

HOUSE OF ASSEMBLY

Thursday 8 March 2007

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

VISITORS TO PARLIAMENT

The SPEAKER: I advise the house of the presence in the chamber today of a Chinese delegation from Anyang City of Henan Province who are here to explore education and nursing training exchanges and who are guests of the member for Light.

INFRASTRUCTURE PLANS

Mr HAMILTON-SMITH (Waite): I move:

That this house—

- (a) notes that the government's two existing infrastructure plans promulgated in April and May 2005 are little more than discussion papers which set a narrow infrastructure window of only five to 10 years and which fail to specify funding or a timetable of delivery for public works; and
- (b) calls on the government to note and adopt the Liberals' proposal for a 20-year infrastructure plan and program, comprised of five stages to align with the election cycle and which specifies what is to be done, when it is to be done, what sequence it is to be done and what financial investment will be made to achieve it.

In moving this motion, I highlight to the house the abject lack of vision, leadership and strategic guidance from this government on infrastructure. I point out to the house that we Liberals do have an alternative plan. In this motion, I call on the government—in the absence of a vision and a meaningful state infrastructure plan of its own—to deliver what we will deliver, to adopt our policy and to provide South Australians with a meaningful 20-year infrastructure vision, program and plan to move beyond the discussion paper and glossy brochures they have produced to something that actually delivers a meaningful result.

Why is it so? It is appropriate for the house to reflect on where we have come from—through the 1950s and 1960s; to the visions of the 1970s, which were very inward looking; and to the 1980s when, frankly, little meaningful was done in the way of infrastructure in the Bannon years until, of course, the State Bank collapse, the \$11 billion of debt, and the fiasco of the Remm Centre. The sorts of infrastructure investments the Bannon government delivered were simply despicable—and that would be the only description you could use for them.

Of course, the nineties saw the state so bankrupted and ruined by Labor that there was little money to spend. However, we still managed to find money to build south-eastern freeways and to build southern expressways. Sure, \$170 million. There was not a lot of money around to complete it two ways; the whole idea was that when the money was available the thing was to be completed. Well, the money is available but is it being completed? It is not. We could have done what Bannon did and left the people of the south with nothing but South Road, but we did not.

We extended the airport runway, we started work on the Darwin to Alice Springs railway, there were upgrades to Adelaide airport and a range of major infrastructure projects—in an environment where there was no money. Along comes a Labor government, with the debt problem solved and

awash with money (nearly \$3 billion of extra revenue per year), with taxes up by well over 40 per cent, awash with cash and in a position to deliver a real infrastructure vision—and they have delivered nothing but drivel. Just imagine if this government had tightened its belt and contained the cost and size of government as best it could to inflation, and used the windfall cash delivered by rectifying the State Bank mess on infrastructure and building a future for the state. There would be—

The Hon. R.G. Kerin interjecting:

Mr HAMILTON-SMITH: Exactly. There would be nearly \$3 billion to spend on infrastructure. Well, it has not been spent. We had the Minister for Infrastructure out there with the Premier claiming that the government is delivering the boldest infrastructure vision we have seen in decades, ever since the state was established; that this Labor government is out there delivering a most extraordinary infrastructure vision. Well what a load of waffle, of misguided nonsense.

I commend to you a work by Engineers Australia, who exposed the infrastructure weaknesses in the state, and I also point out work done by the Parliamentary Library in late 2005 that showed that, relative to its population, South Australia has the lowest public sector capital expenditure budget in Australia—\$482 per capita. In Queensland, for example, the figure is \$1 540 per capita. Look at the facts. You do not need the Minister for Infrastructure out there trying to tell the media that the government is about to spend hundreds of millions of dollars on new tenders.

Mr Koutsantonis: Your first eight years were spent getting ready for the big infrastructure plan and—

The SPEAKER: Order!

Mr HAMILTON-SMITH: This is the routine work of government; building schools and prisons is just the routine dealings of government.

Mr Koutsantonis interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: These are simply packaged up by the government to look as if it is being bold and visionary when, in fact, it is delivering nothing.

The financial press reported recently that over a 12-month period this state Labor government planned to spend just over \$1 billion on infrastructure while other state governments spent a total of \$26 billion—South Australia's share a mere 4 per cent. Parliament has recently heard about cost blow-outs along the South Road underpasses and I will not repeat all the figures. There is the underpass under Anzac Highway, the underpass under Port Road, the Northern Expressway, the Bakewell Bridge—I will not go over the hundreds of millions of bungled projects that this government and this minister have delivered. The record speaks for itself. It is a government that is incompetent when it comes to planning major infrastructure investments, and I think the evidence of that is strikingly clear.

I move on to the Rann government's two infrastructure plans: a State Infrastructure Plan produced on 6 April 2005 and the Strategic Infrastructure Plan for South Australia: Regional Overview produced on 4 May 2005. Both plans set a narrow infrastructure window of only five to 10 years and neither specify funding for a timetable of delivery. Both the so-called plans provide a general chit chat about how nice it is to have infrastructure and provide a wish list of future projects—all of which are deemed priority 1, 2 or 3. Members should have a read of it if they want a good laugh.

Unfortunately, neither of these so-called plans attempt to prioritise or sequence these projects in any meaningful way over the medium to long term. There is no mention of how or when the projects will be commissioned or achieved, and no mention of funding. So, both the government's so-called infrastructure plans, while telling us what could be done, fail to tell us what the government believes should be done, how it will be done, when it will be done, and in what sequence it will be done. These so-called plans do not even indicate what money will be required or provided to do it. As I have said, I was an officer in the Army for 24 years, and if I had delivered a plan like that to my soldiers they would have either shot me on the spot or run for their lives. That is not a plan: that is nothing but drivel.

Mr HAMILTON-SMITH: It is a testament to the lack of achievement of this government. You have enjoyed five years of easy, lazy government—

Mr Koutsantonis: If only you had four more years, you would have done it all.

Mr HAMILTON-SMITH: —when you have been awash with cash, and what have you done?

The SPEAKER: Order!

Mr HAMILTON-SMITH: Absolutely nothing. In my view—and it is a view shared by many—South Australians are being left behind. On 28 April 2005, the Queensland Labor government—yes, a Labor government—announced a \$55 billion commitment for infrastructure over the next 20 years, including \$24.5 billion on transport, \$3 billion on social and community infrastructure, \$2 billion on water infrastructure, and \$3 billion on energy works, involving a reasonably detailed program of 230 new capital works projects. You may wish to visit the website. I have extracts here, if any members would like to see it. The Queensland plan produced by a state Labor government is not perfect, but it is so vastly superior in breadth and efficacy compared to the Rann government's so-called plans that it is simply embarrassing. New South Wales and Victoria have produced a similar work. What this government has produced is absolute drivel, and that is why we see evidence of bungled priorities. That is why as their first infrastructure delivery in this term of parliament we have a \$31 million tram down North Terrace and King William Street.

Mr Koutsantonis: Your policy for 12 years.

The Hon. M.J. Atkinson: You went to election after election promising that same project.

Mr HAMILTON-SMITH: If you added up the list of priorities for infrastructure investment, you consulted with local government, businesses and the community, and you asked them—

The SPEAKER: Order! The Attorney-General and the member for West Torrens will have an opportunity to become involved. I am on a short fuse this morning.

Mr HAMILTON-SMITH: —what infrastructure priorities they thought should be delivered, where would a tram down King William Street be? I tell you it would not be priority No. 1. They might take the view that the \$200 million backlog of road maintenance was more important and they might take the view that duplicating the Dukes Highway from Tailem Bend to Victoria was more important, just as they might like to see bypasses at Port Wakefield and Penola actually delivered. They might like to see duplication of the Princes Highway from Port Wakefield to Port Augusta, as they would like to see the 10 overtaking lanes along the Riddoch Highway. They might like to see improvements in trains and public transport where we have, for example on the

Belair line, one in five trains running six minutes or more late and causing passengers to miss their bus connection and one in three trains running late. They might like to see more Go Zones.

They might like to see any one of a range of developments involving water infrastructure. They might like to see desalination plants, new energy and stormwater infrastructure, and new water-saving infrastructure, as I have mentioned, and more infrastructure related to building industry and growth. They might consider any one of those things to be more important than trams down King William Street. But they have not been given the opportunity, have they? That is because the government has no plan; its vision extends about one week or perhaps one year or to the next election but, beyond that, there is nothing but darkness, and that is why it has failed. We are saying—and we have announced this—that we will fix the mess that this government has delivered to South Australia. We will, as a first step, change the course this government has set or, rather, the lack of course it has set. We will ensure that South Australia gets an industry-led 20-year infrastructure plan. The plan will be developed with stakeholders and the community and it will comprise five four-year stages to align with the election cycle. The plan will outline what has to be done, when it will be done, in what sequence, and it will indicate what funding from federal, state and local governments and private sources will be provided to do it.

The 20-year infrastructure plan that we will deliver will ensure that there is an overarching framework for the articulation of at least four more detailed infrastructure plans and programs of action for transport, land, energy and water. I will get to the transport part of that in my next motion. The current Labor government delivered a transport plan and failed to continue with that, but I will get to that later. Before the next election, we will come up with quite a bit of detail about what will be in that 20-year infrastructure plan. But to get the fine print right—and this is your failure—you need the full resources of government (and you have those resources); you need the detailed financial plans of government, both state and federal; and you need a department and the financial resources to properly consult with stakeholders. That is why the detailed fine print of a 20-year infrastructure plan can be delivered only by a government. That is why the detail of our 20-year infrastructure plan will be delivered within the first 12 months of a Liberal government, once we have the financial resources of government to put the detail on the flesh and bones. But I will tell you this: long before the election we will have far more detail than you have at the moment. You have the resources of government and you are failing to deliver.

Mr Koutsantonis: Is this going to be in our lifetime?

Mr HAMILTON-SMITH: Well, it will be a lot earlier than we will ever get it from a Labor government, because for five years, with all the resources of government, you have been unable to do it. It can only be done by a government in office. But there will be quite a bit of detail. We will go to an election spelling out to South Australians what we think are the key priorities and the key fiscal parameters and also what we think needs to be in a 20-year vision. Within 12 months, we will actually do what you have failed to do in five years using the full resources of government properly. We will not sack CEOs, and we will not send out public servants to do our spruiking for us. Unlike you, we will not waste the opportunity, the vision and the responsibility given to us. You have

delivered nothing but glossy brochures and failure. Only with a 20-year infrastructure plan can this state go forward.

If Labor governments in Queensland, New South Wales and Victoria can do it, what is wrong with the Labor government in South Australia that it is so inept that it cannot do it? This portfolio is in chaos. The fact that there is no overarching strategy or plan strikes at the very core of the problems the government is experiencing with all of its projects, some of which I will talk about in more detail when speaking to my next motion. Without an overarching direction and an overarching strategy, you do not know where you are going. What you have produced in your so-called infrastructure plans is nothing but glossy brochures, which are meaningless and say nothing. That is why you have been so criticised by stakeholders. Tell us what you will do and when. Most importantly, think about your children and your grandchildren, not the next election. If you were visionary, you would be thinking 20 to 30 years ahead. That is what all the stakeholders have said, and that is what you have failed to deliver.

Time expired.

Mr KOUTSANTONIS (West Torrens): The member for Waite's idea of being visionary is: I cannot be visionary now, but put me in office and in 12 months, after I become a minister, I will have a vision. I cannot tell you now what I want to do, because we do not have the resources because our party is flat broke. No-one in business will speak to us or donate money to our party, and no-one will come to our lunches and dinners to talk to us. However, once I am in government, then they will talk to me and, once they have spoken to me and given me their vision, I will tell you what my vision is.

I have to say I have never heard such tripe in all my life. This is a bloke who wants to be the alternative minister for transport. However, what he really wants is to be the alternative premier. That is what this speech is all about today, that is, impressing his mates on the backbench. He says that all by himself he is going to make the trains run on time. How? He will not tell us; he will probably throw money at it. He says he is going to build desalination plants. How? All by himself. He says he is going to undertake massive stormwater infrastructure. How? All by himself. He talks about all this new infrastructure and all this new spending and then, halfway through his speech, he attacks us about being high taxing! So, one minute he is saying that we tax too much and take too much revenue, then he announces billions of dollars of infrastructure spending. This guy is off with the fairies. How is he going to pay for this? Then he tells us that he cannot tell us what his plan is, even though his motion calls for us to adopt his 20-year plan.

He cannot tell us what his 20-year plan is, because he does not have one, and he admitted it. He said, 'Well, I haven't actually got it yet. I've got a few ideas. I want the trains to run on time, I want a few more roads. I want a few more bypasses, duplications and new roads being built to Victoria, but I can't tell you how I'm going to pay for it. I can't tell you where the money is coming from, and I can't tell you what we are going to prioritise, because I'm not a minister yet. So, ask me around 2014 or 2020 when I'm finally a minister being driven around in my gopher, because I will be about 75, and then I will have a vision, because business will tell me what my vision is.'

Do you know what leadership is? John Hewson had leadership. John Hewson got up and said, 'Here's my plan;

it's called Fightback, and I'm going to detail every little bit of it.' There was leadership. John Hewson did not get up and say, 'Look, I don't have the resources of government. I do not have the resources of Treasury. I can't come up with an alternative tax policy.' Can you imagine Kevin Rudd getting up and saying, 'I can't come up with an alternative tax policy, because I don't have the resources of Treasury. So, you know what? Elect me; trust me to do this, and a year into office I'll come up with a tax policy that's fair and progressive.'? The Liberal Party would go crazy. Their heads would explode. Can you imagine the ads? And you have your alternative leader giving us more ammunition for our ads by saying, 'I don't know what our plan is. I'm moving a motion to adopt our 20-year plan.' Then, in a speech he says, 'I don't actually have it yet, but when I'm in government, I'll develop it.' What a joke! Who is this guy? No wonder he got only one vote last time, and even then he scared himself out of running.

The Hon. M.D. Rann: He said his slogan was, 'He who dares wins.'

Mr KOUTSANTONIS: He who dares wins. Take that hill, Marty. I mean, the idea of being an alternative government is discipline, coming up with policies that are costed, making sure the state lives within its means, not just turning it on and attacking for cheap political stunts projects such as the tram. You cannot go to an election three times in a row saying, 'We will build a tramline and extend it,' and then, after you lose, say, 'Oh no; that wasn't us: that was someone else.' He is actually proud of building a one-way highway, and he blames John Bannon. It is always someone else's fault.

They would have done all of these things if they had only four more years. They say, 'Eight years wasn't enough. In eight years we were just getting ready for it; we were just warming up. We had to clear the decks. We had to sell SA Water, the TAB, ETSA, SA Linen and anything else that moved.' After they sold all that and lost the election they say, 'Do you know what? It was about to become the land of milk and honey. It was about to happen, but we got thrown out. If only we had won, then we could have shown you two-lane highways—both ways. It would have been amazing. You could have actually driven north and south.' But, of course, they ran out of time. All I can say is that any person who gets up in this place and says 'Trust me; I'll give you a plan once I am minister, but before then I am just going to attack yours' is a charlatan.

Mr PEDERICK (Hammond): I wish to address the lack of infrastructure planning by this government, in particular, the proposed weir near Wellington. If there had been some planning—

The Hon. M.J. Atkinson: Why do they call it the Wellington weir?

Mr PEDERICK: Members opposite will get their chance to speak. If there had been some appropriate planning for Waterproofing Adelaide—there are plenty of meetings, plenty of documents that get thrown out, saying, 'Yes; we have waterproofed Adelaide.' Well, codswallop you have waterproofed Adelaide, because there has been no planning and no reservoirs have been built. Your voting against stormwater bills, sewage mining and a better rainwater tank bill in the upper house in December last year shows a total disregard for the drought situation we face.

Mr Pisoni: There is a lack of understanding.

Mr PEDERICK: Absolutely; a lack of understanding, as the member for Unley just said.

Mrs Geraghty: You know that's not true.

Mr PEDERICK: It is absolutely true. It was voted against in the upper house; check the *Hansard*. This is a total lack of management of water. I challenge members. There are 30 000 people reliant on water below Wellington. I admit that I was not present, but I had representatives at a meeting at Langhorne Creek last night, where the Minister for Water Security said, 'Yes; we have to talk with communities about what will do for water supplies below the weir. Well, we are discussing it with communities.' At this stage, two standpipes will be put in from which people can cart water, and a bloke has bought a couple of watercarts. That will come nowhere near getting the water needed for the Narrung Peninsula, which has access to groundwater. An amount of 4.6 million litres a day is needed on that peninsula alone for stock and domestic supply.

I challenge the government. If we took, for example, the electorate of Newland, with about 30 000 people living there, and switched off its water, what would happen? We would see outrage in the streets, and they wonder why 500 people marched on this place recently. There is total disregard for these people, who live in South Australia. I am one of the first to admit that we cannot let Adelaide run out of water, but because of the total disregard for infrastructure planning nothing has happened in regard to waterproofing not just Adelaide but the whole state. This weir is all about Adelaide and we will be in dangerous strife because, if this weir goes in, there is a danger of its becoming too saline and nutrient rich to use anyway. Adelaide will be in real strife. What will happen then?

The government has been forced to piggyback on our policy of desalination because it has done nothing. It has decided to pick it up from the Liberal Party. Well done! It is saying our costings are way out. We said in our policy launch that the Perth plant cost \$400 million. Obviously with inflation it may cost a bit more to build a plant for Adelaide. We know too well that we will not be in government for at least another three years, but at least we are putting some policy forward, yet the government has suddenly decided that we are in strife. It will be an outrageous waste of taxpayers' money, this \$110 million, which blew out from \$20 million from an off the cuff announcement by Premier Rann, shielded by his so-called water security minister who said, 'Oh, that was for a narrow section of the river where we thought it would cost that much.'

Anyone could go back to the records, as did the engineers when they went down to do the soil testing and were given a map from 1930. Consult with the locals! Hello! Let us consult with the local people. That would be a novel idea for this government. If you consult with the locals you would find that there are up to 300 feet or 100 metres of silt there that you cannot attach anything to. To come out with a figure of \$20 million is out there.

Mr Pengilly interjecting:

Mr PEDERICK: Absolutely; policy on the run. It will be \$110 million to put it in, and I can see it blowing out to \$200 million by the time you pull it out and factor in Labor's usual blow-outs.

Mrs GERAGHTY secured the adjournment of the debate.

TRANSPORT PLAN

Mr HAMILTON-SMITH (Waite): I move:

That this house—

- (a) calls on the government to reverse its decision to abandon the development of a transport plan for South Australia;
- (b) seeks immediate action by the government to deliver a new proposal to the parliament as soon as possible; and
- (c) notes that a Liberal government will take immediate action to produce a transport plan if the Labor government fails to do so.

This motion builds on my earlier motion about the government's failure to deliver an infrastructure plan. What should flow from a well thought through and considered infrastructure plan are subordinate plans that provide detail, and one is a transport plan. The government actually had a go at this early on. It thought: won't we be clever, won't we be smart: we'll produce a transport plan. I happen to have a copy of it. It was produced by the former minister for transport, the member for Lee. He was quickly followed by the member for Taylor, and she was followed by the member for Elder, and isn't he doing a wonderful job! The transport plan of April 2003 was released and then dropped on the floor about two seconds later.

It was a little too frank, a little too fearless and a little too brave. It made some remarkable revelations. It talked about tolls, about debt charging for use of roads, and gave the example of Singapore on page 15. It admitted to a \$160 million backlog in road maintenance and it made some remarkable statements, such as 'Continuing traffic growth will place further pressure on roads', 'Motor vehicles will increase wear and tear, exacerbating the already poor condition of many roads'. Then it said, and this is a remarkable statement:

Moreover, there is considerable community opposition to construction of new roads and widening of existing roads.

I do not know if members on this side hear very much opposition to building new roads, widening existing roads and improving roads. In fact, dozens and dozens of people are dying on our roads every year, businesses depend on it, and we think that building roads is a good idea. The government probably had the right idea when it said, 'We need to produce a draft transport plan,' although it would not surprise me if it was work inherited by them from the former government. Once the government realised that it was a challenge, that some leadership would be needed, it thought: we do not want to do this. We do not want to address such things as 'Making the right choices for South Australia', 'Ensuring transport environmental sustainability', 'Getting South Australia walking and cycling', and 'Making sure public transport reaches its full potential', which were all chapters in the plan.

It included 'Access for regional and rural remote communities', 'Working out South Australia's transport network and maximising its value', 'Developing gateways to economic development and jobs by maintaining freight competitiveness', 'Demanding a safe and secure transport system', and 'Smarter spending and decision making'. We could not have that, could we! All those things were addressed in the Transport Plan, which was dropped like a hot potato the minute it hit the floor. It was widely criticised by stakeholders, by the way, for being shallow, which is not surprising when you look at the shallowness of the Infrastructure Plan.

I say to the member for West Torrens, regarding his earlier contribution: when you have the resources of government, you have the resources to get things right. You do not have

those resources in opposition, and I will tell you what we are not going to do: we are not going to sit down with a couple of people over a cappuccino and scribble out a transport plan on the back of an envelope, which is what seems to have occurred with the government's plans to build a tramline down King William Street and North Terrace. We have them scribbled on the back of an envelope over a cappuccino and a bowl of pasta in Oregon, when the Premier and the Minister for Transport are off on an overseas junket to the USA. They have the resources of government: they just forgot to use them. Well, we will not.

We will deliver a proper transport plan, and we will do it within 12 months of coming into government. I say to the member for West Torrens—and I hope he is listening—that we will provide an awful lot of detail well before the election and we will see what he has to offer. When we are elected we will do what he failed to do, which is, use the resources of government to deliver a proper, well-considered transport plan. If the member for West Torrens was a little more ambitious and a little more capable, he might be on the front bench. He might even be the Minister for Transport or the parliamentary secretary for transport, where he could make a contribution. I have noted him in the paper making comments on grands prix and all sorts of things.

If the member for West Torrens wants to get up and try to give anyone over here a slap in the face with a wet lettuce leaf, let him demonstrate his ability by getting himself onto his own front bench.

Mr Koutsantonis interjecting:

Mr HAMILTON-SMITH: When you can do that, member for West Torrens, we will start listening to you. Before then, it is all just drivel.

Mr Koutsantonis interjecting:

Mr HAMILTON-SMITH: If you want to get up and have a go, you will get a couple back, my friend!

Mr PEDERICK: On a point of order, the member for West Torrens is interjecting from the gallery and I draw the Acting Speaker's attention to that. He is supposed to be in his place.

The ACTING SPEAKER (Mr Rau): Yes. If the member for West Torrens is interjecting from the gallery, obviously, that would be out of order.

Mr HAMILTON-SMITH: The member for West Torrens would not do an out-of-order thing like that! I want to get into some detail. Yesterday we had a most amazing line of questioning about the Northern Expressway. This is one of the things that should be in a transport plan. The real cost of the Northern Expressway is around \$850 million, not the \$550 million that the government has already admitted to. Members should remember that, initially, it was \$300 million, and that was when we were going to have a Northern Expressway from Gawler to Port Wakefield Road, and we were going to have the Port Wakefield Road widened to six lanes with land acquired to connect to the Port River Expressway. Well, the government had the most spectacular cost bungle in recent decades when, suddenly, it found that the cost of the whole project was going to be around \$850 million. The government has engaged in what amounts to a deliberate deceit. It said, 'It's going to be \$850 million. How can we get out of this? What we will do is excise the Port Wakefield Road widening—the southern part of the thing.'

