it started and it is an indication of the quality education at Flinders University that has enabled it to expand to the fine institution that it is today.

At a recent function, I was speaking to one of the former governors of this state, Sir Eric Neal, and he is very proud to be the Chancellor of Flinders University. A full history of the university is available on its website. It makes interesting reading, going way back to 1958, with reference to some of the developments, and some of the photographs on the website are certainly worth looking at. I would encourage any reader of *Hansard*—and I know there are thousands of them—to go to the Flinders website and have a look. For those who are interested, it is www.flinders.edu.au/anniversary.

There are a number of pages on which the university lists the historical events and it makes interesting reading to see how attitudes to tertiary education have developed in South Australia. One example is the four-year medical degree that has been introduced at Flinders. Doing an undergraduate degree in another faculty, another subject, that maybe totally unrelated to medicine is not novel—certainly it is good for South Australia—but it is different from having to get a high TER, sit the UMAT and then go through a university interview which, as we know, has some contentious aspects to it. At Flinders, a different approach has been adopted. It is producing fantastic graduates in all faculties, but in medicine, particularly, the quality and calibre of the graduates and the knowledge they are coming out with is terrific.

I was very disappointed the other day to hear the Australian President of the Medical Students Association say that he did not think that it was necessary to have an intimate knowledge of anatomy to be a good doctor. Well, as a veterinarian, I can say that if you do not know what you are cutting into you are nothing more than a butcher. I hope he was taken out of context there. I know the graduates from Flinders—including my son in the engineering faculty and others I know from the medical faculty—are world leaders in their ability to use the knowledge they have been given and to build on that knowledge.

I am disappointed to say though, in a recent communication from the chancellors of all the universities, that Flinders University, as well as Adelaide and the University of South Australia, is very concerned about the review of higher secondary education in South Australia, the review of the South Australian Certificate of Education (SACE), and I will have more to say about that later. The universities want to have people coming in to their undergraduate courses who are ready, willing and equipped to undertake higher levels of learning, because it is demanding to go to university and study any course, no matter whether it is arts, engineering or medicine. We always seem to put medicine at the top end. I am living proof that you do not need to be a genius to do a medical degree. You have to work damn hard, though, whether it is veterinary medicine or human medicine. I sometimes say that doctors are only specialised vets: they deal in one species. I bet I get some emails over that!

The information that is imparted at Flinders University is of the highest level. I congratulate all the academic staff, students, student representatives and all those behind the

scenes at Flinders University for having created, in the last 40 years, a world-class university. As I said, the Liberal Party wholly supports this motion.

The Hon. R.B. SUCH (Fisher): I thank members for their support. I did not want to get into the issue of voluntary student unionism; I think the decision to get rid of student union fees is a mistake and that, eventually, they will be restored. Some people in Canberra are still obsessed with Che Guevara and the silly behaviour of a few Lefties back at Monash 20-odd years ago. If you think of the student fee as the equivalent to paying council rates, you get a better perspective on it. It provides services and facilities in the same way that the council provides libraries, rubbish collection and so on. It is not the same as the traditional trade union-type membership. But I do not want to dwell on that today because the main focus today is to congratulate Flinders University. I am pleased that the members for Ashford and Reynell, and others, were able to add some names. When you start naming people on councils, or those who have been chancellors or vice-chancellors, you invariably leave someone out. I pay tribute to all the people who have served the university and the state through that institution, including the current membership. I look forward to Flinders University continuing to serve the state and remaining true to its central function which is not only to develop skills and general education but also to search for truth which involves necessarily research and teaching. I commend this motion to the house.

Motion carried.

JUSTICE SYSTEM

The Hon. R.B. SUCH (Fisher): I move:

That this house:

- (a) expresses its concern and dismay at the level of anti-social behaviour and crime which has existed in South Australia for many years; and
- (b) requests the Attorney-General, Minister for Police and Minister for Correctional Services to meet with relevant authorities, including the Chief Justice, Chief Judge, Chief Magistrate, Police Commissioner and other interested bodies for the purpose of initiating an overhaul of our policing, judicial and correctional systems.

I do not want this to be a blame game. I am not trying to score any political points. We know that crime is an issue where political parties and individuals try to score a point in the community. I am concerned about doing something in a positive way about what exists presently in our community and has for a long time. I am not trying to blame the present government, although I acknowledge that the government has the leadership role in respect of this issue. I do not see any merit in blaming the police, judges, magistrates or the DPP, or anyone in particular, because I think the fault lies with the interaction between the various elements in the system, and that is reflected in the frustration of people like the Chief Justice who made comments recently about our role in incarcerating people. I think that the Police Commissioner would express frustration at times, as would the Attorney-General. You could go through the whole list and say that it is not working in the way it could. I do not accept that there is a crisis—I do not believe that. I am suggesting that we can do better by trying to improve the systems and the interlocking of those various agencies in the way in which they perform their function in dealing with anti-social and criminal behaviour. If you look at criminal matters, there is the reality

of the statistics and then there is also the perception, and the community has a view which may or may not accord with the reality of the statistics. But, as we know in politics, perception is pretty important and, if you do not take heed of what the community perceives to be a problem, as an elected member, you will have a problem in due course.

The public basically wants revenge. I think that is natural. If someone did something to my family, I would probably want revenge, too. However, as a civilised community, we cannot operate on the basis of 'They did that, therefore, we want to gouge their eyes out.' We must have something more sophisticated than that. We cannot have judges and magistrates who are mere robots, otherwise we might as well replace them with computers and just press a button to the effect that, 'You robbed a bank on such and such a date. Your penalty is X.' There is no point in having judges and magistrates unless you allow some discretion. We do not always agree with that discretionary judgment, but that is part of the system that we have and, obviously, it needs to be part of the whole discussion and revision of the system.

Our system is very expensive in terms of not only the courts system but also corrections, the policing and so on. Many people would say that it begins in the home and that, to a large extent, is true. We have moved away from explicitly instilling core values in children, and I think we are reaping the disbenefit of that. It is essential that children in the home and in school develop empathy for others but also develop respect for themselves, for other people and for property. I do not accept the argument of some people that 'state schools aren't doing it.' State schools are doing it. Whether they are doing it in a way that is explicit or vigorous enough is another issue. You can apply that to private schools as well.

Many of the people getting into trouble, breaking the law, are coming from families that have a significant degree of dysfunction, with mental illness, alcoholism, intellectual retardation, drugs, a whole cocktail, and if you look at the people who end up in trouble, breaking the law, particularly in serious crime, you will see that there is a very strong linkage to those factors. I have started to keep in my office what I call the crime file, which is cuttings from the media. It is not scientific in the sense that it purports to have a strictly scientific portrayal of criminal activity in our state and we have been doing this only in the last month or so, but virtually every morning you see headlines or hear items on the radio similar to these.

'Hindley Street arrests: police can't stay.' 'Shooting links to drugs bikies.' 'Dangerous driver to be charged.' 'Drunk crash death: driver's leniency plea.' 'Graffiti-linked private schools arson spree.' 'Don't suspend gaol term, says death crash driver.' 'Rural driver's 200km/h madness.' 'A crim honey pot', talking about a porn shop. 'Masked invader terrifies woman.' 'Death driver's childlike mind.' 'Policeman faces sex charges.' 'School theft.' It goes on and on. Every day we hear of that sort of thing. People say that that is what you would expect in this day and age, but I do not think we should.

We should not accept it, because we have an ageing population in Adelaide. We should have less crime than equivalent-sized cities, certainly equivalent in terms of economic standard, so we should not say, 'Look: it's inevitable.' I do not accept that inevitability argument: I think it is a cop-out. However, we need to deal with some of the issues, as I said, by reinforcing values in schools. I think it was a mistake to take religious education out of state schools. It was not perfect, but I do not think that it has ever been

adequately replaced. What you have now, even in some of the private schools and some of the Catholic schools as part of that grouping, is a study of religion, but you do not necessarily have a commitment to the values. There is a difference between knowing about something and having a commitment to the values that will guide one through life.

We do not have school assemblies in the way we used to. Some people say that that is regimenting people. For a lot of the community it works, in terms of giving them a sense of identification with the community, saying that they will obey the law. It might sound corny, but these things do work for many people in the community. It used to work years ago, and we know the world has changed, but I still believe that some of those basic aspects would work if they were restored. I would not want to see religious education in state schools go back to the old formula, but I think we have lost out generally by not continuing with an improved version of what used to happen.

If we look at our prison population (and these figures are from the Department for Correctional Services), on any given day in South Australia, approximately 1 400 males are in prison. How many of them have been previously imprisoned—54.7 per cent. The recidivism rate is quite high, so locking people up clearly does not work in that sense. I accept that you need to lock up some people who are a threat to the community, but locking people up clearly does not work as a deterrent, as a reform mechanism or as a punishment. How many of those people in prison have levels of literacy and numeracy below a functional level—60 per cent. How many did not complete year 10—60 per cent. How many have an antisocial personality disorder—50 per cent. In mental health terms, personality disorders are probably the most difficult thing to treat and in some cases you probably cannot treat them.

How many male prisoners suffer from attention deficit and hyperactivity disorder—25 per cent. How many have an alcohol or drug problem—75 per cent. You can go through this whole list, and surely that would tell us that there is something not right in our system. As I said, we need prisons for people who are a threat, but we need to be a bit more innovative and for those who are not an immediate ongoing threat look at alternatives, which I have raised publicly before, such as the concept of putting people in an environmental work camp. Not a boot camp: not marching around in ever-diminishing circles and ending up in China; that is ridiculous, but rigorous, vigorous activity that is meaningful, complemented by talks. I would not call them lectures but talks, discussion, where people might actually come to think about what they are doing and where they are heading, and back that up with a requirement, for example, for helping them with literacy and numeracy problems.

I think that the way to help bring about some changes is to get the key players together—not, as I say, to score a political point but actually to look at meaningful ways in which we can deal with a situation that is clearly not working. A recent survey by the Australian Bureau of Statistics entitled *Crime and Safety: Australia*, published in April of last year, found that 76 per cent of South Australians perceived there to be problems from crime and/or public nuisance in their neighbourhood. That is a very high figure. That is a perception: it may not be reality. If you break down the perceived problems, they include dangerous noisy driving, housebreaking and burglary, theft from homes, vandalism, graffiti and damage to property.

The community does not believe the system is working. I am not suggesting that we should make our crime punishment and court system based on talkback radio, but that is a reflection of concern in the community. We need to be more innovative and creative and look at some of the practices we have had in the past. I have been dealing with a young lad who spent seven months in Yatala and James Nash House yet he was not convicted of anything. At the same time we have people out there who probably should be doing time or at least in a work camp. Given that most crime against the person is committed by people under the age of 30, we should have less of it. We should not be hearing every morning about high-speed car chases and ramraids. They should be a rarity in a place such as Adelaide.

We have not got it right and we need to get it right. We should and can do better. People might say that the statistics put out by the ABS suggest there has not been much change in the past three or four years in terms of break-ins, and so on. That may be true, but they are still at a level which suggests we can do a lot better by getting the key players together. I am aware of the necessity for the separation of powers and all that sort of thing. In an appropriate setting we can get the ministers, the Police Commissioner, the Chief Justice, the Chief Judge and the Chief Magistrate to look at what we have been doing to see whether it is still the best way to go. Let us look at some alternatives and different strategies. We might be able to lead the world, if not the rest of the country, in terms of improving the way in which we deal with antisocial and criminal behaviour.

Ultimately, it starts in the very early years: the quality of raising a child; the quality of education; imparting values; concern for others; respect for property; and those things I mentioned at the start of my contribution. I do not think there should be any apology in the school system or the family for re-enforcing those values in the strongest way possible. I commend the motion to the house. I trust we can advance it. I know the Attorney-General is seeking to improve the quality of life in our community—so is the opposition spokesperson. Let us work together with this format to see whether we can do better when it comes to what is often euphemistically called law and order.

The Hon. M.J. ATKINSON secured the adjournment of the debate.

TEENAGE ABORTION AND PREGNANCY

The Hon. R.B. SUCH (Fisher): I move:

That this house applauds the expansion of the SHARE program in South Australian secondary schools as an initiative to arrest the high rate of teenage abortions and unwanted pregnancies in this state.

The program is called SHARE and the organisation which originated the program is called SHine. The SHARE program began in 15 state secondary schools in 2003. There was some controversy about it. I know the member for Bragg and the Hon. Andrew Evans had some concerns. A pilot program concluded in December 2005. It has now expanded this year to 38 state secondary schools, with the teachers involved undertaking a training program with SHine. The schools in the program include Aberfoyle Park High School, Tintinara Area School, Victor Harbor High School (which would be in your electorate, sir), Mitcham Girls High School, and so on.

I believe information and awareness is needed in relation to teenage pregnancies and abortion. Traditionally, and sadly, in South Australia we have had very high teenage abortion

and pregnancy rates. The rate here has been more than three or four times in each of those categories when compared with Germany, Holland and some Scandinavian countries. I believe that is unfortunate. I do not believe it is necessary to have those high rates. In fact, I would prefer if there was not abortion at all. I leave the decision ultimately to the woman, but I think we would be better not to have abortion rather than have it. A lot of these abortions are the result of ignorance. Often the naive young woman would almost certainly get pregnant rather than the one who traditionally people would categorise as promiscuous. In my observation—and it is not based on scientific evidence—it would be the naive young girl who would be more likely to get pregnant than someone who has been more active sexually. I cannot give the exact ratios, but those statistics showing very high abortion and teenage pregnancy rates in South Australia have continued for quite a while. One of the aspects we have to bear in mind is that we have the most comprehensive reporting of abortion statistics in Australia, so we have to be careful in making comparisons with other states in Australia. Many of the other states do not have detailed reporting of abortion in the same way we have here.

I do not accept the argument that ignorance is desirable, and I do not accept that it encourages promiscuity. I think it has the opposite effect, and that is the experience in the Scandinavian countries. In those countries where young people get comprehensive sex education, there are lower rates of abortion and teenage pregnancy. Part of that education—and I am quite up front about this—should include making clear to young people that they have the right to say no. I am not advocating sexual activity by young people at all. Young people should not be pressured into sexual activity. The program should not promote sexual activity; it should make young people aware of not only physiological aspects but also psychological aspects. My information is that someone cannot have repeated abortions without suffering some likely consequence in terms of physiology.

I am sure the Hon. Andrew Evans will be pleased to hear that I am not in any way advocating sexual activity by young people. In fact, my advice to many young people would be, 'You don't have to rush into these things. You don't have to be sexually active, despite the fact that the media promote sexual activity in a way that is quite irresponsible.' In my view, and it may be a biased view, sexual activity is best in the context of a committed, loving relationship, not doing your own thing, taking advantage of other people and all that sort of thing. That has never been part of my focus in life, which might surprise some people. I have never set out to be the stud on the block. I did not have anything going for me, anyway, but that is a different issue.

The media, and I guess the community, in a general sense, put pressure on young people, especially young girls, to feel that, unless they are having sexual intercourse, they are not with it—that, in their language, they are not cool. I would say to those young girls, 'Don't rush into things. You've got plenty of time, plenty of years. Don't be persuaded; don't be indoctrinated by media that seem to be obsessed with sexuality.' I have mentioned before in this place Bertrand Russell's advice, which is 'Our society has sex on the brain, which is the worst place to have it.' We as a society seem to be obsessed with sexuality.

I will now get back to the key aspect of this motion. What SHine SA (Sexual Health Information Networking and Education South Australia Incorporated) is doing is making young people aware of not only the physiology but also the

wider aspects of sexual behaviour so that young people will not be caught out through ignorance, and they will not be trapped by people who want to take advantage of them. I dispute the opinion held by some people that this will lead to greater sexual activity in young people. I think it also gives young people greater protection in the sense that they will be more aware of those who may wish to take advantage of them. The program makes them aware of things like drink spiking, and it makes them aware of people who want to take advantage of them in other ways sexually, which, sadly, is all too common in our society.

I do not want to be holier than thou, but is a very sad reflection on our community, particularly on men, obviously, that we tend often to degrade women by simply looking at them in physical terms. Apart from it being insulting, it is inaccurate and untrue. We need to instil in young men in particular a respect towards women and girls, and I think this attitude comes from within the family and it should be reinforced in schools, so that young men have respect for young women and see them in the context of how they respect their sister and mother, and so on, so that they do not view women simply as a piece of flesh, which, sadly, is how they are often portrayed in the media. I can understand how women find being viewed in that light, that is, in a physical sense, very demeaning and disturbing.

The SHARE program also looks at issues such as drug taking, sexually transmitted diseases and hygiene. It is not simply, 'This is your body; this is how it works. This is the male; this is the female.' It is a lot more comprehensive and sophisticated than that. It needs to be, because surely the days of dissecting a frog, which probably was the sex education lesson for some members here, are behind us.

I conclude by commending SHine on what it is doing. I trust that the program has now been refined to a point where the community is happy with it. Parents still have the option of saying no if they do not want their young person involved, but my experience is that parents want their youngsters to be in this sort of program. A lot of them have spoken to me and said that they want their child to be involved because sometimes in the home situation they do not feel comfortable talking about some issues that a professional can handle with less embarrassment. Therefore, the parents are often happy for a professional to undertake it through the SHARE program.

I commend the motion to the house. I acknowledge the excellent work being done by SHine through the SHARE program, and I look forward to its being extended. Hopefully, as a result of the program, we will see a continuation of what has been happening in the last couple of years: that is, a reduction in the number of abortions and teenage pregnancies. This can be celebrated by the fact that, between 2002 and 2004, the teenage abortion rate reduced by 15 per cent in South Australia. Whilst we cannot claim that the SHARE program is responsible for that, I think it certainly has helped. If it is extended, we might get down to at least the level in Germany and in Scandinavian countries, where teenage pregnancies are rare and where teenage abortions are extremely rare. I commend the motion to the house.

Mrs GERAGHTY secured the adjournment of the debate.

CRIME PREVENTION

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government to adopt innovative and early intervention crime prevention strategies to help reduce the number of persons getting involved in antisocial and criminal activity.

I guess that in some ways this motion links in with an earlier one. For many years in this state we have had so-called 'crime prevention strategies'. I know that the current government reduced funding to those programs, and I think with some justification, because many of them in my view were quite silly; in fact, I know that from first-hand experience. I went to a meeting in my electorate under the banner of 'crime prevention' where the advice to the audience was: 'Take up your concrete driveway and put down gravel so that you can hear the offender coming down the drive.' That might be an extreme case, but that was some of the silly nonsense that went on under the guise of crime prevention strategies.

The fact that some of what was done before was not appropriate should not negate the fact that we can have crime prevention strategies that are effective and sensible. I mentioned earlier some of the reasons that people end up in the criminal arena. We know that quite a bit of crime is opportunistic; if people think they will get away with it, they will do something. However, a lot of it has its genesis in the home situation (I use the term 'home' in inverted commas) where you have, as I indicated earlier, learning disabilities, mental health issues, intellectual retardation, alcoholism, drug-taking, and so on. These underlying problems also manifest themselves in the school environment where youngsters in junior primary reflect such a dysfunctional background.

If we are to really help reduce crime, what we need is early and appropriate intervention, not only in the family situation but also in the school. I will cite some examples. These are some extreme cases; nevertheless, they are true. The ringleader in the Truro murders, Worrall, was taught in junior primary by my neighbour. She did not teach him to do bad things, but in junior primary he exhibited behaviour that should have been dealt with thoroughly and properly. She also taught the guy who murdered the elderly lady at Brooklyn Park, which happened a few years ago and is more recent than the Truro murders. He also exhibited antisocial behaviour at school, as did Martin Bryant—and some of you have looked at his case. At primary school he was cruel to insects and animals and showed all the warning signs which then, tragically, were lived out at Port Arthur.

These are extreme cases but, if you allow that sort of behaviour (which, in the case of one of these characters, involved putting faeces on the classroom wall) to go on—cruelty to animals, pulling insects apart and hurting other children—and do not deal with it at that early stage, you will have to deal with it later. I am not saying that you should go to a junior primary school and stamp on their forehead 'FC' (future crim), but the reality is that junior primary teachers can tell you with pretty good accuracy who is likely to get in strife not too far down the track. So, you need to intervene, and I do not think it infringes upon the principles of our society to intervene and to deal with that situation. If you do not deal with a lack of empathy at an early stage—and that means understanding that you are hurting someone, how would you like that if it was done to you, put yourself in someone else's shoes, the biblical do unto others, and that sort of thing. If you do not get that into young people at an early age, then you will reap the consequences later on.

As I indicated earlier about the percentage of prisoners who do not have functioning literacy or numeracy—about 60 per cent of the males—it is hardly surprising that they have trouble getting work, it is hardly surprising that they can

participate in society, and it is hardly surprising that they are alienated and hostile. So, more is being done, and I think one of the best initiatives, and I was strongly supportive of this, is the visiting of newborns that was instituted by the present government, and I think it is a great idea. It should be followed up and extended so that there is a visit, perhaps, when the child is older to see what the family environment is like. When you see mothers in shopping centres saying to their child, and I will not repeat the language here, 'You f-ing little so and so' and even worse language than that, it is hardly surprising that that child is going to think it is acceptable, normal behaviour. I think a parent who behaves in that way forgoes some of the rights of a parent, and I think society should intervene and say quite clearly and explicitly that that sort of behaviour is unacceptable.

We have an enormous problem in the Aboriginal community. I do not subscribe to the political correctness that says that you must tiptoe around the edge and pretend that there is not crisis in the Aboriginal community in urban areas in terms of crime—there is. The tragedy is that they are destroying themselves in car chases and all sorts of antisocial behaviour, wiping themselves out in great numbers, and destroying themselves. The thread that exists which might be one of the avenues to save these kids is the women in those communities because, sadly, and this is from the Aboriginal people themselves telling me, too many of the adult males are almost incapable now of exercising leadership; too many have damaged themselves or have been damaged through alcohol and other experiences; and it is left now to many of the older women to try and salvage the young Aboriginal people—the teenagers and even earlier than that.

We heard evidence, when I was chairing the select committee on juvenile crime, from Aboriginal women who told us that Aboriginal kids under the age of 10 were already actively pursuing a criminal career. The police were waiting to greet them on their 10th birthday so that they could possibly take action under our law because, if they are under 10, it is assumed that they cannot form a criminal intent. We have had this pussyfooting around for a long time. I would not call it genocide because there is no deliberate intention by the European part of our society to destroy the Aboriginal community, but you can have the same effect through inaction or not intervening. We are now seeing people concerned about what is happening in traditional Aboriginal communities; that has been going on for years.

I can remember when I was minister, reporting back to cabinet on what I saw up in the Pitjantjatjara lands, and it was accepted that young people walked around sniffing petrol. If you are not careful, you become acclimatised to this tragedy, and end up not intervening. All the evidence shows that you must intervene early. I heard the Minister for Aboriginal Affairs and Reconciliation yesterday talking about a mentoring program. We, as a community—and the Aboriginal community has to accept some responsibility, and they should not blame everyone else; they must accept some responsibility. We need to intervene early. The member for Taylor has just come in, and she was the minister for education when I referred a case to her a few years ago. A lad was left by his mother at a FAYS office when he was about two years old. As you can imagine, that had a devastating effect on him. His father, also, has some issues. To cut a long story short, the then minister, Hon. Trish White, was very supportive, and got that lad into a school environment where he could get help. That lad, and I have seen him in recent times, is very active now in a sporting group. His whole life

has changed; he is a credit to himself and his father; and he is an example of what happens when you intervene and get appropriate help at an early age. He has come to terms with the situation now that he was dumped as a baby, or not much more than a baby.

The education department was able to assist with support programs and that saved the lad from—I would predict, almost certainly—ending up in prison down the track. I have seen this lad, I have presented awards to him along with others at a sporting group—I will not be too specific, because I do not want to identify him—and to think that a few years ago, he was an absolute nightmare in school, a menace, expelled in year one and two, suspended, running amok and causing mayhem. But with the right intervention and support—as I say, gladly given by former minister Hon. Trish White—that lad now has a future. That is the sort of thing that can happen and is what I call genuine crime prevention, because there is no doubt he would have ended up so aggressive and hostile that he almost certainly would have gone down the criminal path.

So, when I talk about crime prevention, I know we can get into things such as designing buildings and having more lighting and so on, but the fundamental thing is early intervention backed by explicit teaching of values (which I talked about earlier), reinforcing the values of respect for self, for others and for property, and doing that through schools as well. There should be a commitment to the community. I see the Minister for Volunteers here. All young people in schools should learn to serve the community and do things for others, and that is all part of the linkage to the community as part of a crime prevention strategy. You do not do it just for the sake of crime prevention but because it enriches life and enriches the community. We should be doing things for others and engaging people and children in community activities. Some schools do it, but not all. They should encourage relating to people, caring for people and helping people with a disability. All of those things are part of moving away from what is, in effect, a self-focus, a selfish approach and an anti-community approach which results in that anti-social and criminal behaviour.

So, I do not want to see the old sort of crime prevention strategies resurrected—tearing up your concrete driveway to put in gravel. That is a nonsense. What we need is intervention by the agencies, without apology, if a child is at risk and needs help or has problems with learning disabilities. We need to intervene. Schools should be teaching values explicitly and reinforcing them through school assemblies, getting young people to work in the community, visiting elderly people in nursing homes, and doing things for the community, which is the essence of volunteering—which is, if you like, not being selfish but thinking about other people. That is the underlying spirit of doing community work and volunteering.