That was put out in its own documentation, and I have told the house about it before. The government said, 'We'll get that \$250 million to \$300 million sliced out of the project,

and that way it will be only \$550 million. It'll only be a \$250 million blow-out.' Well, the government has been caught out, because we exposed in November that it had axed the Port Wakefield Road widening from the entire project to get the cost down. Now we find out from questions admitted to by the minister yesterday that the government has been secretly planning a western extension to the Northern Expressway from where it hits Port Wakefield Road down to the Port River Expressway.

I can tell the house that we are pretty well informed about this through Penrice Salt. Secret discussions have been going on, and guess what the cost of that is? We are well advised that, for that western extension, it is between \$200 million to \$300 million. If they had been honest, the government and the minister would have come into the house last year and said, 'The cost of this project is going to be \$850 million.'

We are talking about the \$550 million it will cost them to do the expressway from Gawler to Port Wakefield Road (and they have admitted to that) and the \$300 million which they are secretly working on and which they sliced from the project. That Northern Expressway project cost blew out from \$300 million to \$850 million. That is a \$550 million bungle by that minister—No. 3 in the post—and by this government through cabinet. The minister admitted to it yesterday—just read *Hansard*; just read the answers. The minister said: So what if we were doing secret planning? He then said:

Yes, we look at a lot of options. We have looked at options and that might be one of them.

Well, I can tell the house, it sure is, because we have had it from multiple sources. The government has been engaged in a cover-up, an intentional design, to conceal the fact that what it thought was going to cost \$300 million will, in fact, cost \$850 million, at least. We were right at the outset when the leader asked these questions of the government early last year and they were denied. This government has designed this clever construct of slicing the project in half, excluding the Port Wakefield Road widening and then secretly planning on some other western extension, which will require the government to go off to Canberra, cap in hand, begging poor for more AusLink money, and I guess we will hear about that later.

It was the most significant stuff-up in infrastructure planning in the last three decades. There has been nothing to match it from either a Liberal or Labor government. Even the Bannon government, if one excludes the State Bank fiasco, never got a major infrastructure project so dramatically wrong. One of the reasons for that was that the minister dramatically underestimated the cost of acquiring land along Port Wakefield Road—spectacularly so. That minister has delivered the biggest stuff-up in infrastructure planning this state has seen in recent decades. This government is responsible for it, and it has been engaged in nothing more than a spectacular cover-up. It is deceitful, it is wrong, and the government should be honest about it.

But it goes further than that. Everything, it seems, in this portfolio is a mess. I have talked about the other infrastructure project, but let us talk about the trains, the trams and the buses. The minister is telling us the size of the contract for the buses. I notice that the government is an enthusiastic supporter now of privatisation and outsourcing of bus contracts, and I note that the union is not very happy with it about that. It seems that, having thrashed us over it when we did it, this government is now a born-again convert. I have not seen the government running out to purchase back the

contracts and take over running of the bus system—contracts worth around \$680 million; just the bus contract. The minister tells us, ‘I’ve got some good news. We’re going to put \$10 million of new money into these buses, trains and trams across the whole network—\$10 million.’ Well, how much of it will go to buses? Maybe \$3 million. It is a \$680 million contract, with \$3 million or \$4 million of new money in there, and he tried to tell us yesterday in parliament that that will more than keep pace with inflation.’ Mate, with a contract that size, that is a spit in the bucket! That is why the buses are not running on time. That is why there are so many problems with the buses.

That is why there was a public meeting in the Hills last night about cuts to hills bus services, attended by nearly 150 outraged people; and I will leave it to the member for Heysen to go into the detail. That is why I attended a public meeting in Mount Barker when outraged members of the public found that their bus services were slashed. That is why you have redistributed and reorganised the schedules for Torrens Transit that caused such a kerfuffle late last year. You are underspending on buses.

Let us talk about trains. We have had extensive media coverage indicating that one in three trains in South Australia is not running on time. On the Belair line alone nearly 19 per cent—almost one in five trains—are running six minutes or more late so people are missing their bus connections.

Mr Koutsantonis: And you’ll fix that, won’t you? How are you going to fix that, Marty? Tell us.

Mr HAMILTON-SMITH: Well, you have a transport plan, you have an infrastructure plan and you have a competent minister—maybe it could be you—and you run the department properly. You show genuine leadership. You do not just sack CEOs when they give you bad news. You do what the people elected you to do.

Mr Koutsantonis: Show us the way, mate!

Mr HAMILTON-SMITH: When we are elected we will. The buses are not properly funded. The trains are not running on time. The trams are in good shape, apart from the fact that the airconditioning does not work; apart from the fact that they cannot couple the trams together; apart from the fact that we have had to use sweeper trams and buy a couple of extras because we bought the wrong trams; and apart from the fact that 20 per cent of the rail lines have been stuffed up and the unions are saying that it was done on the cheap. Some of the trams have to do only 10 km/h because the trams are such a mess. Apart from all that, they were delivered to us by three successive ministers, most recently the brilliant minister for stuff-ups (the Minister for Transport). Apart from that, the transport system is in wonderful shape. Who would need a transport plan when things are going so absolutely swimmingly? Even Mussolini got the trains running on time—but it is beyond the Minister for Transport.

Of course, then it was revealed on page 1 of *The Advertiser*—it is always nice when you get a page 1; you can have a really good lunch when you get a page 1.

Mr Koutsantonis: You got a couple before the election. Do you remember them?

Mr HAMILTON-SMITH: I must admit that I have had three this year; I do enjoy it. It was revealed that for two years the government has been secretly planning a number of options, such as ripping up the entire train network and replacing it with trams; such as doing away with trains altogether and having buses everywhere; such as a hybrid system. We would have trams to Port Adelaide and some trains to Noarlunga. We would scrap the Belair line. All of

this is going on secretly behind closed doors. It is \$2 billion worth of costings. The member for West Torrens was telling us how poor he is. The minister is secretly planning more than \$2 billion worth of work—and not telling anyone about it. Let us scrap the train system. Those secret plans were revealed on the front page of *The Advertiser*. The public of South Australia has every right to scratch their head and say, ‘What the hell is going on? What is this government and this minister doing?’

I say to members of the government that there is a solution. It is called a plan. We used to have a saying in the Army, ‘Prior preparation and planning prevents p . . . performance’; the few Ps. I just commend the few Ps to the government. All you have to do is have the wit to have a cogent infrastructure plan and a proper transport plan and the courage to deliver it. Who knows what could be achieved? You have failed. You have had five of the easiest years in government that any government could ever hope for. You are awash with money. You are failing people. We will deliver a transport plan that you have failed to deliver. We will deliver it within 12 months and we will have a lot of information about it before the election—don’t you worry about that! You will be awash with information. Stakeholders will be very clear on this: if they want infrastructure and a transport plan they should elect a Liberal government. If they want nothing but waffle, stay with Labor.

Mr RAU (Enfield): I really look forward to Thursday mornings. I have to say that when I first came here I did not enjoy the place as much as I should have. Part of the reason for that was that I did not spend enough time in here on Thursday mornings. It is the time when they all come out. It is fantastic. I mean, the thespian performance we have had from the member for Waite today is something that should get him a spot in the Fringe. In fact, I reckon the member for Waite, if he wants to make a few bob for his organisation or even to supplement his transport plan, ought to get himself a tent in the Parklands. I reckon he would make a few bob.

Mr Koutsantonis interjecting:

Mr RAU: Yes, build it and they will come. As a matter of fact, I for one would pay to see that again, but I don’t know whether he has it all down pat to be able to deliver like that.

Mr Hamilton-Smith interjecting:

Mr RAU: Okay, no worries. Aside from the fact that I enjoy Thursday mornings, I gather from listening to the member for Waite—and I did listen to him fairly carefully—that basically he does not like our plans. He has cast his forensic eye over our plans and he has found them wanting. He has found them inadequate from a fiscal point of view. He does not like the points on the map where the roads might intersect. I pick that up as part of his contribution. The other thing he said, aside from actually telling us that he did not like our plans, was to tell us that he had a plan—

Mr Koutsantonis: No, no—

Mr RAU: No, let me finish; this is important. I listened to him very carefully. He has a plan. And, Mr Speaker, do you know what his plan is? They are going to make a plan. They have a plan to make a plan. He sounds like an NRM board person. He has a plan to make a plan. They are now on the front foot. They have developed a plan and the plan is: we are going to have a plan. It is not often these days that we hear from former prime minister Mr Keating, but the other day he said something that is very apposite to this particular circumstance. In another context he used the phrase ‘all tip

and no iceberg'. That is exactly what we have today: a tiny little tip at the top (which is the plan to make the plan) and no iceberg, which is the plan.

When you lot over there come up with the plan (the iceberg) and have more to do in here than wave your arms about in the air and entertain us—and you have, I give you 10 out of 10 for that; we loved it—announce it then. I always love the contributions of the member for Waite; this parliament would be much the poorer without him. In fact, all his gesticulating and carrying on was focused on the tip of the iceberg with zip on the iceberg itself. I have heard it said that it is hard to be in opposition. A number of people have said this to me. In fact, there is a cliché which runs around this place which I have heard many times before. It is usually said with a very earnest look on the face, and it sounds something like: 'The worst day in government is better than the best day in opposition.' However, I have to say to members that there is something much harder than being in opposition, and that is sitting back here listening to you guys week in, week out.

I have to stop reading my books; I have to stop reading my *Hansard*. Why? Because you are giving us all tip and no iceberg. Please, come up with your plan, but announce it when you have the plan. Don't announce that you have a plan to make a plan; come in and announce the plan.

Mr Hamilton-Smith: Where's your iceberg? You've been here five years.

Mr RAU: You've been discussing our iceberg with the Minister for Transport for the whole of this term. I do not normally do this, but I wager that you might even want to talk to him about it again in question time. Every question time you usually have a little something for him, and I will be disappointed if you do not have something for him today. I will be very disappointed.

Anyway, thanks very much. We are on notice. You have a plan to make a plan. We are waiting and anticipating and, when this thing rolls down the slipway about five minutes before the election in 2010, we will be all over it like a rash. We are planning to be here and we are planning to read it. So, it is a great plan. I think you are on the right track. Go ahead and make the plan.

Mrs REDMOND (Heysen): I cannot believe that I am sitting here listening to government backbenchers complaining about the opposition at least having a bit of foresight in the way it is approaching this. The government has been in office for five years. It had a big dinner this week to celebrate its five years in office, and it has no plan. It did come out with a plan. I remember it came out with one plan. I do not know whether it is the one the member for Waite was talking about, but it came out with a plan early on, and I remember the comment on it: it was a great transport plan as long as you were a pedestrian or a bike rider. That was when the transport plan was going to be great, if you were a pedestrian or a bike rider. Forget about everyone else.

It seems to me that not only the building block but also one of the essential building blocks in a transport plan would be to consider public transport. What do we have in my electorate? Last night we had a huge meeting in my electorate because a few weeks ago Hills Transit announced that it was improving our public transport system. I have been to public meetings in the Hills where the representatives of the transport department have got up and said, 'You need to understand that we have not received any real increase in our funding for many years.' This is despite the fact that we have a government which is awash with money, richer than any

government we have ever had in this state. There has been no real money and no real increase in public transport for years—for public transport in this metropolitan area, particularly. So they tell us at the public meeting—on the record and open for all to hear—that, because we have not had any real increase, it is self-evident that if you want to increase services or put a new service in one area you are going to have to decrease services or take away a service from another area, and that does seem quite logical.

So, Hills Transit came and saw me and made public announcements and introduced this new system. They tried to sell us a pup and tell us this new system was an improvement and they have discovered (what a surprise!) that it is not an improvement. It has actually been a great detriment to a great many people. The meeting at Aldgate last night—which, unfortunately, neither the member for Waite, as the shadow minister for transport, nor myself, as the local member, could attend because we were here until 11.30, or whatever hour we finished—was so overcrowded that people were nearly spilling out onto the footpath. The mood was so angry it was hard to hear what was going on.

I had my main staff member there for 2½ hours of this meeting, and she told me some very interesting things. First, she told me that the Hills Transit people, who were there, had to concede that in fact the information they had given to me and made public was clearly wrong. When they said to me things such as some of these services had no patronage or only six people were using them, that clearly was not right. I have no idea where they got that information, but they certainly plucked it out of somewhere, and they came saying, 'This bus is not used so we need to put it here where we have 30 people standing.' In fact, I heard the story the other day of someone who collapsed on one of our buses going up to the Hills but it was so overcrowded that the bus driver proceeded up the hill without being aware that there was a person unconscious on the floor of the bus. People were trying to attend to that person on the bus because it was so overcrowded. Why? Because this government has failed to put more money into transport.

The next thing they found out last night was that, in doing their determination of what they would do about which services, they had not bothered to ask the bus drivers. We have a fabulous crew of bus drivers coming out of the Hills Transit depot. They are terrific, and they have always been. I remember not long after I first moved here one of the first bus strikes was called and the chap on the radio said, 'But, of course, the Hills buses will be running because those guys do not go on strike,' because they are part of the community and know their community. They stop and help people. We all say 'Good morning' or 'Good afternoon' when we get on and off. Everyone is friendly and polite to the driver. For the most part, it is a very pleasant experience. However, one would think that the management of Hills Transit and the public transport people would talk to their drivers about where the problems are. But they did not do anything like that. They just presumed that there was no use of particular services, and they have left elderly people, families, young mothers who have no transport during the day because husbands are off at work, and all sorts of people like that, with no capacity to get to where they need to go.

That gives me no confidence in the third thing they have forgotten, about which I have written to them. The fact is that, until recently, people could catch a bus in the Stirling East/Carey Gully area, which would go through the Crafrers interchange and take people into town without the necessity

to change buses. The new system—this so-called improved system—will mean that the people catching that bus will have to change buses at the Crafers interchange. Normally, for me, that is not a problem. However, I think they have forgotten that we are talking about elderly people and mothers with children and prams and all those sorts of things.

We are also talking about the weather, which in that area is probably the worst in the state in the middle of winter. So, we have this situation where we may have to unload a whole bus load of people and get them on another bus to go to town, when previously they had been able to stay on that bus and go straight to town without having to change buses. That will create havoc at the Crafers interchange, and it will also lead to a significant diminution of the services that we have otherwise enjoyed until now.

I approached Hills Transit about that matter, and a representative told me that only six commuters would be affected. I have not caught the bus on that route for a while, so I was not in a position to dispute it. However, given the effect of last night's meeting and the disclosures that were made, I must indicate that I have absolutely no faith that the figures Hills Transit has given me are correct in any way. Certainly, when I regularly caught that bus, there was a bus load full of people on every occasion. To me, it is just a nonsense to expect that Hills Transit has got it right when, on every other issue so far, it has clearly got it so wrong.

However, I do not want to lay the blame at the foot of Hills Transit entirely because, as I said, I am sure that, within what it is aware of, it is trying to do the best it can and maximise the use of its limited resources. The real problem and the real culprit is the state government, which has failed to put any new money, in any real sense, into public transport in this state. That is what it should have done. We know that, for instance, when the line from the Bridgewater depot was extended to Mount Barker, within 12 months (and this was under Diana Laidlaw) there was a 50 per cent increase in the patronage of the bus services. People are more than happy to catch the buses.

Surely the government has an obligation to provide the service; to make them available so people can use that form of public transport. We had a debate in this chamber until all hours last night about climate change, and here we are having to beg the government to put some money into public transport so that we can transport people more efficiently and effectively and stop them having to bring their own cars into the city.

Mr Pengilly interjecting:

Mrs REDMOND: No—that is because I am talking sense. The point I want to make is that this government should hang its head in shame at its failure to put any money into public transport in any real terms since it came to office. It is the richest government that this state has ever seen. There is a crying need for public transport. I know that, in my electorate (and probably those of the member for Kavel and a number of other members), our services have been diminished, because there has been no real increase in the funds available. That is the fault of this government. It is not the fault of the department; it is the fault of this government for failing to put the money into public transport in the first place.

Dr McFETRIDGE (Morphett): I was not going to speak on this motion, although I strongly support it. However, when I heard the member for Enfield talking about icebergs and tips of icebergs and other things, I thought I would give him a few

tips! Let me remind the house that, in 2002, the Labor Party snuck into government with no tourism policy and no transport policy whatsoever. All it had was just a plan for a plan; a bit of a wish list. What do we see today with the State Strategic Plan? It is another wish list.

We heard in here the other day the Treasurer talking about pre-feasibility studies. They tell me they actually do have pre-feasibility studies: you have a study for a study for a study—and then you might do something about it. That is about as far as this government has got. This government has a golden opportunity. It has more money than any government in the history of South Australia could ever have wished for; certainly far more than the Liberal Government had when it came to power in 1993. What did we have then? We had the State Bank which had broken the state with a \$10 billion debt. We really struggled to get this state back on its feet. We handed this state over in very good condition—very reluctantly handed it over.

This Labor government has really squandered an opportunity. There is a need to emphasise that we have a government that is like the *Titanic*. There is Captain Smith (aka the Premier) at the helm, and he is heading for an iceberg. All the government is doing is shifting the deckchairs on the *Titanic* at the moment. If it had plotted a course, if it had been able to see where this journey was going to be in four years' or eight years' time, it would have had real plans in place. It would not have just had wish lists. It would not have had grand ideas. It would not have been dancing around the ballroom on the *Titanic* whilst heading for the iceberg. What we see here is a very disappointing response from the government after the opposition put up an honest bipartisan proposal and has given it an opportunity to roll over and say, 'Yes, we could have done things better. We need a plan.' It did not have one in 2002. Let us make sure in the future it does a bit more planning, but with some results as well, not just more talk.

Mrs GERAGHTY secured the adjournment of the debate.

NATIVE VEGETATION COUNCIL

Mr PENGILLY (Finniss): I move:

That this house has no confidence in the Native Vegetation Council to act fairly and reasonably, and calls on the Minister for Environment and Conservation to remove the council due to its unreasonable attitude towards people on Kangaroo Island.

Recently, I gave a speech in this place regarding the Native Vegetation Council. Whilst I well and truly recognise that, in our free and open democracy, anybody can make comment, what absolutely stunned me after my speech was the receipt of an undated letter from the presiding member of the Native Vegetation Council, Mr John Roger, who (as far as I can recall) I have never met, and would not know him if I tripped over him. I could not believe the tone of this letter and its contents. I will quote from the letter of Mr Roger:

I am concerned that you have adopted the position of making such a public statement under parliamentary privilege without first seeking advice from the Native Vegetation Council as to the veracity of such matters. I submit that such an approach does not assist in the long term protection and management of the native vegetation of South Australia and unfairly attacks departmental officers who have no means of recourse to accusations of this nature.

Mr Speaker, I ask you to rule on this issue. I believe that the tone of the letter from the presiding member is threatening and intimidatory. He is an appointed member of a government board and, as I am an elected representative of the

people of South Australia, I believe this letter is absolutely disgraceful and that the Premier should deal with it. I also ask you, Mr Speaker, to pick up on that and deal with this letter in due course.

The letter relates to a number of issues that I raised in the course of my speech, but I found it a nonsensical response. As far as I can make out, some of the issues that are raised are a fabrication of events to suit the requirements of the author by unknown officers. I have talked to people on Kangaroo Island particularly, and I based my motion around Kangaroo Island, but I will expand on that to include other areas of South Australia. I am sure that some of my colleagues may choose to pick up on that matter in due course.

Some of these things are absolutely, totally ridiculous. In this place I said that the clearance or drowning of trees that Mr Wandell undertook was most inappropriate and stupid, and I reinforce that statement. What he did was stupid. However, the fact of the matter is that the west end of Kangaroo Island has very little water this year and the dam that Mr Wandell put in has a huge body of water in it which could be used as a backup supply, if necessary, and that offer was made. But, oh no, the Native Vegetation Council, through its actions and working through its sources, issued an order through the ERD Court for the staged reduction of the height of the dam and to rehabilitate the native vegetation on the flooded land.

Let me tell you that the trees that were drowned in this dam were probably 40 to 50 feet high, it was 25 hectares of stringy bark and other vegetation, and you and I will be long gone from this place and long gone from planet Earth by the time any further trees take their place. Mr Wandell acknowledged that indeed he had done the wrong thing, and he actually offered to put in some trees on another site to replace that area, but that was not good enough. I was informed by Mr Wandell that he was requested to put in 300 acres of trees to replace the 25 hectares that he had drowned. This is totally ridiculous. I will take some quotes from the local paper on Kangaroo Island in due course.

I turn to the issue of the Magill dam, which the former owner of that property constructed. That dam is now being used as a supply to Kingscote and Parndana, and water is being carted from it for tens of thousands of stock on Kangaroo Island where there is no water. But, oh no, they have got to persist with Mr Magill; they have got to summons Mr Magill. I went out and had a look, and the area of bush that was actually drowned at the far end of that dam was insignificant. I talked to longstanding land holders in that area. Most of the area where he built the dam was clear anyway, and there were just a few spindly looking trees up one end which were under water and which have been removed. However, they do not take any notice whatsoever of the enormous amount of landcare effort that Mr Magill has put in over the years in planting other areas of trees, landscaping and doing his best to remediate and help with areas of land that needed replanting. No, they do not take that into consideration; that is a no-no. You do not look at that, you do not take notice: you just go for the jugular, you crucify people, you take people to task and you put pressure on them.

I turn to the case of Mr James and Mrs Sandra Bates, which case I also mentioned. Mr Bates can be a difficult character. The Bates family is a longstanding family on the island, and Mr Bates is well known to fly off the handle fairly easily. I would have thought that in this particular case he probably had all the latitude in the world to fly off it a bit further than he did. Mr Bates simply wanted to put in a dam,

and he had a bit of thryptomine there. There is enough thryptomine on Kangaroo Island to cover probably Adelaide and a few other areas but, no, it is an endangered species this thryptomine. It did not matter that thryptomine from Kangaroo Island was actually put in the flowers at the Olympics in the year 2000.

Mr Bates thought he would do the right thing and talk to somebody about this. So, they came out there and there was a big to-do and Mr Bates wrote to me in exasperation and disappointment, and I was forced to raise the issue in here on his behalf. But no, it was not good enough for the native vegetation authority officers to go out there. Then a Native Vegetation Council member thought he would stick his nose in. If you are on a board or whatever, you make the policy and you employ people to do the jobs; you do not go out and do hands-on work and try and get involved and tell him where he can do this and that and everything else, but that is what happened. So, that exacerbated the situation even more. That member of the council actually resides on Kangaroo Island and, in fairness to him, he probably thought he was doing the right thing, but the best thing he could have done was stay home and feed his sheep, quite frankly, because he did not help at all.

Now, any simple bush that falls over you cannot cut up, even if a tree falls across the road. One of what I call the loony left on Kangaroo Island—environmental fascists—told the people next door that they could not cut up a tree that had fallen on the road. It did not matter that someone had come down the road and hit it. He said that he would cut it up for firewood, but he was told, 'If you cut up that tree, I'll report you to the native vegetation authority and you'll face a \$10 000 fine.' So, what did he do? He cut it up. How absolutely and totally ridiculous! As to Mrs Davis and the issue I raised in the house, the letter from Mr Roger states:

As you would be aware the block you referred to at Beach Road supports a coastal shrubland community and while the vegetation may not be considered 'attractive' by many people—

and he wrote 'may' instead of 'many'—

it nonetheless is native vegetation, and representative of the original native vegetation habitat that existed at Goolwa and the Murray mouth area.

What an absolute and total nonsense! Mrs Davis has photos of that property taken 20-odd years ago which show that it was like the carpet on this floor—bare earth. It is not native vegetation endemic to the area; it is a load of rubbish that has drifted onto the place and grown. They put a lot of pressure on Mrs Davis, telling her that she could not sell her property as it was because, basically, it was worthless. They told her, 'Put in an application for a house, and then you can clear it.' Why should an elderly lady pensioner from Adelaide who lives on her own have to go through that process? Quite frankly, these people who are doing this job are an absolute disgrace to South Australia. The letter continues:

I confirm that recent discussions in relation to borrow pits roadside vegetation and fire issues with the Kangaroo Island Council, CFS, and NRM Board—

there is that word again, member for Enfield—

were very positive and productive when the NVC met on KI in September 2006.

What do I get? After the 'productive talks', I get a desperate phone call from the Mayor of Kangaroo Island asking for a meeting with the minister as soon as possible because they could not clear a few spindly trees from an area where they wanted to get rubble and stone to build roads for road safety.

How stupid is that? They saw the minister last week—and, if you really want to get an earful like I did, ask the Mayor of Kangaroo Island about her discussions with the Minister for the Environment. They came out shaking their heads, but perhaps I will leave the mayor to defend herself on that issue. The local paper on Kangaroo Island picked up on these issues. An editorial states:

Private landholders are not the only ones concerned about the conduct of the NVC.

Officers of the Kangaroo Island Council are continually frustrated by the lengthy delays in the exchange of correspondence and the approval for such things as roadside vegetation clearance. . . matters of safety for all on Kangaroo Island.

It then went on to discuss a proposed deputation. On that issue, I refer briefly to the letter, in which the Presiding Member says, 'Contact the authority. Talk to us. Come and talk to me.' I can tell you that last year I rang the native vegetation authority on a couple of occasions. I introduced myself to the receptionist, and she said, 'I'm very sorry, sir, but we can't talk to you. If you want anything, you need to speak directly to the minister.' Who is pulling the wool over whose eyes? What a lot of nonsense!

This goes on and on. This group of people obstructs, hinders and stalls development at every opportunity. If comments I have had from the government's side of the chamber are of any assistance to this debate, they support me. The Native Vegetation Council in South Australia is out of touch, it is intimidating, it is threatening and it is using methods that Hitler, Mussolini and Saddam Hussein would be proud of. It is an out of touch, dictatorial, self-serving instrument. It is not in the best interests of South Australia, and it needs removal immediately.

A strong minister who does not let the council do what it likes willy-nilly needs to be put in charge. The Native Vegetation Council needs to be revamped, reconstructed and reinvented, and it needs to start employing people from the real world, not fresh-faced university graduates with a piece of paper and no practical experience of life. Talk to Alf Hall, who is in his nineties and has been cutting wood on Kangaroo Island all his life. They poo-poo Mr Hall, even though he has more knowledge than anybody else of pollarding trees, revegetating and allowing the narrow leaf to grow back. Oh, no, you cannot touch the narrow leaf, and you cannot burn underneath it. It has lizards, mosquitoes, frogs, snakes, goannas and God knows what else in it. Nature looked after this material, it actually had fires through this narrow-leaf. It is endemic to Kangaroo Island (my property is covered in it). Along the roads it is dying because it has had no fires, it is just falling over. Mr Alf Hall has tried to get the message across; but no, Mr Hall is not considered to have any knowledge because he does not have a university degree or anything else. They do not want to know about what Mr Alf Hall says. I have a huge amount of respect for him.

Landcare on Kangaroo Island has done more to put in trees to replace damaged areas than anywhere I know, and it started very early. When the wool crisis occurred Landcare took off on Kangaroo Island and I started a group—the Bugga Bugga Creek Landcare group at American River. I am proud of that; they have gone on to do great things. People have fenced off the salt areas and degraded areas with the assistance of some government funding—both federal and state—and I acknowledge that. However, we have put in more trees than are ever going to be knocked down, while these clowns in the native vegetation authority (led by the Native Vegetation Council) just stop, stop and hinder, hinder, hinder.

'We do it by satellite photography.' You don't go and have a look, so when the council sends in comment on a development application it is written off, 'Recommendation: Refusal.' Time after time it is 'Recommendation: Refusal.' When a farmer wants to put in a fence between his and a neighbour's property it is 'Recommendation: Refusal.' If there is a single tree in the middle of a 500 acre paddock, you cannot touch that. It does not matter that the sheep grazing under trees in the paddocks are killing more than anyone will ever knock down.

In the late sixties and early seventies I did a lot of land clearing to develop a farm, and I acknowledge that I cleared areas which, in hindsight, should not have been cleared. That is the way it is, but things have changed. The Native Vegetation Act was put in place by the parliament but it is failing South Australia.

Probably the most frightening thing of all relates to a fire that is referred to as the Chapman fire, which was actually lit along the coast by the late Ted Chapman. They have been looking after that country for 100 years; they know how that country works. You burn it every few years and it freshens up and grows back particularly well. What has happened is that the native vegetation authority—which is trying to have a crack wherever it can—is having a crack at the Chapman family now that Ted Chapman is deceased. I think that is disgusting.

Time expired.

The Hon. G.M. GUNN (Stuart): I have much pleasure in seconding this motion. It has brought this chamber's attention to the irrational and unreasonable attitude of a band of bigots who are imposing their will across South Australia with no regard for the long-term welfare or safety of the people of this state.

Chapter and verse has been written in rural newspapers and council records regarding this band of insensitive people who have no common sense, who have a narrow and bigoted left-wing attitude, and a dislike for farmers. They are anti-development and they carry out personal vendettas that are not based on fact. If you have anything to do with a conservative political party you will have extra attention paid to you. There is chapter and verse. They tell untruths. The former speaker of this house was absolutely correct when he drew this chamber's attention to the disgraceful and untruthful action of one Craig Whisson in relation to the Mahar family at Coorabie in South Australia. And he is still there! The only person who was decent and who had a reasonable attitude, who applied common sense, was Tim Denny—and he has been shunted off. He was a reasonable person, he was fair, he had common sense. He listened to farmers and went and looked at things first-hand, but he has been shunted off. You cannot have someone like that there; you have to be someone who has a bit of paper, someone who has never had to live on what they can make for themselves.

That is the current situation, and why has this come about? One unreasonable act always generates another. These people have had fair warning, they have brought this upon themselves, and the ultimate is the attack on the people of Kangaroo Island that was clearly highlighted in the *Stock Journal*. The local member, and members who have the guard of the rural community, are not going to stand by. What other course of action is open to us? None, because they will not listen. There has been representation; people have met ministers and talked to bureaucrats, and it has gone on and on. They have done nothing. If these people think that this is

the end of it, forget it. No matter what they think or say and no matter what untruths they continue to tell or how unreasonably they act, this is the beginning of a concerted campaign to seek the return of fairness and commonsense.

As the member for Finnis said in relation to the attack on Ted Chapman by this character, Tony Zidarich, I would also have no confidence in his judgment. He is a person who, in my view, is less than honourable and does not even give accurate information. I will explain something. I remember some years ago that there was a committee meeting here when the leader was the minister for the environment and he was there with a number of these other characters. I said to him, 'Would you go into the home on a farm if there was a woman there with two little children by herself?' He was not even sure whether or not he would. He could not say no. He was not prepared to say that that would be an unfair and unreasonable attitude, because these people do not treat others fairly. I was appalled. He missed his calling. About 45 or 50 years ago people acted like that. Why have I named him today? Because I know of other instances where he and his offsidiers did not tell the truth.

Mr Pengilly: The litany of it.

The Hon. G.M. GUNN: Yes. They act unreasonably, we act unreasonably. Members of parliament are elected but these people are appointed. I refer to the letter that was written to the member for Finnis, Mr Pengilly, by the Chairman of the Native Vegetation Council as follows:

I am concerned that you have adopted the position of making such a public statement under parliamentary privilege without first seeking advice from the Native Vegetation Council.

How long has a member of parliament had to go cap in hand to a group of bureaucrats? Mr Speaker, I draw this to your attention because I believe this is a matter of privilege. This person should be held to account. How dare this unelected official threaten an elected member! If he wants to get into the political arena, he should stand for parliament. The member for Finnis is carrying out his proper constitutional responsibilities, namely sticking up for people, and he will not be intimidated by this arrogant person who should never have been appointed.

The former minister acted most unwisely in appointing this character because he has no commonsense and he is certainly not fair or reasonable. But to threaten a member of parliament is a serious matter, so I draw it to your attention, and I will give you a copy of this letter afterwards because I would like you to look at it very closely. This fellow should be immediately suspended by the minister whilst you, Mr Speaker, carry out an investigation.

Let us proceed. These people have had ample opportunity to apply commonsense. They have consistently endangered the public with their attitude to fire control. Time and again they have been caught out. I draw to the house's attention an article which appeared in the *Stock Journal* of 7 December 2006, which stated:

Murraylands farmer, James Keller, pictured, is thankful for extra-wide 25-metre firebreaks around his property, after fires started by lightning strikes in November burnt out the heritage-listed bushland that surrounds the family farm near Coonalpyn. He says if the firebreaks, which he had 'caught a lot of flak over' when putting them in last year during re-fencing, had not been wider than the standard 5m, then his property would have been burnt out. However, the local CFS and community were able to prevent his property from being ravaged by the fire which had started near the Ngarkat Conservation Park on November 21. 'If we hadn't had a decent firebreak we'd have been burnt out', he said.

Why will the Native Vegetation Council not recommend to the minister that it have decent people to put in decent firebreaks? Have these people ever been in Mallee scrub when it has been on fire? Every time I drive home to my farm I go past a monument to a firefighter who was burnt in Mallee scrub. It is a very sobering experience. He lost his life trying to fight a fire. Some of us in this place have had a fair bit of experience in lighting scrub fires. You have to have a decent break to burn back on, and only a bunch of bigots and fools would continue to resist this. I could go on.

Look at what has happened in Queensland. I have a quote here from *The Australian* of 25 June 2006 where it says they put in 20-metre firebreaks, more than 100 kilometres, on Fraser Island. If it is good enough for Fraser Island, why isn't it good enough for us? I will go on. Over the last few days, there have been continuous comments from a conference that was held in Canberra. An article in the *Stock Journal* of 1 March, states:

Landlords favour mega bushfires. Restrictive land management laws designed to protect the environment must be overhauled if firefighters are to have any chance of contending with hotter climates, growing fuel loads, according to a United States fire expert.

There is the evidence. Where is the action from the government? Those of us on this side have for a long time tried to talk sense to people, but they have consistently failed to accept the reality that we have to take appropriate action. These people have not kept abreast of modern technology. They want to stop farmers from getting rid of an individual tree. Have you ever heard of satellite technology? It is a modern part of technology. You cannot have an odd tree in a paddock. Have you ever heard of decent firebreaks and hazard reduction programs?

At the end of the day, these people are deliberately and maliciously interfering with the day-to-day running of farms, and they are making life difficult for councils. What about the fool who told a council that you have to dig up the road to bury people under in the cemetery. They have consistently asked the Mayor of Port Lincoln, and they have endangered Port Lincoln, wherever it is essential for development. I asked the Native Vegetation Council, 'Are you aware of the attitude of these aggressive people you send out to talk to people?' They have no regard for people's common sense or that elected officials have a right, therefore we should get rid of them as a high priority. If the government is not prepared to do it, some of us will be introducing legislation into this parliament to ensure that common sense and justice prevail. The people of Kangaroo Island have been the victims of unfair treatment.

Time expired.

The Hon. R.B. SUCH (Fisher): Clearly, some members are quite concerned about this matter, and I am concerned also. I ask members to consider the question: why do we need a native vegetation council? We need one because in this state collectively, over a long period of time, we have vandalised this state to a point where in the metropolitan area there is less than 5 per cent original vegetation left. In the Adelaide Hills there is about 25 per cent, much of that compromised with weed infestation and so on. However, the point is that this state has a very bad record of unnecessarily and excessively clearing native vegetation. That is why we need a native vegetation council.

I am not here to defend the council's actions on Kangaroo Island but, as I understand it, the people over there cleared without permission and cleared illegally. There is a process,

and it works in parts of the metropolitan area as well, and people can apply to clear. However, in every situation the environment loses out, because what will happen is that there will be some removal. We have seen it in relation to the expansion of the vineyard industry; unnecessary clearing down in areas like Finnis, where trees, a lot of them pink gums and others, have been removed to expand the grape production and now we find there is difficulty in getting rid of the production, even though at the moment there is a reduced output due to the drought. Nevertheless, overproduction is the order of the day.

Many farmers are much more progressive than they were years ago. I heard the member for Finnis say that he did things he wishes he had not done. The point is that there is a change in attitude amongst, I believe, the vast majority of farmers, who realise that we have over-cleared. We have destroyed and actually made extinct species that never ever got to be analysed. Who knows what those extinct species could have done? Who knows whether there was a potential cancer cure in some of those plants that have been wiped out? We will never know.

Looking at some parts of the state, some of the clearing was not done for agricultural purposes: it was done from mining. Up around Burra and parts of Yorke Peninsula absolutely disgraceful vandalism has occurred. A lot of it was done through ignorance, but even today some of it is done through stupidity. I recently read in *The Murray Bridge Standard* that Badge Construction said that it did not know that it was not to clear along the roadside in a development at Monarto. Now, pull the other leg! If a company like that does not know that you cannot willy-nilly destroy vegetation along the side of the road, then it is about time it got some managers who do. We see that the Ferries-McDonald Park is under threat because there is a plan to upgrade the road through it. So you will have massive trucks going through the centre of that park putting at risk the conservation purposes of that park.

The Native Vegetation Council is in a situation where it cannot win, because it will be criticised on the one hand by people who are pro the environment and it will be criticised on the other hand by people who want an open go. I think it is very unfair for people to attack public servants in the way that has occurred. Public servants are no different from anyone else. They have a job to do. Some of them have a better approach than others but, in our system, criticism should be directed towards the minister, not a public servant who cannot defend himself or herself in this place. I think it is very unfair to single out public servants in that way. I would caution members against doing it, because some public servants are more effective in their tasks than others; nevertheless, in my experience, they are genuinely committed to trying to do the best thing.

Even with the metropolitan area, I have written to the Native Vegetation Council and to the minister about clearance in relation to a large development at Flagstaff Hill. The upshot is that many of the few significant trees in that area were removed, because there are so many loopholes in the system. We know that people can use the excuse of a fence repair as a way of getting rid of more vegetation. Sometimes, to restore a fence you must remove vegetation; I know that. The question of firebreaks is very problematic. There is now a lot of evidence suggesting that firebreaks are nowhere near as effective as a properly conducted cool burn in a bushfire setting. I have always advocated and been a great supporter

of proper burning at the correct time in advance of the bushfire season.

Nowadays we are starting to see more of that occurring, but it needs to be based on proper evidence and not on folklore. The people who want to put their faith totally in firebreaks, I think, are kidding themselves, because, as we know, much of the fire is spread by lit material, and you get ember attack travelling at the speed of the wind. As I understand it, even with the terrible fire on Eyre Peninsula a year or so ago, the ember attack probably would not have travelled at the same speed if there was some native bush to actually retard the speed of the fire. The fires can sweep down a hill that is essentially grass or pasture at an incredible rate. There is an argument that bushland can slow down fire.

At the moment we have a situation where, through desperation, people who care about the environment and try to protect species have to resort to fairly tough measures. There is so little vegetation left in South Australia that we cannot afford, as a society, to take a laissez-faire, laid-back attitude to it.

The member for Finnis mentioned replanting, and I commend people who do it, but replanting is never a substitute for something that has evolved over millions of years. I would like to see anyone who can demonstrate to me that they can recreate what nature has done over a million years with a replanting program. You cannot with replanting approximate anything near what nature has created over millions of years. Replanting is important. We are seeing some great efforts—you only have to look around some parts of Callington and near the city. Western Victoria and Victoria generally are leading Australia in their replanting efforts, but it is no substitute for protecting something that has evolved over millions of years, and it is fanciful to think otherwise.

I do not agree with the first part of this motion. In terms of whether particular individuals have been unreasonable towards people on Kangaroo Island, I do not have enough specific information. However, as I understand it, on Kangaroo Island people cleared land illegally, without permission, to create dams and so on, or they submerged vegetation without permission. There is a process and people need to follow that process. We need to protect certain species, which members have mentioned. People have said that it does not matter if you remove grey box in the Hills as there are plenty of them. They are diminishing and becoming increasingly few and far between, especially where they have their associated understorey and grasses. We are only starting to learn about some of these trees now. Grey box takes a long time to grow; it is even slower growing than something like a river redgum.

We are still largely ignorant about what little vegetation we have left. It is important that everyone in the community gets on side and, if we need to make the system more workable (and it is important that we have the farming community on side because the farmers ultimately are custodians of much of the land), we will not achieve much by targeting particular public servants in here or bucketing the Native Vegetation Council, which operates on a very limited budget. If people are not happy with the way it operates, maybe they should be calling for greater resources to be given to the Native Vegetation Council and to the Department for the Environment, because at the end of the day the department rates lowly in this state, despite all the talk about it. In reality the environment has suffered in this state greatly.

Mrs PENFOLD (Flinders): I support this motion wholeheartedly because of the inefficiency with which the Native Vegetation Council deals with matters and some of the apparent harassment, bullying, antagonism, rudeness and lack of understanding and compassion by the department and council employees towards those with whom they deal. Such behaviour by subordinates is in my experience usually an indication of poor leadership at the top, where the behaviour of leaders gives licence to subordinates to treat those subject to them in a similar manner, along with the stress that subordinates are put under to implement policies out in the real world.

I cite the case of two families in the Streaky Bay District Council area, who intend to take their issues to the Ombudsman in an endeavour to have common sense avert the financial ruin that is threatened in part by the actions of the Native Vegetation Council. These families were planning their succession from father and mother to their son and his partner and recognised the need to enlarge their property to make it more viable, with the older couple intending to retire debt free and the young couple to take over the responsibility for the farm.

However, seven years later the freehold property they purchased is a millstone around all their necks. The older couple are still working and the young ones are struggling to survive with off farm work at Roxby Downs necessitating Leon being away from home for weeks on end. The government will neither compensate the families nor buy the land that they are not allowed to use even for grazing, which is very upsetting in this time of extreme drought when supplementary fodder is hard to come by and expensive.

I have statutory declarations from Mr Allan Williams, his wife Cheryl, son Leon and Leon's partner Kelly Lake. I quote from Mr Allan Williams' statutory declaration dated 12 September 2006, but I will not use the departmental officer's name, as I have not heard his side of the story. I will refer to him as Mr X. The document reads:

Discussions held prior to the purchase of the Walter block of land in the Hundred of Finlayson, District Council of Streaky Bay, and the effects of same on myself and my family. On October 2000 at Streaky Bay, Leon Williams and myself in our capacity as directors of ACCA Pastoral met with Phil Arkus of Wesfarmers Kimba, to discuss our interest in the possible purchase of the block of land mentioned above. During the discussion, Mr Arkus informed us that another interested party had first option on purchase of the property but that we would have second option if said party failed to raise capital. We asked Phil Arkus if it was OK to fence, stock and crop said property, to which he replied: 'Yes, I don't see why not.' We said to Phil that we would like to run cows on the property ASAP and crop the plains with oats for stock feed. We then arranged for a contract of sale to be sent to us for perusal if and when first option was forgiven.

On 13 October 2000 the contract arrived and we studied it for hours and were eventually satisfied that there was no reason we could see to prevent us from fencing, stocking and cropping the property. However, in order to double-check, we arranged a meeting with the acting CEO of the District Council of Streaky Bay, Mr John Rumbelow, so that he could confirm the lack of any grazing or cropping encumbrances on the property in the sale contract. We left the contract with John for a few days. On returning the contract, Mr Rumbelow said: 'It looks like a normal contract to me. I can't see (any reason) why grazing and cropping cannot be done on this property. It seems like a good idea to me.' Having double-checked with both the selling agent and a representative of local government that there were no encumbrances for grazing or cropping restrictions on the property we (having no idea that an application for grazing and cropping on this contract was applicable, the only people who knew anything about applications were the NVC and/or their reps) signed the contract of sale on 31 October 2000 and paid a deposit of \$2 000 on 2 November 2000.

The purchase was settled on 18 January 2001. During February 2001, ACCA Pastoral commenced clearing work along the boundary line to allow for fencing work to commence, at which time it came to our attention that the existing public road encroached the boundary in one section, involving an area of a few hectares. The Works Overseer with the District Council of Streaky Bay, Peter Irvine, was approached regarding this problem. He stated that it would be impractical to shift the road and suggested they put the fence line as near as practical to the road so as not to stir up any problems. We along with the clearing contractor did this to the best of our ability. However, this led to an overly wide area of clearing for the fence line which, apparently, later first attracted the attention of the Native Vegetation Council representatives. Fence and water line clearing was completed, fencing was installed and water tank, piping and water trough purchased and installed.

Then on 2 April 2001 with the fencing and water completed 40 cows were trucked in to their new location. Leon and I felt justifiably proud of our achievement. On September 2001 at the home of Leon in Streaky Bay, Leon, Kelly and Cheryl were confronted by a very demanding and obnoxious Mr X, representing the Department of Environment and Heritage, who upon Leon's arrival into the room slammed a tape recorder onto the table with the words 'everything you say will be taken down as evidence.' He then went on to demand that we remove all stock immediately from the property and informed Leon that we could be convicted of clearing too wide a fence line (which eventually turned out to be 1.25 ha). Leon informed Mr X that it would be impossible to remove the stock immediately as we had not yet had time to build cattle yards and therefore had no practical method to load cattle onto a truck. Beside that, the cows were ready to calf.

I was later accosted by Mr X with a tape recorder at the property, where I told him to turn off the recorder. Mr X's attitude was extremely obnoxious. I couldn't believe what I was hearing and all sorts of things were going through my mind. I realised that if we were forced to remove the cattle from the block it would put us under extreme pressure financially. It was so overwhelming it was hard to comprehend. When I got home Cheryl was in a terrible state and Leon was not much better. We tried to discuss the matter and on some occasions the discussion got heated. I was afraid for our financial future. This bloke had been talking large fines and suing us. We rang Phil Arkus and discussed the matter with him and he said he couldn't help us. We rang the council and they said the same. Not knowing what to do we went about the business of making cattle yards on the block just in case worst came to worst.