I do not claim to have all the answers in terms of preventing crime. As I say, some crime is opportunistic and maybe we will never stop that, but I think we can do a lot better and would like to see South Australia take the lead in being innovative in reducing the level of anti-social behaviour and crime—particularly in relation to our young Aboriginal people, because I think we are facing a very serious situation and, if we are not careful, not many of those young people (particularly the boys but also the girls) will reach adulthood.

The Hon. M.J. ATKINSON secured the adjournment of the debate.

PLEBISCITES

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government to provide an opportunity at state elections for voters to voice their views, via a plebiscite, on what they think of various social issues, as well as to indicate their spending and/or other priorities for government, with the process organised and coordinated by the Electoral Commission.

The Hon. M.J. Atkinson: Peter Lewis is dead, but his spirit lives on.

The Hon. R.B. SUCH: I correct the Attorney-General: the Hon. Peter Lewis is searching for gold.

The Hon. M.J. Atkinson: He is what?

The Hon. R.B. SUCH: He is into creating jobs for gold mines.

The Hon. M.J. Atkinson: Iron ore, I believe.

The Hon. R.B. SUCH: With nanotechnology you can turn iron ore into gold. This motion may seem rather novel and governments probably see it as unnecessary and undesirable, but I guess we have to put up with governments. This motion calls for an opportunity for a plebiscite, which is not a referendum: it is a guide and not binding in the same way a referendum would be. This government, in my view, has never been able to deal with a range of social issues because members either get scared or for some other reason cannot deal with issues such as prostitution reform. They cannot deal with voluntary euthanasia and have trouble dealing with same sex relationships. In relation to tattooing and body piercing they seem to freak out, as with the abortion debate. I do not know why, but members seem to get scared when it comes to these issues.

Someone sent me a letter recently because they obviously did not like the suggestion of lowering the voting age (it was obviously someone who was not young), saying that the job of a politician is to represent. That is true, but the Hon. Robin Millhouse, who I think is still judging in Kiribati or somewhere (one of those aircraft carrier islands that is still there, subject to global warming), said once, and it is very true, that members of parliament are not just there to represent: they are also there to lead, and should provide leadership. In my experience, the community wants that, respects that and rewards it. I have been threatened many times because I have advanced ideas which might be seen as a little bit radical, but it was the view of Sir Robert Gordon Menzies that, if you explain your position, the public is likely to warm to it, or at least warm to the thought that you are actually doing something.

But, for some reason, people in here get scared and wimp out when it comes to talking about these issues. The former member for Unley (not the current member) tried to change the law relating to prostitution, and other members have tried to deal with the issue of voluntary euthanasia. I am not sure that we have totally resolved the issue of same sex relationships, and I see the federal government is getting into a lather trying to change and veto what happened recently in the ACT, where it saw the move there as a threat to marriage.

This proposition is quite simple. I do not have to take up much time of the house. It would let the public have a say. If the members—their representatives—cannot have a say and lead on these things, we will put it back to the voters. We will let them have a say through a plebiscite. It would cost next to nothing because we would already be going to the polls. I think the public would welcome the opportunity to have a say, not just on these issues, there could be—

The Hon. M.J. Atkinson: It would cost about \$1 million for each one.

The Hon. R.B. SUCH: Well, I could easily save \$1 million out of a budget of \$10 000 million. I am happy to come in to the Attorney's department and save \$1 million.

The Hon. M.J. Atkinson: Can you come around immediately after the proceedings today?

The Hon. R.B. SUCH: I will, and I will walk there to save the taxi fare. This might seem a bit radical but we could ask the people what their priorities are. People might say that they get their chance during the election campaign, but they don't, really. People talk about mandates and all sorts of things. The public vote probably for the mob they think is better than the other mob. They do not look at all the fine print. I am not suggesting political parties in South Australia would be deceptive, but we find that they put up a package and, once elected, they say, 'You also voted to bring in voluntary student unionism,' or 'You voted to get rid of wage protection which was on page 299 of our policy document which you may not have seen through some accidental omission.' So the reality is that the public do not get a say on a whole range of things.

True, health is an issue, but it is so complex a matter in many respects that we could be a bit more sophisticated in terms of asking people for their priorities. At the last election, the Labor Party offered 400 police. The auction went on and the Liberals offered 400. So, in effect, there was no choice at all. I notice neither of them have said how many there would be in net terms after people retired, took a package or left.

The Hon. M.J. Atkinson: That's not true. There is recruiting against attrition.

The Hon. R.B. SUCH: The Attorney is saying his was a net commitment. That is great. I applaud him for that because that is being very honest. So, you can ask the community what their priorities are. We keep hearing this catchcry, 'Spend everything on health', which, if you think about it, is quite silly because you could spend all your money on health and you would still have people saying they want to be cured by yesterday. You still need to have other things. You need to have a police force and you still need to focus on the environment. It is not all or nothing.

People could be asked to indicate a preference. They could be asked whether they support daylight saving and whether the time zone should be changed. There are many things that could be asked. But being a little bit of a cynic at times or, more accurately, sceptical, I am not holding my breath in terms of this proposal, because I think the last thing some people want is to ask the people. We do not want to be too democratic. We do not want electors having too much to say; we need to be wary. I am not holding my breath and being too optimistic that the members in here or in another place, for that matter—even though this is a motion—are going to rush in and support it.

I will be interested to hear what members think of this motion. I know a member in another place is keen to ask people about poker machines, but I suspect he wants that in the form of a referendum rather than as a plebiscite because he has a strong opinion on what the community thinks. I commend the motion to the house and look forward to its gentle treatment by members in this place.

Mr KOUTSANTONIS (West Torrens): I rise to exercise my democratic rights. I am sympathetic to this motion; I am all for democracy and for spreading democracy throughout the world, and I am also in favour of spreading

democracy within South Australia. That is why I called on our judges to be elected, or perhaps even our magistrates to be confirmed or front the people or the parliament and answer a few simple questions. Before I run for election I am put under extensive scrutiny—as are all members in this house—and asked all sorts of questions.

The Hon. P.L. White interjecting:

Mr KOUTSANTONIS: The member for Taylor says not enough. I agree; there should be more scrutiny of members of parliament, and I am all for that. We are asked to declare all our affiliations and we are even asked to make declarations about who we have loans with, so our personal finances are on the public record—

The Hon. M.J. Atkinson: Or liaisons with.

Mr KOUTSANTONIS: If I were the Attorney-General I do not think I would be raising matters like that. When it comes to plebiscites asking the people whether they would support certain initiatives in the parliament I think that has merit, but where do we stop? Do we then have plebiscites on court cases with the court cases being tried publicly and then the people are asked to decide on guilt or innocence?

An honourable member: They are; it is a jury.

Mr KOUTSANTONIS: That is a selected 12, a representative plebiscite, which is what we have here in the parliament—a representative plebiscite. Every four years people are asked to elect their members of parliament and they come together and vote. Juries, unlike members of parliament, are not elected; they are selected by a panel—

The Hon. M.J. Atkinson: From the electoral roll.

Mr KOUTSANTONIS: If the Attorney-General wants to speak I ask that he wait his turn and get up and speak, but if he wants to disenfranchise backbenchers, like cabinet members in the past have, then I advise him to get up and make a speech. Otherwise, sit down quietly.

The member for Fisher is a fine democrat who believes passionately in our democratic systems, and I support a lot of what he has to say. I like people to have a chance to have their say on certain matters in a plebiscite; I think it would be a good idea. However, I also think it could make the system redundant. You could have a situation where people are being asked to vote monthly or even weekly, have mass turnouts on plebiscites, but in the end this could ruin the system and make voting less a sacred right than it is now. It could become mundane, something that people do not want because it is so frequent. Imagine if you put every bill before this house out to a plebiscite; imagine the cost of asking people to turn up on a Saturday and give up their time to consider legislation. That is why we have representative democracies.

You reach a point where we have to ask ourselves how far we want to take democracy. I like the idea of having plebiscites but I do not think we should have them as frequently as the member for Fisher is asking. However, I do think we should extend it to elect our judiciary—or, at the very least, have a confirmation process—because they are the third arm of government, a separate arm of government, and they do sit in judgment of us. From what I understand about our constitution, apparently not even all the cabinet gets a say in who our judges are. Apparently the Attorney-General can just go to Government House and appoint a judge without any executive scrutiny. I find that very concerning because, once a judge is appointed, I understand that it takes a two-thirds majority of a joint sitting of this parliament to remove them. So you can have one person elected from one political party, in cabinet, decide to appoint someone as a judge without the scrutiny of the rest of cabinet and without the scrutiny of this

parliament—and then it will take two-thirds of us to get rid of them. That seems to be a very inequitable system.

Perhaps those fine men and women who sit in those courtrooms could avail themselves of this parliament to sit down and go through a committee or confirmation process, like they do in most other democracies. A committee of this parliament could then ask them a few basic questions. What are their views on certain laws? Have they been members of political parties? Who have they made donations to? These are things that we are asked constantly, that we are forced to declare, but our judges are not until after they are appointed. While I am supportive of increasing the democratic rights of South Australians and their ability to have a say in how the government is run, they have no say in who our police commissioner is, for example, nor our DPP, Supreme Court justices, magistrates, District Court judges—

The Hon. R.B. Such: Or the Governor, selected by the Premier.

Mr KOUTSANTONIS: Or the Governor; very good point member for Fisher. If you want to expand democracy, rather than removing the ability of this parliament to make decisions—and the parliaments of Australia are probably the most democratic institutions in the land, because we are elected every three or four years and put under intense scrutiny—perhaps we should increase the democracy of our role, which I think is a better proposal. I think we do a very good job of that, and an example exists in the electorate of Fisher. If you look at the *Notice Paper* today, there are 10 motions alone from the good people of Fisher and their representative. They are getting a lot of democracy. Before we introduce plebiscites into what we do, perhaps we could increase the role we have in determining these other positions in these other offices.

I give an example from the United States. Before they appoint a Supreme Court justice to the highest court in the land, each senator is asked to vote on their confirmation and, before that confirmation period starts, there are public hearings, out in the open, where judges are asked questions—good and detailed questions. It provides scrutiny, openness, honesty and accountability. Here in South Australia, and indeed in Australia, there is no such scrutiny. I am very concerned about the way we appoint our judges, but obviously I am a lone voice in this because no-one else in the parliament would ever agree to having our judges face the same kind of scrutiny that we must, let alone being elected. However, I think the compromise is to have a committee process where we can confirm judges. Of course, I cannot imagine any executive—Labor or Liberal—giving up its ability to appoint judges to the bench. I commend what the member for Fisher is doing, although I do not think his motion will be successful in this house. Perhaps we could look at democratising other institutions before trying to tamper with a completely democratised institution like ours.

Ms BREUER secured the adjournment of the debate.

OFF-ROAD CYCLEWAYS

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government to commit to the provision of a comprehensive system of off-road cycleways and walkways throughout the metropolitan area which would allow for safe commuting and recreational use.

I acknowledge that we have some off-road cycleways and walkways, but they are nowhere near the number we need

and should have. We are an affluent community and we should be able to provide a system where people can ride a pushbike, wheel a pram, walk their dog, jog, or whatever, without having to worry about motor vehicles. The Department of Transport runs a program called 'Share the Road'. I do not know whether any members have ridden pushbikes recently, but it means that you share the road with concrete trucks, B-doubles and road users who disregard people riding pushbikes and motorbikes. I think it is a very dangerous concept, especially for children. I do not know whether any of the members here would want their children cycling on our main roads to 'share the road', particularly when the cycleways, which are painted on the road, suddenly come to an end. You have to work out where you go when you come to the dead-end on the painted short stretch of cycleway. What I am proposing would not be cheap but, if you look in an electorate like mine, you cannot venture down Happy Valley Drive, Chandler's Hill Road, Black Road (part of which has a footpath) to walk, or cycle, or jog in safety.

Some 20-odd years ago I was on a committee for a Hills valley cycleway going through Blackwood and Belair, linking the national park. The off-road cycleways and walkways that were instigated as a result of that committee are the only ones that exist; they have not been added to. I am lobbying not only my council (the City of Onkaparinga, where my electorate is) but also the City of Mitcham, and the state government—and I would like to see other councils join in—to create a comprehensive network of off-road cycleways and walkways. Where they exist people use them, and they use them a lot. We should be encouraging people to walk and cycle safety. People should not have to share the road with trucks and cars and whatever else.

We are a bit behind the eight-ball and, as I say, it would not be cheap, but we need to do it, and the government should be committing a substantial amount of money to do it. I cannot recall the exact figures, but the number of cyclists killed on our roads over the last few years is pretty horrendous. Hardly a month goes by without a cyclist being killed on our roads. You will never prevent that totally, but you will reduce it when you have a situation where people can cycle in safety. People should be able to cycle up to Belair Park. People say, 'That would be difficult engineering.' Sure, it would be a challenge, but you can do anything if you set your mind to it. People should be able to cycle from the southern suburbs into the city, from the northern suburbs, from the eastern suburbs, from the western suburbs—you should be able to hop on a pushbike. You can go up the Torrens Linear Park, which is excellent, providing you do not run over people with their dogs, other people jogging and so on.

We do not even have a set of coordinated cycleways through the Parklands. A lot of them go in directions which are not necessarily conducive to people commuting or wanting to engage in recreation. If you ride a cycle, as I have done, from Victoria Park Racecourse around to, say, Keswick, it is a bit like trying to understand the Da Vinci Code backwards; it goes all over the place and you do not know which bit is meant to hook up. Fortunately, I have a mountain bike and I can leap over concrete gutters and so on.

Ms Breuer: I would like to see that!

The Hon. R.B. SUCH: I can arrange it. You may have a problem: if you do not have a bike which can withstand that sort of thing then you are in strife. Once again, I come back to the point I am making and have made many times in the past: we should lead Australia and the world in some of these things. We spend millions of dollars on other things—and I

do not have a problem with sporting activities and sporting facilities—yet, when it comes to basic recreation, where a family can go for a walk, or someone can push a pusher or someone can use a wheelchair, we ain't got too many of them that are genuinely off-road.

I commend this motion. I would like to see an increase in the State Bicycle Fund, specifically to fund off-road cycleways. Sadly, the State Bicycle Fund was cut from \$600 000 in 2002 to \$200 000 in 2003. That is not adequate; not good enough. I know the government is getting a bit cautious about spending because of expenditure on some of its road projects but, if it is looked at just in commercial terms—and, obviously, to lose someone on the road is a tragedy—just in money terms, the loss of one life is more than a million dollars.

The loss is a personal one, and I do not want to equate it purely to monetary terms, but to save one life through providing proper, safe cycleways would more than recoup that outlay. I think that the LGA needs to get on board as do all the councils, and those who want to exercise their dog, ride their bike or push the pusher need to start telling their representatives that they want to see some decent, well-designed, off-road cycleways and walkways. They are multipurpose, can blend in with the environment and would help reduce greenhouse gases and pollution. Less traffic congestion and increased fitness are just two of the benefits that would arise. I commend this motion to the house.

Ms BREUER secured the adjournment of the debate.

CIRCLE LINE BUS

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government to introduce a dual circle line bus service in the Eden Hills and associated areas, and in the Happy Valley and associated areas, respectively, to provide for a linkage to train stations, shopping centres, schools and other community facilities, and which will also integrate with existing bus and train services.

This is an idea that I first proposed 20 years ago when I was active in the community. I am still active in the community but I was active in community associations and the like back then and even earlier. It makes a lot of sense. The reason that I suggest a dual service is that the area would cover much of the Hills section of the electorate of the member for Davenport and would link with one covering my electorate. At the moment, the public transport that we have does not really integrate with the railway stations, other bus services, community facilities, shopping centres and the like and, by providing a double circle line in the Hills/valley area with one bus going clockwise and the other anti-clockwise in each of those two areas, you would reduce some of the serious issues arising now, such as lack of parking at stations such as Coromandel Valley, where the government and the council are going to need to spend hundreds of thousands of dollars shortly because there is not enough car parking.

You would also help with all the congestion you get at schools, enable people to access shopping centres and enable people to link in with some of the existing linear bus services. At the moment, people cannot easily get from, say, O'Halloran Hill to The Hub shopping centre. There is no way they can link easily with public transport. There is no easy way you can get from Eden Hills to Flagstaff Hill but, if you had the two services meeting somewhere, say on Black Road, you would be able to facilitate that and reduce the number of cars that are now increasingly clogging up Old Belair Road as the subdivisional activity continues in the Hills/valley area.

In Blackwood, in what is Craighburn Farm (the developer's name is Blackwood Park), in the electorate of the member for Davenport, we are about to have another 600 homes. Those people will have at least two cars per household, yet they are going to be trying to access the city, Marion Shopping Centre, and so on. Heaven knows how the roads are going to cope. If you had a circle line system you could avoid not only some of those impending problems but also some of the current ones. We have more and more retired people living there. A village called Forest Place, which has 270 homes in it, has just gone in at Happy Valley. Those people need a service that links in with other services. We should have had this sort of facility years ago. Circle line systems are very effective in linking up. We have had one in Adelaide that goes around through Underdale, and it has been operating for many years, but I am talking of two smaller circle line systems in parts of the Blackwood/Belair area and in the Happy Valley/Aberfoyle Park area.

I have written to the minister about it and he has undertaken to look at this proposal as part of his assessment of public transport in the southern area. I know it will be welcome because people have told me. It will provide a linkage between existing services and allow people to move around parts of the hills without having to take their car and clogging up the roads. It would enable people to link into the railway stations. It would save on the capital expenditure required there to accommodate the increasing problem of cars parked in streets surrounding Coromandel station, Blackwood and so on. It is a common sense measure. I am sure the Minister of Transport in his normal diligent way will respond to this issue, and I trust it will be sooner rather than later. I commend the motion to the house.

Ms BREUER secured the adjournment of the debate.

NUMBERPLATES

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government to permit a wider range of vehicle numberplates and, in particular, to allow sporting logos, for those who wish to display their support for a particular team, and that the revenue raised from these sales be directed to junior sport development.

The idea for this came to me in a moment of brilliance—I do not have many. I was looking at our numberplates and I know we are the festival state. We now have the festival of politics in March. We have for some time allowed people to buy a numberplate with various slogans. The variable slogan plates include: gateway to the outback, the wine state, the rose state, the defence state, the creative state, and, the electronic state. I understand these have not been accepted with any great enthusiasm and very few people have taken up the option.

The plate stating 'SA: The Festival State' is currently mandatory, unless you are prepared to pay for one of these other plates: alpha numeric, premium plate, variable slogan plate, a personalised plate, a corporate plate, or, a history plate. What I am suggesting is not limited to Port Power and the Crows but that people be able to have a numberplate that reflects their sporting support, namely, a soccer team, a basketball team, a netball team or whatever. The fee charged would be the same as you currently pay for the current variable slogan plate.

My further suggestion is that the additional money raised by the sale of these plates, \$70 per plate, would go towards

the development of that particular junior sport. If it was a football plate, it would go to the development of junior AFL and, if it was a netball plate, it would go to the development of junior netball. I believe a lot of people out there would be willing to have 'SA: Home of the Crows' or 'SA: Home of Port Power' and pay \$70 for the privilege. Members may not be aware that at present there is a corporate plate with a football slogan, which costs \$180, but the slogan is limited to those which do not appeal to many people. One says, 'Crows AFL Premiers 1997-98' and the other says 'Power since 1870'. They are relatively expensive and they have little appeal because of the wording, and the tight legal control which exists over the artwork. I think something simple, such as 'SA: Home of the Crows' or 'SA: Home of Port Power' would be well received.

In terms of the development of junior sport, 1 000 plates equates to \$70 000. Under the rules of hypothecation—which is a fancy word—treasurers normally do not allow a dedicated amount to go from a receipt to a particular function. Treasurers do not like that sort of thing. They are sensitive people and they get upset when someone suggests hypothecation. It is not hard for the government to say, 'The plates raised \$200 000 for junior sport. We will make an equivalent allocation via Office for Recreation and Sport SA equal to the money generated by the sale of the sports slogan plates.' I accept that hypothecation probably would give the Treasurer a nightmare, but he can get around the problem by allocating an equivalent amount of money to junior sport.

I have had a lot of support for this. In fact, the Adelaide Football Club has been in contact with me; and I am waiting to get back to them. I have had a lot of support from Graham Cornes and Ken Cunningham; they think it is a great idea. The Minister for Recreation, Sport and Racing was very gracious, and said to me that he wished he had thought of it. I am not seeking the glory. All I want is a numberplate, 'Fisher: Home of Bob Such'! No; I am not seeking that at all. The Minister for Recreation, Sport and Racing is a sensible person and he thinks it is a great idea. It is a matter now of the Minister for Transport, who is a sensitive new-age person, and the Treasurer coming on board. I think they will get a lot of support from within the sporting community: people who want to see junior sport assisted and people who want to get around with a numberplate 'SA: Home of Port Power'. That is no reflection on 'SA: The Festival State', because we now have so many festivals that it probably should be put in the plural anyway. I commend this motion to the house and ask members, particularly those members in caucus, to use their gentle persuasion to encourage their ministerial colleagues to come on board. As I say, one of them has graciously indicated his support for the idea; so have many sporting associations. I look forward to this becoming a reality. I commend the motion to the house.

Ms BREUER secured the adjournment of the debate.

FOOD LABELLING

The Hon. R.B. SUCH (Fisher): I move:

That this house calls on the state government and Food Standards Australia and New Zealand to—

- (a) improve the standard of food labelling and making it easier for the consumer to comprehend;
- (b) set appropriate standards relating to health and other claims promoted on food labels;
- (c) require food manufacturers to list trans fatty acids on food labels;

- (d) require more detailed information including the percentage and source of imported components and ingredients; and
- (e) make it easier for consumers to be informed by way of displayed information on food which is made, packaged or retailed on site.

Members might be surprised to know that, in Australia, it is not mandatory to inform consumers that they are consuming trans fat or trans fatty acids, and members are probably asking, 'What are trans fatty acids?'

The Hon. M.J. Atkinson: What are trans fatty acids?

The Hon. R.B. SUCH: That is a good question from the Attorney-General. Trans fatty acids are created when vegetable oil is hydrogenated. It is subjected to hydrogen through a process which turns it into a form that has the same coronary heart disease risk as saturated fat. A document from the Centre for Food Safety and Applied Nutrition of the Food and Drug Administration (FDA) in America (which is a fairly conservative body) states:

Scientific evidence shows that consumption of saturated fat, i.e. trans fat, and dietary cholesterol increases your risk of coronary heart disease.

It does this through raising the levels of lipoprotein (LDL), or what is sometimes called bad cholesterol. Members may be surprised to know that trans fats are found in vegetable shortenings, cheaper margarines, crackers, biscuits and cookies and snack foods, as well as oil used in deep frying (for example, in fish and chip shops). People often say, 'Oh, America is free and easy,' but the FDA has mandated that, from 1 January this year in the United States, foods must indicate whether they contain trans fat. Until the present time, and certainly in Australia, people are consuming trans fat without knowing what they are eating.

They probably think that the label on this product says that it contains vegetable oil or a vegetable derivative, but in actual fact it is as bad for them as eating pure animal fat, and it may even be worse. Our Minister for Health would be a member of the council, but I am suggesting that he pushes strongly for it to be identified on the labels. If people want to consume it, that is their choice. However, I am saying that they should at least know what it is they are consuming. If one looks at our packaging (and this is part of my motion), the labelling should be easy to read and clear cut so that people know.

At the moment, many of our supermarket products are packaged in a way in which people find hard to understand what is in the product. Labels will indicate that a product has vegetable oil or something in it, but people do not realise that coconut oil and palm oil are two of the worst things you can consume, and they are used in many products because they are the cheapest. They are very bad for one's coronary system. They are the worst possible oils one can consume. What we need is clear labelling. I do not want to harm the takeaway food industry, but people should be aware that takeaway products are almost certainly cooked in trans fat (hydrogenated vegetable oil), which has been solidified and which often has been used over and again.

When people consume those takeaway products they are getting a fair taste of trans fat. If they want to do that, that is fine. I am not saying that people should not have it: I am just saying that people should have a right to know. A takeaway venue should at least display what is in the products being used. If you buy packaged items in a supermarket they must tell you. If you buy them at the deli counter in the supermarket, the supermarket does not have to tell you what is in the products it sells, which seems ridiculous. You can buy

something from the deli at the supermarket and no-one is required to tell you what is in the meat product. It could be goat, deer, camel, hare, rabbit or buffalo. There is nothing wrong with eating those things if that is your particular bent, but you do not have to be told what is in it; and, likewise, much of the labelling is misleading. Reduced fat does not necessarily mean low fat, it just means that it has been reduced.

Raspberry-flavoured yoghurt may not even have any raspberry in it; baked not fried does not mean that it has less fat in it; and fat free does not mean the product is low in kilojoules. Soya crisps contain just as much fat as potato chips, and terms such as high fibre, light and 80 per cent fat free are misleading, because 80 per cent fat free can still contain 20 per cent fat and high fibre foods can still contain high fat or sugar. I know that FSANZ (Food Standards Australia New Zealand) is moving to control health claims made on food packaging. That organisation has put out a discussion paper, and I support that.