We still hadn't heard anything by November 2001, we thought they had made a mistake or something and it had sorted itself out. But in June 2003 ACCA Pastoral received a summons from the Native Vegetation Council to remove all stock from the property within 21 days of the notice. Seasonal conditions were not that great at the time of the year and there was no local agistment available, forcing us to seek agistment near Peake. In October 2003, some three years after the initial contact by Mr X, we received a further summons and court action taken out with the Native Vegetation Council. This was against ACCA Pastoral as well as Allan and Leon Williams as directors and the clearing contractor. The summons was for illegal land clearing, which would never have happened had I known that an application for grazing and cropping had to be sourced for this freehold property on the original contract. The actions taken by the Native Vegetation Council have strained my relationship with my wife Cheryl to the point of antagonism at times. I am very upset that these occurrences are happening because of things beyond my control. The whole contract from start to finish could only be described as farcical and also to the point of dishonest dealings. If I was told this could happen to me I would not have believed it.

Kelly Lake's statutory declaration states:

I can't remember the date but in September or October 2001 I answered a knock on the door and on answering it a man by the name of Mr X made himself known and asked for Leon and Allan Williams. I said they were not here now but if he would like to wait I could call Leon as he was closest and get him to come home. I rang Cheryl and she came up. While we were waiting for Leon to arrive this bloke started to talk to Cheryl and his manner was so offensive I could see Cheryl turning white and becoming very upset, nearly on the verge of tears. His manner was so bad it made me cross and I had to leave the room for fear of saying something to him. When Leon came home I just showed him into the room where this bloke got stuck into Leon with the same offensive manner he used on Cheryl but this time he took out a recorder and put it on the table and said he was going to 'take everything down as evidence'. I could see my

normally happy-go-lucky man change before my eyes. I have never seen him so upset before or worried looking. I became frightened. I did not like this man for what he was doing to Leon. Since this meeting our lives have changed a lot. Leon has become very withdrawn. Our family life is strained and at times I find it more than I can handle. I am really concerned for our future together. I love Leon dearly but his whole attitude toward life and people has changed since this business with the Walter block.

I wrote to the Minister for Environment and Conservation (Hon. Ms Gago) on 7 November 2006 and received a reply from the Acting Minister for Environment and Conservation (Hon. Mr Hill) on 18 January 2007. Despite the drought and the urgent need to use the block for feed (creating additional pressure), the acting minister was unhelpful. He suggested that the Williams' family apply for assistance under the federal government's exceptional circumstances program. He refused to intervene with the Native Vegetation Council. In fact, he upheld the actions of the council. One of the options proposed for resolution of the whole problem was for the government to buy the block, thus taking it out of private ownership.

However, the acting minister refused to consider this option. He suggested that the Nature Foundation of South Australia may be interested in buying the property as part of its Bushbank scheme. The minister ended his letter by stating:

Alternatively, your constituent may consider sale on the open market—

Time expired.

Mr RAU (Enfield): For the benefit of Hansard, I will try to be a little more calm. In his motion, the honourable member uses very strong language. This is very strong language, indeed. All members will need to have a very long think about this before we finally make a decision, because what the honourable member is asking us to do is a very serious step. The other thing, of course, is that we must maintain some balance. As its Presiding Member, can I say that the Natural Resources Committee has heard a great deal of evidence about the Native Vegetation Council, and I must tell the house that most of it has been quite adverse—most of it.

It is fairly clear to me that, from what I have heard, there is room for improvement. The honourable member's motion does not really focus on an encouragement to improve so much as a serious whack over the head, which is where I think we might ultimately have a problem. I would like to focus quickly on three areas where, I think, the Native Vegetation Council could look at improving its position. First, in respect of development—and, in particular, I am thinking of the mining industry—the fact is that there are aspects of mineral development which are not strictly associated with the mine itself. As members possibly know, once you have a mining tenement and there is a licence granted for mining activity, PIRSA takes over the question of native vegetation and administers it. There is very little complaint about the way in which it does that. But there may be an infrastructure corridor which runs into the mine and which is not covered by that lease and it may be the case that the Native Vegetation Council winds up dealing with the problems associated with that corridor. There is certainly a case, as far as I can tell from evidence that has been brought before our committee, that people experience some difficulties in dealing with the Native Vegetation Council. These difficulties seem to be the same all the time—bureaucratic, awkward, difficult, non-responsive, and so forth.

Dealing with the mining industry, the second area is the concept of a substantial environmental benefit having to be delivered, in effect a levy, to the Native Vegetation Council in relation to these developments. There are issues surrounding that which I think need to be properly explored and which have not yet been explored. I invite members of parliament, if they have not already done so, to look at the Natural Resources Committee report into the mining industry. They will see that four or five of the recommendations in that report deal with the behaviour of the Native Vegetation Council.

The last area of concern to me is the fire prevention issue. I know the member for Stuart is a person who has very strong and well thought out views about this matter. As little as 18 months ago the member for Stuart and I were sitting in the Economic and Finance Committee and Mr Euan Ferguson from the CFS was giving evidence to that committee. During that evidence the member for Stuart asked him questions about how long it would take for a landowner wishing to take prudent precautions for the protection of their own property and that of their neighbours to secure permission from the Native Vegetation Council to do a cold burn or some other form of clearance which was required of them by law whereby it provides that 'you must take reasonable precautions for the protection of your neighbour's property'.

The answer we got from Mr Ferguson was 'up to 12 months'. Of course, that was horrifying because, if the person makes an application in August to do a cold burn, 12 months later there is a thing in the middle called summer—which is not useful. I am pleased to say that in evidence to the Natural Resources Committee this year, again under the forensic questioning of the member for Stuart, Mr Ferguson was able to tell us that some improvement had been negotiated between his officers and the Native Vegetation Council. If that is the case I am very pleased to hear it, but I wonder whether ordinary landholders, who are not trying to break the law or find some way by stealth of clearing land which should not properly be cleared, are given an opportunity to take prudent fire protection measures because of the activities or lack of activities of the Native Vegetation Council. I believe there are many areas where the activity of this body needs to be looked at carefully.

Ultimately, I will be swayed by the rest of this debate, I can tell the member for Finnis, because, as far as I am concerned, the jury is still out. My gut feeling at this stage is that the strong tone of the motion is such that for a first whack it would be a little serious. Ultimately, that might be a problem. I congratulate the honourable member for bringing this motion before the parliament because I know of no other government agency that has had more consistent grizzles about it to me than this particular body, and so few people who have anything positive to say about their dealings with them. It might be that that is because these people have a difficult task to do—

The Hon. R.B. Such: They don't have the resources.

Mr RAU: It may be, as the member for Fisher says, that they may not have the resources to do it. That may be the case. I have been struck by the unanimity of complaint. The other thing is that they are perhaps not alone in this, because as the levy season starts building up for the NRM boards, I am starting to get a similar inflow of voices about them as well. I will be interested in how the rest of the debate develops. As I said, I do congratulate the honourable member for bringing this forward. There are issues surrounding the Native Vegetation Council which should not be ignored, they

do need to be looked at, but I am not sure whether the robust wording of this motion is the appropriate way to deal with that.

Mr WILLIAMS (MacKillop): Unlike the member for Enfield, I am not disturbed by the robustness of the wording of the motion because I and my constituents have had enough experience of the way it operates and the behaviour of some of these people that it is time they were brought to book. I begin by referring to the contribution by the member for Flinders. If any member is not disturbed by the story that has been put forward by the member for Flinders, I think they should have a good hard look at themselves. When a farmer (or anyone) attends a land sale to buy a piece of land that has been advertised for sale, there is a thing called a section 7 document which indicates whether there are any encumbrances on the land. When you go to a sale, there is usually a board with these sort of notices on it and you can read the conditions of the sale and the section 7 statement. The section 7 statement with regard to this particular property states that there are no easements, no endorsements, no notations or documents affecting this title. That is on the section 7 statement. The people bought the piece of land in good faith—

The Hon. K.A. Maywald: Sue them.

Mr WILLIAMS: Sue who? Who is the section 7 statement made out by? It is made out by the lands department. It is a government document. It is information gleaned from the government agencies. That is where the section 7 statement comes from. The reality is that this is a piece of land that had been farmed. It had livestock grazing on it, and due to the circumstances of the owner dying and the winding up of the estate, the Native Vegetation Council said, 'You have gone past the five years, this is now 100 per cent native vegetation.' That is basically what they have done, and the unsuspecting purchaser bears the cost—and the member for Enfield (and he is a very good member) is disturbed by the robustness of the words.

Mr Pengilly interjecting:

Mr WILLIAMS: Well, he probably should be the minister. I believe that we put the wrong sort of people on the Native Vegetation Council. They have the wrong sort of attitude. The attitude that has been described in the instance that the member for Flinders has brought to the house is the attitude of the sort of people who have been appointed to the Native Vegetation Council. Their attitude is, if you can stop a person from farming a piece of land that has been farmed for the last 100 years and have it naturally revert to native vegetation, that is what we should be doing. That is what their attitude is. I have seen them harass land-holders in my electorate, with the idea of having the remnant vegetation on their farms slowly encroach the whole of their land and take it over. That is their attitude and culture, and that is what the problem with native vegetation is in this state today.

They have turned every land-holder and every farmer against the long-term preservation of native vegetation in this state. I can cite many examples—and I will cite a few of them. I have one land-holder who has an extensive property near Kingston in the South-East. He has several large areas of native scrub on the property. He gave permission to the department to fence corridors across his property to link these large areas of native vegetation to provide corridors for the fauna to move between them so that we did not have isolated pockets where there became isolated genetic pools in the native fauna. He did the right thing, he did it voluntarily, and

he got no recompense for it. He gave up land and allowed the department to come in, fence it off and revegetate.

A few years later when he was tidying up some paddocks, he got a summons and they dragged him through the courts because they claimed he had cleared a couple of acres (I think it was 2½ acres) of land that had not been cleared within the last five years. What a nonsense! That land-holder is promoting what we would all like to see, that is, the retention of native vegetation and the retention of native fauna, and is working towards creating biodiversity on our farmlands. Some of these land-holders have inherited land that was largely cleared, and some of them have been quite happy to see some of it revert to native vegetation and have even planted trees, as I have on my farm. That particular land-holder said to me that he will never again plant or allow a piece of native vegetation to grow on his property, and he owns extensive land-holdings in the South-East.

I have another example of Tom Brinkworth, and I am sure Tom will not mind my saying this, although I have not checked with him. I am sure he will not mind, because I think most people in the house are aware of Tom Brinkworth. Members probably would be aware that a few years ago, in a celebrated case, Tom was dragged through the courts by this department. I think the first fine was of \$313 000 for clearing a piece of scrub to build a drain to save the native vegetation on the Mandina Marshes which had been flooded and had not had a chance to dry out for about seven years. The only way around it was for him to purchase a property called South Flagstaff, with the specific intent, I believe, of digging a drain to divert water from the Mandina Marshes to allow them to dry out, which consequently saved thousands of hectares of native vegetation. I do not know how much Tom cleared, but it might have been 10 or 20 acres to build this drain. He initially was fined \$313 000, I think it was. On appeal—and it had to be on appeal, because a magistrate apparently cannot impose a fine that high, so the government dragged him through a higher court—it was upped to I think \$330 000-odd.

An honourable member: Outrageous!

Mr WILLIAMS: It is outrageous. I can tell you, Madam Deputy Speaker, that I was on that property near that drain within the last six months, and that drain has now been officially made part of the Upper South-East drainage scheme. The drain that he was fined well over \$313 000 for constructing to save the Mandina Marshes is now officially part of the scheme. This is the sort of people we are dealing with, and members of the government opposite might well be wondering why we are a bit excited about it on this side. In the everyday hurly-burly of what we discuss in this chamber, I think rarely are there issues that have a greater impact on individual South Australians than the actions of this organisation, the Native Vegetation Council, and the department behind it. They are seriously affecting individuals.

The member for Fisher talked about there having been an attitude change, and I think he said farmers are much more progressive these days and there has been a change of attitude. I can tell the member for Fisher that prior to the 2002 election I would have agreed with him, and I think the Native Vegetation Council was operating in a fairly balanced way. I can tell the member for Fisher that my experience in recent years is that the good work that has been done in the last 10 years to change the attitude of the farming community has largely been undone, because the farming community (which is now in control of most of the land in South Australia and the continuation of biodiversity across South Australia) has

been put offside. Those who started to become 'green' (some quite green and some to a lesser extent) have been put off.

The stories that the members for Flinders and Finnis have brought to the attention of the house and the couple that I have mentioned (and I have more of them) demonstrate the attitude of officers in walking into people's homes and acting in an overbearing manner. In one instance in my electorate, the wife said to the officer, 'I do not mind if you come back next week,'—because the officer said he wanted to come back and interview her husband—'but I want to be here, because he is just recovering from a stroke.' She said 'Don't come on Tuesday, because on Tuesdays I work at the local vet's clinic.' When did the officer turn up? On the Tuesday. I have already brought that matter to the attention of the house. That is the sort of attitude that has caused the member for Finnis to couch his motion in the terms in which he has.

I support the motion. I was glad to hear the member for Enfield say that, in his role as chairman of the NRM committee, he is interested in these sorts of stories. He believes there is room to move and that we should be doing something about this organisation, and I totally agree with those sentiments. It is time that we sorted it out, not just to protect the mums and dads and the people (and I am greatly concerned about them) but also to protect the future of the biodiversity of this state, because we are going about it in the wrong way.

Time expired.

Mr GOLDSWORTHY (Kavel): I also am pleased to contribute to the debate on the motion that the member for Finnis has brought to the house. I would like to speak on a slightly different aspect of this issue, that is, bushfire safety management. As the shadow minister for emergency services, having been born in the Adelaide Hills and having grown up and continued to live in and represent an electorate in, arguably, one of the highest fire risk areas of the state, I think it is important that we raise some of these issues.

About a fortnight ago (on the Friday, I think) the member for Heysen and I toured the area of the recent Mount Bold fires, which occurred in late January in and around the Mount Bold Reservoir. It was the most significant fire we have experienced in this state this summer and, thankfully, thus far, we have not had a more serious fire to deal with, notwithstanding the fact that the dry seasonal conditions still have a long way to go. We still have quite a number of weeks to go, I believe, before the season breaks and we can anticipate any decent rain, which will bring an end to the high fire risk season. As I said, we toured the fire ground in the Mount Bold area with some representatives of the local CFS brigades, and we saw some quite glaring examples of where bureaucratic processes had got in the way of sensible fire safety measures being undertaken.

I would like to give a couple of examples. We drove down a number of different local roads to view where the fire had burnt and how extremely close it had come to the properties of some local residents. It was a tragedy that, unfortunately, one property was burnt and a home and some outbuildings were lost in that fire. That was in an area where it would have been difficult, arguably, to manage a fire coming through.

One issue that was highlighted by the local CFS personnel was that the verges of the local roads have become overgrown with different native and non-native understorey species. Quite mature eucalypt trees (stringy-barks and the like) line these local roads. On the other side of the fence line the landowners have pretty well open grazing country. There are

some patches of native vegetation scrub in some of the valleys and throughout the area. The CFS people endeavoured to do some cold burns along these local road corridors so that, if a fire does come through, the actual intensity of the fire is somewhat reduced and, therefore, they can get their fire truck units down the road to protect assets and people's properties and, more importantly, protect people's lives.

There was an incident on the day of the Mount Bold fire where a fire crew was travelling down one of the local roads but had to turn back because the fire was too intense. They had to wait for the fire to burn across the road and let the fire front go through and, when the intensity reduced, they got their unit through to some people's homes. They went into what they call asset protection mode, where they let the fire burn through the paddocks and scrub and they then position their unit so that they do save people's lives, their homes, outbuildings and stock. As I mentioned, the local CFS people have endeavoured to carry out cold burns along these corridors but they have run up against strong bureaucratic opposition. They have carried out cold burns along some of these roads, and they have been threatened with quite serious consequences if they continue to do so. I would have thought that such action is absolutely common sense for some of the overgrown areas along road corridors.

Members know that fire is an integral part of the regeneration of native vegetation, so it is not as if they are killing the gum trees or the native vegetation. It is part of a natural cycle. The CFS has endeavoured to make these local road corridors more accessible in a fire situation, but the bureaucrats have said, 'No, you can't do that, because you can't destroy native vegetation.' As a consequence of the member for Finnis bringing this matter before parliament, I want to highlight this issue in the house today.

I encourage members (and other folk) to go down to Mount Bold and have a look at the local environment. There are literally thousands and thousands of hectares of native vegetation surrounding the whole reservoir area. As members know, most reservoirs have a significant amount of native vegetation surrounding the watercourse and the water storage area. Millbrook has a lot of scrub around it, and Mount Bold is no different. I do not think it is a tremendous loss, arguably, of native vegetation to cold burn a handful of hectares along local road corridors to potentially save people's lives, especially where you have thousands and thousands of hectares just across the other side of the road in the reservoir reserve itself.

The member for Heysen and I drove along the road around the perimeter of the reservoir. I can tell members that the fire was hellishly hot. We looked up to the hills where everything was burnt, including big 10-metre trees. There was nothing left of any undergrowth. It was like a moonscape. It was as hot as hell up on those hills. So, that is an issue that the government and the bureaucracy need to address: if the CFS or the local brigades see it necessary to go in and do some cold burning at a minimal level, they should be allowed to do that and not get threatened with some serious consequences.

I want to pick up on an issue that the member for Enfield raised in his role as chairman of the Natural Resources Committee here in the parliament whereby the CFS and landowners have real issues with the Native Vegetation Council in terms of receiving approvals. Even though, arguably, the process has improved in terms of the time it takes for the approvals to be granted, it is my information that it still takes at least three months for those approvals to come through, which I regard as excessive.

Time expired.

Mr PEDERICK (Hammond): I rise to address some issues from the member for Fisher. I think farming practices have certainly improved, especially in the latter years and especially in confronting drought. I address this issue over native vegetation, in support of the member for Finnis, as it affects Kangaroo Island, because it does affect the whole state. There has been good land in the past that has been legally cleared but, because the farmer did not keep up, there has been regrowth. It is good heavy red ground suitable for farming, with no problems of drift, but, due to the way the situation is, that land cannot be opened up again. I think that is a terrible thing to happen, as I speak here today.

In saying that, I also indicate that we need to leave cover on sandhills, we need to have cover along fence lines, so long as it is managed properly, and farmers recognise that, especially in light of the recent droughts of 2002 and the current one we are experiencing. With respect to these fencing issues, some of our farmers are almost in terror of the Native Vegetation Council and the Department of Environment and Heritage when it comes to touching a tree and whether they can legally replace a fence.

An honourable member: Intimidated.

Mr PEDERICK: Yes; absolutely intimidated. They are frightened that they can remove only a metre of scrub line to replace a fence. Anyone who has had anything to do with fencing knows that you have to get in there with tractors and post-hole diggers, etc., to do the job properly. Older members who were involved in clearing country years ago and who have participated in tree planting programs know full well the great resource that trees in the right place can be for a farming operation. However, people need to be able to run their operations without the fear that they will be convicted or penalised just because they replace an old fence that is amongst trees.

I wish to reflect upon fire issues, especially around parks like Ngarkat National Park, Flinders Chase on Kangaroo Island and Messent further down the South-East. My electorate covers about half of the Ngarkat National Park, which comprises quite a few thousand hundred hectares of land, and it is regularly on fire with lightening strikes—it seems to attract lightening strikes—but there never seems to be enough fire break work done around the edge of this park. If you talk to the department, it says that it does not want to run the big scrub roller too wide, it does not want to chain anything down, and fire breaks are the farmers' responsibility.

If farmers all ran with that attitude, we would basically be sued right off the land. It is just outrageous that there cannot be a 60-metre break, just chained, around the edge. I realise rolling a decent break around a park would be too expensive, but if it was chained, so you took that crowning effect out of a fire, it would assist the CFS crews on the edge of the fire. The CFS crews do a great job; they always sit outside a scrub fire because it is sensible. Why risk your life and get trapped in there when you can just sit out on the edge and put it out? However, without adequate breaks it just does not happen. The issue with this is that, as soon as a fire does break out, especially if it is intense because it does not have a decent break, and it is a crowning fire, it just takes off and roars through the farmland.

On about the weekend of 20 to 22 January last year, we had a fire in Ngarkat. The forecast for the Sunday of that weekend was for 90 knot winds which would force the fire

north, out on to the farmland. The local farmers were willing—and one of them especially said, 'Look, I can send my 10 year old boy out with a firelighter, we can do a burn-back and save everything from being caught.' Sure, the scrub was going to go but, guess what? They were too concerned about contravening DEH regulations, the fire came through, tore up the area they were to back-burn, and the fire spread to hundreds if not thousands of acres of Mallee country. One thing we have to remember here is that the second fall-back line for the CFS that day was the Mallee Highway. Friday was about 45 degrees—and I was dealing with a fire on my own property—but no highway was going to stop a fire of that intensity, especially with high temperatures forecast for the whole weekend.

The CFS is a great organisation; I am a member, and many members here are too. I have had it on authority that the CFS can override the DEH regulations on burn-back and that sort of thing. I think there needs to be more clarification on this, an education program, and for CFS members to have the authority to do burn-backs when it is essential, because I know next time it will happen. Farmers lose their fencing and they do not get any acknowledgment from the government on whether it will be paid for or not. I know that since then some agreements have been reached. A farmer who built six foot high fences to keep vermin out has not, I believe to this day, been compensated adequately. In saying that, farmers still need to have adequate protection on their side of the fence. I think more work needs to be done around national parks, and we need more cool burns. Regarding one cool burn at Messent, I think about 25 per cent of it was to be burnt. They had a good burn all right; the troops ended up burning about 75 per cent, so that saved two more trips down there.

Fire is a natural thing. People say parks like Ngarkat have had the guts burned out of it. Someone said that to me on the radio one day when that issue was being discussed. I am well aware of it; I farmed right next to it at a lease property at Tintinara. The issue of scrub fires is huge. The biggest pity is that for some reason, when there is a fire in scrub—and we had another one early this year down our way, and the fires need hitting the next morning to kill them off—the powers that be do not wish to spend the money to send planes in because it is not asset protection, it is just scrub. I can tell members that when those fires come out of the scrub, then it is asset protection, and it hits the fan, so to speak. So, we need to address this huge issue. Some people need to get out of their bureaucratic boxes, come out, have a good drive around and see what goes on in the real world.

Mr VENNING (Schubert): I rise briefly to commend the member for Finnis on raising this matter. As a landowner, I have had a fair bit of experience with native vegetation. Also, having been in this place for some years, this matter has certainly been on the agenda many times. When the Native Vegetation Council was set up, I believe in the first instance under a Liberal government, it was done with every good intention, and it got off to a pretty good start. However, over the years, one by one, people have been changed over and we have had a new type of person getting on to the council, with a more extreme point of view, and we see that here today.

I received a phone call last week from a constituent who had a fire go through her property at One Tree Hill just a few weeks ago. This lady was quite distraught. She has been battling with the Native Vegetation Council for many years. They planted all the trees themselves 30 years ago on a vacant block.

Mr Goldsworthy interjecting:

Mr VENNING: The member for Kavel reminds me that he has met this lovely lady. I take my hat off to her. She is a widow, battling—

Members interjecting:

Mr VENNING: I will not cast aspersions on any of my constituents. She has photographs of the block she and her late husband bought 30 years ago when they planted all these trees; now she cannot touch them or even trim them off the fence line. She cannot put in a firebreak. She cannot sell the property or develop it, because the people on either side of her block were allowed to develop the land into housing. Of course, they now want that space left as open space. We have been here before, haven't we?

This lady has a property she cannot sell, nor can she protect her stock with firebreaks. What can she do? She has been to court so many times. She comes from a family of some means, but I think that the money that has been wasted in courts over the years on this matter is totally regrettable. If you have planted the trees, you should be able to harvest them. They do not want to strip the property, because they love the trees and the animals. They just want to be able to protect their property and their animals from a fire. No doubt the member for Kavel and I will deal with this issue, and all I can say to my constituent is, 'Hang in there,' because I think the worm could turn. She has been bullied for years; a lesser person would have submitted. I will not name her, although the member for Kavel did to me (yes; it is the same person), and I say to her, 'Good on you. We'll do all we can for you.'

Another case in Angaston involved a person who had an excellent record in relation to the environment and native vegetation, and their name is known to many MPs. A creek on her property was full of rubbish and junk, which she cleaned out. She brought in some building fill, filled in the gully, capped it over with dirt and planted some trees. It was beautiful, but along came the EPA and Native Veg and said, 'You can't do that. You can't put building fill in there. You didn't get approval,' and, of course, all hell broke loose.

This woman's record is fantastic. The local Landcare group told me that this poor woman had been vilified—and she had been. That was some 18 months ago, and we had a positive result: we won. However, the woman should never have been put through this. Why did they not have the guts or the courage to ring her or me and arrange an on-site inspection? That would have been the fair thing to do but, oh no, they do her in and have their inspector with his camera on the property, without permission, taking pictures. That is not the way to do things. It is deliberately provocative. The way to do things, particularly when MPs are involved, is to ring them up and arrange to discuss the matter on site.

In relation to roadside vegetation—the main issue raised in the motion moved by the member for Finnis—over the years, as a landowner living on the farm all my life, I understand fire control. I acknowledge how we appreciate our native species, our flora and fauna. If anyone wants to come to my farm, I will show them how my wife and I have had a 15-year program of tree planting. We are very proud of our trees, and we just love them—but I do not love them all. There are some natives I do not like, and one is prickly acacia, which grows over the road like a cancer out of control. When it gets to that point, it becomes very costly to control, and the only way to get rid of it is to push it out with bulldozers and burn it. However, as the member for Stuart will tell you, prickly acacia does not grow on our roads, but

river red gums and many other species of Australian gums do, as do mallees.

Mrs Geraghty: Australians?

Mr VENNING: Australians, yes. The member for Stuart knows that prickly acacia does not grow on some roads. By the letter of the law, if they came up there they would know that they just disappeared and instead would see a beautiful avenue of river red gums.

Debate adjourned.

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

MATTER OF PRIVILEGE

Ms CHAPMAN (Deputy Leader of the Opposition): I rise on a matter of privilege.

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: Mr Speaker, I believe that a member of this chamber—specifically, the Treasurer—has knowingly and deliberately misled the house, and I ask that you rule a prima facie case has been made.

Yesterday the member for Unley asked the Treasurer what he meant when he told opponents of the grandstand at Victoria Park, 'I'll fix you.' In response to the question the Treasurer denied making these comments and denied threatening anyone. He advised the house 'I reject that. I deny that. I have no recollection of that at all, and I will take it up with my legal advisers.' The Treasurer continued to answer the questions and went on to say, 'I did not threaten anybody on that day.'

Today, Mr Speaker, I will make available for your consideration copies of three statutory declarations—

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN:—from three separate witnesses. One is from Mr Hudson, and it states:

At one stage he turned around from the cameras and shouted, 'I'll get you; I'll fix you.'

The one from Mr Groves states:

Mr Foley reacted violently, at one stage threatening members of the public around him stating, 'I'll fix you. You're the rudest group I have ever encountered.'

There is a further statutory declaration from Mr Maxwell that confirms his attendance at Rundle Mall on the relevant occasion and includes the following statement:

I turned, and saw Mr Foley about 4 metres away, speaking aggressively to a group of 2 or 3 people, one of whom was Mr Mike Hudson. Mr Foley was saying words to the close effect of 'If you don't back off I'll . . .', at which point I interjected loudly enough for all present to hear. 'Are you threatening us Mr Foley?' He immediately stopped speaking and turned away.

I will make copies of all three of these statutory declarations available to you, as well as the originals being made available for your inspection, Mr Speaker.

I believe that the Treasurer has knowingly and deliberately misled this house in a way that materially affects our deliberations. In view of the above I ask that you rule that there is a prima facie case of breach of privilege by the Treasurer. Also, I believe that the truth of this matter can only be determined by the establishment of a privileges committee. It will be vitally important that the signatories to those statements (which were signed under oath) be interviewed by you and by the privileges committee. Therefore, I not only

ask you to rule that there is a prima facie case of misleading the house, I also ask you to give precedence to a motion to establish a privileges committee to examine the question of whether the Treasurer did mislead the house on 7 March 2007.

The SPEAKER: I will look at the information that the deputy leader wishes to provide to me and report back to the house. However, I would like to point out that matters of privilege should be brought to the house at the earliest opportunity. The house has been sitting since 10.30 a.m. and the deputy leader was in the chamber earlier today. It is something that should be brought to the house straight away rather than later on in the day. I will consider the matter and report back to the house.

Ms CHAPMAN: I would like to raise a point of order, Mr Speaker. For clarification, the third statement I referred to today came to my attention about one hour ago, and it has been included.

The Hon. P.F. Conlon: That's not a point of order.

The SPEAKER: Order!

QUESTIONS ON NOTICE

The SPEAKER: I direct that the written answers to questions as detailed in the schedule I now table be distributed and printed in *Hansard*: Nos 144, 154 and 155.

SCHOOLS, ST JOHN'S GRAMMAR

144. **Mr HAMILTON-SMITH:** Why was funding for a pedestrian activated crossing on Upper Sturt Road—Belair, near St John's Grammar School, not included in the 2006-07 Budget and will it be included in the next Budget?

The Hon. P.F. CONLON: The Minister for Road Safety provides the following information:

The Department for Transport, Energy and Infrastructure (DTEI) has advised that this project was submitted for consideration of funding in the 2006-07 financial year. Due to other competing priorities, this project was not successful in securing funding.

DTEI has advised that this project will be re-submitted for consideration of funding in the 2007-08 financial year.

VEHICLE LICENCES

154. **Mr HAMILTON-SMITH:** What arrangements are in place to verify the identity and bona-fides of people applying for motor vehicle licenses and photo identifications, particularly where the applicant is non-english speaking?

The Hon. P.F. CONLON: The Minister for Road Safety has provided the following information:

Non-English speaking licence applicants have to meet the same Evidence of Identity requirements as English speaking applicants to verify their identity and residential address.

On 9 October 2006, the Department for Transport, Energy and Infrastructure introduced the National Transport Commission *Guidelines for Evidence of Identity* for driver licensing and vehicle registration transactions. The guidelines are a national initiative developed to reduce the incidence of identity fraud and are an enhancement to previous evidence of identity requirements for the issue of a drivers licence.

Where a person applies to convert an overseas driver's licence to a South Australian driver's licence they are required to meet full evidence of identity requirements. This involves a minimum of three identity documents, one to establish identity, one to establish the identity is used in the community and one to confirm residential address.

Foreign birth certificates are not accepted as an evidence of identity document as their authenticity cannot be verified. In addition, where a foreign licence is written in a language other than English, an official translation of the licence must also be produced.

RAIL CROSSINGS

155. **Mr HAMILTON-SMITH:** How much funding will be allocated to upgrading rail crossing safety in rural areas and what is the priority of the work to be undertaken?

The Hon. P.F. CONLON: The Minister for Road Safety has provided the following information:

Approximately \$1.3 million has been allocated for safety improvements at eleven rail crossings in rural areas. Priorities for level crossing improvements are determined on the basis of risk score through use of the nationally adopted Australian Level Crossing Assessment Model (ALCAM). The crossings to be improved are in order of their ALCAM score.

INDONESIA AIR CRASH SUPPORT

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

Leave granted.

The Hon. M.D. RANN: I join with all South Australians to express my deepest sympathies and to send my condolences to the victims of the tragic air crash in Indonesia yesterday morning. This disaster occurred in Yogyakarta on the island of Java many thousands of kilometres from Adelaide. But this tragedy has reverberated across our nation and, indeed, across our state. As a nation with a relatively small population, a tragedy such as this affects not just a single state or city but the entire community, and I am well aware that many South Australians are close friends of those who are missing. Up to 22 people are missing and presumed dead from this crash. Among them five Australians are missing. Another three Australians are battling severe physical injuries, including serious burns, as well as having to deal with the incredible trauma of having been involved in such a devastating accident. Fortunately, two other Australians have escaped this ordeal with relatively minor injuries. Some survivors have terrible injuries, with many suffering bad burns from the fire that erupted when the plane crash-landed.

As part of a national coordinated effort, South Australia is playing an important role in this campaign. While all other states have medical teams on standby, the only state that has been asked to send their medical team to Darwin to help burns victims is the team from South Australia. All South Australians will know of Dr Bill Griggs and his tremendous work both in Adelaide and overseas in helping people in times of great need. He is internationally recognised. Dr Griggs is the head of the trauma unit at the Royal Adelaide Hospital. He is also a reservist with the Royal Australian Air Force. This distinguished South Australian has a proud history of pitching in, in true Australian style, and he has previously been awarded an AM for his humanitarian work.

When victims of the 2002 Bali bombings began arriving in Darwin for urgent medical treatment, Dr Griggs was there providing his expertise. He also travelled, I am told, to the devastated Banda Aceh following the 2004 tsunami to provide emergency treatment on the ground. Dr Griggs and the eminent Western Australian burns specialist and former Australian of the Year, Dr Fiona Wood, have been sent to Yogyakarta to treat the survivors of this latest tragedy. Dr Griggs was diverted to Indonesia yesterday from East Timor where he was serving with Australian defence personnel.

Meanwhile, a burns team from the Royal Adelaide Hospital, headed by burns surgeon Dr John Greenwood, would have just arrived in Darwin to provide expert treatment for survivors. Dr Greenwood, the director of the Royal

Adelaide Hospital's burns unit, also worked on Bali bombings victims at the RAH and was honoured for his work with a member of the Order of Australia. He is joined by Dr Roger Capps, a senior anaesthetist at the Royal Adelaide Hospital. He was also a member of the South Australian team that travelled to Banda Aceh after the tsunami. The team also includes nurses Stuart Harper and Cassie Purvey who work in the burns unit. We have an outstanding internationally recognised burns unit here in Adelaide, and I think it is very significant that they have been asked by commonwealth authorities to immediately deploy to Darwin to assist with burns victims.

We also have another team of doctors and nurses, Australian Defence Force medical reservists, on standby to travel to Darwin to assist if required. I understand that they come from the Lyell McEwin Hospital and the Flinders Medical Centre. These very dedicated doctors and nurses take with them the best wishes of all South Australians. We hope their expertise and skills can help the victims in their battle to survive and guide them towards recovery.

After the Bali bombings I visited the Royal Adelaide Hospital burns unit where I saw the immense dedication of a team that was working round the clock to save the lives of people who others had said would not be able to survive. One year later, I visited the burns unit again for an anniversary commemoration and met with burns victims who at that stage were at the edge of their life and who were all commending the burns unit for saving their life. I think all South Australians can be very proud that our doctors and nurses are volunteering to assist at this tragic time.

EDUCATION WORKS

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 rise today to inform the house of the government's next steps in our long-term plan to provide the highest quality education for all South Australian children. As members may recall, I advised the house last September of a range of measures taking place under the umbrella of our Education Works initiatives. Overall, Education Works involves a massive investment of \$216 million into our schools and preschools. This is an investment in brand new and improved schools; it is an investment in the future of our children. In addition, we are investing in new trade schools and new children's centres for families and young children. This is a significant investment to improve opportunities for children by creating better schools and preschools after years of neglect by the former Liberal government.

Education Works also involves working with school communities to develop more creative and effective services. In doing so, savings will be ploughed back into schools and preschools. The result will be better opportunities for children, both now and for future generations. This is a central objective of the South Australian Strategic Plan. The Education Works measures will help to reform and renew South Australia's education system by building on the many successes already occurring in local schools and preschools.

Every time I visit schools and children's services, I come away inspired by the many innovative ways in which teachers and other staff help children to develop, learn and build the skills and values they need for the future. Through Education

Works, we seek to broaden school subject choices, especially where local demographics have changed over time and there are insufficient students to provide real choices and opportunities. We also want our schools to be better connected to other services for children and families, and this is the approach Education Works is taking.

There are two major elements at the heart of this program. The first involves working with school and preschool communities in Adelaide's northern and western suburbs to establish six brand new schools. It is worth telling the house that, at this stage, 17 communities have demonstrated their confidence in this program by voting for their schools to be part of the new school communities and, for that to occur, for the old schools to close. School and preschool leaders and governing councils will contribute to planning as we work forward during the next few months towards planning the building of those schools over the next five years.

The second major element involves an invitation to all schools and preschools across the state to examine how we might better deliver local services to children in a more effective, efficient and creative manner. To support this invitation, the government will re-invest up to \$82 million in savings to improve schools and preschools. This stage of Education Works may see some schools combine with others; it may occur by reconfiguring and improving a range of services on to school grounds. However, I make it clear that our government will not force a single school to close without the support and the decision-making of a local community, unlike the Liberals—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: —who closed more than 60 schools with no consultation.

Members interjecting:

The SPEAKER: Order! I warn the members for Morphet and MacKillop.

The Hon. J.D. LOMAX-SMITH: However, I make it clear that, as part of this program, our government will not close a single school without consultation and the full agreement of the school communities, unlike the previous Liberal government.

Dr McFETRIDGE: On a point of order, Mr Speaker, the statement made by the minister that the Liberals did not consult is not true; we consulted.

The SPEAKER: Order! There is no point of order. If members take frivolous points of order, I will name them. The Minister for Education.

Mr WILLIAMS: Point of order, Mr Speaker.

The SPEAKER: The member for MacKillop is really risking things. Are you sure that you want to take this point of order? It had better be a good one.

Mr WILLIAMS: Yes, sir. The minister has been given leave of the house to make a ministerial statement, which does not give her leave to debate, and I believe the minister is straying into debate.

Members interjecting:

The SPEAKER: Order! There is nothing in the standing orders to prevent ministers debating; they are given leave of the house. It is only in answering questions that ministers are not permitted to debate. The member for MacKillop might want to check the standing order.

The Hon. J.D. LOMAX-SMITH: I will repeat that we will not close schools without the support and consultation of the local communities. Unlike the Liberals, where schools were closed, our approach is to listen, consult and work with

school communities to improve the schools and services locally. For example, we will be investing funds back into the three small regional schools, namely, Farrell Flat Primary, Raukkan Aboriginal School, and Meningie Area School, following the consolidation of smaller schools. We will be supporting the activity that has occurred with Narrung Primary, which has closed, and the students' relocation to either Raukkan or Meningie. As I said, we will not close schools without full agreement of the communities. We have had 17 of the local communities, which will form the basis of our six new schools, vote to be part of that program. As we take the next step I am confident that many more communities across South Australia will contribute to improving services as we work together to reinvest, revitalise and rebuild public schools in this state after many years of previous neglect.

PAPER TABLED

The following paper was laid on the table:
By the Attorney-General (Hon. M.J. Atkinson)—
Legal Services Commission of South Australia—Report
2005-06, Erratum.

QUESTION TIME

UNPARLIAMENTARY LANGUAGE

The Hon. I.F. EVANS (Leader of the Opposition): Will the Treasurer now apologise for calling the Deputy Leader of the Opposition a 'bitch' during yesterday's parliamentary sitting? Yesterday, three members of the opposition heard the Treasurer use that term to describe the deputy leader.

The Hon. P.F. CONLON (Minister for Transport): Can I say—I think it is one of the most disgraceful things I have seen in the house—that at the time in question I was sitting right next to the Deputy Premier; I did not hear any such thing. There were three women sitting behind the Deputy Premier who did not hear any such thing. One was the member up there. Can I say, too, that the only member at the time who claimed to hear it had just finished a conversation with the member for Mawson where he explained to him he was 30 per cent deaf in one ear. Now, I do not know what Mr Pengilly thought he heard, but I sat right next to the Deputy Premier; no such comment was made. The member for Torrens sat right behind him and heard no such comment; the member for Bright was sitting behind him and heard no such comment. I find it extraordinary that somebody 30 per cent deaf could hear something that we couldn't hear sitting right next to him.

This is just another piece of slur. They have not been able to win an issue; they have not been able to win an argument; they have not been able to recover in the polls; they have not been able to control their own president. I mean, if you want to talk about people calling people names—what was it—'weak and gutless', and we cannot use some of the other words. The fact is that they have not been able to win an issue so they are engaged in what they do best: slur, slur, slur. They are a bunch of grubs and they should all apologise.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! Any use of pejorative terms should not be used. The Minister for Transport knows full well that that language is unparliamentary.

The Hon. P.F. CONLON: I apologise, sir.

The SPEAKER: I will not give warnings and simply ask members to withdraw when they use unparliamentary language.

COMMON GROUND PROJECT

Ms THOMPSON (Reynell): Can the Minister for Housing update the house on the progress of the Common Ground project?

The Hon. J.W. WEATHERILL (Minister for Housing): I am delighted to update the house on an announcement we were able to make this morning, together with the Premier, Monsignor David Cappo and Mr Theo Maris, the chair of the Common Ground Adelaide. This group has been formed—a group of eminent business people have come together—partnering with government and the non-government sector to engage in this innovative new project. It revolves around the purchase of a landmark building on Light Square that will be redeveloped to become Common Ground Adelaide. Common Ground is inspired by our Thinker in Residence, Roseanne Haggerty, who set up an innovative model to tackle homelessness in her home city of New York, and it has spread all across the American continent.

Roseanne has visited Adelaide twice to give us her ideas about reducing homelessness, including the Common Ground proposal and her final report, 'Smart Moves: Spending to Saving, Streets to Home' was also released today. Common Ground is recognised internationally for its effectiveness in housing people who have been chronically homeless and people with complex health issues or a disability. What separates Common Ground from traditional processes for homelessness is that it builds a community, which includes stable housing for a range of people with different needs and abilities, but it also provides on-site support services.

The development of the former Sands and McDougall building in Light Square will be the first capital project as part of Common Ground Adelaide Limited, a partnership between the state government and these business leaders. The development itself will comprise 60 long-term units for homeless people and low income earners. The government has provided \$5 million to kickstart the Common Ground project, and we are already raising further funding from a range of sources—cash donations and, importantly, in kind donations from law firms, architects, builders and a whole range of people with whom we are trying to build partnerships. Adelaide City Council has indicated that it is prepared to come on board with contributions of noise attenuation material and some works providing some private open space in and around these facilities. Half of the facility will provide long-term accommodation for previously homeless people, while the other 30 units will be available for low income earners such as students, artists and hospitality workers—the sort of people who need affordable accommodation in the city.

Pending planning approval, the first stage of the development is expected to be completed by the end of the year and will involve the refurbishment of the current heritage listed building to provide 40 units, and stage 2 of the development will include the construction of a new building with 20 units on top of what is an existing car park area, which we hope will be finished by the end of 2008.

As the Premier said at the announcement this morning, Common Ground has captured the essence of the South

Australian Strategic Plan, which set a number of targets around our state and, importantly, halving homelessness was an important target. That plan called for a whole of community effort, and what is so pleasing about this new initiative is that it brings in a whole range of partners who have never collaborated before. It is an innovative new project and deals with one of the most important entrenched social policy issues—homelessness—and I am very proud to have been part of the launch today.

MINISTERIAL STANDARDS

The Hon. I.F. EVANS: Given the behaviour of the Deputy Premier yesterday, using language in the house such as ‘grub’ and allegedly ‘bitch’ and the Deputy Premier’s aggressive behaviour towards many individuals and lobby groups, can the Premier explain how the behaviour of the Deputy Premier remains acceptable under the Premier’s ministerial code of conduct?

The Hon. M.D. RANN (Premier): I know that you will listen to me in absolute silence, because the people of South Australia would not only insist but demand that we behave in a way that is befitting the conduct of parliamentary business. Last night this house dealt with what I regard as one of the most important pieces of legislation that we have dealt with in a long time, climate change legislation, which puts us into a world leadership position. I was appalled by the behaviour and insulting remarks of members of the South Australian Liberal opposition. This was an important issue and you decided to act like kindergarten kids, and that is unfair to kindergarten kids. My plea to all members of parliament is: calm down and cool it.

Mr PISONI: On a point of order, I participated in that debate yesterday and I did not hear any of that.

The SPEAKER: There is no point of order.

The Hon. M.D. RANN: Yesterday, under the cover of parliamentary privilege, it was alleged that somehow on television the Deputy Premier acted violently. That means to assault someone. I happen to believe that, if the Deputy Premier had acted violently and assaulted someone in front of television cameras, that would have led the national news. That is clearly untrue. That is clearly misleading this parliament. That is clearly putting something down on paper that is patently an act of perjury. To accuse the Deputy Premier of assaulting someone in front of television cameras—does the opposition honestly believe that the media in this state would not use that vision? I think that it is very important for all members of parliament to remember that they are elected by the people of South Australia, and to calm down and cool it and concentrate on the real issues.

ARTS, MAJOR EVENTS

Ms CICCARELLO (Norwood): Will the Premier advise the house about major arts events for the coming weeks?

The Hon. M.D. RANN (Minister for the Arts): It is good that we are dealing with real issues rather than made-up issues. Today is the first day in over three weeks of artistic festivities, with the opening party of the Fringe Festival tonight and the 15th WOMAD opening tomorrow night. During the 2006 election campaign, I announced that under a re-elected Labor government the Adelaide Fringe would become an annual event. Starting tonight, this is the first annual Fringe, and already the annual format is proving to be a success. A few years ago, in 2002 or 2003, I went to

England and signed an agreement with Thomas Bruman of WOMAD to get an annual WOMAD in South Australia. At the time critics, including some leading arts commentators, derided this, that this would destroy WOMAD and that attendances would go down.

In fact, attendances went up massively and the annual WOMADelaide continues to gain momentum, not only in public acclaim but also in critical acclaim and attendances. I am hopeful that we will get the same response with the Fringe going annual for the first time. This year the Fringe consists of more than 400 events, 323 of which are performing arts events and 83 visual arts exhibitions. Having achieved an amazing reputation right around the world, the event is now attracting performers from far and wide. A strong contingent of 60 events has been registered from countries such as Portugal, Japan, Ireland, Italy, Canada, the USA, the United Kingdom and more. However, most importantly, the Fringe is playing an important role as a platform for our local emerging independent artists.