The point I want to make is that in Australia we have been conned for a long time into accepting what the Americans will not accept, that is, vagueness and inadequate labelling of food products. Likewise, I think that, when people buy an imported food product, they should be told what percentage of it is Australian and what percentage is from overseas. At the moment, there is no requirement for that information to be displayed. We have Australian supermarkets selling milk that is processed in China, and I do not have a problem with that per se. The milk is milk powder from Australia, but it does not tell you that it is processed in China and sold here at a price less than milk processed in Australia. It will not be long before China will process all our flavoured milks, because it will be quite easy to do using long life milk.

All I am saying is that the consumer has the right to know. I am not saying that they should not eat a product; if they want to eat trans fat or saturated fat or yak legs, that is their choice, but at least they should know what it contains. In essence, we are way behind the United States in terms of food labelling. Customers and consumers here are entitled to know what a product contains, and I urge the minister to really take up this issue with the Food Standards Council, because we are seeing the consequences of people eating inappropriately. It is putting their health at risk and also creating problems in terms of obesity in our community. I do not believe we should follow America's lead in all things, but in relation to labelling food and food products, America is way ahead of us.

Even things such as the 'baked before' date is a nonsense; if it is baked a minute before midday, it is today's bread, but if it is baked a minute after midday, it is tomorrow's bread. The sort of nonsense that goes on is part of our legal arrangement, but it denies people the right to know what is going on. I think the 'best before' date is a bit of a con, too, because 'best before' means it could lose its properties but it can still be consumed without causing harm. However, the product may not be anything like what it was when it was originally made, whereas the 'use by' date is a mandatory requirement, which means that it is illegal to sell it after the date specified. The term 'best before' just means that, if you buy it the day before that date, it may not be anything like what it was when it was made but it probably will not kill you or make you sick. I think that issue should be looked at as well.

I commend this motion. I am heartened by the Minister for Health, and I have great confidence in his ability to pursue these issues—and I know he has a lot of other things to attend

to as well—because knowing what we are eating and what we are buying is a fundamental entitlement of all consumers. It would also help our local industry to know that people are buying things that are genuinely Australian. If they choose to buy imported products, so be it. However, at the moment, people are deceived, because labelling can say that the item has been packaged or processed in Australia when nearly all the ingredients have been imported, and I think we should know that.

Debate adjourned.

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

VISITORS TO PARLIAMENT

The SPEAKER: I draw to the attention of honourable members the presence this afternoon of students of Marden Senior College, who are here as guests of the fabulous member for Norwood, and students from Thebarton Senior College, who are guests of the member for West Torrens.

DRUG DRIVING

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

Leave granted.

The Hon. M.D. RANN: This morning in Executive Council, Her Excellency the Governor proclaimed the necessary protocols as well as the commencement of South Australia's new laws for random roadside drug testing of drivers, which will begin on Saturday 1 July this year.

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. M.D. RANN: The random roadside drug testing of drivers in South Australia will begin on Saturday 1 July this year and we are going to hit drugged out drivers hard, and make no apologies for it. It will be the third jurisdiction in Australia and, I am told, amongst one of the first places in the world, to put these laws into place. The road toll in South Australia for this year stands at 57. At the same time last year, the road toll was 66. Over the past three years, the annual road toll has averaged about 147 deaths. This compares to the annual road toll of 226 15 years ago and 339 30 years ago. Even though the figures are trending downwards, that is no reason to rejoice. The tragedy on our roads continues. Too many people are dying on our roads. Each death is an unbearable loss for someone's mum and dad, partner, daughter, son or extended family and friends.

This government is determined to ensure that drivers get the message that they must stop and think and act to defend their safety and the safety of others on our roads. Driving under the influence of drugs, especially cannabis and methamphetamines (such as speed), has been as insidious as it has been deadly on our roads. The most recent fatality figures from South Australia Police and the department of transport for 2005 show that a third of drivers and riders killed on the road in South Australia were above the .05 blood alcohol limit, many of whom were more than three times the blood alcohol limit. A third of drivers or riders who were killed on our roads or were responsible for fatal crashes previously had their licence disqualified. A quarter of drivers and riders killed were affected by cannabis or methamphetamines. So, a quarter of the drivers who died on our roads last year were affected by either cannabis or metham-

phetamines, particularly speed. Some 60 per cent of drivers and riders who were responsible for fatal crashes—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I think this is a serious matter which deserves serious listening. Sixty per cent of drivers and riders who were responsible for fatal crashes had previous driving offences, such as speeding or drink driving. A third of those killed were not wearing a seatbelt.

We have introduced a range of tough new measures, such as immediate loss of licence for those foolish enough to drive with a blood alcohol level in excess of .08, unrestricted mobile random breath testing and lowering speed limits, as part of our strategy to bring down the road toll. Now we also intend to bring down the full force of the law on those who put their own lives and the lives of others at huge risk by drugging up and driving out. We are not going to tolerate drugged-out drivers on our roads, and they are about to face random drug testing from 1 July.

From 1 July, uniformed police specially trained in the use of these new testing procedures will be able to pull over any driver anywhere in South Australia and ask for a drug test. This will involve the driver providing a saliva sample by placing an absorbent swab in their mouth or touching it on their tongue. The sample will then be screened at the roadside, with the result determined within about five minutes. If that result tests positive, a second sample will be required—a process taking around 30 minutes. A \$700 penalty will apply to those drivers who refuse to cooperate, along with the loss of three demerit points, while subsequent refusals will lead to a licence disqualification for up to 12 months. Those drivers found with drugs in their system face a \$300 expiation fee, along with the loss of three demerit points, with greater fines and loss of licence for subsequent offences.

This government makes no apology for taking a hard line on drugged drivers, drunk drivers, hoon drivers, and those who drive at excessive speeds or just plain irresponsibly. Apart from the devastating loss of life, which causes huge emotional upheavals within families for many years, the cost to the community in terms of police, emergency services, health and rehabilitation services, and so on, is massive. I am informed that in 2005 the estimated cost of road crashes in South Australia was \$950 million, and of that \$759 million related to fatal and serious injury crashes. That is why, when people complain to this government that they are upset about receiving a fine for speeding, or being fined, or losing demerit points, or losing their cars for hoon driving, or losing their licence for driving under the influence of alcohol, they are simply whingeing to the wrong people. If people continue to break driving laws, the police will continue to enforce them with the full support of this government.

This is the first state in Australia to create a new portfolio for road safety and appoint a Minister for Road Safety. We are determined to make a difference in road safety, not only to tighten up on enforcement but to balance that out with more and better education programs, better safety campaigns and better road infrastructure. With the long weekend coming up, I again urge South Australians to think about their safety, think about the safety of others and exercise commonsense on our roads. In other words, over this long weekend and for the rest of the year, let's see South Australians drive with care and consideration for everyone on the road and, most of all, keep safe.

PAPER TABLED

The following paper was laid on the table:
By the Minister for Health (Hon. J.D. Hill)—
Natural Resources Management Council—Report 2004-05.

HOSPITALS, WINTER DEMAND

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

Leave granted.

The Hon. J.D. HILL: Today I rise to provide the house with details of the state government's winter demand management strategy. This strategy, which I released today, is South Australia's six-point plan for coping with the inevitable escalation of demand in our hospitals over the winter period. Already this year we have seen some disturbing signs of what lies ahead for our public health system during the winter season. Although flu has yet to really hit our community, there has already been record demand for emergency services. On 26 May this year, the SA Ambulance Service had its busiest ever day and, during that week, our emergency departments were up to 12 per cent busier than during the same week last year. It is clear that the winter season is going to place extreme pressure on our public health system. The reality is that, if the flu hits hard, some elective surgery may have to be postponed. I want to reassure people who are affected by this that their surgery will be rescheduled as soon as possible.

Members interjecting:

The SPEAKER: Order! The discussion between the member for Mount Gambier and the deputy leader is out of control and interrupting the minister. The minister has leave; the minister has the call.

The Hon. J.D. HILL: Thank you, Mr Speaker. I want to reassure people who are affected by this that their surgery will be rescheduled as soon as possible. The good news is that now we have a comprehensive winter demand management strategy, which is aimed at managing the escalating demand in our hospitals over this period—and trying to reduce the impact on elective surgery lists. As part of this strategy, we are opening up to 150 extra beds across our public hospitals—and at the Royal Adelaide Hospital alone 50 extra beds will be opened. Our hospitals are also aiming to employ an extra 240 nurses to work across the winter period. Every year we employ more ongoing and agency nurses in hospitals during winter. This is our goal; there may be some difficulty getting all of those, but we will do the best we can.

An early warning system is being set up that will identify peaks in demand and help to manage the flow of patients. There will be close communication with GPs and nursing homes to alert hospitals to increasing demand as well. Hospitals will set triggers when demand is peaking, prompting staff to take action to ensure that demand can be coped with. More hospital-at-home beds will be provided, so that patients who really do not need to be in hospital can be cared for at home by the RDNS or Metropolitan Domiciliary Care. Links have been established with private hospitals and rehabilitation clinics so that they can be used as step-down facilities for some patients. As I indicated, the very dedicated staff of the RDNS and Metropolitan Domiciliary Care will also help with caring for people in their homes.

We have also targeted vaccinations, encouraging the community, particularly the elderly, to be vaccinated against the flu. Our medical staff—the people who keep our health system running—will also be vaccinated to ensure that they remain healthy during winter. With this coordinated and comprehensive strategy, our public hospital system will be the best prepared that it has ever been.

QUESTION TIME**STATE BUDGET**

The Hon. I.F. EVANS (Leader of the Opposition): Can the Minister for Transport, Energy and Infrastructure confirm that the Land Management Corporation has approached, or is about to approach, the South Australian government Financing Authority for a loan of up to \$40 million to fund its working capital and, therefore, meet its future dividend to state budget? The opposition has been informed that over the last three years the government has cut the cash reserves of the Land Management Corporation by almost \$80 million by requiring payments into the state budget. The opposition has been informed that the government's current budget crisis will force the Land Management Corporation for the first time to borrow to fund its working capital and its future dividend.

Mr Hamilton-Smith: Come on Pat.

The SPEAKER: Order!

The Hon. K.O. FOLEY (Treasurer): I am the Treasurer, SAFA reports to me, and I am responsible for the budget. The budget is not in crisis. That is just emotive claptrap—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Claptrap. The budget will be in surplus; the budget is in surplus. This financial year ending 30—

The Hon. I.F. Evans: Borrowing \$40 million?

The SPEAKER: Order!

The Hon. K.O. FOLEY: No, we will come to that in a moment. The budget will end on 30 June 2006 in substantial surplus. So, to suggest that the budget is in crisis is opposition political claptrap as it is running out of questions in the last sitting day of this week. That will mean that, again, a Labor government has delivered a surplus budget each and every year, unlike the Liberals who could never balance a budget in eight long years. Not only were the Liberals soft on crime, soft on law and order, they were also weak on budget management.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: As to the issue raised by the Leader of the Opposition, I do not believe that to be correct at all. That is not to say there is not some issue in terms of the financing requirements of the Land Management Corporation, but to suggest that the Land Management Corporation has been asked to give us extra dividends to prop up our budget this financial year is nonsense. We have a surplus. I will attempt to get an answer—

Mr Williams: Prove it.

The Hon. K.O. FOLEY: Prove it?

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: You actually have to wait until 30 June before you can produce a 30 June result. Last time

I looked, we had 28 days to go. It would be a little bizarre to bring down a 30 June result before 30 June has been reached. The way this opposition ran its budget, that is the sort of stuff it would have done. But I do not believe what the Leader of the Opposition said is correct at all, and I will get an answer before the end of question time and give a statement to the house.

HOSPITALS, MOUNT GAMBIER

The Hon. S.W. KEY (Ashford): Can the Minister for Health explain to the house, and particularly to the member for Mount Gambier, the circumstances of a review contained in the Ombudsman's file number 67605?

The Hon. J.D. HILL (Minister for Health): I thank the member for Ashford for her question. Last night the member for Bragg gave a speech to the house during the grievance debate about a situation that happened at Mount Gambier Hospital about a year ago. The circumstances are these. A particular doctor, Pieter Pike, had been recruited from New Zealand to work at the hospital but changed his mind shortly after arriving, and I will get into the details of that shortly. The key issue the member raised was that an FOI application was made by one of her predecessors (Hon. Dean Brown) regarding a letter sent by Dr Pike about the reasons for his departure. That matter was referred to the Ombudsman for deliberation.

Ms Chapman: You wouldn't let it go.

The Hon. J.D. HILL: She says I would not let it be released. That is good! The Ombudsman determined that it should be released. The member, in her commentary last night, said:

The production of that document was refused by the Department of Health.

Secondly, she stated:

... this document has been deliberately concealed by the Department of Health, which is run by this government, which did not want the truth to emerge about why this person had not taken up this appointment.

That would be a devastating attack on the government if it were true but, sadly for the Deputy Leader of the Opposition, it is not true. My office today checked with the Deputy Ombudsman to see if the Department of Health had blocked that particular document, and the fact is that it had not. The Deputy Ombudsman today confirmed that to be the case. I am advised that, in fact, this document was refused by the then chief executive of the Mount Gambier & Districts Health Service, Mr Ken McNeil (who has been subsequently sacked), not the Department of Health. So in this regard the deputy leader has seriously misled this house and defamed the Department of Health. She should withdraw and apologise. But her sins do not end there.

The Hon. P.F. Conlon: How did she get it so wrong?

The Hon. J.D. HILL: How did she get it so wrong, Mr Speaker? The deputy leader's sins are even greater than this. Last night she read into *Hansard* a letter she received under the FOI request, and it is on the record so members can read it but I will summarise it for the house. The poor gentleman from New Zealand arrived some time on 13 June 2005 at the Mount Gambier Airport and was expecting to be collected by Ken McNeil, or somebody else from the hospital, at 2100 hours. He indicates that the airport was closing and he had to make his own way into town. As a result of that—

An honourable member: It was a long weekend.

The Hon. J.D. HILL: It was a long weekend, too. As a result of that, he found accommodation in the town and, over the course of the evening, decided he did not want to stay at the hospital, and he said that particular act of not picking him up was the basis on which he was going to go. He said, 'There is no way that we could build a good working relationship with such disrespect.' That is what he said and what the deputy leader quoted last night. But she had other material which clarified the situation and put a vastly different set of circumstances.

A week later, on 20 June, the same Dr Pike wrote to Ken McNeil, the CEO of the hospital, and said—and this is the same guy who was aggrieved sufficiently to withdraw on the basis that he had not been collected at the airport:

Dear Ken,

Thank you for your support over the past week in what turned out to be a very difficult time for me.

I accept that the airport incident, as stated in my email (17 June 2005), was merely a communication failure, and acted as the final trigger against the changes in my family circumstances for me not to commence at MGDHS. The changes in my family's attitudes to migrate to Mount Gambier, in the time leading up to the departure, changed and it caused considerable stress.

My family life has priority over my own aspirations and although their initial reactions were positive, it became more and more difficult to manage the dynamics closer to my departure. The stress and anxiety levels rose and I could sense major tension on the day of my departure. In short, I felt very arrogant and selfish in choosing a career opportunity ahead of family wellbeing.

I was really looking forward to working with you and the team at MGDHS, but I would not be able to pull my weight without my family as a foundation. I want to apologise for the inconvenience caused by this and again express my gratitude for offering me, not only the opportunity, but also the support over the last week.

So she has misled the house and she has given an unbalanced account to suggest that this guy resigned because of the dispute with the hospital. In fact, he had a very good relationship.

Not only has she given this inaccurate account, but the interesting irony I find in this is that the deputy leader chose to raise this matter in a grievance at the end of the night and not in question time. Why didn't she ask me a question during question time about the way the Country Health Board in Mount Gambier was operating? The reason she would not ask that is that all week and over the last couple of weeks she has been arguing that we should not reform country health services because, she says, they work well. Well, this is a classic example of where it did not work well at all. This is an example where the local hospital tried to recruit and it was not successful. When it came to the organisation of this, it was not successful at all. So, not only has she been inconsistent, not only has she misled the house, but she has also been somewhat hypocritical.

Ms CHAPMAN: I rise on a point of order.

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: As you know, Mr Speaker, if the minister makes an accusation of misleading, he must put that in the proper form.

The SPEAKER: Minister for Health, the allegation that the deputy leader has misled needs to be put in a substantive motion and you will need to withdraw.

The Hon. J.D. HILL: I thought she was objecting to 'hypocritical'. That is fine, Mr Speaker. Can I say that I am happy to withdraw the allegation that she misled the house. I will give her time to apologise and I will consider my position.

Ms CHAPMAN: The minister was asked to withdraw and he cannot give an explanation of that or make any further comment.

The SPEAKER: The Minister for Health has withdrawn.

Mr VENNING: On a point of order, Mr Speaker: I gather the word 'hypocritical' is standing. You have ruled against me on a previous occasion. In fact, I was expelled from the house.

The SPEAKER: There is, I am happy to tell the member for Schubert, a distinction between 'hypocritical' and 'hypocrites' or 'hypocrite'. So, to say that a member is being hypocritical is not, I am advised, disorderly or unparliamentary.

LAND MANAGEMENT CORPORATION

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Transport, Energy and Infrastructure. Did the Land Management Corporation board or any member of its board express concern to the minister about the government policy which has forced the Land Management Corporation to seek a loan of up to \$40 million from the South Australian Government Financing Authority?

The Hon. K.O. FOLEY (Treasurer): Sir, as I said, I will come back to the house with an answer. But I will say this: that the Land Management Corporation is a government enterprise, a government business that pays dividends to government. It is an entity that borrows money, invests and provides dividends to government.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Hang on. No; that is your allegation, and it may be that it is, and it may be that that is proper and it may be that that is what it has done over the years. I do not know, without checking, what the capital structure of the Land Management Corporation is right now. I do not know what the working capital needs of the Land Management Corporation are. What I do know is that the Land Management Corporation is an outstanding government business that has successfully developed projects in various forms over the years, such as Golden Grove and Mawson Lakes, an outstanding development, which was started under former premier John Olsen. I remember that, as a minister at the time, he got the opposition support. I know who did not support that project initially: it was the then premier, Dean Brown. There was a real internal stoush over the Mawson Lakes development. I remember that well.

The Land Management Corporation is developing Northgate, for example. It is doing a whole lot of projects. From my understanding, it often needs capital to do that, and my guess is that it borrows as well as eats into its own reserves. On top of that, it pays dividends to government. In terms of that capital structure, whether or not they have made an application to SAFA to borrow money, I do not know; I am checking. But the assertion, allegation and attempt at political point-scoring to suggest that that has been done to prop up a budget in crisis is incorrect. That was the inference of the question.

Members interjecting:

The Hon. K.O. FOLEY: That was the first question. That is nonsense. The Land Management Corporation has a dividend flow to government which is in the forward estimates, which it is expected to meet. If it needs to borrow or arrange its capital to both develop and deliver its projects, as well as to meet its dividend requirements, that is a

legitimate course of business. My guess is that if I want to go back—

Mr Venning interjecting:

The Hon. K.O. FOLEY: Like the State Bank?

The SPEAKER: Order!

The Hon. K.O. FOLEY: No, hang on; like the State Bank. What a stupid question.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: We'll see about that. You are now saying that Mr Mike Terlet, who chairs the Land Management Corporation, is akin to those who were involved with the State Bank such as Marcus Clark. That is a disgraceful, despicable and offensive remark, and it should be withdrawn.

An honourable member interjecting:

The Hon. K.O. FOLEY: You cannot interject across the chamber that the Land Management Corporation is behaving like the State Bank, and then just duck and hide and dig a hole and bury yourself, and—

Mr Williams interjecting:

The Hon. K.O. FOLEY: Here we go. We now have three Liberal frontbenchers—two frontbenchers and a senior government opposition member—suggesting in this house—

Ms CHAPMAN: Point of order—

The SPEAKER: I can guess what the member's point of order is. I have to say that it is a little rich for members on my left to be calling points of order when they have been interjecting throughout the Deputy Premier's contribution. As I have said several times already, members of the opposition interject, the minister responds and, no sooner is the minister responding to the interjection than they are on their hind legs calling a point of order for the minister debating the question. I suggest that members on my left do not interject. But at the same time, I call the Deputy Premier back to the question.

The Hon. K.O. FOLEY: I will just say that I will get an answer and, if they have asked to borrow money, it will have been for a legitimate reason. Whether or not they get approval is another thing. But it can not be asserted that it is done to prop up the budget. We are in surplus. We will have a surplus next year. We are working away to make sure that we can continue to have surpluses each and every year out to the end of the forward estimate period. That is why the budget has been delayed.

An honourable member interjecting:

The Hon. K.O. FOLEY: In opposition, you have to play the game hard; I understand that. But on the last sitting day of the week, in the last question time after having three previous question times, members opposite now smear an organisation that has diligently, professionally and successfully gone about the business of developing outstanding urban development in this state. It has a board led by some of the best business people of this state, who have done no wrong. To make the assertions, allegations and smears across the chamber that have come from the government whip, the shadow minister for transport and the shadow minister for energy, I think plunges this place to a depth of smearing that does this house no good at all. I ask members—

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I'm thick? Did you just say I'm thick?

Mr Williams: Pathetic.

The Hon. K.O. FOLEY: I'm pathetic?

The SPEAKER: The member for MacKillop is warned.

The Hon. K.O. FOLEY: Let's have a fair dinkum debate about policy errors, if that is how you see it, but do not come in here to smear people who do not deserve to be.

WEST LAKES LAND

Mr RAU (Enfield): My question is to the Minister for Administrative Services and Government Enterprises. Will the minister inform the house what steps the government has taken to ensure that land at West Lakes is preserved to maximise sporting and recreational opportunities for the community?

The Hon. M.J. WRIGHT (Minister for Administrative Services and Government Enterprises): I thank the member for Enfield. I know he is a big fan of all things sporting. I am pleased to inform the house that the government has this morning approved a \$1 million sale of land beside AAMI Stadium, to the South Australian National Football League. This is a significant moment preserving land at West Lakes for sporting and recreational use by the community. The area in question is used by the Adelaide Football Club for training, the South Australian National Football League for parking of vehicles and country buses on match days, and for community use at other times. This transfer of land, rather than the previous lease agreement by the SANFL, now offers greater certainty for those opportunities to continue for the benefit of all South Australians.

The transfer is subject to a trust grant that preserves the land as open space for use as a sports training oval, as well as sporting and recreational use by the community. The trust grant also allows for the continued operation of the existing bus interchange. The only construction permitted on the land will be toilet and shower facilities, to meet the needs of those using the area for sport and recreation. No further development of the land for commercial gain will occur, other than charging fees for parking on the open space. The SANFL has indicated its preference to buy the land rather than enter into another limited lease agreement, and the relevant arrangements will now be finalised to sign off on the deal. The transfer of land in this manner supports community sports and recreation, and provides a return to taxpayers.

TRANSPORT, CHIEF EXECUTIVE

Mr HAMILTON-SMITH (Waite): My question is to the Minister for Transport. Did the minister make a decision to dispense with weekly meetings with his CEO and senior managers and, instead, arrange fortnightly meetings for most of the second half of last year and, if so, why? Information leaked to the opposition as recently as yesterday, from within the department, indicates that the minister initially held weekly meetings with the CEO and managers, but considered such regular meetings to be unnecessary.

Members interjecting:

The SPEAKER: Order! Before I call the minister—this is an example of an explanation to a question that needed no explaining and where the explanation offered nothing to help anyone understand the question any better. The Minister for Transport.

The Hon. P.F. CONLON (Minister for Transport): So far, sir, nearly every one of the things members of the opposition have alleged as a leak have been absolutely and utterly wrong. They came in here at the start of the week claiming that their leak was that I had directed the former

executive to cut \$20 million a year out of road maintenance, and that was the cause of a disagreement. What absolute and utter—

Ms CHAPMAN: Point of order—

The SPEAKER: Order!

The Hon. P.F. CONLON: With the greatest of respect, if the opposition is going to allege leaks and want an explanation, it is going to get it.

The SPEAKER: Order! I will deal with this. The Minister for Transport will take his seat.

Ms CHAPMAN: The question was whether there was a dispensation of weekly meetings.

Members interjecting:

The SPEAKER: Order! If the member for Waite had simply asked the question then I would have accepted the deputy leader's point of order, but he did not. The member for Waite went on with a gratuitous explanation which invites the minister to not only answer the question but to also comment on the explanation. If members want to keep ministers restricted in their answers and what they are saying, they need to stop giving unnecessary explanations, and explanations with comment, which invite the minister to respond to them. So I do not uphold the point of order. The Minister for Transport.

The Hon. P.F. CONLON: To deal with their latest leak—that we went from weekly meetings to fortnightly—I have my former chief of staff here—we might have done that, did we? We did. From memory, the reason we did that is that I took over this new department and I met with them and all of the directors weekly. The reason for going from weekly to fortnightly—and I don't think you need a leak; I think it is in my diary, and it is probably in all their diaries and probably in documents all over the place—is because we were finding that we did not have that much to talk about weekly so we did it fortnightly.

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: Oh, we should have? Can I refer the member for Waite to the mess we are in that he alleges, as opposed to the mess we picked up—a failure year on year, despite wrecking our electricity system by selling ETSA, to balance the budget. That is the record. Never once did the former Liberal government balance the budget; and, while not balancing a budget, it did not build anything. What legacy did members opposite give us? They gave us a wine centre, a soccer stadium and a one-way expressway. The member for Waite reckons that we are in a mess now with a government that has never failed to balance the budget. However, it is a government which has the best and the most ambitious infrastructure investment seen in the state in decades and which has already delivered in one term more infrastructure than they delivered in two.