A total of 346 Australian artists have registered, 219 of whom are from South Australia. It is an incubator for local talent. Comedy, music, cabaret, dance, theatre, literature and exhibitions will dominate the line-up. However, there will be a number of other events during the Fringe. The Fuse Festival, FreshBAIT, the Future Music Festival, Share-HOUSE—a program where artists share skills with each other—WORKhouse—a program of master classes for the general public, the fabulous new opening night party—and I am hoping to see all members of parliament there: maybe they could put the events of the past few days behind them in the spirit of shared celebration and fellowship—and the Adelaide International Busking Festival will all contribute to making the Fringe a rich tapestry of events.

Festivals are worth millions of dollars to the local economy. As well as supporting our tourism industry, they showcase our local artists, helping them to find audiences and providing employment for many arts workers. As Melvin Mansell wrote in *The Advertiser* of 13 July 2006:

These major artistic festivals give Adelaide a major international flavour, attract thousands of visitors and, deservedly, make South Australia the festival state.

In 2006 I am advised that Fringe audience numbers totalled almost 908 000 for ticketed and free events, and it is pleasing to note that around a third of these people were attending a Fringe event for the first time. Tickets for this year’s event went on sale on 1 February, and advanced sales have been booming. To date, a massive 60 000 tickets have been sold—30 per cent above the festival’s own estimates for this point in time. Indeed, several shows have already sold out, including Dylan Moran, Chopper and *Baby Rave*, the dance and music event for children under four years of age.

What is more, a number of acts have not been able to wait until the official start of the festival, with the Garden of Unearthly Delights opening in Rundle Park on 1 March, and it was great to be there with the rap dancers and hip hop people late on Friday night.

Mr Koutsantonis interjecting:

The Hon. M.D. RANN: No; I offered to do the twist. The festival excitement does not stop there. For three nights and two days from tomorrow, the green and normally tranquil Botanic Gardens will be the venue of a great coming together—the explosion of sound, colour and sensuous movement that is WOMADelaide. The temporary Global Village within Botanic Park will offer up nothing short of a banquet—performances by more than 300 artists from 20

countries on six stages; various forms of roving entertainment; a rich visual arts program; fascinating workshops; and so many other things to nourish the head and the heart.

It is the 15th anniversary of this wonderful event in Adelaide. Figures recorded for the 2006 event showed that there were a record 75 000 attendances at WOMADelaide last year—28 per cent higher than the previous year. So much for the doomsayers who said it would be a flop if we made it annual! WOMADelaide organisers are set to do it again this year, with the festival set to smash its own attendances record. At this stage, ticket sales are tracking well above where they were at the same time last year, which was the record year.

We expect a major influx of visitors from interstate and overseas for the event as well. Of the spectators last year—and this is very important for all members interested in tourism—10 270 were visitors to South Australia from interstate or overseas, 78 per cent of whom would not have made the trip to Adelaide if it was not for WOMADelaide. That is big for local restaurants, hotels, motels, clubs, discos, karaoke bars (where you might find the Minister for Infrastructure and me) and also, of course, local pubs.

WOMADelaide is just one of the brilliant blend of major events happening in South Australia this March, with the Adelaide Fringe and 2007 World Police and Fire Games also set to entertain and enthral locals and visitors alike. Last night, during an extraordinary performance while debating the climate change bill, I thought that, perhaps, we should have played Barry Manilow music to calm down the opposition, because I understand that is what is being used by Queensland councils to stop riots!

VISITORS TO PARLIAMENT

The SPEAKER: I neglected to mention earlier the presence in the chamber today of students from Our Lady of the Sacred Heart College, who are guests of the member for Enfield; students from Naracoorte South Primary School, who are guests of the member for MacKillop; and students from the Adelaide Language Centre, who are guests of the member for Adelaide.

MEDICAL EQUIPMENT

Ms CHAPMAN (Deputy Leader of the Opposition): Why did the Premier announce during last year's state election that his government would buy a \$2.9 million cardiac MRI for the Royal Adelaide Hospital when the specialists in this field did not ask for it and had not identified this piece of equipment as a priority for cardiac clinical services?

The Hon. J.D. HILL (Minister for Health): This issue has been raised a number of times by some of the cardiologists who have different views to those at the RAH. I am advised that this is an important piece of equipment, and it will be well used. Unfortunately, there are various points of view amongst the clinicians who deal with this issue. Some believe that it should have been placed in another location. However, it is the view of the government that, based on the best advice through the department, this is a good decision.

KNOTT, Mr J.L.

Ms SIMMONS (Morialta): Will the Attorney-General inform the house about the judgment handed down this

afternoon by the Court of Criminal Appeal against John Leonard Knott?

The Hon. M.J. ATKINSON (Attorney-General): John Leonard Knott's horrific home invasion at Mount Osmond in 1998 prompted a public outcry led by the late Mrs Ivy Skoronski. Tens of thousands of South Australians petitioned the then Liberal government to change the law so that breaking into a home, knowing that the occupants were present or being recklessly indifferent as to whether the occupants were present, should be a separate and more serious crime than simple break and enter. The heinous crime shocked the public and, together with Ivy's campaign, led to a change in the law. The effects on the prison population of that change in the law was seen after the Rann government came to office.

Mr Williams: One more prisoner.

The SPEAKER: Order!

The Hon. M.J. ATKINSON: I am sorry that the member for MacKillop does not treat this matter with due seriousness. Knott broke into the Mount Osmond home of Grantley and Jill Hall in November 1998 by smashing his way through the couple's dining room window. He was wearing a stocking mask and was armed with a hammer. Knott robbed the couple, tied them up, held them captive that way for seven hours, then bludgeoned them with the hammer causing terrible injuries to them both. Knott was caught by police in 2002 using DNA evidence. On 2 November last year, Knott was sentenced by Her Honour Judge Marie Shaw in the District Court. The sentence imposed by her honour was six years and three months head sentence with a two years and three months non-parole period, taking into account that Knott had already spent nine months in custody before his release on bail.

After my request last year for a report on this matter, the Office of the Director of Public Prosecutions informed me that the judge's starting point for the sentence was 11 years. Judge Shaw then reduced the 11 years to 8½ years for Knott's plea, his remorse and his willingness to cooperate in the course of justice—a discount of about 22 per cent. Judge Shaw then reduced the 8½ years to seven years on account of the totality principle and that this sentence should be partly concurrent with Judge Muecke's sentence for Knott's prior conviction for a crime subsequent to the Mount Osmond home invasion. The Office of the DPP told me that it intended to appeal the sentence imposed by Judge Shaw.

The Hon. M.D. Rann: And quite rightly so.

The Hon. M.J. ATKINSON: The Premier says 'quite rightly so'. The appeal was lodged on the basis that the sentence of seven years failed to reflect the seriousness of two armed robberies and falsely imprisoning two people in their home for seven hours and then beating them with a hammer and causing skull fractures to them both. The Office of the DPP told me that in its opinion her honour had erred in using the totality principle to reduce further the sentence beyond what was necessary and that Judge Shaw failed to give adequate weight to the principle of general deterrence given the nature of these offences. The Office of the DPP also advised that it was their view that the sentence pronounced by Judge Shaw failed to maintain standards of punishment for offences of armed robbery and offending of this nature.

The Premier and I expressed disappointment with this sentence at the time, and it is my view that this sentence was certainly at the extreme lenient end of the spectrum. I am pleased to say that the Leader of the Opposition agreed with

me at the time and, indeed, referring to an interview on ABC Radio, David Bevan said:

Your Leader, Iain Evans, is quoted in the paper this morning as saying 'The sentence was inadequate on the face of it and an appeal should be lodged urgently'. Do you agree with your Leader?

Isobel Redmond then said:

No. I hadn't had a chance to talk to Iain before that comment was made and I can fully understand that anyone seeing that result would expect that an appeal should be lodged but I think that again is something that the DPP needs to consider.

Abraham said:

So you need to give him a little basic lesson in the law?

Isobel Redmond responded:

Well no, I don't want to give Iain a basic lesson in the law, I think he's responding in terms of what any member of the community might think and my job as Shadow—

Abraham said:

Well he's the Leader of the Opposition.

Isobel Redmond said:

That's right but my job as the Shadow Attorney-General. . .

And it went on. I am pleased to say that, after the news, the opposition leader rang in and recanted. This afternoon, the Court of Criminal Appeal heard the appeal against Judge Shaw's sentence—

Mr Goldsworthy interjecting:

The Hon. M.J. ATKINSON: No, that was a direct quote. I am pleased to tell the house that Knott's head sentence was increased to 12 years and nine months and his nonparole period increased to 8 years gaol. That is an increase of nearly double the original head sentence and more than double the original nonparole period. The system has worked.

Members interjecting:

The SPEAKER: Order! I will wait until there is order before I call the Deputy Leader of the Opposition.

MEDICAL EQUIPMENT

Ms CHAPMAN (Deputy Leader of the Opposition): Given that the Queen Elizabeth Hospital has had a cardiac MRI imager since 2001 and has established a recognised team of specialists, how is it that the Premier claimed during the March 2006 election that the Rann government's purchase of a cardiac imager for the Royal Adelaide Hospital would be the first ever cardiac imager in a public hospital in this state and that the Royal Adelaide Hospital was the only hospital with internationally recognised expertise in this developing field?

Members interjecting:

The SPEAKER: Order! I will wait for order before I call the minister.

The Hon. J.D. HILL (Minister for Health): The deputy leader shows an extraordinary attitude to her questioning in relation to health issues. I think that, during the previous week that we were sitting, she asked me a series of questions in relation to mental health, and I kept telling her, 'No, I am not the Minister for Mental Health, but I will get advice'. Today she asks questions about health, but not to me, the Minister for Health, but to the Premier. I just make it clear that I look after the health issues. My colleague minister Gago looks after mental health issues and the Premier—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —looks after his issues. I am disappointed that the Deputy Leader of the Opposition

continues to attack the great work that occurs in the hospitals in South Australia, particularly by the specialists in our hospitals. As a government, we are investing heavily in the health system of South Australia. In the most recent budget we announced an extra \$640 million of activity and capital works in our hospitals. I am proud of our achievements in this area. I am particularly proud that we are investing very heavily in the world-class cardiac team at the Royal Adelaide Hospital.

NORTHERN EXPRESSWAY

Mr PICCOLO (Light): My question is to the Minister for Transport. Has the department had discussions on an option for a new road west of Port Wakefield Road described by the opposition as a 'secret plan'?

Mr Hamilton-Smith: It's the first we have heard of it.

The Hon. P.F. CONLON (Minister for Transport): And he confirms it. He says it is the first they have heard of it. They were his words. Oddly enough, there have been some discussions on this road, and I will come to all those in a moment. But, understand, sir—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: Sir, the behaviour has been so good up till now. I do not know what it is. I try to be good myself, but they just provoke me. As usual, the member for Waite, who is such a stickler for accuracy, was in here yesterday trying to convince everyone that there was some secret conspiracy to build a new road. He did not quite explain why it would be a conspiracy, but there was some kind of clandestine plan to build a road. The problem was—

Mr Hamilton-Smith: Why didn't you fess up to it earlier?

The Hon. P.F. CONLON: Please, everyone, take note: why didn't I fess up to it earlier? Please take note of that interjection, as well. But I will start in estimates last year when the member for Waite asked me about the changes to the scope of the Northern Expressway. One of the things I said to him was this—

Mr Hamilton-Smith: And you fudged it then, too.

An honourable member: Very rude.

The Hon. P.F. CONLON: They are very rude. I stated:

Changes have been made in the Port Wakefield section because I am advised there is contemplation of future works on Port Road.

There is the secret. I am not very good at keeping a secret, am I? But, since then—

Mr Hamilton-Smith: That was very illuminating.

The Hon. P.F. CONLON: No, wait for it: it was not very illuminating and it has been kept from him. No-one has told him, no-one knows about it, and it has all been a big secret. On 30 January this year the departmental officials met with the Committee for Adelaide Roads, the RAA, the South Australian Road Transport Authority and Business SA and discussed a range of possible future AusLink projects, including a new road west of Port Wakefield Road. It is not such a well-kept secret so far, is it? But, of course, the member for Waite will tell you they are all Labor stooges— Business SA, the RAA, SARTA, and the Committee for Adelaide Roads. It is a pretty good secret. But wait for it. As far as I recall, there is a coalition government in Canberra. It may not be there in a few months, but that is as far as I can recall. On 18 February we wrote to the federal Minister for Transport, Mark Vaile, and sent him a list of projects we thought might be considered future AusLink programs,

including a new road west of Port Wakefield Road. The fact that the member for Waite does not—

Mr Hamilton-Smith: And how much will that cost, Pat?

The Hon. P.F. CONLON: It is not a secret now: how much does it cost?

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Sir, can I say that claim was made yesterday as well, and it is utterly false. The reason we changed the work—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: It is utterly false. The reason we changed the works on Port Wakefield Road is we contemplated we might—

Mr Hamilton-Smith: Because you wouldn't admit to a \$150 million figure.

The SPEAKER: Order!

The Hon. P.F. CONLON: It is because we contemplated that we might do something else altogether, and this is it. We contemplated we might do something else altogether.

Mr Hamilton-Smith: Contemplated!

Members interjecting:

The SPEAKER: Order! Members on my left will come to order.

The Hon. P.F. CONLON: What is not known, Sir, is that I am actually a very peaceful, humble and sensitive man, and it pains me that I have to yell above the rabble all the time. The other conspiracy was that this was trying to avoid something else, although I did not quite follow it. The principal reason we have looked at this, and one of the principal reasons, I am advised, we moved it up a list of priorities is that the commonwealth is keen on it. It is not that I am running around changing things to fool Marty. The commonwealth is keen on it. I think it is has been demonstrated clearly that we are not keeping secrets.

Can I explain to the member for Waite that the fact that he does not know about it is not because we kept it secret: it is because the Committee for Adelaide Roads does not talk to him, SARTA does not talk to him, and the RAA does not talk to him. How is it a secret? What is abundantly obvious is that his federal colleagues do not speak to him. This is simply another example of the member for Waite sliding into this place, misrepresenting the facts and trying to slide out again, and that is all he is good for.

Members interjecting:

The SPEAKER: Order!

MEDICAL EQUIPMENT

Ms CHAPMAN (Deputy Leader of the Opposition): Why did the Premier announce during the 2006 election that his government would buy a \$4.7 million PET/CT scanner for the Flinders Medical Centre, when this piece of equipment had neither been identified as a priority nor even been requested?

The Hon. J.D. HILL (Minister for Health): The Deputy Leader of the Opposition asks a number of questions based on statements that she avers to be the truth. However, from past experience with the Deputy Leader of the Opposition, we know that her knowledge of the truth is often a very dubious one. Let me give a couple of examples. In the past couple of weeks, the Deputy Leader of the Opposition has put out a couple of press releases which did not make the light of day because they were so substantially incorrect. One of them had a headline that one of our hospitals had chopped the wrong

leg off a patient. That was totally and absolutely untrue. It was an absolutely baseless claim made by the Deputy Leader of the Opposition, but what was the headline of the press release?

The other press release that springs to mind was made last weekend, I think, when the Deputy Leader of the Opposition breathlessly came out and said, 'I have found the 20th victim of E. coli disease.' It turns out that the poor fellow in question, in fact, had salmonella poisoning. The Deputy Leader of the Opposition was alleging that this guy's doctor had reported it to the Department of Health, which had done nothing about it. Well, he had not reported it. We followed it up and discovered that it was salmonella poisoning, not E. coli. It was completely false.

With respect to the issue of equipment for hospitals, if the deputy leader seriously thinks that the minister and his personal staff sit around deciding which pieces of equipment go into which hospitals, she is totally deluded. All the advice about the pieces of equipment that were identified during the election campaign for placement in hospitals came from clinicians; it came from within the department. That was the advice to us about what was required, and that is what we said we would commit to.

WOMEN'S ISSUES

The Hon. L. STEVENS (Little Para): My question is to the Minister for the Status of Women. On this International Women's Day, can the minister advise the house about how the government is responding to issues that have a particular impact on women?

The Hon. J.M. RANKINE (Minister for the Status of Women): Today is a day that has been observed since the early 1900s. It began in 1908, I think, with 15 000 women marching through the streets of New York demanding, amongst other things, shorter working hours, better working conditions and better pay. I think it is worth noting that, nearly 100 years on from that first International Women's Day march, these concerns are still reflected in today's society. As I mentioned to the house on Tuesday, the impact of the Howard government's WorkChoices reforms on wages, conditions and working hours is becoming increasingly apparent, and it is a blight on the current federal government that women are still being the hardest hit.

Women's safety is a priority for this government, and I have also talked about that on a number of occasions. As part of our women's safety strategy, we are committed to a comprehensive review of our rape and sexual assault laws and our domestic violence laws. Today the Attorney-General and I released a discussion paper prepared by Maurine Pyke QC in relation to our domestic violence laws, and we would invite and encourage submissions from all those directly involved. We are servicing those women who have been subjected to domestic violence, but I also encourage those who have suffered domestic violence, who know only too well the impact of the trauma on their lives, to at least give us their stories so they can be part of reviewing the laws that we should have in this state.

Today I also launched a new campaign, coinciding with International Women's Day, targeting young women with the message, 'Protect your drink. Don't get spiked'. It is the theme for 10 000 coasters which, with the assistance and support of the AHA, we are having distributed throughout our pubs, clubs and Fringe Festival venues.

A project undertaken by the Australian Institute for Criminology identified that, in a 12-month period, something like 3 000 to 4 000 incidents of drink spiking occurred and about a third of those incidents involved sexual assault. That is over 1 000 incidents in a 12-month period. These figures, however, probably underestimate the extent of drink spiking for a number of reasons, the least of which is a high level of under-reporting of these incidents.

The message we are promoting (to young women in particular) through this campaign is to be alert, to be assertive, and to protect your drink and the drinks of your friends but, equally, if you do experience drink spiking do not hesitate and do not be embarrassed to report it. The coasters are just the first step in a targeted campaign to raise awareness about women's safety issues throughout South Australia.

As this house well knows, the Rann government has a proactive legislative agenda that focuses on women's safety, and I am delighted that we are also able to announce, as I said today, the review of our domestic violence laws. International Women's Day is about the rights, welfare, prosperity and amazing achievements of all women across the world, but it is also a timely reminder of the challenges that women continue to face, some of them old, some of them new.

MEDICAL EQUIPMENT

Ms CHAPMAN (Deputy Leader of the Opposition): Is the Premier aware that the \$4.7 million for the PET/CT scanner to detect a variety of cancers (which the Minister for Health has just told us is so important and necessary and which the Premier announced for the Flinders Medical Centre during the March 2006 election) has been diverted to purchase a cardiac MRI instead?

The Premier's election policy document entitled '21st Century Hospitals', states:

A 2005 commonwealth review of PET/CT services highlighted the need for a second scanner in South Australia.

We are now informed that this was never a priority for the Central Northern Adelaide Health Service, which is why, in November last year, the Flinders Medical Centre actually sought to divert the \$4.7 million to be able to purchase a cardiac MRI, because it was their priority. I am also informed that the purchase of the cardiac MRI for the Flinders Medical Centre has now been approved and is currently proceeding to tender, without any business case for an additional cardiac MRI being presented to Cardiac Clinical Services.

The SPEAKER: I do not think the explanation did anything to explain the question any further.

The Hon. M.D. RANN (Premier): If I can just encapsulate this: it appears that the Deputy Leader of the Opposition is now attacking the government for investing hundreds of millions of dollars more into our health system and for buying the latest equipment for our health system. I guess I should not be surprised by that, because when they were in government they cut beds and they wanted to privatise our hospitals. Therein lies the difference. People have a clear choice: from this side of the house the Liberals wanted to privatise our hospitals, cut beds, and have substandard equipment. By contrast, we are investing hundreds of millions of dollars more into our hospitals and buying the world's latest equipment. The reason that we are purchasing the world's latest equipment for our hospitals is that we believe the people of this state deserve it.

Ms CHAPMAN: My question is to the Minister for Health. Why were business cases for cardiac MRIs at the Royal Adelaide Hospital and the Flinders Medical Centre not prepared prior to the government's decision to purchase them? A letter dated 13 April 2006 from the CEO of the Central Northern Adelaide Health Service responds to concerns raised by Cardiac Clinical Services in relation to the pre-election announcement of a \$2.9 million cardiac MRI for the RAH. The letter advises:

A full business case for cardiac MRI is required to be tabled at Cardiac Clinical Services. Nothing can be purchased or commitments made with regard to the current funding until that level of discussion takes place.

The business case for the purchase of the cardiac imager, dated 2006, was prepared six months after the government's pre-election announcement. Further, a business case to purchase a cardiac MRI unit instead of a \$4.7 million PET/CT scanner for Flinders Medical Centre has still not been presented to Cardiac Clinical Services, at all, and I am advised the purchase is proceeding anyway. There is correspondence to the minister stating that the grants for new equipment at the RAH, and I quote—

The SPEAKER: Order! Leave is withdrawn. The purpose of an explanation is not to provide evidence for claims that the member may be making in her question; the purpose is to explain the question so that the minister answering the question might understand what the member is getting at. In that explanation all the member is seeking to do is provide evidence for a claim she is making, and argument.

The Hon. M.D. RANN (Premier): If I could answer this question on behalf of the Minister for Health.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: We are still waiting for the business case for their desal plant, which is massively undercosted, and their nuclear power plant, which apparently is going to force up the wholesale price of electricity by 100 per cent. Talk about announcing things: one, they do not have the potential to deliver them; and, two, there was no business case when the leader announced his desal plant and no business case when his friend, the shadow minister for energy, announced a nuclear power plant.

I am more than happy to get a report on this matter. The way the speech was going, I expected her to say 'May it please your honour' or 'Milud' or something, but I am very happy to get a report from the minister's department and report back to the house sine die.

HOSPITALS, QUEEN ELIZABETH

Ms CHAPMAN (Deputy Leader of the Opposition): My question is to the Minister for Health—unless the Premier wants to answer it—who has indicated that he is the one responsible for health. Given that the cardiology unit at the Queen Elizabeth Hospital has been raising its concerns in relation to failure of the cardiac catheterisation lab and the potential danger to patients since December 2004, when exactly will the cardiac catheterisation lab be replaced? Copies of correspondence include a note from Dr Zeitz sent to the minister in November 2005, in which he says:

I am angry. I have previously written to you on 19 May, 22 May and 12 September regarding the regular operations of the cardiac catheterisation lab at the QEH and urgent strategies to reduce potentially dangerous situations for patients.

He goes on:

On Friday 28 October 2005, during an emergency treatment for a patient with a large anterior myocardial infarction, there was a critical failure of the QEH cath lab; the fifth failure of this machine in the past three months.

The letter goes on to describe other failures of the equipment.

The Hon. M.D. RANN (Premier): I feel that I should answer this. When we were in opposition I remember being briefed on a number of occasions by Dr Horowitz. In fact, I remember being invited by Dr Horowitz down to the Queen Elizabeth Hospital with the former minister for health in her role as shadow minister for health; I think we even saw a stent being put in down there. We were briefed by Dr Horowitz and by other doctors and by nurses at the QEH who apparently were defying—and this was the story being put around—pressure not to speak out about the appalling way that the honourable member's government was treating the health system down at the QEH, particularly the cardiology department.