We have deepened the harbour, built the grain wharf, finished the expressway and added interchanges. We are upgrading the rail system and building two crossings over the port (\$1.5 billion). It is a massive achievement. If the member for Waite thinks that that is a mess and what they did was good, I think we have an explanation as to why they got the worst result in history at the last election. The fact is that, far from it being a mess, the state is transformed. What these weaselly little people are critical of is that we have an ambitious investment project in a very successful economic environment, and that has challenges and cost pressures. That is what they reckon is a mess. Well, I have to say that what

the state needs more of is more of what Labor is doing and less of what they did.

Members interjecting:

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

CHONGQING VOCATIONAL EDUCATION AND TRAINING PROJECT

Ms FOX (Bright): My question is to the Minister for Employment, Training and Further Education. How is TAFE SA developing opportunities for our state through collaboration with China in the area of vocational education and training?

The Hon. P. CAICA (Minister for Employment, Training and Further Education): I thank the honourable member for her question, because I understand that she has travelled in China, and that the honourable member has taught Chinese history to her year 8 students, so she may be able to help me with my pronunciations as I inform the house of this wonderful project. I take this opportunity to inform members about a most exciting project, which involves TAFE SA and one of the world's fastest growing urban cities. Chongqing in Western China is currently piloting the Australia-China Chongqing Vocational Education and Training Project. This 5½ year AusAID program has been designed to provide advice to the government of China on the development and demand driven vocational education and training system.

Chongqing, which has a population of 33 million people, is described by the *Guardian* newspaper in the UK as the fastest growing urban centre on the planet, with half a million more people arriving every year. Chongqing, which has a rapidly expanding industry sector, has recognised the importance of developing its training system to ensure that the city has enough skilled workers to keep up with demand. It is keen to learn from the Australian experiences and, more specifically, from the South Australian TAFE sector. The project is interested in TAFE SA's focus on links with industry and its implementation of quality assurance and accreditation standards. It is also examining how changes to the VET system have impacted on curriculum and the management of campuses.

As part of the project, TAFE SA recently hosted a week-long visit from a visiting party that included 25 VET principals from China. The delegation was able to view first-hand how TAFE SA campuses have implemented reforms in vocational education and training. I am also pleased to report that TAFE SA has other arrangements with China that relate to vocational education and training.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Thank you, sir. These arrangements acknowledge the developing relationship between TAFE SA and China. They seek to share management and administrative practices, to explore collaborative models for industry partnerships and to identify opportunities for overseas students studying in South Australia. The growing partnership between TAFE SA and China contributes to the State Strategic Plan targets of growing prosperity and increasing South Australia's share of overseas students. It also recognises the achievements and expertise of TAFE SA in vocational education and training.

TRANSPORT PROJECTS

Mr HAMILTON-SMITH (Waite): Can the Minister for Transport confirm that, when the state infrastructure plan was first presented to cabinet (or to a cabinet subcommittee), the South Road tunnel and underpass projects were not included and that, because the government wanted the plan 'beefed up', his department was requested to find 'blockbuster' projects for inclusion in the plan?

Members interjecting:

The SPEAKER: Order! The Minister for Transport.

The Hon. P.F. CONLON (Minister for Transport): From memory, we had about 30 cabinet committee meetings on the infrastructure plan, where things went in and out, and I am prepared to say that it is quite possible that at one stage they were not in and then went in. I think, though, coupled with the fact that I went from weekly to fortnightly meetings, I will have to seriously consider my position. I may now need to resign: I am not sure. The fact that they may not have been in the first draft and came into a later draft, coupled with the damning fact that I went from weekly to fortnightly meetings, probably makes my position untenable.

Sir, do you hear that noise in the background; that fizz? That is the firework not going off. That is what their big attack has come to: the underpasses may not have been in an earlier draft. Well, they may not have been. I admit that they may not have been. I will even try to find out when they did go in. I will try to do that for the member. But it has come to this. This is it: they get out there on the balcony and have their photos taken and there is talk of how good they are going, how great they are going, and it has come to this. It has come to leaks about going from weekly to fortnightly meetings. I might not hold one for three weeks: that will teach them! I may even go a month.

Has anyone noticed how pathetic this is? Here is what has happened. They do not know, after 4½ years, how to take a couple of good days and turn it into something. It is just dying on its feet. It may not have been in an earlier draft; it may have gone into a later draft. There may have been things in some of the drafts that came out. The process of preparing the infrastructure plan was endless, it was horribly long, and I do not know that anyone would want to do that sort of thing too often. However, it did change over many different iterations. I sit in trembling fear of the next sally of the member for Waite.

Mr HAMILTON-SMITH: Does the Minister for Transport now concede that one of the reasons for the major blow-outs in the transport infrastructure projects was that the department was not given enough time to properly scope and cost the projects prior to the April 2005 release of the State Infrastructure Plan and the May 2005 budget? Yesterday, Mr Rod Hook made the public statement:

...we made comments about this when we released the infrastructure plan in April last year that the process where estimates are prepared without adequate investigation to get a budget submission, leading then subsequently to design work which may cause you to revisit the estimates, is a difficult process. It has problems...

Mr Koutsantonis interjecting:

The SPEAKER: The member for West Torrens will come to order.

The Hon. P.F. CONLON: I am struggling to connect the question with the explanation. I think the question was: what it costed wrongly? Can I say that the honourable member prefaced the question with some really quite inflammatory

comment about major blow-outs in projects. What they have seen so far is a project go from \$30 million to \$41 million—not \$43.5 million, as he tried to invent on the radio this morning and was corrected by the announcers. That is what we have seen so far, and another project will suffer costs. I spoke to Senator Nick Minchin last night. Do you know what we talked about? We talked about how costs were going up all around Australia on projects, on these transport projects. I think his comments were something along the lines of, ‘There’s a lot of people in the position you’re in.’

I think that the latest theory of the member for Waite is that we rushed into the infrastructure plan without costing it. What I can say is that, from memory, it did go into a later draft not an earlier one. From memory, before the infrastructure plan, we went and sought extra funding from the commonwealth on a range of projects. I had a meeting with Nick Minchin in my office and, on behalf of transport and as the Minister for Infrastructure, I asked him whether he would consider funding grade separations on South Road at Anzac Highway and South Road at Port Road. So, these projects have been around the Department of Transport on the wish list for a very long time. It is simply wrong to think (if you do) that cabinet sits around and invents things. I think what he is trying to get you to imagine is that cabinet sits around and says, ‘Let’s have a road project. We’ll make it up.’

I know that you were a minister for only five minutes, but that is not the way it works. These projects have been around and, can I say, I was not able to convince Nick Minchin to fund it.

Mr HAMILTON-SMITH: My question is again to the Minister for Transport. As the minister was aware there were costs pressures on transport infrastructure projects in his portfolio and, as he has acknowledged to the house, he had fortnightly meetings with his CEO and senior executives, why did the minister not ask questions about whether projects like the Bakewell Bridge were within cost estimates?

On 5 June, the minister told the house, ‘I had very enjoyable fortnightly meetings with the Chief Executive and senior executives in the Department of Transport.’ The minister has also claimed the transport infrastructure program is the most ambitious infrastructure program the state has seen. On 30 May, he said, ‘We are working in a national environment of rapidly escalating construction costs.’ Rod Hook stated publicly yesterday that the minister did not seek briefings on the Bakewell Bridge cost project.

The Hon. P.F. CONLON: He finishes the explanation with the damning evidence that a person he asked said that I did not seek briefings from him on the Bakewell Bridge—that is because the guy had been in charge of it for a fortnight. This is the sort of stuff you have to put up with. Can I say that I was well aware of a number of things that would cause the Bakewell Bridge to cost more and discussed them.

Ms Chapman interjecting:

The Hon. P.F. CONLON: We did. We discussed them. There you go—smoking gun. Do you know what? Because they were additions to scope. They were as a result of talking to the members of his electorate and talking to the businesses. Nicki Dantalis I think is the name of one of the major people campaigning for changes on the project for traffic management for protection of the businesses. Am I correct?

Mr Koutsantonis interjecting:

The Hon. P.F. CONLON: Yes. I think that name rings a bell for some here. I will explain to the member for Waite that the simple thing is that I knew full well—here, damn-

ing—that if we met some of those desires of locals it would cost more.

Until such time as we could finish the design in April, and then go to cabinet and ask for the money for the extras, the money does not exist until cabinet agrees to spend it. So, if you want to know whether we talked about it at fortnightly meetings, we did. We talked about a lot of things. We talked about things that might have caused the project to cost a lot more but, at the end of the day, you make a judgment. What the member for Waite has to understand is that the government is not like running a private childcare centre. You cannot decide to build your centre, talk to no-one and build it. We are the government. We cannot just decide, ignore, and build, because we get criticised if we do that. We decide, we consult, we talk to the community. We have discussed many issues with the Adelaide City Council, and we have talked to Jane Lomax-Smith about issues on the Bakewell Bridge that might cost extra money. At the end of the day, unless cabinet decides that we can do the extra things and that we fund that design, it does not occur. That is how it works.

The truth is that, despite the honourable member’s bluff and bluster—and I have to say regarding the behaviour of the member for Waite in the Public Works Committee, I have never seen a precedent for such unruly behaviour in a committee; it is pure attention seeking—and despite his objections and forensic cross-examination, the opposition came up with nothing, because we did what a responsible government should have done each step of the way. That is the end of it. We spent more money than the original forecast, because it was the right thing to do. What we did not do is go out with the original forecast, and hear everyone, then trim it back and turn it into a one-way bridge. That would have been an option, but we did not do that. We spent more and made it better.

The Hon. I.F. EVANS (Leader of the Opposition): My question is to the Minister for Transport. At the meeting with Dr Horne on 21 April, did Dr Horne discuss probable increased estimates for transport projects and, if so, what were the estimates?

The Hon. P.F. CONLON: I reckon that question has been asked and answered, but I do not want the opposition to think I am evading—how does *The Advertiser* put it? I am under siege again, I think that is what you called it, Greg. What was discussed with me on 12 April was a range of costs according to the scope of projects, and some of the range was pretty unpleasant. We have said that, until you get to the stage, as with Bakewell Bridge, where you have the design, you have dealt with the contract and you have scoped it, the costs are not particularly meaningful. I will also correct a few other pieces of nonsense that have been thrown around. The Leader of the Opposition has been trying to set up this six-lane Northern Expressway. I looked back at the press release that we put out that states: ‘the four to six lane Northern Expressway’. That is what was announced but, of course, that would not help the case, so it has to be six lanes. So, if it is only four lanes, then we have cut two lanes out. Of course, four to six lanes—

The Hon. M.D. Rann: It might have been five.

The Hon. P.F. CONLON: It might have been five. What they usually mean with the capacity of four to six lanes is that it is often four lanes and expands to six at bottlenecks such as traffic lights; that is what the transport engineers tell me. The opposition has tried to get on the record, and if it does not cost the ridiculous \$900 million that it claims, then it is

because it is not going to be the six-lane freeway we promised. I have had a look at that, and it says 'four to six lanes'. The bottom line is what I have said before I will say again: yes, we talked about a range of costs, both in a meeting with me on 12 April and in a meeting with the Premier and the Deputy Premier on 21 April. I can also assure you that, if you wanted to, you could build a Northern Expressway that cost \$2 billion. You could gold plate it, you could put interchanges anywhere and you could make it a 150 km/h road if you wanted to—you could do all of those things—but, at the end of the day, the time and costings become meaningful when you get down to the contracting and design stage and you have decided on the scope.

I can assure the house that the government has been more frank and honest than the opposition ever was in 8½ years, by coming in here before the underpass on South Road has concluded and, with the most frankness we have seen in this place, we have said it will exceed the cost, and that they will all exceed the cost, but we cannot put a number on it. I think we have provided more information than the opposition ever would have. Remember them with the Auditor-General? The Auditor-General had to come and get a bill to protect himself from them—he had to get legislation from the house. And, of course, cars were broken into in hotel car parks and documents went missing. And let us not forget Motorola, where documents got shredded and a District Court judge found that not only would they not tell us things but also that they were out there getting rid of the documents. Mr Speaker, it is a transformation in the provision—

Mrs REDMOND: I rise on a point of order, Mr Speaker—relevance.

The SPEAKER: Yes, the minister is not answering the substance of the question and is debating. The Leader of the Opposition.

The Hon. I.F. EVANS: My question is to the Treasurer. Will the Treasurer explain to the house why he will not advise the house when Treasury first became aware of the budget blow-outs in the transport projects? Earlier, the Treasurer gave an answer to the house and said, 'What I will not say is when the account manager of Treasury was made aware of it.'

The Hon. K.O. FOLEY (Treasurer): Well, sir, I said at the time, which I stand by now, that I am responsible to this house for what I am told, what I am advised and what the government knows. Whether or not an account manager was discussing these issues with the department of transport is not a matter for me. The way the system works is that account managers have regular contact, and I would guess he would have known something, but, if the opposition is suggesting that an officer in Treasury, many levels below senior management, should have his or her reputation, name or professional abilities questioned in this forum, I find it quite offensive. There is no alarm. There is an orderly process for at what point in time this information is made known to senior management and Treasury and made known to me, and that is during the budget process. There has been no attempt to cover up anything and no attempt to hide. It is quite the opposite: we have been up-front about it.

Let us put this into the correct context. The criticism is that there had been cost overruns in what was initially estimated to be the price of a project, given the then known scope of the project.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Look, I am trying to answer a question quietly and calmly. If you want to keep piping up like you are, I am going to sit down and let you talk to yourself.

Ms CHAPMAN: I have a point of order, Mr Speaker. The Treasurer is accusing you of piping up.

The SPEAKER: There is no point of order. But the Treasurer must address his comments through the chair. The Treasurer.

The Hon. K.O. FOLEY: Do you have a refund policy for lawyers if they give you a lousy service?

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Here she goes again! I can tell you, the smirk of the Leader of the Opposition gets wider and wider every time the deputy leader chirps away the way she does and makes a complete fool of herself.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Here we go! Mr Speaker, I promise to be orderly and talk calmly and give information to the house.

The Hon. M.J. Atkinson: Statesman-like.

The Hon. K.O. FOLEY: Statesman-like, if the deputy leader could just shut up for one answer. I have to be fairly crude, sir, because the message ain't getting through. Now, can I talk? They do not want to listen, sir. The point I am making is that the government is accountable for matters before this house. I am not going to have an officer in my department politicised and inappropriately criticised at all, because—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Is that her again?

Members interjecting:

The SPEAKER: Order! The Treasurer will not respond to interjections.

The Hon. K.O. FOLEY: Sir, this takes me back to when my children were younger and I had to get them to behave and be quiet. And I was very effective—trust me.

An honourable member: I hope you didn't smack them.

The Hon. K.O. FOLEY: No. Now, where was I? I think I have covered it, sir.

DRUG DRIVING

Mrs REDMOND (Heysen): Will the Premier ensure that the new drug driving legislation will be properly enforced when the new laws come into effect on 1 July, just over three weeks away? It was reported on Monday that the South Australia Police are yet to establish a 13-man drug testing unit. According to the Premier's statement today, the tests can only be conducted by uniformed officers specifically trained in saliva testing. Training packages for policing new assault laws were rushed through just prior to those new laws taking effect. On 16 May 2006, a police officer told the *Advertiser*—

The Hon. M.J. Atkinson: Why didn't you ask about DNA?

The SPEAKER: Order!

Mrs REDMOND: —and I quote:

We've only known about it for three days and by the time police got a training package together and by the time each shift has come on, some of them have been given only 15 minutes training.

The Hon. M.D. RANN (Premier): I will certainly get a report from the police minister about this. But can I just say I hope you are going to be more supportive of random drug testing on our roads than you were about DNA. I have a lot of time for the member for Heysen. She is the one who at

least was honest enough about the new Liberal leadership to say, 'As far as I'm concerned it is like getting back on the train we have just had a train wreck in.'

Mrs REDMOND: Point of order, Mr Speaker. I asked the Premier—

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat. I uphold the point of order. The Leader of the Opposition.

TRANSPORT PROJECTS

The Hon. I.F. EVANS (Leader of the Opposition): My question is to the Treasurer.

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. EVANS: Can the Treasurer confirm that Treasury officers were advised of significant blow-outs in the South Road and Northern Expressway transport projects before the election?

The Hon. K.O. FOLEY (Treasurer): They may have been. It might have been during caretaker period. I think I've got it; I think the behaviour is changing. This is consistent with how I did it with the kids. You just—

Mrs Geraghty: You can't take credit for that.

The Hon. K.O. FOLEY: No, true. Actually Cathy did all that. I should not mislead the house, should I, sir; that would be a very serious offence, and Cathy would be most upset—although I think it was really shared. Now, where was I? We were in a caretaker period four weeks before the election. They may have been advised, I don't know. But the point is it is not a question of when government became aware. There is an orderly process. We actually have to take projects from their announcement, refine scope, refine pricing, put them into the budget. When you go along that process and you reach a stage where the costs appear to be higher than what they were originally meant to be, people are made aware of it, and when people are made aware of it people have meetings, which we did, 21 April, and discussions after that, where we talk about this stuff, it becomes public, and the opposition, understandably—and, come on, this is the business we are in—want to make some political mileage out of that. That's fine, that's the nature of the rough and tumble of this place.

The Hon. M.D. Rann: Get to pose on the balcony.

The Hon. K.O. FOLEY: Well exactly. We couldn't because the balcony would collapse, apparently. The weight on the balcony would have been too much with all the numbers.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: But there was an orderly process, sir, and I am quite relaxed with the way this process has unfolded. It is consistent and normal, with lots of stops and checks along the way, and people have known. Can I just say in conclusion, sir, because it would be wrong for me not to do it, that I congratulate the Deputy Leader of the Opposition for not saying one word during one of my answers. That is much better behaviour—well done.

TREASURY ESTIMATES, CAPITAL WORKS PROJECTS

Mr HAMILTON-SMITH (Waite): Prior to the mid year budget review did Treasury provide the Treasurer with advice that the Treasurer's contingency lines and headrooming

budget forward estimates would need to be increased because of the possibility of blow-outs in capital works projects, such as the Northern Expressway and the South Road underpass projects?

The Hon. K.O. FOLEY (Treasurer): I don't recall such advice, but I will check.

ROADS, UNLEY

Mr PISONI (Unley): Will the Minister for Transport inform the house of the number and locations of safer crossing points implemented as a result of the planning study which looked into improvements along Unley Road? In an email to 891 ABC talkback radio, in response to questions in regard to an Unley Road upgrade, a representative from the Department of Transport claimed as follows:

Some aspects of that proposed planning study have been gradually implemented through ongoing sources of Government funding such as some safer crossing points. . .

The Hon. P.F. CONLON (Minister for Transport): He's got one that's got me. One of the things in that beat-up that your shadow minister was talking about regarding the Auditor-General's comments last year was about two ledgers. In one ledger each year, they add hundreds and hundreds of small pieces of work that have been completed. That is the end of the world stuff he was talking about; that is all it is. All I can say is that I do not know every single one of those hundreds and hundreds of pieces of work every year. I will seek that information for the member for Unley and provide it to him in a timely fashion.

HOSPITALS, PATIENTS

Ms CHAPMAN (Deputy Leader of the Opposition): Can the Minister for Health explain why a patient was flown from Mount Gambier yesterday for surgery at the Royal Adelaide Hospital—

An honourable member interjecting:

Ms CHAPMAN: Yes, no CEO. Then he was told his surgery would be cancelled because the surgeon who had undertaken his previous operation late last year was not available when the hospital clearly knew that that particular surgeon was not scheduled to do surgery on Monday when he was asked to come down.

The Hon. J.D. HILL (Minister for Health): The member for Bragg, the deputy leader, once again is attacking the health system and the credibility and ethics of the doctors and nurses who make the decisions about who gets operations in our hospital system. I am not sure which hospital she is referring to. She mentioned the Mount Gambier Hospital and that the patient flew to Adelaide. I am happy to get a report for her. Unfortunately, circumstances arise when surgery cannot occur. As I have said to the house, during this winter period, there will be difficulties because large numbers of people are coming in, and emergencies occur. It is always disappointing, difficult and stressful for people who are told that. That applies to everyone, whether they come from the city or country. It is not something that the health system likes but, from time to time, circumstances beyond the control of the doctors and nurses cause these outcomes to occur.

WINTER EVENTS

Ms CICCARELLO (Norwood): My question is to the Minister for Tourism. What events and festivals will attract visitors to Adelaide during the winter months?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Norwood because she knows the importance of events through the winter season to the tourism sector. We have just come through a busy events and festivals program which has seen larger and increasing numbers attending all our major events, resulting in some fantastic attendances and bed occupancy numbers. Our winter is shaping up to be one of the busiest ever. We will shortly host more than 600 travel experts from 40 countries for the Australian Tourism Exchange, which runs from 17 June to 23 June and is expected to inject \$10 million into the local economy. This will be the result of approximately 13 000 visitor nights of accommodation.

In addition, this overlaps with the fabulous Adelaide Cabaret Festival which will include 16 stunning nights of entertainment at the Festival Centre running from 9 June to 24 June. There will be 10 premieres, 70 events and over 200 performances. Indeed, the Adelaide Cabaret Festival is now acclaimed worldwide as one of the premier cabaret festivals in the world and attracts, through its extraordinary programming, strong support from across the country and shows great leadership in this area of the arts.

In a recent coup, led by the Premier, we have been fortunate to be selected to host the 2006 Asian Women's Football Championships. These will be held between 16 and 30 July. For soccer aficionados, world game supporters, the greatest football game in the world, it will attract 500 players, officials and media to South Australia who will be here for three weeks. It is likely to generate \$1.5 million to \$2 million for our economy and also promote our state through television broadcasts across key Asian tourism markets.

International soccer will return to Adelaide in August when we host the Asian Cup, which will produce (I suspect) a great deal of excitement because it will be a chance to see the Socceroos (hopefully coming back from a stellar German visit) playing against Lebanon. This event will be held at the Adelaide Oval. It will attract 30 000 South Australians and visitors and is, indeed, a football match not to be missed. The game will be broadcast not only on SBS, a great soccer-supporting channel, but also will go to key Asian tourism markets.

Meanwhile, we expect delegates at conferences throughout the winter months between May and September. We expect 28 000 delegate visits to a range of venues and conferences throughout South Australia. The state government is looking beyond this year, of course, to secure winter events and we expect also to benefit from the post-ATE boost in tourism, because this will produce benefits into the out years. We have also made a bid for the 2009 BMX World Championships, which is a huge event. It is particularly popular—and supported by international cycling—because very often the key cyclists in road racing around the world, the very top cyclists, are recruited from the BMX world. That event will attract 6 000 visitors, if we win it, with competitors from interstate and overseas. It is expected to inject \$12 million into our economy and reach up to 250 million households in key tourism markets through television coverage.

We have just experienced a fabulous start to our events program for 2006, and our focus will be on promoting events

throughout the winter months, aimed at improving jobs and opportunities across the state.

ADDRESS IN REPLY

The SPEAKER: I remind members that at five past 4 I will be proceeding to Government House to present the Address in Reply, and I invite members to accompany me. We will be leaving the chamber at approximately five past 4 to get to Government House at quarter past 4.

LAND MANAGEMENT CORPORATION

The Hon. K.O. FOLEY (Treasurer): I seek leave to make a ministerial statement, as I promised during question time.

Leave granted.

The Hon. K.O. FOLEY: I am advised that the Land Management Corporation (known as the LMC) will be seeking access to a \$50 million funding facility from the South Australian Financing Authority.

Members interjecting:

The Hon. K.O. FOLEY: Big deal.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Honestly, I thought I had better trained the deputy leader, but she is back to her old habits. I am yet to receive this request from the LMC and, as such, I am yet to receive advice from the Department of Treasury and Finance as to whether this is a reasonable request. I am advised that the need for the funding facility arises due to a combination of LMC adjusting to the new dividend policy of government and increased—

Members interjecting:

The Hon. K.O. FOLEY: —hang on—expenditure on capital developments, particularly in 2007-08. The government's dividend policy requirement (which, I assume, is widely known) of 90 per cent of after-tax profit introduced this financial year is considered appropriate for government entities to ensure their gearing ratios remain comparable with their commercial counterparts. I am advised that the three main developments responsible for the increase in expenditure are Edinburgh Parks, Port Waterfront redevelopment and the Largs North Marina development.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: No, you weren't exactly right. An appropriate level of borrowing—

Members interjecting:

The Hon. K.O. FOLEY: Oh, for goodness sake, sir, can you shut these bad people up?

Mr Hamilton-Smith interjecting:

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

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: You just never let up.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: No.

The SPEAKER: Order! The Treasurer has the call.

An honourable member: What were you like?

The Hon. K.O. FOLEY: I was much better behaved.

Members interjecting:

The SPEAKER: Order! Can we get on with this, please?

The Hon. K.O. FOLEY: If I was, I was wrong and, in retrospect, I apologise. An appropriate level of borrowings is a normal commercial outcome, particularly for an entity involved in land development.

SOUTH AUSTRALIAN CERTIFICATE OF EDUCATION

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

Leave granted.

The Hon. J.D. LOMAX-SMITH: I wish to place on record the approach of this government in moving to introduce a new South Australian Certificate of Education for senior secondary school students over the next five years. As members are aware, there has been an extensive review of the current SACE. This has involved exhaustive consultation with interested parties, including school communities, the Northern Territory (where students also undertake the SACE), as well as parents, business, industry, unions and our university sector. Indeed, there were more than 200 meetings involving more than 1 600 individuals, 170 written submissions, more than 600 responses to an online survey and a major conference during the review in 2004.

The clear approach was one of listening to people who are concerned about the educational and job opportunities of young South Australians. This review states unequivocally that there is a need for concern. We know that the number of South Australian students who achieve a SACE is just 55 per cent of those students who started in year 8 four years earlier. Indeed, the biggest brain drain we face is that many of our young people do not reach their full potential. We also know that young people take a range of directions on leaving school, including university, further education, work and combinations of these.

Our South Australian education system is about creating a broad range of opportunities for young people. We know that around one in three young people who started in year 8 are actually offered a place at a South Australian university at the end of their secondary schooling, and just one in four actually take up a place direct from school. We know that increasing numbers of young people are engaged in vocational education and training and school-based apprenticeships and, for instance, that 40 per cent of senior students undertook a VET program last year. Clearly, our education system is not only about getting teenagers into university or any other single activity after they leave school.

The directions we are taking in shaping a SACE for the future will not be about young people having to take either this or that path. It is about making sure that they can access multiple paths. If we want to educate our young citizens we need a system that also engages the 45 per cent of young people who currently do not complete their year 12 SACE, and addresses the needs of the more than 70 per cent of young people who do not end up with a place at university. A new SACE will be about enabling more young people to do better and be better prepared for whichever path they choose, and about enabling more young people to stay engaged in education, training and work.

It will be about making sure we deliver a better skilled work force for South Australia. It will complement our school to work reforms, including our proposed new trade schools for the future. The SACE implementation committee, with

representation from all school sectors, will be providing advice to me on the SACE review recommendations. The first task of this group, which is already under way, is to listen and involve teachers, principals, unions, SSABSA board members and staff, education groups and the university sector in the next steps.

We continue to listen to people who share a commitment to a rigorous SACE that enjoys community confidence both locally and internationally and rewards excellence. Indeed, I welcome open and frank discussion about the shape of a new SACE. I applaud our university vice-chancellors for contributing to this discussion, and also thank the 360 school principals and others from across all school sectors who came together recently to contribute their views. I am delighted that business, parents and education unions want to contribute constructively.

However, there is one group that professes to want to work in the interests of education while creating scuttlebutt. I am concerned about mischievous and misleading statements made by the opposition. Claims of 'dumbing down' the curriculum, and citing the Western Australian outcomes based approach to the school curriculum to deliberately fan controversy, are both irresponsible and simply wrong. We must have a senior secondary school system which enables young people to achieve their full potential and which retains community confidence and respect. As Minister for Education and Children's Services, I personally expect and demand high quality. We must ensure that we have a skilled work force for our industries, students who are well prepared for university and further education and young people who have the skills and values to contribute as responsible citizens. We will achieve this by working together over the next five years.

As the SACE report makes clear, significant changes will not occur overnight and should be more evolutionary than revolutionary. However, we cannot afford to do nothing or simply tinker around the edges. We must get this right. This is not about making mischief to score political points or to shore up vested interests. It is about the lives of young people, their opportunities and the economic and social future of South Australia.

GRIEVANCE DEBATE

TRANSPORT DEPARTMENT

Mr HAMILTON-SMITH (Waite): It is time for the house to reflect on and note with concern the events of the last two to three weeks within the Department for Transport, Energy and Infrastructure and to focus, in particular, on the leadership of that department that is being demonstrated by the minister. The house heard some startling revelations as recently as yesterday with respect to the Bakewell Bridge project, which has blown out from \$30 million to \$43.5 million, when one takes into account the \$2.5 million of federal money the government just forgot to mention when it talked about the project. A parliamentary committee has heard startling claims about the process with respect to that project—and I will talk no more of that; we will hear about it when the committee reports. However, there is enough information out in the public domain to cause considerable concern that projects are not being managed well.

In addition, we have a concern that the Northern Expressway could blow out anywhere from \$300 million to \$900 million. There are also concerns about the South Road tunnel

projects reaching a combined total of about \$400 million (a blow-out of well over 100 per cent). Of course, there are the ongoing concerns about a range of projects within this portfolio, including \$36 million worth of red light cameras, \$10 million worth of rail safety management systems and the Marion-Oaklands Park interchange, a project which looks like being scaled back to virtually a repaint and a small upgrade of the bus and rail station.

These events have occurred in the light of a damning Auditor-General's Report, leaked emails and other correspondence now in the public domain that have been reported in the media, demonstrating and suggesting endemic organisational and structural problems within that department. We have had the sacking of Dr Horne. It has cost the taxpayer about \$650 000 in the last 12 months to see to Dr Horne. We have the captain of the ship blaming the crew for the fact that it has run aground. Quite serious problems are evident within this department. It cannot manage major projects under this minister's leadership.

It is fine to blame the department but, at the end of the day, the minister is responsible. It raises questions (as has been revealed today in the parliament) as to the management arrangements that the minister has put in place. It also raises questions about whether or not he entered into a directive of some kind with his CEO and gave his CEO clear guidelines as to how he wanted the department to operate under his ministerial leadership. It raises questions about regular and informative meetings. We now know that the minister initially had weekly meetings and then, as he admitted today, thought it was only necessary to have fortnightly meetings. He is offering now to have them every three or four weeks. It is very easy to come in here when you are in government and be the wise guy. We get to ask a question: the government gets unlimited time to go wherever it wants. You can get away with being the wise guy as long as you are competent.

Mr Kenyon interjecting:

The SPEAKER: Order! The member for Newland is out of his seat.

Mr HAMILTON-SMITH: It is very hard to get away with being the wise guy if you are not competent, and I think that is where this issue will increasingly focus. The reality is that these projects are running over budget and over schedule. The reality is also that the government ultimately is responsible for taxpayers' money and for delivering these projects on time. It is completely disingenuous, in the view of those on this side of the house, for the government to argue that it had no idea that these projects were running over before the election, as it is claimed. In fact, it strikes very much as an arrangement along the lines of, 'Look, I'll ask you no questions and you won't tell me any fibs.' It sounds very much like that sort of an arrangement.

You could argue that it is Wembley Stadium economics. We have the fantastic example of the cost of the new Wembley Stadium blowing out. We have a government that grabs a figure out of the sky and says, 'We think the project will cost this.' It has not done any of the planning work or funded it, but it suddenly realises that it cannot deliver for that price. It has to go back, rescope the whole project and start all over again. It is that management structure, in a department which has had three ministers over four years, which has delivered the chaos we are seeing today. There are serious problems here. They are serious for the government, and they need to be addressed. They have ramifications for

the minister, for the government and for the taxpayer going forward.

Time expired.

MULTICULTURALISM

Mr PICCOLO (Light): Last week, I had the pleasure to launch Xavier College's inaugural Multicultural Day. Xavier College is a Catholic coeducational secondary college conducted in the tradition of the Salesians of Don Bosco. The college is located to the immediate north-west of the Gawler township and is named after St Francis Xavier, a Spanish missionary and Jesuit priest in the 16th century. Xavier College has a vision for Catholic education that involves blending the technology of today with the expectations of tomorrow. Multicultural Day at the college was designed to be a celebration of the cultural backgrounds of both Xavier students and staff. The college hoped that the day would develop a greater understanding and acceptance of staff and students of diverse cultural backgrounds. Xavier is a very culturally diverse school, and it wanted to celebrate that diversity through music, dance, food, language and other culturally appropriate activities. I commend the college on this initiative. As the guest speaker, I was asked to talk about what multiculturalism meant to me and for Australia.

Multiculturalism is a word we hear a lot about. It is used in both a positive and negative context, and it is used and abused by some in our community to achieve a specific outcome. Before I continue with my view of multiculturalism, I should declare my bias, of course. I was born overseas, so my perspective is that of an immigrant, but one who has been educated and raised in Australia. Some see multiculturalism simply in terms of the things we can see: different foods, different dress code or clothing, different religious and spiritual practices, different physical appearance, different customs, and so on. We can see these differences in the schoolyard, in the workplace, in shopping centres, in our neighbourhood and, indeed, in this parliament. On the Labor side of the parliament, there are now five MPs of Italian heritage, and I think there is one on the Liberal side, too.

Mr Pederick: A good member!

Mr PICCOLO: A good member. While these differences highlight that many Australians have different origins, they do not explain what multiculturalism is. In essence, it is the recognition and celebration of our cultural diversity. While the term has been used in Australia for only just over 30 years, Australia has always been a nation made up of many cultures, and that includes our pre-European history.

We have not always been a multicultural society. We have had government policies that have not recognised nor celebrated our cultural diversity. Policies based on assimilation are not multicultural, neither are policies based on isolationism or cultural separation. No culture stands still. All cultures develop and change over time. Multiculturalism is about integration. It is where we come together as one people, and one country, irrespective of our cultural origins, and celebrate what we have in common, our humanity. It is the way in which we allow Australian culture to develop that integrates the positive influences of the new cultures that immigrants bring with them.

In my view, multiculturalism has four aspects to it: rights, responsibility, respect and reconciliation. Let me briefly explain. All Australians have the right to express their cultural identity without fear. All Australians have the responsibility to express their cultural identity in a way that

promotes social cohesion, understanding, tolerance and acceptance. All Australians should respect each other's differences. In the Catholic tradition, reconciliation is about removing those barriers that separate you from God and becoming a whole person. In a multicultural sense, reconciliation is about removing those barriers that prevent us from expressing and living our lives in a way that celebrates our common humanity.

ROADS, UNLEY

Mr PISONI (Unley): I would like to raise the issue of the long-postponed improvements to Unley Road, a significant traffic corridor and strip shopping destination in my electorate. Unley Road is not only a significant arterial road that carries large amounts of north-south traffic but it is also the major retail, cultural and community hub of my seat of Unley. Many people enjoy visiting the strip shopping on Unley Road. It is a very important part of metropolitan Adelaide. This was brought to mind, particularly, with the tragic death on Thursday 2 June of a 20 year old constituent on Unley Road.

Six years ago, a planning study into improving traffic flow, as well as vehicle and pedestrian safety, was initiated by the Unley Council. This was in response to serious and ongoing safety concerns and lobbying by local stakeholders including traders, community groups and the Unley Main Street Association. It should be noted that significant input was received by the Unley council from the Department of Transport and Planning SA in developing these plans, which indicates a significant investment of taxpayers' money at that stage. It was the first time that these two departments—Department of Transport and Planning SA—had worked together on a project of this scale.

Representatives from the Unley council, Department of Transport, Planning SA and Unley Main Street Association (so local businesses also put their time into this) met regularly for many months to produce a completed plan and diagrams, which were publicly displayed with positive responses from the government, the council and local stakeholders. These plans included some road widening to allow dedicated turning right filters, safer crossing points and pedestrian island shelters. The work was to be carried out in conjunction with the undergrounding of powerlines along the length of the road. Given the current government's huge blow-outs on larger projects, which it is attempting and failing to manage, it is relevant to note that, in comparison, the Unley Road project would be a walk in the park. It was mainly white paint and some concrete, a straightforward plan improving traffic flows and safety with proper community consultation, and it was not too expensive. A job well done by all those involved, including the public servants, and with no gobbledygook. Of the three options put to public consultation, the one chosen and most favoured by the stakeholders was the cheapest—indeed, a successful process.

What happened to these plans? A change of government. A change from a government that had a commitment to infrastructure to a government that is only committed to cutting ribbons and media releases. So, under the Rann Labor government, it only gets done if it gets a headline. Despite the merits of the Unley Road upgrade, the considerable work put into it, the expenditure of taxpayers' money on the planning stages—not to mention the obvious need—the plan was shelved. It was given the thumbs down by the member for Taylor, the then minister for transport, for funding in the

2004-05 budget. In fact, the new minister's office made the claim on ABC Radio on 24 May:

Some aspects of the proposed planning study have been gradually implemented through ongoing sources of government funding, such as safer crossing points and undergrounding of powerlines.

What crossing points? Where are they? I think the minister's office should have sent out a representative to find them first before making the claim. I use Unley Road several times a day and am still struggling to find them.

The underground powerlines on Unley Road are almost complete. This was funded one-third by the Unley council and two-thirds by the ETSA distribution tariff. There was no state government funding there. Where is the truth in that? The state government improvements are still to be funded by the Rann Labor government. Funding to fix black spots in Unley is coming only from the federal Howard government under its AusLink Black Spot Program. Of particular note is \$40 000 for the notorious Young Street and Unley Road intersection, funding recently announced by Liberal Senator Cory Bernardi, and I thank the senator for his interest in this matter. I am not aware of the federal member for Adelaide, Kate Ellis, pushing for any state or federal funding for Unley Road. As a matter of fact, I am not aware of anything constructive from the federal member for Adelaide.

The Rann government seems more comfortable taking credit for these improvements than providing any funding—unlike the Howard government, which just likes to get on with the job. The fact is the improvements on Unley Road and the black spot projects in my electorate have fallen off the radar under Labor's watch. A fraction of the money that the Rann government is proposing to spend on the tram extension could well be used on the Unley Road project.

MEDICAL RECORDS

Ms PORTOLESI (Hartley): Today I rise to speak on a matter of enormous public interest, that matter being the access and ownership of medical records. This matter has already received some public attention in recent weeks when it was revealed that my constituent's medical records were unable to be accessed due to a commercial tenancy dispute. They were literally locked away in a building. By way of background, I advise the house that a few weeks ago my office was approached by an elderly constituent, who wishes to remain anonymous, as they so often do in my electorate. She advised me she was once a patient of a doctor at the Glynburn Road Medical Centre. However, due to a tenancy dispute which was being fought out between the medical practice and the owner of the building (Mr Michael Marinos), she was now unable to access her medical records—50 years' worth of them.

I wish to be clear about my interest in this matter. It has never been my intention to become involved in the merits or otherwise of the dispute, which is now in court. Both parties are represented by lawyers, and I am sure they will do an admirable job sorting it out. However, what concerns me is this. When my constituent sought access to her files, she was sent a letter by the lawyer acting for the landlord indicating that this could be arranged but at a fee of \$55 per hour, which was the administrative cost for retrieving the files and then other related charges. On that basis you can imagine the cost to retrieve 50 years' worth of medical records. It is completely prohibitive. You can also imagine the massive windfall to the landlord.

No-one is suggesting that either party is acting illegally or has acted illegally. It is very clear that doctors own the medical records and that the landlord also has entitlements, but how did we get to this situation and where does this leave the patients? What do we do when the medical practice ceases to exist (as is the case here), when the doctor has no interest in the files or when the doctor dies, for instance? What becomes of the files and my constituent's medical history? The point is that medical records should not be treated like any other piece of property or material which can be seized indefinitely in the middle of a dispute. They are not furniture or a painting. They contain years of medical history which is irreplaceable. What if my dear constituent had a medical emergency during this time?

I was further horrified to learn, just recently, during a conversation with Mr Robert Chrzaszcz (who is the lawyer acting for the landlord), that his client intends handing over the 10 000 files to the new tenant when he manages to secure one, a fact he was very proud of. He intends the files to add commercial value to his tenancy, and I am sure they will, but is this right? It is certainly legal, but should it be allowed to happen? When I questioned Mr Chrzaszcz to double check what I was hearing, because I could not believe it, he could not see any point in the ethical or moral value of such a proposal. I just could not believe what I was hearing. How would we feel if our medical records were handed to a complete stranger, even if they are a doctor?

I understand the solution to this problem is not easy and at this point I want to thank the Minister for Health who shares my concerns and has taken swift action to attempt to remedy this situation. More importantly, he has acted quickly and sympathetically. As is so often the case, it is in no party's interest for the state government to act unilaterally and declare what the solution will be. In recognition of the complexities of the issue, the minister has brought together experts from the AMA, the Crown Solicitor's Office, the Attorney-General's Department, the Department of Health and, importantly, an ethicist to work towards a solution. I was heartened to see the AMA call for commonsense.

I am sure that a serious volume of work is being undertaken by this group, which not only includes consideration of my specific problem in Tranmere, but also broader issues in relation to the storage and access of medical records. Although I do not have the time to go into much detail now, I understand that Victoria has a Health Records Act which governs such matters as they arise from time to time. I acknowledge that a legislative resolution is always the last option, but I am confident all options are being canvassed rigorously.

In closing, I feel that at least we are halfway there. For the first time, thanks to this government and the fine work of the Minister for Health and his officers, we have an acknowledgment that there is a problem that needs to be fixed. I thank my constituent and many others who brought this to my attention and offered their support. I look forward to a speedy resolution.

KAROONDA

Mr PEDERICK (Hammond): I wish today to speak about the strength and resilience of the Karoonda population after a violent storm ripped through the heart of their community on 10 June 2005, almost 12 months ago. The storm was brief but very powerful. It destroyed 19 homes and took the roof off a CFS shed, which was built to category 2

standard, so members can just imagine the strength of the storm. There was extensive damage also caused to the ambulance station and the hospital. Large trees, 20 to 30 metres high, were uprooted and had to be cleared. Roofing iron and debris was scattered over a large area surrounding the township. Parts of the roof of the football club were ripped off and found up to 500 metres away. Fortunately there was no major physical harm to the people of Karoonda and no lives were lost. The total damage bill was estimated at more than \$2 million.

Karoonda is in the middle of an area which relies heavily on farming. Hopefully, in future, the Australian Zircon mine will be running at Mindarie so it can provide a significant boost of income into the local economy. The 2005 season was looking desperate for farmers, as they had not received any significant rain for up to six months. It was one of the worst hit regions in the 2002 drought, with significant areas of drift in the region. It has had some major frost damage in the following years, which is making cropping almost untenable in the area. The rain in June, although brought by the storm, was a welcome relief to the farmers, but the devastating storm brought further hardship to the whole community.

The storm recovery, clean-up and repairs were facilitated by different groups. The Karoonda East Murray council got on board, removing trees, getting the community back to reality as soon as possible, assessing what damage was repairable and what was unrepairable. There was a lot of work done with insurance companies, and some of these issues have not been resolved to this day. There were volunteers from all areas. The SES moved in very quickly trying to tarp up places where roofs had disappeared during the storm. The CFS was in attendance, helping to remove trees that had crashed down across roads. The Salvation Army arrived by midnight that night, supplying food and other support, and the football community—right through to the AFL—offered financial and other support to their Mallee brethren. Federal government support was pledged through the local member for Barker, Patrick Secker.

Mr Koutsantonis: Are you supporting him?

Mr PEDERICK: Absolutely. The state government also pledged assistance with grants of up to \$250 000 to victims of the storm damage, and I commend it for that assistance. Having said that, the state government's supply of the temporary clubrooms and shower facilities was a real boon for Karoonda which kept a vibrant place in the area up and running. It kept the football on track, and I acknowledge that contribution.

I had the pleasure of attending the official reopening of the new Karoonda Football Club rooms last Saturday evening. It was a very pleasant evening, and about 170 people attended. They managed to take advantage of the situation by extending the clubrooms by 3 metres on the northern side towards the oval. It is a magnificent venue for all kinds of functions. It is the hub of the community, and it has injected hope and spirit back into the members of the local community and the club.

In closing, I thank David and Margie Arbon, the President and Secretary of the Karoonda Football Club, who have gone above and beyond the call of duty to get things on the ground and to get things happening for the club. I also acknowledge Vince Monterola's effort in assisting with the program after the Eyre Peninsula bushfires—a sterling effort. It is the home of the Karoonda Farm Fair, which has been there for 21 years, and we hope that it continues for many years to come. Even though the Karoonda Football Club is not my

home club, it is in strong contention for the premiership this year.

Time expired.

BAKEWELL BRIDGE

Mr KOUTSANTONIS (West Torrens): I rise today to speak about the Bakewell Bridge project. I attended the Public Works Committee yesterday and I gave a submission—an excellent submission, if I do say so myself—asking committee members to fast-track as quickly as they could approval for the construction of this bridge. I was concerned about what the member for Waite said in his evidence. I refer to that *Hansard*, page 17 of the Public Works Committee transcript, as follows:

MR HAMILTON-SMITH: If those cost factors are applied to the replacement of the existing bridge proposition, which you have said you could do for \$30 million, would that not also have blown up towards \$41 million? Have you done any work on a full costing of a replacement bridge rather than—

The DEPUTY SPEAKER: Order, the member for West Torrens! We are not able to hear evidence read to a standing committee until there is a report. You might like to summarise.

Mr KOUTSANTONIS: I understand. Thank you for bringing it up yourself, Madam Deputy Speaker. I thought that it would have been an opposition point of order instead. I thank the table staff for their diligence. The member for Waite, like his Liberal candidate in the seat of Ashford, said, 'Don't build an underpass. Build another bridge, because it is only the western suburbs. Just have a goat track going over those railway lines into the Parklands.' According to him, a \$41 million investment in the western suburbs cannot be justified—\$30 million is enough. This government consults with local residents. They were asked what they wanted, and we wanted more access into the Parklands because, unlike our counterparts from the eastern suburbs, southern suburbs and north-western suburbs, we cannot just walk into the Parklands. We have six railway lines stopping us from getting into the Parklands to enjoy them. Of course, that does not bother members opposite.

In fact, during the election campaign, their candidate said that this bridge was an historic item and should be kept with no underpass at all. He proposed that we keep the bridge, upgrade it and build an underpass. I wonder what that would cost, and they are disputing \$41 million. What would it cost to upgrade the bridge and build an underpass? I repeat: I wonder what that would cost the taxpayers of South Australia. Luckily, the good people of the western suburbs saw through this joker, who had been a member of the Greens and the Democrats before he joined the Liberal Party. They will take anyone over there. What would the member for Stuart think? At the last election, he was standing side by side with a former member of the Greens. There he was arm in arm with the Liberal candidate for Ashford, who had called on the state government (1) to heritage list the bridge and keep it, not demolish it, and (2) to keep it there, upgrade it and build another underpass.

Here they are today, in Public Works and other committees, saying, 'Look; your local consultation was great but, when you do that, it costs more money, so just forget it.' What they want is no footpaths going over the bridge; so we cannot access the Parklands. That is right; it is only the western suburbs. That is what the Liberals say. That is why my margin was 18.3, the member for Colton's was over 15,

the member for Ashford's was over 15 and, remarkably, the member for Elder—in a landslide overtaking all of us, much to my financial detriment—now has a safe Labor seat. Why? Because the Liberal Party keeps on putting up candidates who call for things like heritage listing the Bakewell Bridge. At the election it was saying, 'Keep the bridge, heritage list it and build a bridge around it, or an underpass.' After the election, 'It's costing too much; just replace the bridge.' Make up your minds: which one is it? Just because we consult and listen, we get criticised.

I am glad I can go to my minister and say, 'Do you know what? The initial design doesn't take this into account and the residents are upset about it.' Do you know what? He listens. He says, 'That's a good point, Tom, well done.' Fine, minister; we get the upgrade. If that was the member for Waite we would get nothing extra. If the Liberal Party had been successful at the last election we would have that same old bridge there with an underpass underneath it, costing hundreds of millions of dollars, but members opposite conveniently forget that, just like their policy on the tram upgrade. It has been Liberal policy for 12 years to extend the tram along King William Street, but now the opposition does not like it.

Time expired.

SITTINGS AND BUSINESS

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

The time for moving the adjournment of the house be extended beyond 5 p.m.

Motion carried.

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

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

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

That this bill be now read a second time.

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

Leave granted.

This Bill comprises various amendments to the *Electricity Act 1996* to address concerns, largely in the safety and technical areas, which have become apparent in the course of administering the legislation. It also includes amendments to the *Gas Act 1997* to mirror some of the amendments proposed to the *Electricity Act*.

The Technical Regulator, an office established by the *Electricity Act* and the *Gas Act*, is responsible for the monitoring and regulation of safety and technical standards in the electricity and gas supply industries and in relation to electrical and gas installations. The Technical Regulator is also responsible for the administration of the provisions of the *Electricity Act* that relate to the clearance of vegetation from powerlines.

Members will appreciate that the energy utilities now take a quite different role in relation to safety and technical regulation than they did in days gone past. In earlier times, safety and technical requirements in relation to utilities' infrastructure were largely self-imposed. The utilities also used to accept their role involved checking that the contractors had competently performed work on installations.

The legislation now imposes safety and technical requirements in respect of utilities' infrastructure. With respect to electrical and

gas installations, the certificate of compliance scheme for installation work, established under the *Electricity Act* (and under the *Gas Act* in respect of gas fitting work), involves those licensed under the *Plumbers Gas Fitters and Electricians Act 1995*, taking greater responsibility for their work than was the case when utility personnel took a larger role in inspecting such work.

Not surprisingly, given the substantially new structure of safety and technical regulation that was effected by the legislation when it was first enacted some 9 years ago and given also the development of the Technical Regulator's experience in the safety and technical regulation of the energy supply and contracting industries, some problems have become apparent in the course of administration which the Government would like to see addressed.