Ms Chapman: You are buying the wrong equipment for the wrong hospitals.

The Hon. M.D. RANN: Oh, I'm buying the wrong equipment for the wrong hospitals. It is quite clear from your line of questioning that you oppose buying any new equipment for any of our hospitals. You resent the fact that we are doing what you failed to do. The only thing that you ever did was, of course, privatise the Modbury Hospital after hundreds of beds had gone. That is the Liberal record. What we uncovered was a plan by your government and by your mentor, Dean Brown—the great leader that he was—to privatise the QEH as well. The former minister for health and I went down on a number of occasions. We were briefed by Dr Horowitz on a number of occasions and, quite frankly, those briefings did not reflect well on your government.

Ms CHAPMAN: My question is again to the Minister for Health. Why was a new cardiology catheterisation lab left unused at the Lyell McEwin Hospital during the period December 2004 to May 2005 while the Queen Elizabeth Hospital was in urgent need of a second cardiology catheterisation lab during that period? We have again been given copies of the correspondence, dated 19 May, regarding the ongoing impact of the failure to refurbish and replace the second lab. Dr Zeitz again writes:

The second . . . lab terminally broke down on 22 December 2004. In the three months following the breakdown there were 78 instances of overtime due to trying to accommodate the workload in one lab, 47 cases cancelled due to the lack of lab time.

He further writes that there was a seven-fold increase in cases being cancelled and a three to four day blow-out of the average length of stay for patients requiring access to the cath lab. At the same time, a brand new cardiology catheterisation lab at the Lyell McEwin sat unused for four months.

The SPEAKER: Order! Leave is withdrawn.

The Hon. J.D. HILL (Minister for Health): I thank the deputy leader for this question and I thank the Premier for letting me have a chance to address the issues in general. Members in this place hear debate about health services and they hear particular accusations thrown around and particular points of view put. Let me say, for the benefit of all members, that the health system is very complex, and it relies on individuals who are highly skilled, highly trained and often highly parochial about their own hospital and their own department. They are strong fighters for their own territory.

Ms Chapman interjecting:

The SPEAKER: Order! The deputy leader will come to order.

The Hon. J.D. HILL: The doctors who work in our system are very—

Mr Williams interjecting:

The SPEAKER: The member for MacKillop will also come to order!

The Hon. J.D. HILL: —passionate about the area in which they work and they are often in competition with each other for available resources within the health system. That is understandable; that is human nature. As a government and as a health department we have to try to sort out these competing priorities. Not everybody can have everything they want every time all the time. Sometimes people feel that they have missed out and they become jealous because some other part of the system or another hospital has received a piece of equipment before they have. This is particularly so within the cardiology section of the health profession.

Members interjecting:

The SPEAKER: Order! I have already warned the member for MacKillop, and I warn the deputy leader.

The Hon. J.D. HILL: What we are attempting to do as a government and as a health department is to try to put some proper planning and systems in place so that in each of the clinical areas the various doctors and nurses, and others who have a strong say, are brought together so they can develop a clinical plan for their territory. So, in the vascular area, there will be a clinical plan; in the cardiology area, there will be a clinical plan; and in the cancer area, there will be a clinical plan. This is an important part of the restructuring, organising and systematising of our health units in South Australia, something that has been long overdue for a very long time.

In relation to the particular pieces of equipment and where they are placed, as minister, obviously I do not interfere in that process; I take advice from the experts in the agency, who give me advice based on their best understanding and best practice in terms of what is required and where. Obviously, from time to time, individual doctors in the department have different views. So, it is not surprising that they may decide to contact the opposition, because they think that, by contacting the opposition, somehow or other the government will be embarrassed into making a decision different from the one it has already made.

I can tell you that that is not going to happen. We rely on a proper process of decision making using the proper Public Service procedures, based on good clinical advice, to determine where particular pieces of equipment should be placed, and we will continue to do that. However, we do want to give the clinicians a much greater say, and that is why we are establishing the Clinical Network. As to the particulars the member raised with me, I am happy to get a report.

MAGIC MILLIONS

Mr KENYON (Newland): My question is to the Minister for Racing. We are just waiting on the last few words now! Will the minister update the house on the outcomes resulting from the government's support for the 2007 Magic Millions yearling sales?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): I thank the member for Newland for his question. The government has provided over \$500 000 in financial assistance to promote and market the 2007 Adelaide Cup Carnival, the regional racing carnival associated with the

Adelaide Cup, and the 2007 Magic Millions yearling sales and midweek race meeting held on Wednesday 21 February. I had the pleasure of presenting the Horse of the Year Award at the South Australian Thoroughbred Breeders Dinner on 17 February and also attending the Magic Millions yearling sales.

The Magic Millions yearling sales were conducted over three days (19, 20 and 22 February) at the Morphettville sales complex. Over 500 horses were offered for sale in this year's Magic Millions catalogue. I am advised that over the three days 354 yearlings were sold for a total value of \$10.5 million, with the top price being \$280 000 for a Redoute's Choice filly and average prices being \$40 000 over the three days. I am advised that the average prices were consistently 10 per cent higher than last year. It was a particularly pleasing result for our local thoroughbred breeders.

The success of these sales can be gauged by many criteria—importantly, including buyers attending from outside South Australia. I understand that this year there were interstate buyers from New South Wales, Victoria, and Western Australia, and overseas buyers from Hong Kong and New Zealand. This year's Magic Millions yearling sales have been another success story. While the midweek Magic Millions race day was conducted as a twilight meeting this year, I understand that a Sunday format has been canvassed as an option for next year's event.

Of course, we have the Adelaide Cup coming up this Monday, 12 March. We can be proud of the six Black Type races. The Adelaide Cup is a very strong field, and it will be a good betting race. We also have the Yallambee Classic, a \$200 000 group 2 race for three year olds at set weights. This is a strong field—as strong a field as has ever been put together in South Australia for a race of this type. We also have other listed races. It promises to be a great day, and I wish the SAJC well. We want a bumper crowd down there on Monday.

TAXI INDUSTRY

Mr HAMILTON-SMITH (Waite): I had a question for the Premier. It is pity that he has wandered off, because it was a very good question. However, I will ask one of the Minister for Transport. Does the minister understand the obsolete state of in-cab camera and GPS technology? If, as he claimed on FIVEaa radio, 'whatever happens in a cab we can instantly identify the driver in the cab', why are alleged sex attackers still undetected and walking the streets? There have been 58 sex attacks or allegations of sex attacks and there have been three recent attacks, but no news of detections, arrests or charges. There have been public reports that the problem occurs when taxis are hired at flag fall and the victim is not aware of the company name or the details of which cab he or she has entered.

The Hon. P.F. CONLON (Minister for Transport): I am not quite sure about the end of that question, about how someone could not know what taxi company it is, because it is actually painted in enormous size on the side.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I assume the member for Waite has caught a taxi; they do paint it in enormous size. The member for Waite has been out agitating—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! There must be order.

The Hon. P.F. CONLON: He has such antipathy towards me, Mr Speaker; I do not know why. I try to be compassionate towards him, because I have read about what used to happen in those officer training schools and he has probably been scarred. I do have sympathy for him.

The honourable member's proposition is that we should impose a levy on the industry, or the taxpayer should pay, to put a camera in every taxi that will film the taxi driver and everything that happens in that vehicle. That is the proposition. What will happen is that we will get a taxi driver (allegedly) who is prepared to break the law but who is not prepared to breach the regulations—so he will, of course, smile for the camera. It is an absolute nonsense; anyone who is prepared to break the law will be prepared to cover a camera. This government did introduce a measure that is very effective—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: We introduced a personal identification number for people who log on, and every taxi has a GPS. When a taxi driver starts a shift, whether you hail a cab or phone a company, they are required to log on with the radio stations and they have to log on with their personal identification number. That means that they know exactly who is driving every cab and the GPS system tells them where that cab is. Despite all the nonsense, we actually sent out a compliance blitz a few weeks ago. We tested, I think, something like 700 or 800 taxis—80 or 90 per cent of the fleet—and we had 100 per cent compliance with the PIN number.

As usual, the subtle dishonesty in the question suggests that people are walking the streets and have not been found, because the member for Waite has heard no news of them being found. I can tell this house that the police will advise us in due course—and if you have ever been a police minister or dealt with the police you will know that they put their investigations above any other responsibility. My advice is that the only time the system does not work is when people cannot in any way identify the company or anything about the cab. I do not know how much more we can do, as a government, to help people identify cabs, but we will certainly look at it with the industry. The truth is that, if you can vaguely identify even the company, you will find that driver.

I find it very disturbing that the taxi industry in this state—with the very enthusiastic participation of the member for Waite—is getting a name it does not deserve. There are 8 million rides in taxis every year, and the vast majority are uneventful.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I am prepared to guess that more cab drivers are assaulted than cab passengers, but I have never heard the member for Waite express a concern about that. The truth is that the vast number of cab drivers are honest people earning a living for their family and doing a very difficult job. The member for Waite has done nothing but play politics with this, and it worries me that young women may be frightened to catch a cab—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: We know what you are doing. I have to say, he may well have a burning desire to be the Leader of the Opposition but he should not do it dishonestly using the fears of young women. If you are so desperate, just go and have another ballot with your Leader of the Opposition, but do not climb over the bodies of others to get there.

VON EINEM, Mr B.S.

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

Leave granted.

The Hon. M.J. ATKINSON: I make this ministerial statement on behalf of my colleague the Minister for Correctional Services. The Chief Executive of the Department for Correctional Services, Mr Peter Severin, has advised that on 28 February 2007 he became aware that a prisoner wrote a letter to him that was received in his office on 21 June 2005 alleging, among other things, that prisoner Bevan Spencer von Einem had been prescribed the drug Cialis. At the time this letter was first received in his office on 21 June 2005, it was noted by Mr Severin and forwarded to the Department for Correctional Services' Intelligence and Investigations Unit.

Mr Severin understood the allegations of sexual assault in the letter were of a serious nature and needed investigation, but he did not note the point relating to the drug Cialis. He has conceded that this was an oversight on his part. Subsequently, Mr Severin indicated in the media that he had no recollection of the allegation relating to Cialis until it was raised in November 2006. This was his belief at the time. It is important to recognise that the prisoner's letter was properly dealt with, and I am advised that its contents subsequently led to the police investigation into alleged sexual offences committed by prisoner von Einem. I am advised that no prisoner was prescribed Cialis or a similar drug after this matter was raised with the Department for Correctional Services. Indeed, in this connection, it is important to again set out the chronology of these events.

An honourable member: Come on. Get on with it.

The SPEAKER: Order!

The Hon. M.J. ATKINSON: The Prisoner Health Service had prescribed Cialis to a prisoner some time around 2001. Prisoner von Einem was prescribed Cialis on 7 May 2003 and 12 May 2003. Since May 2003 no Cialis (or similar drug) has been prescribed or supplied by the Prisoner Health Service. That is to say that no Cialis was prescribed in the two years before the prisoner's letter was received by Mr Severin's office and none since the letter was received on 21 June 2005. The Minister for Correctional Services has sought formal advice about these matters and is satisfied that the investigation into prisoner von Einem was in no way compromised or delayed.

I am advised that the department has reviewed its procedures for managing prisoner correspondence. It should be recognised that allegations are made by prisoners regularly and the credibility of these claims must be assessed case by case. Many false, self-serving and incredible allegations are made by prisoners. The police investigation into the allegations against prisoner von Einem continues and it would be inappropriate to elaborate further on these matters.

GRIEVANCE DEBATE**RANN LABOR GOVERNMENT**

The Hon. I.F. EVANS (Leader of the Opposition): I want to spend a short time commenting on the nature of this government and its bullying and arrogant nature that has developed over the past five years. The events of this week—

The Hon. M.J. Atkinson: I seem to recall a sexual harassment settlement. How much was it? It was \$20 000, wasn't it?

The SPEAKER: Order!

The Hon. I.F. EVANS:—are really symptomatic of what has happened over the past five years. This point has been picked up by many journalists and, indeed, Greg Kelton wrote an article about the arrogance—

The Hon. M.J. Atkinson: That was a government minister's office, wasn't it?

The SPEAKER: Order!

The Hon. I.F. EVANS:—of this government being the worst he had seen. A pattern has certainly been emerging over the last five years of the bullying nature of this government. The simple reality is that, when anyone opposes it or even dares to express a different view, this government's tactic is to bully and intimidate them into silence.

To back up this claim, one has only to look back over the last five years at a whole range of incidents. One has only to look at what the government did to the Cora Barclay group and how it attacked John Darley in meetings, or the government's attacks on the DPP and the Office of the DPP over many years, or the comments the government has made about lawyers who have dared to go public and make comments against the government. Look at this government's attack on judges and its attack on business leaders who dared to take out an advertisement criticising the government for wasting \$100 million on an opening bridge those people did not want. Look at the well-reported incident in the bar, when Ann Bressington made some comments about the incident with Mr Xenophon. Look at the arrogant and bullying treatment this government dished out to the RAA, which is well known as a lobby group regardless of who is in government.

Indeed, in the government's own team, there were questions raised in the government's last term in office regarding the relationship between the member for Florey and the Attorney-General. Look at the way the government tries to bully and intimidate the Deputy Leader of the Opposition, and look at the way it has treated Victoria Park protesters. If one adds all that up, there is a culture of bullying and intimidation developing in this government. My view is that it is not good government, and it is not good for South Australia. The Labor Party came to government saying that it would govern for all South Australians. Well, my message to the government is this: start governing and working for all South Australians and stop abusing them.

INTERNATIONAL WOMEN'S DAY

Ms BREUER (Giles): Today is International Women's Day, and I pass on my best wishes to all my sisters in this place and, indeed, to all the women in the world. I rise to speak on this important day for women, because the recent death of my mother has caused me to reflect long and hard about my life, something one does at such a stage. I have been thinking about what is important in life, particularly in women's lives. My generation of women is different from the new generation of women, as we are different from our mothers and grandmothers. However, I have reflected on how different we really are.

My generation of women fought long, hard and passionately for the right to have choice in our life, and in many ways our daughters now have these choices. Most of my generation of women chose to work. Consequently, we have

spent our life being constantly tired because of having to juggle work, children, husbands, social life and parents. I wonder whether it has all been worth it, and overwhelming I have to say, yes—but, gosh, it certainly has been a struggle.

I think of my mother and how different her life was from my life. She never quite coped with her feminist, confident daughter. She lived her life for her children and her husband, and she cared for her grandchildren when they came along. She worked only for the few years before she married, when she became a full-time wife, housewife and later a mother—and she did a wonderful job of it. She was always there when I needed her. She really was the only one who cared when I was tired, sore or depressed, and she always built me up. Certainly, without her caring for my children, I would never have been able to do the things I have done.

So, what prospect does my daughter have of having a mother like I had? I remember all the times I forgot to pick up my daughter from child care, pack her lunch or take her to that important party she was supposed to attend on the weekend. I think back to her childhood, and I worry about what I did wrong and whether she had the wonderful childhood I certainly had, or was her mum always too busy. When she has problems, I worry about whether I should have been more available to her. Unfortunately, her father was not in the picture very much in those days, and I was a single parent. Then I remember the role my mother had in her life and the fact that when I was not there her nanna certainly was.

Women take on the guilt of the world, and we blame ourselves when something goes wrong in our family's life. Generations of women have done the same thing and probably always will. So, I say to the young women in this place who are juggling motherhood and work, and to all those young mothers out there in the workplace: certainly keep on doing it; it is really important for you to do it. But, remember what is most important in your life, and that most probably would be your family, your children, your partners and your parents. Make sure, above all else, whatever you are doing, that you give them the love and support and some really good quality time.

Forget the dishes. No kid ever left home because the sink was full of dirty dishes, except to escape doing those dishes. We have a lot to contribute in our life, in our communities and in our society, but we should never lose sight of the most important thing in our life—our family. I think that on International Women's Day it is really important for us to remember this. This is what being a woman is about nowadays. We must learn to juggle, but we must learn to have our lives in that.

PRIMO ABATTOIR

Mr GRIFFITHS (Goyder): I wish to make some brief comments today about the \$15 million fire at the Primo abattoir at Port Wakefield, which occurred a little bit over a week and a half ago. It is important to set the background to what happened. Not long after the election last year, I had the opportunity to meet Paul Lederer from Sydney, who, with his son Robert, is the owner of Primo. They talked about its history since they bought it in 1999. At that time it had only 40 employees. They invested something like \$30 million, and it had 368 employees at the time of the fire. Their plans are very strongly fixed on growing that business and, hopefully, doubling the work force to around 700.

A business of that size makes an enormous difference to a region and, when you align that with the growth that has occurred in chicken farms in the area over a similar period, the Adelaide Plains area really is the place to be. They have also done some fantastic work in marketing themselves to the wider regions. The growth that has occurred has been the stimulus behind subdivisions that are occurring at Port Wakefield, Balaclava and Blythe. If cabinet supports a major project declaration, Port Wakefield may have up to 3 000 allotments created by the Chapman family. The fire that occurred on Friday 23 February was a shock to everybody, none more so than the 368 people who work there and for whom the business is their life. It affected many people across the region.

I know that the CFS units that responded to this fire did as good a job as they could. The ammonia leaks that were occurring made it necessary for breathing apparatus teams to be brought in to fight the fire. The member for Finnis, being the early riser that he is, and who rings me quite regularly on Saturday mornings, left a message on my phone at about 10 past seven. Then I had a call from the CEO of the Yorke Regional Development Board to tell me about the fire—

The Hon. P.F. Conlon interjecting:

Mr GRIFFITHS: Well, on a Saturday morning for me it is. I immediately thought that it is important that people who are in a position to do something about this should know about it, so I rang minister Maywald and I contacted the chief of staff of minister Caica to ensure that those two ministers were aware of it. I also spoke to the Leader of the Opposition. Minister Maywald confirmed that she would talk to minister McEwen. As the responsible minister, it is his responsibility to ensure that all levels of government support could be made available. The important thing about the fire is that nobody was injured, and there were only about 20 people on-site at the time.

I was not able to be at an inspection on Sunday, but I was there on Monday morning when about 600 people turned up. Every employee was there, plus, in most cases, their partners, because they all wanted to know what their future was. Paul Lederer, the owner, addressed everyone first. The important thing was that he gave them confidence in the fact that the business was to be rebuilt by saying that that was exactly his intention; not that he just wanted to rebuild it but that he wanted to make it better. It became a little bit emotional when a woman at the back, who was a worker, said, 'We'll rebuild it with you'. Then there was spontaneous applause from everybody present. To me that was inspiring, because it showed that this community and this work force want to make something happen.

The local management team in Mark Viney and David Ritchie also spoke to the staff, and they spoke very strongly about the plans that they would try to put in place to ensure that production was back as quickly as possible, working from other sites. It is important to understand that all levels of government have contributed to this recovery, and I am very impressed with what the state government has done in this regard. The state government put minister McEwen in charge, and he made sure that the absolute best people were involved in the recovery efforts. They did some wonderful work over the next week with Primo to ensure that a solution was found. The federal member for Wakefield, David Fawcett, was on-site on the Monday and the Sunday, and he talked to Canberra on Monday afternoon about the need for the federal government to be supportive, and to ensure that those workers who may be temporarily displaced from job

opportunities had some support, and I believe that that has been delivered.

There was a second meeting held that week on the Thursday, where Primo was in a position to give workers some details of what the future would be for them. It was announced that slaughtering operations were to be undertaken at Murray Bridge and that 50 people were required for that. They were intended to be bused down on a Sunday or Monday morning, returning home on Friday. The labour adjustment package funds through the state government were available to assist with all accommodation needs. There would also be meal allowances for staff: Primo and its insurers would pay for components of that.

About 220 people were offered positions at the Royal Park facilities previously used by the Conroy family, and most of those I hope are accepting that. Those people will be bused down. For some it is a big trip. Some people live as far away as Edithburgh and Port Pirie and work at Primo at Port Wakefield, so it will be a big challenge. Some people have taken up other job offers, but for the importance of the business we hope that as many people remain loyal to them as possible. Individual discussions were also held with staff, and that is where state government employees came into it quite strongly. I congratulate all involved and hope that Primo expands in the future and has a strong history in the Adelaide Plains.

Time expired.

NORTH TERRACE PRECINCT

The Hon. L. STEVENS (Little Para): Since early January I have been undertaking a 10 week intensive language course at the University of Adelaide, as a result of which on Mondays and Thursdays at around 6.15 p.m. and later at 9.30 p.m. I have the pleasure of walking between Parliament House and the University of Adelaide building on the corner of Pulteney Street and North Terrace where the classes are held. Those walks, particularly the later ones in the evening when it is dark and the light has completely changed, are now an absolute pleasure. The completed section of North Terrace, which provides the setting for our major cultural institutions—the State Library, the Museum, the Art Gallery, the University of Adelaide's Bonython Hall, and Elder Hall—is spectacular.

The splendour of the buildings, particularly when they are floodlit at night, have been revealed for everyone to enjoy. Not only do the buildings themselves delight but the landscaping of the forecourts, particularly the Museum with its bush garden track, the water features (particularly the one that replaced the old Bonython fountain—the old bathtub), the plantings, the seating, the paving, have all been done beautifully. The new trees—the English elms and the grove of crepe myrtles—are situated to the east of the Mitchell Building just a little bit back from North Terrace. During late January/early February those crepe myrtles were flowering a deep pink colour and contrasted with the colour of the Mitchell Building itself.

The other thing that is so interesting is that, in the early part of the evening at 6.15 p.m., as you walk past the University of Adelaide you have floods of students coming out of the campus on to North Terrace and into the city. It is as though the university itself has been opened, no longer hiding behind large fences and big trees but now part of the city. It is an excellent example of good urban planning.

When thinking about doing this grievance I took the opportunity of looking back over the three reports of the Public Works Committee concerning the upgrade of North Terrace. I was a member of that first committee, as were you, Madam Deputy Speaker, which produced recommendations about further community consultation and a change away from the original plan to have spotted gums extensively planted on the northern side of North Terrace.

We know that those recommendations were adopted and the trees were changed. The second report, when the member for West Torrens and the further education minister were on the committee, expressed concern that no consideration was given to incorporating into the redevelopment an acknowledgment of the previous occupation of the site by the Kaurna people. I agree with that observation and hope that that might be remedied in the future. If we are looking at a boulevard enhancing our past, that is an important omission that I hope can be remedied.

The third report expected the next lot of works being undertaken to be completed in September 2006. They have not been, but they are certainly under way. I think it is time for us to consider the section of the road between King William Street and Kintore Avenue. The member for Napier mentioned earlier this week his views of Government House, and I agree with those views. I also think that it is time that not only do we take down that fence, open Government House to the public and improve the precinct of the war memorial but, in the same vein, we should also look to improving that area between Kintore Avenue and King William Street. Then we would truly have something for our heritage into the future.

INTERNATIONAL WOMEN'S DAY

Mrs PENFOLD (Flinders): Today (8 March) is International Women's Day, and I quote an article by Victoria Clark on feminism and politics, as follows:

On March 8 the world will be celebrating International Women's Day, originally the day to fight for women's rights in the workplace or in political life. This past year may place a different twist on the celebrations as 2006-2007 has provided concrete demonstrations that women are now accepted in so many areas of what used to be a man's world. One could argue we are slowly and surely creating the balance of yin and yang.