Although the problems that the Bill seeks to address are not major, the Government's view is that legislation like this that relates to essential services and to community safety should be kept under ongoing review to ensure it works as well as possible. "Housekeeping" type changes to legislation are inevitable in areas such as this where the activities of those regulated change and where an increasingly national approach, particularly with respect to promoting increased competition, is seen as desirable.

The greater commercial focus of privately owned companies in the energy supply industries, changing building practices and measures mandating competition in the provision of some metering services under the National Electricity Rules combine together with the coming to light of some minor gaps in the coverage of the legislation to make the enactment of these amendments desirable. The Government believes the measures contained in this Bill promote improved safety outcomes in a more competitive environment.

Before explaining the purpose and thrust of the main provisions in the Bill, the Government wishes to record its gratitude to the members of the technical advisory committees, established under the legislation, for their role in the development of the proposals that are now before you. These committees are established to assist the Technical Regulator and comprise representatives of the energy supply industry entities, contractor associations, unions, professional engineers associations, local government and the Office of Consumer and Business Affairs.

Most of the amendments in the Bill are amendments to the *Electricity Act* and I will deal with these first.

The primary differentiation in the safety and technical area is between "electrical installations" and "electricity infrastructure" and the distinction is fundamentally a sound one. The definitions in the Act already recognise that there is, however, necessarily some overlapping between the two categories – for example, excluding "electricity infrastructure owned or operated by an electricity entity" from what would otherwise fall within the definition of "electrical installation". We are of the view that in order to provide greater and more appropriate safety assurance and to ensure clarity, facility is needed to be able to classify particular items as either "infrastructure" or an "installation". Clauses 4(2) to 4(4) provide this power. As a practical example, our technical advice is that general power and lighting in offices and other buildings should be treated as "installations" attracting the application of the Wiring Rules (AS/NZS 3000), certification of compliance and so forth notwithstanding that the office or other building is "owned or operated" by a person that happens to be a licensed electricity entity. Consultation will occur before any regulations are made under these amendments.

Clause 4(1) provides a new definition, that of "electrical equipment"; clause 10 provides that electrical equipment that is unsafe, or that should reasonably be known to be unsafe, must not be installed. These new provisions, based on Victorian legislation, cater for the fact that some situations that give rise to safety concerns are not catered for by the current regime, which imposes requirements with respect to "installations" and to "infrastructure". For example, outdoor events have on occasion been supplied with power from extension cords, designed for internal use, plugged into power points inside shops. That does not fall within the definition of an "electrical installation", nor is it "electricity infrastructure". Another example of a gap in coverage is unsafe modifications of large plug-in appliances, such as air conditioners. Where a safety problem exists, the Technical Regulator and authorised officers should be able to give directions requiring disconnection or appropriate rectification of unsafe equipment as clauses 11 and 14 provide.

Clause 5, amending section 57 of the Act, reduces the required notice period for entry to undertake required vegetation clearance work from a minimum of 60 days to 30 days. ETSU Utilities reported that the current 60-day period is too long, especially in

relation to the bushfire risk areas where aerial survey work, undertaken in July to September, identifies sites for on-site review. Where on-site review confirms the need for clearance, it is vital that clearance work can be undertaken before the fire risk becomes unacceptable, thus reducing or avoiding the need to disconnect powerlines during high bushfire risk days. A shorter notice period will facilitate that process. I am advised that other jurisdictions do not require more than 30 days notice.

Clause 7, amending section 59 of the Act, refines the obligations of a network operator with respect to connecting an electrical installation to its network. It differentiates between initial connection and reconnection that follows disconnection for safety reasons. Under the National Electricity Law, some metering provision is contestable in that it may be undertaken by metering providers accredited and registered by NEMMCO under the National Electricity Rules. The amendments to section 59 have been drafted with this in mind.

Clause 8 inserts a new section 60A requiring that a network operator must test to ensure correct polarity and phase relationship where work carried out on its behalf could affect the safety of connected installations. Creating this as an offence emphasises the importance of carrying out such testing. There have been odd incidents over the years where this has not been done with the result that installation piping has been left live following work on the network.

Clause 9(3) provides that contractors and registered electrical workers, who have allegedly breached the requirements imposed on them by section 61 of the Act, may be prosecuted in the Magistrates Court up to 2 years after the commission of the alleged offence, notwithstanding that the offence is one that is also "expiable" (within 6 months of the date of its commission) under the *Expiation of Offences Act*. Defective work or other breach may not come to the attention of the Technical Regulator within the currently applicable 6 month limitation period. Those licensed under the *Plumbers, Gas Fitters and Electricians Act* who have failed to carry out work and tests in accordance with the Wiring Rules (AS/NZS 3000) and other safety and technical requirements of the regulations, or to issue certificates of compliance as required, should not be able to avoid sanction on the basis that action against them was not taken within 6 months of the commission of the offence.

Clause 9(4) newly provides that a person, other than a contractor or registered worker, who personally carries out prescribed work on an electrical installation, must do so in compliance with the requirements imposed by the regulations. The person doing such work may or may not be in breach of the registration requirements of the *Plumbers Gas Fitters and Electricians Act* and this new offence is not intended to affect the operation of that Act. The focus of the new offence is on whether the work done and the installation are safe.

Other minor amendments to the *Electricity Act* are also included in the Bill. Clause 13 requires the reporting of electrical burns (as well as electric shocks) and clause 16 empowers the Technical Regulator (as well as an electricity entity) to approve lines extending beyond one property.

Clause 12 and clauses 18 and 19 insert new provisions into the *Electricity Act* and *Gas Act* empowering the Technical Regulator to issue public warning statements about electrical and gas equipment, components and appliances that, in the Technical Regulator's opinion, are or are likely to become unsafe in use and the persons who supply them; about the use of electrical and gas equipment or installation practices that, in the opinion of the Technical Regulator, pose a danger to persons or property; and about other dangers to persons or property associated with electrical and gas equipment, installations and appliances. These powers, and the immunity provided, are modelled on sections 91A and 91B of the *Fair Trading Act 1987*.

These powers will be useful to deal with situations where safety concerns sensibly need to be made known for the protection of the public or workers. Notwithstanding that before issuing a warning the Technical Regulator would wherever practicable consult with those whose commercial interests could be adversely affected, at the end of the day the Technical Regulator's decision needs to be guided much more by public safety considerations than by concerns about possible liability.

This power could usefully be used to warn about unsafe practices that are not necessarily unlawful. One recent example where such a power would have been useful involved the installation of backless switchboards. Although these items are suitable for installation in some types of constructions and were not prohibited by the current

version of the applicable Standard, they pose a risk where the construction is such that a person could easily and unknowingly drill into the back of the switchboard. Another area where the new power would be helpful is where some consumer misuse or lack of maintenance of an appliance may be dangerous. Manufacturers' instructions routinely advise the customer to have an appliance regularly serviced, to regularly clean grilles or filters, to not use for prolonged periods and so forth. Those instructions often are forgotten, misplaced or not provided to a subsequent purchaser. Experience has shown that manufacturers and other traders can be quick to threaten legal action against the Crown, notwithstanding that the publication of advice or information is not directed at their products but rather at their inappropriate installation or use.

In other circumstances a product recall, under the *Gas Act* or *Electrical Products Act*, may be legally available but impracticable – for example, the manufacturer or other trader that sold the defective product may have gone out of business or sold the business to another who is not legally responsible for the product and its recall. In such circumstances, a public warning may be the most practical method of dealing with the public safety concerns.

Clause 15 clarifies the exemption power in section 80 of the *Electricity Act* and clause 20 similarly clarifies the exemption power in section 77 of the *Gas Act*.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electricity Act 1996*

4—Amendment of section 4—Interpretation

Various definitional changes are made.

A new definition of *electrical equipment* is added. The term is defined to mean any electrical appliance or wires, fittings, equipment or accessories beyond an electrical outlet at which fixed wiring terminates.

The meanings of the defined terms *electrical installation* and *electricity infrastructure* are adjusted so that they can be expanded or limited by regulation.

Install is defined to include place.

5—Amendment of section 57—Power to enter for vegetation clearance purposes

Provision is made in section 57 for entry onto land to carry out vegetation clearance work around powerlines to be preceded by a minimum period of notice in ordinary circumstances. The period is reduced from 60 to 30 days.

6—Amendment of section 58—Regulations in respect of vegetation clearance

A provision is added to make it clear that vegetation clearance regulations under section 58 may impose a penalty not exceeding \$5 000 for a contravention of the regulations.

7—Amendment of section 59—Requirements relating to electrical installation connection and meter installation

The section is amended to make it clear that a person personally carrying out the work of connecting electricity supply from a transmission or distribution network to an electrical installation, or installing or replacing a meter must be—

- an employee or contractor acting directly or indirectly on behalf of a prescribed person; or
- authorised to carry out the work by the electricity entity that operates the network.

For the purposes of the section—

- the electricity entity that operates the transmission or distribution network concerned is a *prescribed person*; and
- a metering provider is a *prescribed person* in relation to the work of installing or replacing a meter, or connecting electricity supply to an electrical installation following the replacement of a meter.

A prescribed person must ensure that any such work carried out on its behalf is carried out by a person with the appropriate knowledge and skills required for the purpose.

If, when electricity supply from a transmission or distribution network is connected to an electrical installation, other than an installation to which electricity supply from the network has previously been connected—

- the installation does not comply with technical and safety requirements under the regulations; or

- there is a failure to comply with technical and safety requirements under the regulations relating to the making of the connection,

the person personally carrying out the work of making the connection and, if the person is carrying out the work as an employee or contractor directly or indirectly on behalf of the electricity entity that operates the network, the electricity entity will each be guilty of an offence.

There will be protection from liability in relation to the compliance of the electrical installation if the electricity entity that operates the network has, before the making of the connection, been provided with a certificate of compliance issued under Part 6 of the Act in relation to the installation. Further, if, when electricity supply from a transmission or distribution network is connected to an electrical installation following the prior disconnection from the network of electricity supply to the installation for safety reasons—

- any work that has been carried out on the installation since the disconnection has not complied with technical and safety requirements under the regulations; or

- in a case where the disconnection was by, or at the direction of, an authorised officer or the Technical Regulator—the making of the connection has not been approved by an authorised officer or the Technical Regulator; or

- in a case where the disconnection was by an electricity officer—there has not been rectification of the fault giving rise to the disconnection; or

- there is a failure to comply with technical and safety requirements under the regulations relating to the making of the connection,

the person personally carrying out the work of making the connection and, if the person is carrying out the work as an employee or contractor directly or indirectly on behalf of a prescribed person, the prescribed person will each be guilty of an offence.

There will also be protection from liability in relation to the compliance of the work carried out on the electrical installation if the prescribed person has, before the making of the connection, been provided with a certificate of compliance issued under Part 6 of the Act in relation to the work.

Provision is made that when a meter is installed or replaced, there must be compliance with requirements of the regulations as to the carrying out of the work and the carrying out of examinations and tests and with technical and safety requirements under the regulations relating to connection to a transmission or distribution network.

The maximum penalties for breaches of these provisions match the existing penalties in the Act, \$50 000 for the electricity entity or metering provider and \$5 000 and an expiation fee of \$315 for the contractor or employee personally carrying out the work.

8—Insertion of section 60A

60A—Responsibility to ensure correct polarity and phase relationship

An electricity entity that operates a transmission or distribution network must ensure that any work carried out on behalf of the entity that could affect the safety of connected electrical installations is appropriately tested to ensure the correct polarity and phase relationship. A maximum penalty of \$50 000 is fixed for a breach of this provision.

9—Amendment of section 61—Electrical installation work

The maximum period for commencing prosecutions under the section against licensed contractors or registered electrical workers is increased from 6 months to 2 years.

Amendments are made that will allow prosecutions where unsafe electrical installation work is carried out by persons other than licensed contractors or registered electrical workers under the *Plumbers, Gas Fitters and Electricians Act 1995*.

10—Insertion of section 61A

61A—Unsafe installation of electrical equipment

A new offence is created for the installation of electrical equipment that the installer knows or should be reasonably expected to know is unsafe or will be unsafe in use.

A maximum penalty of \$5 000 and expiation fee of \$315 are fixed for a breach of this provision.

11—Amendment of section 62—Power to require rectification etc in relation to infrastructure, installations or equipment

The power to require rectification of unsafe or non-complying electricity infrastructure or electrical installations is extended to electrical equipment.

12—Insertion of sections 62A and 62B

62A—Public warning statements

The Technical Regulator is empowered, if satisfied that it is in the public interest to do so, to make a public statement identifying and giving warnings or information about unsafe electrical equipment and practices and any other dangers to persons or property associated with electricity or electrical equipment.

The provision makes it clear that a statement may identify particular electrical equipment, services, practices and persons.

62B—Immunity from liability

Neither the Technical Regulator nor the Crown will incur any liability for a statement made by the Technical Regulator in good faith in the exercise or purported exercise of powers under proposed new section 62A. Nor will a person incur any liability for publishing such a statement in good faith or for publishing a fair report or summary of such a statement.

13—Amendment of section 63—Reporting of accidents
The requirement to report accidents involving electrical shocks is extended to electrical burns.

14—Amendment of section 72—Power to make infrastructure, installation or equipment safe

The power conferred on authorised officers to make electricity infrastructure or electrical installations safe is extended to electrical equipment.

15—Amendment of section 80—Power of exemption

Provision is made to make it clear that the power to exempt includes power to exempt a person from the application of a provision requiring the Commission to make a licence held by the person subject to a specified condition.

16—Amendment of section 85—Unlawful taking of electricity, interference with meters or positioning of lines

The section prohibits the occupier of property from installing electrical cable beyond the boundaries of the property. Certain exceptions to this are set out in the section. The clause adds a further exception in the form of an approval of the Technical Regulator.

17—Amendment of section 98—Regulations

The regulation-making power is extended so that regulations may impose a requirement for compliance with technical or safety procedures or requirements specified by an electricity entity that operates a transmission or distribution network.

Part 3—Amendment of Gas Act 1997

18—Insertion of sections 57B and 57C

57B—Public warning statements about unsafe gas installations, components, practices etc

57C—Immunity from liability

These proposed new sections relating to gas correspond to proposed new sections 62A and 62B relating to electrical installations.

The Technical Regulator is empowered, if satisfied that it is in the public interest to do so, to make a public statement identifying and giving warnings or information about unsafe gas components and practices and any other dangers to persons or property associated with gas installations or components.

The provision makes it clear that a statement may identify particular electrical equipment, services, practices and persons.

Neither the Technical Regulator nor the Crown will incur any liability for a statement made by the Technical Regulator in good faith in the exercise or purported exercise of such a power. Nor will a person incur any liability for publishing such a statement in good faith or for publishing a fair report or summary of such a statement.

19—Insertion of sections 61AA and 61AB

61AA—Public warning statements about unsafe gas appliances, components, practices etc

61AB—Immunity from liability

These proposed new sections relating to gas appliances and components for gas appliances correspond to proposed new sections 57B and 57C relating to gas installations and components.

20—Amendment of section 77—Power of exemption

Provision is made to make it clear that the power to exempt under the *Gas Act 1997* includes power to exempt a person from the application of a provision requiring the Commission to make a licence held by the person subject to a specified condition.

Schedule 1—Statute law revision of Electricity Act 1996

Schedule 2—Statute law revision of Gas Act 1997

Obsolete statutory references in the Acts are corrected.

Mr WILLIAMS secured the adjournment of the debate.

**ANANGU PITJANTJATJARA
YANKUNYTJATJARA LAND RIGHTS
(REGULATED SUBSTANCES) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 31 May. Page 341.)

Mr WILLIAMS (MacKillop): I indicate that I will be the lead speaker for the opposition on this bill, but I hope that does not indicate that I will be going on at length about it.

This is a seemingly small matter before the house today. I acknowledge the government's desire to push this matter through the house and get it moving, and I will probably come back to that later. However, I do draw the attention of the house to the parallel between this bill and what I could only describe as the government's tiresome law and order stance. The government keeps going down the line of increasing penalties in what I would refer to as a one-dimensional approach. I hope to demonstrate to the house that not only do I not think that that is the correct approach and an approach that works, but certainly others with much more expertise in the field than I have do not believe that that is the most appropriate approach.

I will quote from our own Coroner on evidence he heard during an inquiry into the deaths of three young Aboriginal men in 2004. I will quote some of the things he has to say about not only conditions on the lands but also the approach that this bill before us is taking. In a press release dated 31 May this year, the minister said:

This government has worked hard to put in services to help sniffers and tackle the factors that contribute to petrol sniffing.

They are fine words, and I only wish I could agree that the government has worked hard. I will question the government's work in that area and its commitment to the issues on the lands. For too long administrators have paid lip service to this issue and done little else. During the course of this debate, I will highlight some of the shortcomings I have discovered within the very short time I have had responsibility for Aboriginal affairs and reconciliation on behalf of the opposition. I indicate to the house that, even though the government and the minister may be happy to invoke simplistic solutions, the opposition is not necessarily happy with that approach. The parliament today can allow the 30-odd year catastrophe to continue in the AP lands (and might I add that that catastrophe is not necessarily restricted to the AP lands) or the parliament can take a stand.

First, let me address the contents of the bill before the house. I will then make a few comments about the genesis and history of the bill and then move on to offering some suggestions for significant improvement thereto. I will foreshadow some amendments which I propose to move in

committee, amendments which, I believe, are now on file. The bill seeks to insert new section 42D into the principal act which creates a new offence. Proposed subsection (1) provides:

- (a) sell or supply a regulated substance to another person; or
 - (b) take part in the sale or supply of a regulated substance to another person; or
 - (c) have a regulated substance in his or her possession for the purpose of the sale or supply of the regulated substance to another person,
- knowing, or having reason to suspect, the regulated substance will be inhaled or consumed by any person.

For the purpose of the bill, the 'regulated substance' is petrol or any other substance declared by regulation to be so. The maximum penalty set by the bill for this offence is \$50 000 or 10 years imprisonment. Furthermore, the new section gives a police officer the power to seize and retain a motor vehicle that the officer suspects on reasonable grounds is being or has been used in connection with any of the aforementioned offences or affords evidence of such an offence. The motor vehicle is to be held by the Crown (and this is curious), except that the minister may release it with or without conditions.

It is forfeited to the Crown if the person is convicted of the aforementioned offence and if having been forfeited is disposed by way of sale the proceeds of such a sale less any costs incurred by the Crown are paid to the APY. The bill also amends section 43 of the principal act such that the vehicle seizure and forfeiture sections with regard to offences against the sale or supply of alcohol under that section will mirror new section 42D.

As I said at the outset, this is a simple bill, which at first glance appears very reasonable. The opposition has no problem with the provisions of the bill and will, indeed, be supporting it. However, the opposition believes that the parliament should send a positive signal to all involved in this sad business, from the poor souls who find themselves victims of substance abuse (in this case, petrol), to those who profit from this misery by running and selling petrol to those just mentioned, to those who have encountered the problem and have been repulsed by the effects of it, right up to the minister and the government.

After venting my cynicism about this proposal, I will address the matters which are not contained in this bill. Mr Speaker, I said earlier that I would talk about the genesis of the bill, and I will now address that point. In April 2004 (over two years ago), the Premier visited the APY lands with much fanfare. As with everything the Premier does, he was accompanied by a media entourage and overblown announcements. The Premier declared that he would get tough and that he would do something about petrol sniffing; that he would make new laws, increase the penalties and take away their cars.

However, what the Premier failed to tell the media entourage and everyone else involved—and remember, Madam Deputy Speaker, this was the trip where the Aboriginal women later complained, because they had put on the kettle to have a cuppa with the Premier but, as soon as the cameras were packed up, the Premier was gone; obviously, he was only interested while the cameras were rolling—was that the existing act already gave the APY powers to make by-laws, that by-laws against trafficking in petrol already existed and that confiscation of vehicles was already contemplated by the act where trafficking in liquor was involved. The bill does increase the penalties for the offences and it

does extend vehicle forfeiture to offences involving petrol. However, as the net effect of the bill is simply to move the offences from the by-laws into the act (and one must assume the original intent of the principal act was to give the APY some sense of self-determination and, thus, give them the power to make by-laws), it moves those offences into the principal act and extends the vehicle confiscation clauses to petrol—

The Hon. G.M. Gunn interjecting:

Mr WILLIAMS: They did, apparently; I have seen them up there. It does, indeed, increase the penalties. As I said, I am cynical about this matter; I think it is very hard not to be cynical about it. With the increased penalties being the hallmark of this government's modus operandi, and the headline of the minister's press release of 31 May heralding the bill, the following questions must be asked. How many offenders have been before the courts for these types of offences? What penalties have been imposed by the courts for these offences? What is the recidivism rate for the offence? Surely the government must have evidence that the current deterrents are inadequate.

The minister was silent on this point in his press release and during his second reading. When I posed these questions to the minister's staff who kindly briefed me on this bill, they were unable to shed any light on those questions. Hopefully, the intervening time has allowed the minister to obtain that detail and he can apprise the house of the reason for the necessity to increase the penalties. The opposition will, in any case, support the bill: I just seek to have my cynicism appeased.

Following the Premier's mission to the APY lands in the Far North, a bill with the same provisions as this was introduced in the other place on 24 May 2004. That bill, like many others at that time, did not receive a lot of attention after its introduction and fell off the *Notice Paper* at the conclusion of that parliamentary session. It was subsequently reintroduced on 15 September 2004 and it passed the other place, with amendments, on 8 December 2004. This house disagreed with the upper house amendments and the government, in its wisdom, abandoned the matter until last week.

I will now talk about the amendments made to the government's bill in the other place, because they are very similar to those that I intend to move. The Hon. Nick Xenophon moved two amendments which, firstly, gave authorisation for entry to the APY lands by a news media representative for the purpose of investigating and reporting on matters of public interest. Secondly, the amendments would have established a mandatory diversion for substance abusers to an assessment service. In his second reading, the minister referred to these amendments and indicated that the government still rejected their endeavour. His reasons included the reality that the lands contain sacred sites and that from time to time traditional ceremonies take place, all of which should be out of the gaze of the media. I accept the minister's point, but I simply say that it would be pointless if the media were to enter the lands and offend the sensitivities of traditional culture and, indeed, I could not see how that could pass the public interest test. However, that would be no reason to allow the situation to continue in the lands—where, by every measure that we could apply, we have failed the inhabitants.

No-one argues that any of the services delivered are adequate or that the circumstances are improving—because, sadly, they are not. I wish to quote from the findings of the State Coroner (to which I earlier referred) in his inquiry into

the death of three young Aboriginal men from petrol sniffing. At paragraph 8 in the executive summary, the Coroner said:

Clearly, socioeconomic factors play a part in the general aetiology of petrol sniffing. Poverty, hunger, illness, low educational levels, almost total unemployment, boredom and general feelings of hopelessness form the environment in which self-destructive behaviour takes place. That such conditions should exist among a group of people defined by race in the 21st century in a developed nation like Australia is a disgrace and should shame us all.

I visited the lands a few years ago, and I thoroughly agree with those comments. The previous minister (the late Terry Roberts), in his remarks when first introducing this bill in May 2004, stated as follows:

Recent press coverage of conditions on the APY lands graphically illustrates the misery the practice petrol sniffing inflicts not only on those who participate in it but on all community members.

Reintroducing the bill on 15 September of the same year, the same comment was made. The previous minister acknowledged the power of the press and the impact upon all of us when confronted, as the Coroner stated, with this disgrace.

After having visited the lands a few years ago with a group of colleagues, led by the member for Stuart, I have argued in this house that the quickest and best way to ensure appropriate actions are taken is for the general public to be aware of the appalling conditions and past failures within the lands. I have argued that the opening up of the lands—

Members interjecting:

The SPEAKER: Order! If the members for Giles and Torrens want to contribute to the debate, there is an opportunity to do so. The member for MacKillop has the call.

Mr WILLIAMS: Thank you, Mr Speaker. I think that this is probably an appropriate time to seek leave to continue my remarks.

Leave granted; debate adjourned.

Mrs GERAGHTY: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

ADDRESS IN REPLY

The SPEAKER: I have to inform the house that Her Excellency the Governor will be prepared to receive the house for the purpose of presenting the Address in Reply at 4.15 p.m. today. I ask the mover and the seconder of the address, and such other members as care to accompany me, to proceed to Government House for the purpose of presenting the address.

[Sitting suspended from 4.10 to 4.50 p.m.]

The SPEAKER: I have to inform the house that, accompanied by the mover and seconder of the Address in Reply to the Governor's speech and by other members, I proceeded to Government House and there presented to Her Excellency the address adopted by the house on 8 May, to which Her Excellency was pleased to make the following reply:

To the honourable Speaker and members of the House of Assembly: I thank you for the Address in Reply to the speech with which I opened the first session of the Fifty-First Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray for God's blessing upon your deliberations.

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (REGULATED SUBSTANCES) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Mr WILLIAMS (MacKillop): I will endeavour to pick up where we left off. I was talking about my statements, on at least a couple of occasions in the house previously, where I thought the lands should be opened up to the public gaze. That was purely because I believe that, if the public had not necessarily a first-hand but a much closer view of the situation that is occurring on the lands today and has probably occurred for many years, I think decision makers, including members of this place, would be paying much more attention and applying every resource we have available to the problems, which are quite obvious.

The previous minister acknowledged the power of the press in his opening comments on the introduction of a bill—which I believe is identical to this one—twice in the last parliament. I have a proposal on file to address the way we might go about allowing more open access onto the lands, and we will debate that in committee. The member for Stuart has a similar proposal, although he comes at it a little differently than I do, and both proposals are a little different from what was proposed by the Hon. Nick Xenophon in the other place in 2004.

I am under no illusions. I expect the minister will express his opinion on this matter in his second reading reply. I do not expect the member for Stuart or I to be successful in this place, but we will have the opportunity to put a point of view. I think the Hon. Nick Xenophon and the members of the other place will then have their opportunity, and they will have three different choices as to how we might attend to this matter. I suspect that they will have more success than the member for Stuart and I.

The other matter originally raised by the Hon. Nick Xenophon regarded mandatory referral of substance abuse victims. I accept that the bill before us, in this particular instance, is more about trying to cut demand by cutting access to petrol sniffing. I do not believe that the bill does nearly enough to address the circumstances of the victims, the people who are involved in petrol sniffing. The Hon. Nick Xenophon wanted to address that matter. The opposition had sympathy for his position two years ago and it certainly has sympathy for that course of action today. The previous minister argued that there were no services at that time—two years ago—in the lands and thus the government would be unable to fulfil the requirements if those proposals were accepted.

Interestingly, at the time, there was no argument that the services were not needed; the argument was that they were not in place. The minister argued that the government would fall foul of its own legislation if it accepted that. That was two years ago. As I said, I have not had this responsibility for a great deal of time and my learning curve is quite steep, but I have had the opportunity to read a number of documents and to talk to a significant number of people, particularly in the past week since this bill was introduced. I cannot say that I was personally aware of this, but it has come to my attention that petrol sniffing has been a significant problem at least since the mid-1960s.

I understand that, in many Aboriginal communities, in the early 1990s Avgas was used as a petrol substitute, including on the Pitjantjatjara lands (now the APY lands). That had a significant impact on the incidence of petrol sniffing and abuse declined. It appears that since the mid 1990s this strategy has broken down and the incidence of abuse has increased. Interestingly, on 2 June, a former Labor health minister from 1982 to 1988, Dr John Cornwall, was interviewed on this matter on a local ABC radio station out of Port

Pirie. Amongst other things, he said, 'Nothing seems to have changed in the last 20 years.' Later he said that he thought things had got worse in the last 20 years. Also, he said, 'It is symptomatic of our communities, our politicians and journalists and public at large, I suppose, that we seek simple solutions to complex problems.' I suggest that this statement was in direct response to this minister's press release some three days earlier entitled 'New penalties to combat petrol sniffing.' Whilst acknowledging that the penalty increases—

The Hon. J.W. Weatherill interjecting:

Mr WILLIAMS: I am sure the minister will have an opportunity to restate his case and to rebut the points I am making; and, when he has it, I hope that the minister does take that opportunity and does it in an orderly manner. The parliament will have the benefit of having reasoned debate and, in that way, will be able to make a decision. Whilst acknowledging that penalty increases may have some small effect (and I emphasise the word 'may' with respect to the petrol sniffing issue), the opposition concurs in the Coroner's report to which I referred earlier, where he states:

Strategies at three different levels are called for: primary interventions to reduce recruitment into substance abuse; secondary interventions seeking to achieve abstinence and rehabilitation; and tertiary intervention providing services to the permanently disabled.

Further, he states:

Strategies include:

- youth activities through provision of youth workers;
- neuropsychological testing;
- out-stations/homelands;

The Coroner mentions Avgas; and, bearing in mind that this report was handed down almost three years ago, I think that we could change Avgas to Opal petrol. The Coroner continues:

- legal sanctions—

which, I guess, is what we are addressing now—

- night patrols;
- programs for children at risk;
- disability services;
- secure care facilities;
- policing and crime prevention strategies.

I do acknowledge that the policing function has increased substantially, and I congratulate the minister for that move. The Coroner further states:

The implementation of any one of those strategies by itself is likely to fail, but introduction in combination with a variety of others will give a better chance of success. All of these strategies must be accompanied by strategies to address socioeconomic issues, such as poverty, hunger, health, education and employment.

I think that the opposition seems to concur very closely in those sentiments. In fact, the current approach behind this bill seems to reflect Dr Cornwall's assertions regarding simplistic solutions and does not, in my opinion, reflect the Coroner's views—

The Hon. G.M. Gunn interjecting:

Mr WILLIAMS: —that may well be so—as to how we must tackle the problem of petrol sniffing. Petrol sniffing is merely one manifestation of a huge series of problems, not only on the APY lands but also amongst Aboriginal communities in general. A description of what may well lie behind this series of issues with respect to the APY lands was given in an article entitled 'Evaluation of strategies used by a remote Aboriginal community to eliminate petrol sniffing', which appeared in the 17 July 1995 edition of the *Australian Medical Journal*. The article stated:

The domination of community affairs by government agencies and the effects of western culture contributed to cultural dislocation, a perception of powerlessness and intergenerational conflict...

I would contend that that is the underlying cause of the problems we have inherited. I say 'we', because I am not suggesting that these problems are new. They have been around throughout the life of a significant number of governments, and the opposition would like to see some positive action taken. Indeed, during the intervening 10 years since the publication of those comments, I would argue that the problem has become worse rather than better.

I do not want anyone to misconstrue the opposition's position with respect to these issues. I am not claiming that the answers are either obvious or easy. We simply question the motives behind this bill. If the government had accepted the Hon. Nick Xenophon's amendments two years ago (which were supported by the opposition), hopefully, by now we would have had in place appropriate treatment programs for victims of petrol sniffing abuse. At that time the government decided to give up, with respect to increasing the penalties we have before us, in preference to implementing programs to help petrol sniffers and ensuring that the programs and services that the minister at the time argued prevented him from accepting the amendments proposed by the Hon. Nick Xenophon were on the lands.

The minister has acknowledged that programs are now being developed to provide the assessment function by way of a mobile outreach service. However, instead of mandatory referral to these services via this bill, the minister argues that the commonwealth funded police drug diversion program will pick up that function. Is the minister telling us that he wishes to abrogate the state's duty to the people of the APY lands in favour of the commonwealth?

I refer any member who has any interest in these issues to the Coroner's report (from which I have quoted a number of times), which provides significant documentation in respect of the conditions in the APY lands. Notwithstanding that the report is nearly three years old, I think it is still very relevant. Petrol sniffing is but one of a myriad of serious problems in the lands. However, to put this issue in context, over the past 20 years, figures from that report indicate an annual death rate from petrol sniffing in the APY lands of 400 persons per million. This compares with an annual road death rate in South Australia of about 100 deaths per million. In this place we become very excited on a regular basis about the road trauma, but the impact on the general population is significantly less than the impact of petrol sniffing in the APY lands—and, as I said, that is only one of many problems in those lands.

These figures merely reinforce the opposition's view that we must overcome the 'out of sight, out of mind' mentality, and we must provide for a myriad of solutions. The amendments that we will propose during the committee stage will begin this process. The opposition, I repeat, supports the government's proposals but makes no apology for seeking to force the government further towards taking substantial action.

Ms BEDFORD (Florey): Current interest in the conditions for remote indigenous communities postdate this bill and have prompted renewed action and a commitment to social justice and, as is often the case with indigenous issues, it is evidence of the circumstances that remain on the lands in this day and age that has highlighted the tragedy—a continuing circle of concern resulting in only small advances.

The first time any changes to the APY lands rights bill was introduced was in the wake of the death of four young people by suicide, and evidence of a further eight attempts. While I acknowledge that mainstream press and politicians claimed these deaths were related to chronic petrol sniffing and violence, I remind the house that the Ngananpa Health Service, based on the lands, has said that that is not the full truth of the situation.

The petrol sniffing crisis on the lands and the ill health and violence stemming from it are now again being noticed and this time, hopefully, the things we do will make a big difference. We all hope that the national summit in Canberra on 26 June will find a way forward and, of course, if we knew what would work and if the solution was simple, things would already be improving faster. What is evident, though, is that more of the same cannot be an option.

The summit should not result in an attack on indigenous people and their efforts in self-determination or land rights, and this includes access to their lands. I believe that some appointments and reviews have been—and are seen by many indigenous and non-indigenous people alike—reminiscent of the paternalistic treatment of indigenous people in the pre land rights era, and the implicit message in those appointments and reviews is that land rights have failed and indigenous people cannot look after themselves and therefore need a firmer hand. This attitude has angered many of the people who have contacted and met with me over the time since this bill was introduced, who have said that moves last year only served to reinforce the racist beliefs that indigenous peoples are not now, and therefore never ever will be, capable of managing their own life.

The permit system on the lands satisfies many requirements. The owner of anything—and in this case land—has the right to know who is visiting. A practical reason for the permit system is tracking visitors to this often breathtakingly beautiful yet harsh region. Another is respect, particularly for the cultural uses and associations with the land, including custodianship of sacred sites. It is my understanding that media access has only ever rarely been denied.

As we know, good news is not always trumpeted as loudly as is bad news. Many good things are happening with and for indigenous communities. The practice of petrol sniffing is devastating some communities, with some kids starting to inhale petrol fumes from as young as six years old. It is causing sickness, social dysfunction and death. Communities and health professionals are frustrated that there has been little improvement in the situation. Since 1997 there have been five coronial inquests into deaths caused by petrol sniffing, and the most recent in 2005 noted that recommendations from previous inquests have been poorly implemented.

Until recently our knowledge of the effect petrol sniffing has on the brain has been sadly lacking. However, the Access Economics report, commissioned by property developer Global Property Trust and indigenous groups, showed that the cost of petrol sniffing to Australia, measured in dollar terms rather than the human cost, is \$79 million a year, and providing unsniffable fuel across the nation's central areas would save \$27 million. Although I do not hold Opal fuel as the panacea, the evidence is there that comprehensive coverage of the region with unsniffable fuel is an available strategy that will substantially reduce petrol sniffing and therefore its associated harms.

So, while this amendment will go some way to addressing the substance abuse problem, we need to renew our efforts to find programs that will give indigenous kids the self-

respect that will enable them to see there is a future, because if they are doing these sorts of things it is saying that they do not see a future. Everyone is responsible—not just the indigenous community. Everyone, especially in health care, is responsible to introduce programs that will try to reduce these appalling numbers. We also need governments to quickly establish rehabilitation and treatment facilities, and we should also ensure that local communities, in particular youth workers, receive adequate support and funding. Our state government is working closely with other state governments, the federal government and relevant agencies to better coordinate and utilise services across the region. A key aspect involves listening to indigenous communities to hear their ideas about how to stop petrol sniffing. Services should be targeted towards the needs of individual communities to address the range of ways petrol sniffing can impact on a community, and I commend the minister for his efforts and the bill to the house.

The Hon. G.M. GUNN (Stuart): I take part in this debate because I have been in this place long enough to recall the original legislation setting up the Pitjantjatjara land rights facilities and all the great enthusiasm at that time about how this legislation was going to bring great benefits to the people who lived in that part of the state. At that time, I was called a doubting Thomas and various other things because I pointed out how foolish some of the provisions were, how unworkable they were and how they would not have long-term benefits for the Aboriginal community.

I am sorry to say that those predictions have come true. Currently, we have a situation where only members of parliament are allowed at their own will to visit those lands. If you have a closed society, you have the potential for all sorts of activities to take place that are not only wrong but also inappropriate and certainly do not enhance the welfare of the people who live there. When you visit a community and see young people walking around with a Coke can and a piece of wire around their neck, sniffing petrol, and say to these advisers, 'Why aren't you doing something about that?' they look blankly at you and spiel out some foolish left-wing rhetoric about people's rights. No wonder these people—

Ms Bedford interjecting:

The Hon. G.M. GUNN: So you think it's a good thing?

Ms Bedford: No.

The Hon. G.M. GUNN: Well, it's your mates who have set up these sorts of provisions. Whenever a government tries to do something about it, they jump up and down and talk about Aboriginal rights. They do not talk about responsibilities, and they do not talk about doing something to create long-term benefits for these people. Some of us have spent a lifetime with these people and know them pretty well. As a young person, I worked with them, so I have some knowledge of them. I think that I know as many people in the Pitjantjatjara lands as the honourable member, and I still talk to them.

The thing that concerns me more than anything else about having this restricted policy is that there is no employment for those people up there. If the young people are not properly engaged in some meaningful activity, they will look for some diversion—unfortunately, these diversions have been petrol sniffing and other activities that affect their health and wellbeing—or groups of these people want to go to Port Augusta, Alice Springs, or Ceduna. That in itself has caused social problems, as they then become isolated down there, and there is no way of their getting back.

So, I strongly support these propositions, but they do not go far enough. If you really want to solve the problem, be prepared to take some positive steps. The difference between this debate and the previous one is that members on this side are prepared to support this legislation. I can tell you that, when we were in government, at every attempt we made, the Labor Party (the now government) rushed off and joined with the activists from the professional Aboriginal movement, put on a rare turn and trotted out their fellow travellers and a few others involved in the industry to make sure that nothing happened.

If you go to Umuwa and those sorts of places, what do you see? Have you ever counted the number of Toyotas lined up there? It is an interesting exercise. Peter Kittle has done well out of it, no doubt about that. They organise meetings so that people can keep driving around. We had a very successful program in which the police and people like Sergeant Link Goer, who did an outstanding job, were involved. But they were shifted out and, unfortunately, the community constables system broke down because there needs to be proper supervision. If you have to deal with these illegal activities, you must have sufficient police there to supervise. It is difficult if there is only one policeman at Amata and there are problems at Pipalyatjara—it takes a fair while to get out there. There needs to be a reasonable number of police officers. For many years I personally advocated that police at Marla ought to have an aeroplane so that three or four police officers could fly out quickly to these isolated areas. I am sure young constables would like to learn to fly. They could get out there quickly. A Cessna 206 or 207 holds five people and travels at 130 or 140 knots. If they left on a beautiful cool morning like this morning there would not be a ripple.

The Hon. J.W. Weatherill: But you failed, though, didn't you.

The Hon. G.M. GUNN: What do you mean I failed?

The Hon. J.W. Weatherill: Well, the previous government didn't move a muscle.

The Hon. G.M. GUNN: We didn't have the money that you've got. We did not have the thousands of millions of dollars of GST money, which is flowing into the coffers of this government and state governments around Australia. As a first step we should allow citizens to have the ability to drive on the roads out there. They can drive on the roads in the Maralinga lands, why can they not drive out on a road reserve? A person can drive from Wirraminna to Kingoonya. Why can we not drive from the Stuart Highway through to the Western Australia border without a permit. Why can ordinary law-abiding citizens not do that? Why do people want to restrict access? Have they got something to hide? I put to this house that every member of this parliament ought to be taken through there and shown the appalling conditions and how the system has failed.

Ms Bedford: I will take your word for it.

The Hon. G.M. GUNN: I will never forget the first time I took the member for Morphet to Indulkana, a few kilometres off the Stuart Highway—and I have never seen a person have such a culture shock. If they were to go in to see the conditions and what has happened there, they would not believe they were in South Australia. This legislation is to deal with these terrible people, who are bringing petrol and drugs into the lands. Of course, we should deal with them. A few years ago they had a self-policing effort and they actually used to burn the vehicles. They used to physically burn them.

Mr Williams: Where did they get the petrol from?

The Hon. G.M. GUNN: They did not have to have it: they just set fire to the vehicle. It was a self-policing effort, but, of course, some people took very strong exception to that particular process. I know it is difficult for the police to catch these people, but we have to create the conditions so that people do not want to be involved in petrol sniffing. They have to have decent employment. T&R Pastoral is doing a very good job up there agisting cattle, improving the infrastructure and creating some opportunities. We need to do that throughout the whole lands. There needs to be some organised, appropriate and sensible tourism ventures through there. We have seen on television and talked about the deplorable treatment of young girls and women. Something should be done. There is an urgent need to have appropriate numbers of police. But the community of South Australia is locked out of these areas and made to feel unwanted.

I do not believe that the initiation for this has come from the Aboriginal people: it comes from the people who are benefiting from the huge amount of money which is being spent up there. Some of them are less than honourable. Some of the misfits up there have backgrounds from all around the world. I wonder why they do not solve the problems in their own country before they come to Australia.

An honourable member interjecting:

The Hon. G.M. GUNN: It is true. Of course it is. When you see Eritreans and these people—they have one or two problems there. Why do they want to come to Australia to impose their misguided beliefs on the rest of the community? We have to create some opportunities. We have to support the police and get rid of the closed society.

We have to make sure that they go to school. It is appalling that children are not going to school. A few years ago, I went to a school one morning at 9 o'clock, and there no-one was at school. I did not say anything; I thought, 'Well, we'll see what's going on,' so I arrived back at the school at 9.15 the next morning, and still no-one was at school. Well, you ought to have seen it; there was a bit of a scatter then to try and round them up. If these children do not go to school, they have no hope. Of course they are going to be attracted to petrol sniffing and marijuana. There are certain people up there who have been great so-called spokesmen for the Aborigines. It was very interesting what they grew down at Wallatina but that is another story, which we can go into on another day. There is the growing of marijuana and they are bringing it into the area because there is a lack of involvement.

The amendments that stand in my name and that of the member for MacKillop are a conscientious attempt to make improvements to this legislation, to ensure that steps are taken to enhance the lives and the welfare of these people. Give the next generation of young Aborigines a chance to enjoy the fruits of a modern society. It is most disturbing, even in a place like Port Augusta, to see seven and eight year old children roaming the streets at 2 o'clock in the morning. It is most disturbing but at least there are some opportunities there for them to go to school. When you go up to the Pit lands and see one of the most attractive parts of South Australia, where there is huge economic potential and nothing is happening, you have to ask yourself, why do you continue to have this crazy closed shop mentality? If it is good enough to have access through the Maralinga lands, it is good enough to have it through the AP lands, because the potential there is tremendous.

I repeat: if we want something done, instead of people racing around the world, they all should get in a bus and go

and have a look. Go and have a look for yourselves at what is taking place there; put in a couple of days up there and I will guarantee you that there will be some action in this parliament. We saw the result when the Commissioner of Police, who should be commended, took the Treasurer up there. When he got back, we saw how concerned the Treasurer was. I think he got a bit nobbled afterwards but he had the right idea. He would have had the support of the people on this side, but I think the activists and the Aboriginal machine got to work, and they got people jumping, and they got him to pull back. The Commissioner of Police should be commended for taking him up there, and showing him first hand the appalling conditions.

We have to make sure that this legislation works. Are we going to have police checking people coming in from Yulara and from Western Australia? It is going to be a very difficult task when they come from Marla, Alice Springs or Curtin Springs. Whatever happens, there is going to be a pretty strict police presence. Also, are members of the community going to have the authority and the power to remove petrol from young people, who are walking around with Coke cans around their neck? Is it only the police? Who is going to have the power to take it off them because, surely, we are not going to allow that situation to continue, with people just ambling around. Then people say, 'Look at the house that was damaged by the sniffers.' That is the first thing they say: 'Look what the sniffers did last night.' It is very sad.

I strongly support the bill. I urge the minister to take these other positive steps and let the people of South Australia have a look. I sincerely hope that he does not resort to the usual defence of attacking people who have the commonsense to try and bring these problems to the attention of this house and the people of this state. These problems will not go away unless we are a bit visionary in our outlook, and unless we have the courage to let other members of the community have some knowledge about what is taking place up there, because the same people have been pulling the shots across Aboriginal lands across the whole of Australia. They put up the same propositions and, when you go there, you see the same individuals. I have seen them go from Yalata up to Pipalyatjara, out the back of the hill there to Kalka and places. You see them all the time, and they seem to float in and float out, then you don't see them for a while, and then back they come, and you see the same disaster.

I say to anyone: just go and have a look at what has happened to the homestead on Granite Downs. See how many times it has been fixed up and what is happening there now. If anyone thinks we have made a success of it and that the people who have been calling the shots have done a good job, I bet that not one of you would agree if you were being honest with the people of this state. I say: go to Granite Downs and have a look. I challenge every one of you to go there. I ask the question: how many times has it been fixed up, how much money has been spent there, and what has been the benefit to the Aboriginal people? There is the challenge. Members can get up and attack me and the member for MacKillop. The trendies will get up and have their say, but I put out the challenge to tell the people of South Australia how much money has been spent at Granite Downs and what the benefit will be. It is very interesting. Not only state money but also huge amounts of commonwealth money have been spent.

I look forward to the committee stage, because there is a lot more to be said about this proposition. At the end of the day, let's get rid of all the rhetoric and do something positive.

Let's get on and give the next generation of young Aborigines a chance to participate in the benefits of our modern society. Let's do something for them that will give them an opportunity to lead a productive and decent life and to have a decent life expectancy.

Ms SIMMONS (Morialta): I speak obviously in support of the bill. However, I need to say that I am extremely disappointed to hear the opinions expressed by the member for MacKillop, particularly in relation to the opening up of the lands. I really take exception to his patronising view of what should happen, should the lands be opened up. As far as I am concerned, having been very privileged to visit the lands on several occasions, rather like the member for Stuart, I am disappointed that the member for MacKillop should come out and speak so disrespectfully about the attitude and the way in which the Pitjantjatjara people view their own homelands. He obviously has little or no comprehension of what their homelands mean to them and the way in which their lands are treated by them. If the member for MacKillop has not visited the lands so far, I hope he does have the privilege to do so in the near future.

The member is correct in saying that the misuse of petrol has been going on since the 1960s. However, opening up the lands is not the answer to this problem, and it is certainly not the answer the local people are looking for. I worked with the people during the time the opposition was in government, and I find its patronising approach is synonymous with the approach of the previous government during that eight years it was in government, when, as far as I am concerned, it did absolutely nothing. So, I find it extremely disappointing that members opposite come out in this place and give a white fella's opinion of how the lands should be opening up. We have worked long and hard for self-determination and Aboriginal land rights and, in two speeches this afternoon, we have seen that wiped away with a disrespect I did not expect to see in this house in 2006.

The member for Stuart's solution seems to be to turn the lands into some sort of Monarto Zoo, which is also not the answer. I think we need to consider very carefully what is going on in this bill, and we need to be extremely respectful—

The Hon. G.M. Gunn interjecting:

The DEPUTY SPEAKER: The member for Stuart, you were heard in silence, so please accord the same respect to the member for Morialta.

Ms SIMMONS: The people of the lands do have the ability to determine what happens to them and to their lands, and we in this house need to respect what has been built up over many years to enable them to do that. It should not be disregarded in the way in which it has been this afternoon. I commend the minister and this bill to the house, and I hope the bill will now progress smoothly.

Mr HANNA (Mitchell): I support the Anangu Pitjantjatjara Yankunytjatjara Land Rights (Regulated Substances) Amendment Bill, but I want to make some remarks about the context in which it is brought before parliament. Yes, it is essential to take some steps to crack down on petrol sniffing and the carriage of petrol around the lands for the purpose of selling it, but of course it is not as simple as that. In fact, this is barely a starting point. I think one of the themes that has been common in the debate on this bill has been the appalling state of affairs on the lands, and that has occurred, and continued, under Labor and Liberal governments. I do not

know what it takes to get the political action to improve things.

I know in practical terms one of the keys is being able to have an adequate police presence on the lands, and adequate youth workers and health workers of different kinds, and that, in turn, cannot happen without adequate housing. It is expensive to build houses up there, but that is what we need to do to build the foundations for sufficient services so that these social problems can be addressed. To highlight that by way of an example, when I was in the APY lands, I forget in which particular town, during the middle of the day I observed teenagers walking past the local primary school each with a tin full of petrol around their necks. No-one blinks because it is such a common, everyday occurrence. If there was a police officer on site maybe something would be done, but it is a vast area and the police presence is so insufficient to deal with the problems on the lands that this sort of example of petrol sniffing shows how the problem is ignored on a day-to-day basis. It is all very well to improve the laws to make it easier to catch people, but you still have to have adequate policing, otherwise the law is pretty well meaningless. How disappointing it is that, last year, the government was so focused on putting in place changes to the governance of the lands rather than proceeding with this bill. The sooner it gets through, the better, and that should have been last year.

I will make comment about the amendments being put forward by members of the opposition. In relation to access to the lands, I think there is some force in the argument that if everyone in South Australia was aware of the appalling conditions on the lands there may be more political will to solve the problems there. However, the fact is that it is equivalent to freehold ownership by the communities, and I think that right has to be respected. I am a supporter of self-determination when it comes to these things and, in that context, I share some of the sentiments expressed by the member for Morialta, and I refer her to the remarks made by the Deputy Premier (Kevin Foley) in early 2004 when he declared that the experiment of self-determination had finished and expressed contempt at that time for the ability of Aboriginal communities to manage themselves. I am not sure whether the member for Morialta is on the Deputy Premier's side when it comes to that issue, but the Deputy Premier certainly indicated the view which seems to prevail on the government benches.

I support the bill. On balance, I think I could not support the move to open up the lands. I am sympathetic to the amendment, however, which suggests that there should be mandatory referral for those who are found inhaling petrol fumes.

If you run alleviation of petrol sniffing programs on a purely voluntary basis, you just will not get the results you want, given the culture and the depth of social problems up on the lands, so I am sympathetic to that. In conclusion, this is a very small step forward; I support it, but we need massive investment in housing on the lands so that there can be an adequate number of police, social workers and health workers provided to the people up there.

Mr RAU (Enfield): I will be very brief. I strongly support the minister's measures, and I applaud him for bringing this forward to the parliament. The situation in which these South Australian people live is a complete disgrace. Unlike the member for Stuart, I have not had the opportunity of seeing with my own eyes what goes on there, but I can read the

statistics. I am aware of the life expectancy that these people have compared to the rest of the people in this state. I am aware of the opportunity that these people have for employment compared to the rest of the people in this state. I am aware of the infant mortality rate amongst these people compared to the rest of the people in this state. I am aware of the totally preventable diseases from which these people die like flies compared to the rest of the people in this state. If by seeing that with my own eyes I would be even more disgusted, then perhaps I need to be as a legislator. I do take up very seriously the remarks made by the member for Stuart, because I think he means them to be taken that way. I think probably it would be wise for all of us to have a look at exactly what is going on up there. As I said, I know enough about it to know that it is a disgrace.

The second thing I would like to say very briefly is that, unfortunately, the solutions to this disgrace are not to be found easily, and I am afraid that we will never find them—any of us—if we allow ourselves to be constipated by ideology. The fact is that ideology on all sides is an interference with getting this problem solved. I am not much interested in any ideology overlaying this problem. I am interested in real and practical solutions—ways that will see these problems really confronted, and I think that the minister brings forward a bill which goes some small way towards doing that. The fact of the matter is that history shows that chucking money at these problems has not worked historically. It is also historically unquestionable that the present or past models of so-called autonomous governance have not worked either, and the proof of that pudding is in the eating, because all you have to do is have a look at the facts about what is presently going on.

I think that it is time for everyone to start looking outside the square, put the ideology in the cupboard and close the door, and open our minds to the full range of possible solutions that will help these people and focus on the main game, which is improving the lives of these people and giving them an opportunity. Noel Pearson has written quite a bit about the problems confronting the Aboriginal people in the Cape York area, and he is a person who I think has his heart in the right place and also has been brave enough to confront the possibility of putting away his ideologies, or the background from which he comes, and looking at alternatives. I do not know whether he is right or wrong, but I do think we all need to be as courageous as he has been in looking at a wide range of solutions.

I am not particularly advocating opening up the lands, because I do not know enough about it to be able to comment one way or the other on that. But, for goodness sake, let us look at practical solutions to these problems before any more of these people suffer the complete indignity that they continue to suffer today.

Ms BREUER (Giles): I am the local member for the seat of Giles, which includes the APY lands. Representing the biggest electorate in the state I, of course, travel thousands of kilometres every year, much of it in my electorate, but I also spend quite a considerable amount of time travelling in the member for Stuart's side of the country, because I am en route somewhere or on my way back from somewhere. Everywhere I go I see private property signs. They are all over the state. People have their own property and they put up private property signs. Even if you are entitled to go through someone's property, they ask you to stick to the roads and everything else is out of bounds.

You cannot open up the APY lands without the permission of the people. It is just not possible. It is their land, their private property. I do not feel angry after listening to the member for Stuart and the shadow minister. I thought I would, but I actually feel very saddened to hear the comments of the shadow minister who shows an absolute fundamental lack of understanding of the issues, and the lack of understanding from the member for Stuart, who has been to the lands many more times than I have, is quite unbelievable. It certainly is a shock when you visit the lands—you see many terrible things—but there are also many wonderful things that you see. Above all else, the scenery is fantastic. When you get to know the people and talk to them you realise there are some wonderful people up there.

I am saddened that we have not heard from the member for Morphett today. I wish he would speak—but I understand that he probably has issues that prevent him from speaking—because I know he has a much better understanding of what goes on up there. I have been to the lands a number of times with him. He must be feeling extremely uncomfortable about what has been said today and, I suppose, what has been said in his party room. I know that his understanding of the issue is far deeper and more understanding than the comments we have heard today. I could pick out pieces of the speeches that have been made today and single out many things. If I had time I would have done that, but time is drawing short, and I see no point in doing that because they would miss the point anyway.

I would like to know why we are having this debate now. Why are we talking about opening up the lands, opening up the permit system, for this absolutely essential piece of legislation which must go through? We know there are children, young people, dying up there. We know this. Let's get this legislation through and have this argument later. Why are they doing this? It is scandalmongering and mischief-making, I am sure. Please, I beg them to get this legislation out of the way. We know some of the people who are carrying petrol through the lands, and we know the people who are taking drugs and alcohol through. Many of them are known, but it is very difficult to have them prosecuted. This sort of legislation will give the police—and there are considerably more police there now than there were two years ago—and the people the power to be able to do something about this problem.

Thousands of visitors go to the APY lands every year. You can get permits to go in there if you have a reason to. Very seldom are people knocked back. If they are knocked back it is because they have been there before and created mischief or they have mischief in mind when they go up there. Thousands of people are allowed to go on the lands, and I would bet that in the last two years thousands of people have visited there. We should not be having this argument at this stage. Please, I beg them, for the sake of those children out there who are dying, for the sake of the people, for their dignity, let's get this piece of legislation through and have this argument at some later date.

The Hon. L. STEVENS (Little Para): I will be brief because my colleagues on this side of the house have spoken and made most of the relevant points. However, there are some other points that I would like to focus on. First, no-one is suggesting that this measure alone will be a fix-it for all the issues on the lands. Everyone knows that these issues are complex and that they require a whole range of strategies. I think it is mischievous for people to suggest, as did the

member for MacKillop, that this bill has a narrow focus when we all know that this is simply one in a whole range of strategies.

The government is taking the situation seriously. The minister in his second reading explanation outlined a number of programs that have been established. I am certainly aware of them having been the minister for health over the past few years. Certainly, I am aware of what health needed to do and the programs that we had, but I am also aware of the other things that were put forward in terms of a whole of government approach. I was pleased to hear that the Nganampa Health Council has reported a reduction in petrol sniffing behaviour of young people. It is good to see some progress. However, these issues will take a long time to solve. They have been occurring for a long time. The roots of all these things are complex. It is really important to pass this bill as soon as possible.

I agree with the comments of the member for Giles when she said, 'Let us do this. Let us get this up and running.' Quite clearly, we need to do something about the drug running and the illegal supply of petrol on the lands. Let us do this and then let us get on with all the other things that we need to do as well. I also reiterate the comments of the member for Morialta. It is all too easy for people to come up with simple solutions to complex problems that will just not work. The amendments that have been put up by the member for MacKillop and the member for Stuart are in that category. I would agree with Dr John Cornwall that that is a tendency for people in these sorts of situations. One of the important things about the amendment which the government will move is that this amendment has been discussed with the people concerned. They actually agree with it.

I wonder whether the member for MacKillop or the member for Stuart have talked this through with the APY executive, or is it just a white fella shooting from the hip suggestion to be seen to be doing something which will not work?

Mr VENNING (Schubert): I rise very briefly. I have been listening to the debate in my office and I had to come down. I did not intend to enter the debate. I am one of those who you would least expect to have an opinion about a matter such as this.

Members interjecting:

Mr VENNING: Well, madam, I have been to the lands. It is an absolute disgrace. No-one could go to the lands and not be moved by what has happened. Worse than that, it has been going on for years and years. Politicians of all flavours—

Members interjecting:

Mr VENNING: I am not sheeting blame to anyone in particular. I am just saying to members right here and now that we can address the problem. We have to. I went up there with the member for Stuart. There was a party of us. We went onto the lands. I was overcome by the beauty of the lands. It is a magnificent place. I was totally horrified—and I know that a couple of my colleagues were physically moved and that one has never quite recovered from what he saw—to see the hopelessness of the situation. I firmly believe that the only way to solve this problem is to open up the lands so that people can see what is happening there.

Ms Breuer: We will come and camp on your farm next week.

Mr VENNING: You can.

Ms Breuer: We will go and look at your silos and walk through your wheat fields.

Mrs Geraghty: Check out your kitchen cupboards.

Mr VENNING: I hope that is going on the record; I really do. In case it is not, the member for Giles said, 'Could we come onto your farm?' Yes, you can.

Ms Breuer: I did not ask. I said that I am going to.

Mr VENNING: You can. There are public areas. There are creeks and reserves along there. I have no problem with that. The point I make, Madam Deputy Speaker—

The DEPUTY SPEAKER: It is time to settle down.

Mr VENNING: Could someone please go over and gather the eggs because the chooks have been cackling over there.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr VENNING: It is a very serious matter. Honestly, I know that the argument of opening up the lands is controversial, but you have to understand that a lot of money has been put into the lands, along with every good intention, and what has been the result? It is terrible. In the end, I believe only public opinion fixes these things, and the only way to do that is to allow the media and everybody else in. There is that much money—

The Hon. L. Stevens interjecting:

Mr VENNING: Pardon?

The DEPUTY SPEAKER: Order! The member will not respond to interjections. Please continue your remarks.

Mr VENNING: I agree with you, Madam Deputy Speaker, but I would like you to tell the Deputy Premier that because he seems to respond to interjections. I put on the record that I visited the lands with the member for Stuart and four colleagues, and I have to say that the issue has never been big in my portfolio, but they have won a fan in me. I feel so sorry for what we, the Australian community, have done to these people. For all these years we have been talking about fixing it; we have put in state, federal and local government money, and the situation is terrible. I think that the nonsense and the bureaucracy that was going on there—and then the attempt by them to stop us from seeing certain things or speaking to certain people—is disgusting. We see every humiliation in the world. We have tried to fix this problem for many years now, and sitting here talking about it is not going to solve it.

If we can turn this around, we will be the first parliament in 40 to 45 years that has done something about this. Ever since they changed the prohibition laws, we have seen the demise of these communities with alcohol and now, of course, with petrol sniffing. I know that opening up the lands is controversial. They still have their rights on the lands; even if they do it during certain hours, it would be something. I am happy to reach a compromise. We could put a certain curfew on the lands so that people cannot stay there overnight. More Australian citizens need to be able to see and understand this problem, then something might be done. I support these people and I will be ever mindful of what I saw in the lands three years ago.

The Hon. J.W. WEATHERILL (Minister for Aboriginal Affairs and Reconciliation): I thank honourable members for their contributions. I acknowledge that the opposition has indicated that it will support the thrust of the government bill albeit with some amendments. One of the first things I committed myself to in this portfolio was to learn a bit about the portfolio before I started to make great

pronouncements, and I think that is some advice that I tender generally in relation to this issue. It is an extraordinarily complex area, and I do not think that it is amenable to people being in the job for five minutes and coming up with grand pronouncements. I have worked very hard with both the federal minister and my counterpart here to encourage them, as far as is humanly possible, to act in a bipartisan manner on this.

I will resist the temptation to respond to a number of what I regard as quite inflammatory remarks made by those opposite in that spirit. However, two points were made against us that I think must be responded to. One is that somehow, by not supporting the thrust of the amendments that are foreshadowed about opening up the lands, this government is part and parcel of concealing the state of affairs on the lands.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: In fact, you did imply that. You certainly implied that we had something to hide. Speakers on that side certainly implied—

Members interjecting:

The Hon. J.W. WEATHERILL: You might have to take some responsibility for the record, because I am sure that the record will show that you were suggesting that we had something to hide or, if it was not you, it was one of your colleagues. You might have to take responsibility for them as well. Regarding that, I welcome the new found spotlight that is being shone on the lands, including the revelations about sexual abuse and abuse of women on the lands. It is important that we confront the reality of that behaviour. It is critical that we do not normalise it and that we respond to it. I must say, though, that I cannot go without observing that this is a new found commitment to openness by those opposite, because for eight years they did not permit the Aboriginal Lands Standing Committee to meet—eight years, when they knew or ought to have known these things. Indeed, the words of those opposite acknowledge that these very things were known during that period, so let us not point the finger about openness.

The second point made by those opposite was that somehow, by confronting only the question of penalties, that was the entire sum of our response and that we had abandoned the question of providing adequate services to people on the lands. That observation is offensive and puts at nought the extraordinary amount of effort that is occurring at the highest levels of the state government in collaboration with the federal government. I must say, I look with interest at the rhetoric of the federal government, because rhetorically it is talking about an authoritarian, conformist approach which imposes points of view and expects people to effectively behave like us as some solution to their future.

In fact, what happens when we work with the commonwealth and with commonwealth-funded officers is that we actually work in partnership with local communities in a collaborative fashion and we are, piece by piece, seeking to restore services on the lands at every level. Home-maker programs, environmental health programs, youth worker programs, substance abuse facilities, employment schemes, land management schemes, petrol-sniffing diversion schemes, positive behaviour schemes, disability services schemes, aged care schemes, home and community care schemes are all delivered by careful discussion on a community-by-community basis. It is long, hard work but that is what, in fact, happens on the ground, and it is offensive to suggest that we are not engaged in those matters.

In relation to those two points I can say these final things. In terms of opening up the lands to media scrutiny, the Aboriginal Lands Standing Committee has sought to inquire into the use of the permit system. We would invite members to await our observations about that before pressing ahead into what we think is an ill thought-through proposition in relation to opening up the lands. It is a controversial matter, but we believe that it is a matter that could be properly dealt with in phase 2 of the review of the act which we previously announced, and there will be an opportunity to debate those things later.

Secondly, in relation to the amendment concerning substance abuse provision and mandatory referrals, once again we are on the verge of implementing a new facility on the lands and have an operational mobile outreach service. That is another controversial issue that we believe could have unintended consequences, and we invite members to defer consideration of that until a later time. This simple measure, which all parties agreed with, should be passed without further delay. If there is a need to agitate these other issues it should be done on a considered basis at a later time.

Bill read a second time.

In committee.

Clause 1 passed.

Progress reported; committee to sit again.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I move:

That the time for moving the adjournment of the house be extended beyond 6 p.m.

Motion carried.

GOVERNMENT FINANCING AUTHORITY (INSURANCE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

SUPPLY BILL

The Legislative Council agreed to the bill without any amendment.

CRIMINAL LAW CONSOLIDATION (THROWING OBJECTS AT MOVING VEHICLES) 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 1, page 2, line 4—Delete 'moving'.

No. 2. Clause 5, page 2, line 16—Delete 'moving'.

No. 3. Clause 5 (new section 32A), page 2, lines 18 and 19—Delete 'a person who throws a prescribed object at, or drops a prescribed object on, a moving vehicle is guilty of an offence' and substitute:

A person must not throw a prescribed object at, or drop a prescribed object on, a vehicle that is being driven on a road or road-related area, or being run on a busway, railway or tramway (whether, at the time the object is thrown or dropped, the vehicle is moving or stationary).

No. 4. Clause 5 (new section 32A), page 3, after line 3—

Insert:

'road' and 'road-related areas' have the same meanings as in the Road Traffic Act 1961;

'vehicle' means—

(a) a vehicle that is propelled by a motor; or

(b) a vehicle that is run on a busway, railway or tramway; or

(c) a bicycle, tricycle or other similar vehicle for which the rider provides the motive force; or

(d) a vehicle that is drawn by an animal; or

(e) an animal that is being ridden by a person.

DEVELOPMENT (PANELS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I move:

That this bill be now read a second time.

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

Leave granted.

The *Development Act 1993*, together with the *Environment, Resources and Development Court Act 1993* and associated regulations, came into operation on 15 January 1994.

These Acts and Regulations set the statutory processes and procedures for the South Australian planning and development system.

Substantial amendments to the *Development Act 1993* were made in 1997, 2001 and 2005.

This Government is progressing with a wide range of initiatives to improve the State's planning and development system in order to provide greater policy, procedural and timeliness certainty for the community and applicants.

As part of this program, the *Development (Panels) Amendment Bill 2006* is one of a series of Bills that the Government proposes to introduce.

The introduction of the suite of Bills highlights the breadth of the amendments proposed by the Government. It also provides Parliament with an opportunity to consider each Bill in manageable parcels rather than the all encompassing Sustainable Development Bill introduced into Parliament in 2005.

The Government has clearly stated on numerous occasions throughout its previous term, during the 2006 election campaign and post the election that it is vital for the community and applicants to have confidence in the impartiality of development assessment decisions based on clearly stated policies outlined via Council Development Plans as always intended by the *Development Act 1993* and of course the timeliness of such decisions.

As a consequence, this Bill amends the current provisions relating to development assessment by requiring that Council Development Assessment Panels have a mixture of elected members or council officers and specialist members.

Since July 2001, after a series of amendments to the Act by the then Liberal Government, Councils have been required to establish Council Development Assessment Panels in order to increase the impartiality and certainty of development assessment decisions. The important part that was not addressed by the 2001 amendments, was the composition of development assessment panels.

As a consequence, some Councils have established panels with a small number of elected members. Others have established panels with a small number of elected members and specialist members. Others have appointed specialist presiding members. We commend those Councils that have led the way. However, other Councils have just included all their elected members on the panel and continued on as if nothing has changed. Thus, panel membership throughout the State has ranged from five to sixteen people.

Given the extreme variation in approaches and in many cases resistance to the 2001 amendments, it is considered necessary to promote consistency and increase the impartiality of panels in the minds of the community and applicants.

These requirements do not diminish the role of elected members. The suite of proposed Bills increase the role of elected members in strategic planning, policy review and representing their constituents in their elected member capacity without a conflict of interest.

It is important that members note that the Government does not sit in judgement of every application lodged with the Development Assessment Commission.

No, the Governor appoints the Development Assessment

Commission in Executive Council as a panel of experts. That panel makes decisions based on the criteria set out in the relevant Development Plan for whichever part of the state a particular development falls within.

It does not require 47 members of the House of Assembly to sit in judgement of 1000 or so applications per year that are processed by the Development Assessment Commission. Indeed, I also remind members that section 11 of the *Development Act 1993* precludes the Minister from directing the Commission in relation to the assessment of any development for which the Commission is the relevant authority.

The Government simply wants Council Development Assessment Panels to become more impartial in their approach to the assessment of development applications before them, but unlike the Development Assessment Commission structure where all members are experts, the Government is providing Councils with a hybrid approach. It is saying to Councils that half the membership of a panel can comprise elected members or staff. The other half should be made up of specialists appointed by the Council.

It is vitally important that the presiding member of the panel is truly independent and that the Minister ensure such independence.

In fact, as a case in point, a recent judgement handed down by the Environment, Resources and Development Court expressed concern that a witness who was also the Acting Presiding Member of the Council Development Assessment Panel did not have proper regard to all of the relevant policies in the Development Plan. In fact this person had a "tendency to be representing and advocating the views and arguments of representors, (contrary to the Court's Practice Direction No.6, clause 5) and acknowledged that his initial opinion was significantly affected by the number and emotion of representors and their verbal submissions to the DAP, and that this was a significant factor in his opinion put to the Court and further acknowledged failure to have proper regard to all of the relevant Development Plan guidelines.

Put simply, these situations of a potential conflict of interest should be avoided. The Court has made adverse findings in relation to the said Council decision and as such this provision in the Bill aims to ensure that such situations are avoided.

The Adelaide Hills Council has also forwarded to the government legal advice to the Council confirming that elected members on the Council Development Assessment Panel could not speak at a public meeting held on a proposed development. The legal advice correctly indicated that the Panel members must not only be impartial, but they must be seen to be impartial at all times when undertaking the statutory development assessment decision process. Just like the judiciary, they should not knowingly compromise their impartiality or even be perceived to be doing so.

Incidentally, in relation to the Adelaide Hills Council, We do commend that Council for introducing a number of specialist members, including the presiding member, to their Development Assessment Panel.

This Bill enables some elected members to be on the Council Development Assessment Panel and others to continue as advocates for their constituents as elected members.

This Bill requires each Council Development Assessment Panel to consist of seven members, with a specialist presiding member, up to three elected members or Council staff and at least three other specialist members. The Bill does not specify the precise skills or experience required by these specialised members on Council Development Assessment Panels, as the experience required will vary from area to area. Such specialist members need to have a reasonable knowledge of the operations and requirements of the Act and appropriate qualifications in a field relevant to the activities of the panel. This should provide the flexibility sought by Council's in rural areas when seeking to fill these important roles with specialist members and hence they should be able to fill these positions by drawing from the local community.

The Bill enables the Minister to agree to a variation of the number of members comprising a panel from seven to nine or five members in certain cases, particularly as previous submissions from rural Councils indicated that a five person panel would be more appropriate in some cases.

This Bill does not change the provisions in the current Act relating to the membership of regional Development Assessment Panels which came into operation in July 2001.

The Bill makes all panel members subject to the same financial register and disclosure of confidential information provisions. These are based on the provisions in the *Local Government Act 1999*.

I certainly welcome comments in relation to the Bill, which I

believe to be an important step forward. I commend the Bill to the Council.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Development Act 1993*

4—Amendment of section 10—Development Assessment Commission

An additional member is to be appointed to the Development Assessment Commission. An additional ground for removing a person from membership of the Development Assessment Commission is that he or she has failed to declare a relevant financial interest, or has acted in contravention of a relevant code of conduct.

5—Insertion of section 11A

A member of the Development Assessment Commission (including a member of any panel relevant to the constitution of the Development Assessment Commission) will be required to declare his or her financial interests under a scheme to be established under proposed new Schedule 2.

6—Amendment of section 13—Procedures

This amendment will revise the provision of the Act relating to any conflict (or potential conflict) of interest on the part of a member of a statutory body so that the member will be expressly required to declare the interest, and will be expressly required not to take part in any relevant hearings conducted by the statutory body and to be absent from any meeting when any deliberations are taking place or decision is being made. A member of a statutory body will be taken to have an interest in a matter if an associate of the member has an interest in the matter.

7—Amendment of section 20—Delegations

This is a consequential amendment.

8—Amendment of section 21A—Codes of conduct

This is a consequential amendment.

9—Amendment of section 34—Determination of relevant authority

This clause makes a number of amendments in relation to regional development assessment panels (associated with the changes to be made to section 56A of the Act), and with respect to council development assessment. For regional development assessment panels, members will be required to declare financial interests under a scheme established under proposed new Schedule 2, the conflict of interest provisions are to be revised, amendments will be made to provide greater consistency between the provisions under the Act relating to the closing of any meeting and comparable provisions under the *Local Government Act 1999*, and panels will be required to have a public officer. For council development assessment, new subsection (23) will require a council to delegate its powers and functions with respect to determining whether or not to grant development plan consent under the Act to its council development assessment panel or to a person for the time being holding a particular office or position (other than a person who is a member of the council) or, in an appropriate case, to a regional development assessment panel.

10—Amendment of section 56A—Councils to establish council development assessment panels

These amendments revise the section relating to the constitution of development assessment panels by councils.

11—Amendment of section 108—Regulations

12—Amendment of Schedule 1

The regulations will be able to prescribe the qualifications or experience that must be held by a person as a member of a panel or other body under the Act. A regulation will not be made under this provision unless the Minister has given the LGA notice of the proposal to make a regulation

and given consideration to any submission made by the LGA within a specified period.

13—Insertion of new Schedule

New Schedule 2 will establish a scheme for the disclosure of financial interests of members of the Development Assessment Commission, a regional development assessment panel or a council development assessment panel (although, for regional or council panels, any member who is a member of a council will disclose his or her financial interests under the *Local Government Act 1999*). A register will be established (and this register will incorporate information that has been disclosed under the *Local Government Act 1999*).

Schedule 1—Related amendments and transitional provisions

The Schedule makes relevant consequential amendments and will enable saving or transitional regulations to be made.

Mr WILLIAMS secured the adjournment of the debate.

**GAS PIPELINES ACCESS (SOUTH AUSTRALIA)
(GREENFIELDS PIPELINE INCENTIVES)
AMENDMENT BILL**

The Legislative Council agreed to the bill without any amendment.

MEMBER'S REMARKS

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

Leave granted.

The Hon. J.D. HILL: During question time today the Deputy Leader of the Opposition asked a question about a patient from Mount Gambier. She alleged that this patient's surgeon was unavailable to see him when he was flown to the Royal Adelaide Hospital this week and implied, I think, that there had been a cancelling of a booking. In all cases there are issues of confidentiality of a patient's record. However, when a patient voices their complaint to the opposition for it to be

raised in this parliament, as I assume happened in this case, I am duty bound to put on the record sufficient of the facts of the case to address the question asked. I am advised of the following.

The particular patient first had an operation at the Royal Adelaide Hospital last year on his testicle. During his stay in hospital, the patient's behaviour was disruptive and he was put on a behaviour management plan. The man's latest condition was wound pain on the scar from his first operation. His general practitioner at Mount Gambier had a discussion with the registrar—not his surgeon but the registrar at the Royal Adelaide Hospital—who agreed to squeeze the patient onto his outpatient list. I am advised that earlier this week the patient was brought to Adelaide and in fact seen and assessed by that registrar. His condition was deemed to be non-urgent yet he was still able to be booked in to see his original surgeon next week.

The facts are not as they were put by the Deputy Leader of the Opposition. The implication made by the Deputy Leader of the Opposition that his appointment was cancelled is plainly untrue. Patients will not generally know which clinician will see them when they arrive at the hospital. This patient was very upset that he did not see his original surgeon this week. I am advised that, since returning home to Mount Gambier, he has been abusive to hospital staff over the telephone and has demanded to be flown back to Adelaide immediately. Unfortunately, not all patients are reasonable, despite the fact that the system bends over backwards to help them.

The hospital, doing the right thing, has apologised to the patient for his misunderstanding and assured him that he is scheduled for the next available appointment, which is next week. The patient will also be reimbursed for all of his out-of-pocket expenses for the initial trip to Adelaide.

At 6.05 p.m. the house adjourned until Tuesday 20 June at 2 p.m.