She goes on to say, however, that 'most women in leadership roles were not the primary carers to their children. . . or they had eschewed the role of motherhood', and concludes:

Given that feminism was originally a movement designed to emancipate women and enable them to be able to participate as wives, mothers and workers in the running of the state, we can only hope that in the future the women who increasingly will represent us will be able to illustrate all sides of their femininity openly and with all the support structures we can deliver.

I am very proudly a wife and a mother and an elected member of the state parliament, and I want to comment particularly now on the role of the media as one of those support structures. There is much more to being a member of parliament than giving a performance for the media during question time, when the cameras are focused to record the theatrics, aggression and controversy that sells the next day's papers or that evening's TV and radio news. We do not work for just three days per sitting and go on holiday when the parliament is not sitting, as stated by Greg Kelton in *The Advertiser* in recent months. As well as the very long sitting days that include committees, briefings, delegations, meetings and parliamentary duties, many of us are also fulfilling the

difficult and time-consuming duties and responsibilities of being accessible local members and global citizens.

My background as a woman brought up on a farm on remote Eyre Peninsula and trained to be responsible, self-reliant and a problem solver prevents me from being an aggressive, theatrical, controversial and competitive politician, as is both praised and denigrated by the media. With 55 000 square kilometres of electorate and 22 000 voters, most issues that are debated in parliament affect us. This often occurs in ways unforeseen by city-based drafters and implementers, hence the need for me to attend most briefings where issues are discussed.

My speeches and submissions, which appear in *Hansard* or on my website, propose some solutions to our world's and the electorate's many issues. However, they are rarely accessed or quoted by city media. In the *Hansard* or on my website one can find mention of uranium and thorium, sea water, desalination and pipelines, railways and airlines, wind energy, graphite blocks, etc. While I spend hours researching these topics in the hope of improving our communities, the radio, television and newspapers are full of Media Mike's wedding, Sandra Kanck's ecstasy, Nick Xenophon's latest stunts, Pat Conlon's second baby or, more recently, the bad behaviour of certain members of parliament.

I have been involved in two major initiatives in the past few months about which I am very excited, as they could have global implications for our future water supplies and reducing climate change. I have been working regularly for years with people from India, China, Taiwan and the Middle East who want minerals, seafood and technology from the wonderful region I represent. At the other extreme, I have families in crisis as a result of the drought. I am continually fighting for social justice for my people. The last letter from my office in 2006 to a state minister was to protest the fact that, following the termination of appropriate services in Port Lincoln two years ago, rape victims from the region must still travel to Adelaide on public transport unwashed and without assistance to be examined and assessed. This is an issue of basic human rights.

The media should wake up and tell the people about the real issues with which their members of parliament are dealing. We are living in a fascinating world that we can affect for the benefit of ourselves and mankind. It is a privilege to be one of those who can influence the outcomes; however, we need the help and recognition of a media which is willing to do more than critique the most recent hour of question time theatre. In conclusion Victoria Clark's article states:

The election of Angela Merkel to the position of German Chancellor, the elevation of Nancy Pelosi to the third most powerful position in the US as Speaker of the House and the emergence of Segolene Royal as the possible candidate for the upcoming elections in France are a few illustrations revealing how women are as capable as men for even the most male-dominated industry—state leadership.

LIGHT REGIONAL COUNCIL

Mr PICCOLO (Light): On 8 February this year I spoke in this place about the ongoing concerns expressed by the community regarding governance issues in the Light Regional Council. The media coverage of the speech was very interesting for three reasons: first, new allegations on the failure of the proper governance of the affairs of the Light Regional Council have been brought to my attention. I will detail to the house the new allegations made in this speech.

Mr VENNING: I rise on a point of order, Madam Deputy Speaker. This matter is under police investigation. We have warned the honourable member privately about raising this matter and he continues to do so. I ask you, Madam Deputy Speaker, to rule that, because this matter is under investigation, it should not be permissible to debate it in here.

The DEPUTY SPEAKER: Order! I have noted the issues raised by the member for Schubert, but I have no information on them. Perhaps the member for Light does, so I will ask him to be mindful of his responsibilities in this matter.

Mr PICCOLO: I can assure you, Madam Deputy Speaker, and the house that the matters I detail today are not subject to any police investigation at the moment. The first matter is that new allegations have been brought to my attention. Secondly, the member for Schubert came out of hiding on this matter and publicly rebuked me for raising these concerns in parliament. He indicated, in my opinion, his full support for the council's CEO, Mr Beare, who is currently under investigation by the Anti-Corruption Branch of the South Australia Police. Thirdly, Mr Beare was quoted in one local newspaper making comment about a private conversation I had with the council's mayor and the previous CEO. These comments raise two questions:

Mr Venning interjecting:

The DEPUTY SPEAKER: Order! I remind the member for Schubert that he has the opportunity to make a personal explanation after he has heard the member for Light in silence.

Mr PICCOLO: These comments raise two questions: why were council officials or elected members discussing matters with the CEO who is on leave on full pay, ostensibly to enable investigations into some allegations about his behaviour to progress without interference? Furthermore, why is Mr Beare engaging in discussions about current council operations when he is on leave to maintain the integrity of those investigations?

Mr Venning interjecting:

The DEPUTY SPEAKER: Order! I will warn the member for Schubert next time there is an interjection. The member for Light's time has been extended by 30 seconds.

Mr PICCOLO: Thank you, Madam Deputy Speaker. It appears that Mr Beare wants his cake and to eat it, too. He wants to be on leave on full pay but he also wants to be able to keep tabs on what his council is doing.

I return to the new allegations brought to my attention which are not currently the subject of a police investigation. I advise the house that looking at it from the outside there appears to be a pattern of events that either gives rise to concerns equivalent to insider trading or a disproportionate amount of coincidences. The pattern of events involve Mr Peter Beare and former Crows and Melbourne footballer Mr Peter Vardy. At the outset I advise the house that Mr Vardy has denied any improper behaviour on his part in this series of transactions. Coincidentally, Mr Vardy is involved in a number of transactions which have caused concern in the community. At best these transactions have been controversial, with many requiring a public explanation.

Mr Vardy had an involvement in the failed bid by a consortium to build a retirement village on community land at Kapunda. The proposal was strongly opposed by the community but strongly supported by Mr Beare. Mr Vardy has a 12 months project management contract with the council but no expressions of interest or tender process were implemented for that contract. Mr Beare granted Mr Vardy the contract without any competitive process.

The contract involves the management of about six projects in the Light Regional Council area. Mr Vardy had a contract on a piece of land at Kapunda, which was brought to his attention by Mr Beare immediately following the council's decision not to purchase the land. Mr Beare refused to allow the vendor to deal directly with the purchaser. Why would a council CEO get involved in such a transaction? Mr Vardy purchased some land in Freeling from a vendor who was not permitted to develop the land. Whilst these transactions may be very innocent and unrelated, when one learns that the pieces of land in question were subject to rezoning discussions within the council when the transactions took place, it raises the spectre that some people have access to information not generally available to the community.

My motivation for raising these matters in the house has been questioned by some in this place and in the community. The answer is simple. These issues have been raised with me by numerous Light Regional Council residents, at community forums and in my office. I could have done what some members opposite have done and turned a blind eye to it—because they did not want to upset their Liberal mates. Western Australia has WA Inc. In Light we have Peter Inc.—or is it a tale of two Peters? We will know the answer as the story unfolds over the coming weeks and months.

It would be remiss of me if I did not mention that the council has engaged the services of an acting CEO Mr Brian Carr. Mr Carr is a very talented and professional CEO, and I commend the council for its choice. Brian certainly has my support for any reforms that need to be undertaken at Light Regional Council, but it is important that he have the support of council members and its staff if the reforms are to take place.

Time expired.

BARLEY EXPORTING BILL

Adjourned debate on second reading.
(Continued from 7 March. Page 1972.)

Mrs PENFOLD (Flinders): I support this bill to repeal the Barley Marketing Act 1993 and deregulate barley marketing in South Australia, allowing growers to deliver to other exporters, licensed by the Essential Services Commission of South Australia (ESCOSA), with a few amendments. As the other barley growing states are already deregulated, South Australia's law has become an anomaly. Farmers from the South-East and Southern Mallee regions have been selling their barley across the border in order to get better prices for their grain for some time. However, the barley growing region that I represent on Eyre Peninsula has been captive to ABB. It was not until I visited Western Australia to see how their partial deregulation was working that I realised how low the prices on Eyre Peninsula were compared with other regions. Despite growing good quality barley and having one of the best export loading ports in Australia at Port Lincoln, Eyre Peninsula growers were receiving prices significantly below those of other regions.

I checked these prices again for the purposes of this speech. The ABB cash price differentials as of 27 February 2007 being offered per tonne for feed barley were, in the deregulated ports of Geelong and Portland, \$265 per tonne.

That compares with the South Australian ports of Port Adelaide, \$221; Wallaroo, \$213; Ardrossan, \$211; Port Giles, \$210; Port Lincoln, \$204; and Thevenard, \$194. Within my electorate of Flinders, based on the Geelong figure, Port Lincoln at \$204 is \$61 (23 per cent) per tonne down and Thevenard at \$194 is \$71 (26 per cent) a tonne down on Victorian prices. In a not untypical delivery by an Upper Eyre Peninsula farmer, 1 000 tonnes equates to a whopping \$71 000. When the market is deregulated and the Thevenard port has been dredged to accommodate much larger vessels this price differential, I hope, could disappear altogether.

One of the reasons given to me and my farmers for this price anomaly is that the differential was caused by the cost in freight. I am advised that the freight spreads are customary but have probably narrowed recently, and that it costs between \$US3 to \$US5 per tonne extra to shift out of South Australia and Victoria to most main export markets than it does out of Western Australia. There is no premium or discount to freight rates for shipping out of either Victoria or South Australia to these main export markets.

The farmers on Eyre Peninsula are already successfully marketing their own peas, lentils and canola, and I believe they will be able to choose the best option for the sale of their barley.

When weighing up the advantages and disadvantages of the single desk marketing system, members of the SA barley marketing working group recognised that the single desk offered collective marketing, security of payment and the sharing of marketing costs amongst growers. However, weighed against this was the lack of marketing choice, limited competition for services and, in my view, significant negative price differentials for South Australia and, of course, that the current situation does not meet the national reform agenda guidelines. One of the working group's recommendations included that a well-funded and extensive education program be established to assist South Australian barley growers make the transition to a deregulated barley market. It is very important to ensure all growers are aware of the processes for the marketing of barley in this state.

I take this opportunity to acknowledge the members of the South Australian barley marketing working group who have expended significant effort to identify critical issues, consider various models, make comparisons with other states and weigh up the advantages and disadvantages for the barley growers of South Australia. Consultation with South Australian barley growers has been thorough, with hearings held throughout the state and a letter being sent to each of the 11 600 growers; and 26 written submissions, including two from grower groups, were also received and considered. I sincerely thank the members of the working group for their commitment and hard work, which has resulted in the bill in the house today that will establish a three-year transitional licensing scheme for exporters of barley to come into operation from 1 July 2007. I support the bill.

Mr KOUTSANTONIS (West Torrens): I do not want to scare or aggravate anyone about this. I am just simply bewildered by this legislation. I am bewildered by the federal coalition government. The people this will affect are not my constituents. In fact, I dare say, other than the member for Giles, no-one on this side of the house really has much dealing with barley farmers. Perhaps the minister, the member for Chaffey and the member for Giles—

Mr Piccolo interjecting:

Mr KOUTSANTONIS: And the member for Light, sorry.

Mr Griffiths interjecting:

Mr KOUTSANTONIS: They are all good people. I have a great deal of time for farmers, given that my father was a farmer before he came to this country. I have a great deal of sympathy for them. But, for the life of me, I cannot understand why you are all happy about doing this to them. Could you imagine, Madam Deputy Speaker, the Labor Party introducing legislation that would somehow harm the union movement—

The Hon. R.G. Kerin: Have you reserved your right?

Mr KOUTSANTONIS: No. In the words of the member for Enfield, if you are not going to help yourselves, why should I care? I cannot believe that people such as John Howard and Peter Costello, who have been fining this state up to \$9 million for not having done this in the past, represent the same people as members opposite.

Mr Pederick interjecting:

Mr KOUTSANTONIS: No, I am speaking in favour of it. What I cannot understand is that the member for Hammond is in the same party as the member for Essendon, the federal Treasurer, because these two people have opposite views about whether or not we should protect farmers' interests. It is the same with the members for Schubert and Finnis; and of course the member for Stuart; and the future leader of the Liberal Party, the member for Goyder. It is an interesting point that, every time there has been a new member for Goyder, there has been an article in *The Advertiser* about the new member for Goyder being a future Liberal leader. If you look back, when John Meier first won, I think in a by-election (but he may have come in at an election), he was touted as a future Liberal leader. So, I reckon the second time is a charm. I've got my money on you, son. I've got my money on you.

The Hon. R.J. McEwen: You are not supposed to be betting.

Mr KOUTSANTONIS: I am not a member of the AFL: I can bet on whomever I like. I have looked into the eyes of the members for Schubert and Stuart, and I have seen the disappointment. I look up at the picture of Tom Playford and how it looks down on you all so disapprovingly because of how you have changed and how you no longer represent the people you used to represent; and how you go back to meetings of the RSL, the CFS and the Country Women's Association where they make nice scones. How do you look those little maties in the eye? I look up at Tom Playford—a man who is renowned across the world as the longest-serving conservative leader in the commonwealth, in the empire—and he looks down on the lot of you as if to say, 'What happened? Where are they?'

There are four or five brave souls. In fact, I am not sure how many there are; we will find out later. I just cannot believe what is going on in the Liberal Party today. For instance, yesterday, you sold out sugar farmers, sold them down the river, and now you are here today doing the same thing, in your own words, in your own speeches, about barley farmers. I do not necessarily agree with that but, obviously, half your party is divided on this. You are not quite sure who you represent any more.

I have to say that I feel very sorry for the Liberal Party today. I think what you need to have happen is another split. I encourage you all to split. I encourage you all to throw out all the city members of the Liberal Party. Get rid of them; you do not need them. If I were you, I would stick to the bush

MPs, win a few extra seats, form a permanent opposition and get some real benefits for the people of country South Australia, because otherwise you are being led by the nose by inner suburbs Sydney and Melbourne MPs and you are betraying the people you are sent here to represent.

Mr HANNA (Mitchell): I have grave reservations about the Barley Exporting Bill. To start with a basic principle, I support the principle of collective bargaining wherever a group of people is at an economic disadvantage; and, while that may be true of workers and trade unions on the one hand in their battle in the economy to get decent rights and wages as against the owners of capital, on the other hand, I am supportive of farmers binding together to present a common marketing program to the world when it comes to our products.

When it comes to barley, I know we are not insignificant players in the world market, but I see that South Australian farmers have every right to bind together so that they can market in strength. The consequence of this bill will be a fragmentation of the barley supply chain, and I could not have put it more eloquently than it was put by the member for Enfield, Mr John Rau. The speech that he gave yesterday was brilliant. It started on page 1968 of *Hansard*, and I recommend it to any farmer or anyone related to any farmer who happens to read this speech. Mr Rau's speech should be printed in full in the *Stock Journal*.

Basically, this competition policy has been driven from Canberra for a number of years now—and, I must say, Australians have received many benefits from it in respect of many goods and services. However, when it comes to benefiting the consumers of other countries, it is a little more difficult to make sense of it. Why would we be breaking down competition when the restriction on competition, in the sense of a combined selling effort being made on behalf of our farmers, is benefiting our economy and making it more difficult for overseas suppliers? I cannot understand why we would be legislating to the detriment of our own farmers.

It is important that the barley growing community was polled before this legislation was brought in, and 80 per cent were clearly in favour of a continuation of the single desk. There is a precedent in law for a situation where the law caters for the vast majority rather than the minority. By way of analogy, I am thinking of company law where, if a person acquires a certain percentage of a public company, that then gives them the right to acquire the rest. It does not make a lot of sense to have a 95 per cent shareholder and a 5 per cent shareholder, because the 5 per cent shareholder will not have much of a say, anyway. The same thing applies here. You cannot have a single desk for 80 per cent of the growers: you either have it for all or none. I think that can work even if there is deregulation interstate, because the South Australian barley growers are a significant sector of the market.

I think that it is the role of government to assist them to combine for the benefit of their sales efforts overseas, not the role of government to ensure that they cannot effectively combine. As I have said, it is either all in or none, and I think we are probably going the wrong way here, for the sake of a competition policy that is meant to be serving Australians, not purchasers overseas. For those reasons, I will be opposing the bill.

Mr PEDERICK (Hammond): I rise today in support of this bill. Part of the reason is that after many consultations (and I will refer to a statement I made in a speech on

7 December last year), the industry has finally come to a position. In my speech on 7 December I stated:

There are a lot of things on the table at the moment, obviously, exacerbated by the situation with wheat. We need to take note, as has been mentioned by the member for MacKillop, of this report and recommendations by the latest barley marketing group. The industry needs to have a good look at it. The industry has not come up with a solution in the past four years, and I know that the barley marketing group is pushing for full deregulation after a three-year period of semi-deregulation. At the end of the day, it is up to the industry to tell the politicians in this house what it wants. There is nothing worse than politicians telling people how to operate their business. I have given my views, but it is up to the people of the electorates to say what they think.

My family has had an interest in barley growing since we came off the boat in 1840. We started in Adelaide and went out to the Gawler/Angle Vale/One Tree Hill region, and we are still down at Coomandook, where everyone is well aware that I have leased out my farming operation. I will again state on the record that I have sold all my barley shares. My father has a few thousand dollars worth of them. So, that is not an issue with me. I certainly have plenty of cousins, neighbours and third cousins twice removed who probably have shares in barley.

Mrs Geraghty: Good disclosure.

Mr PEDERICK: Yes, it is open disclosure. I am involved with plenty of people in my electorate who have a lot of barley shares. However, a lot of people have had to relinquish their shares just to keep operating. Obviously, my 86 year old father has had a lot of experience on the land. He told me a story the other day about when they tried to form a hay marketing group years ago with sheaved hay. They all agreed that the price should be \$10 a tonne. The problem with farmers is that they can never unite—I will admit that, as I am one of them—because there is always the chance that someone might make a buck. For some reason, one bloke must have needed his money a bit quicker and he sold for \$8 a tonne, so he broke the market and broke the concept of that little marketing group with their sheaved hay. Another time farmers were going to boycott the sales in Adelaide for lambs and mutton. Sure enough, a couple of farmers took advantage and doubled the price for their sheep. There are all sorts of issues with marketing, as we see it.

The single desk with barley was formed in 1939 as, at that stage, farmers were getting ripped off hand over fist by slick marketers running around and offering different prices all over the place and taking farmers down. I think, in the main, that operation has served farmers well since 1939, but a lot of things have changed since then. We have access to the internet. We have access to consultants to help us market our grain. We do not have to go in blindly when someone rings up and asks, 'What would you like for this?' and just take a price.

It was only in the early nineties that domestic marketing of barley was deregulated. I can remember that 1992 was a wet year, and it was like reaping coleslaw. There was wild lettuce about 5 feet high and every other weed under the sun, with a bit of wild radish in the crop, which made it off-spec grain. You could not deliver it to ABB sites (CBH sites at the time). You had to get an inspector out on farm to tell you whether you could sell the grain over the hill or somewhere else, as I did to Dehy Fodders, which was operating at Meningie at the time. I can tell the parliament that I made \$10 a tonne and it was full of greenery and not very nice grain to handle. That is what happens when you get a wet year.

Hopefully we will have one this year, although not quite that wet in the finish.

Changes to marketing have been discussed since about 1995. In more recent times we have had the Round review, the Story review and the SAFF Grains Council review. There was also the report of Neil Andrews which we have here now. I believe we are at the point when ABB corporatised. I always say it took over AusBulk but, I guess, to be technically correct, it merged with AusBulk and so we lost a marketer out of the system at that stage. Then ABB went from being a company that certainly had a very good trade name in marketing overseas (and still has) and took over all the storage.

Mr Venning interjecting:

Mr PEDERICK: As the member for Schubert says, it was the wrong move. I will go back to what happened in 2005 at the South Australian Farmers Federation Grains AGM. In box 1 under the heading 'Growers calling for increased transparency and accountability' it states:

Increasingly the industry has been looking for changes to the existing marketing arrangements, as demonstrated at the South Australian Farmers Federation's Grains AGM in March 2005, where motions were carried by grain grower members in relation to improving the transparency and accountability in barley marketing. This included the following resolutions—

I will just read out one that is applicable today. Resolution 5 states:

That the SAFF Grains Council explore and, where appropriate, negotiate with government changes to the barley marketing arrangements including:

- Improvements in accountability and transparency of pool operations;
- Regulated export licence(s);
- Third party access to the pools if only one licence is issued;
- Differentiation between grain handling, sales and related businesses so that the value from pools is not compromised;
- Continuation of market development, QA and research; and
- A mechanism to ensure that the necessary changes are complied with.

In 2005, the SAFF Grains Council was called on, I would suggest, as the third round of recent attempts at reform but could not come up with the goods. I believe that it has gone to the farmers. There were 11 650 letters sent out, according to NGR registrations, which would be your most accurate registration to track down farmers. Out of those letters to farmers there were only 26 submissions put in and I think there were 14 that got a hearing through the Neil Andrews working group. So, for people to say, 'Let's have another poll', I think we have been—

Mr Piccolo: That's your side.

Mr PEDERICK: Yes, it may be.

Mr Piccolo: No, not may be; it is.

Mr PEDERICK: Well, okay, if that's what the member for Light says.

Mr Piccolo interjecting:

Mr PEDERICK: Yes, okay, there are members calling for a poll. That's fine, member for Light. That is the beauty of being in the Liberal Party: you are allowed to have freedom of choice. Although, I am not sure which angle the—

The Hon. R.G. Kerin interjecting:

Mr PEDERICK: Yes. I am not sure where the member for West Torrens was going with his speech today. I think he mentioned the word 'bewildering' in relation to the bill. But I digress. I just want to mention how everyone is getting a little excited about the possibility of losing the single desk. Let me say from the start, as I said in my speech in December: I think Hammond is about 50-50 on this issue, so

I had to make a conscious decision on which way I would go with this. That conscious decision was based on the fact that we finally had a committee that—

Mr Piccolo interjecting:

Mr PEDERICK: You only have one choice, member for Light. We finally had a committee that had made a decision, after approaching every grower in South Australia, so it is time to move on because the barley industry cannot stand and wait. To those people who say that we market our barley as one parcel, perhaps technically we have from South Australia, but there has been a lot of grain heading over the border. New South Wales has been fully deregulated for several years along with Victoria and Western Australia is semi-deregulated. Members of the Liberal Party went over to Western Australia and had a briefing on the GLA in 2004, and I was fortunate to be able to tag along as a candidate.

I will just mention a few local issues that have happened in the last couple of years. People say, 'If the single desk disappears we're selling out our farmers', and all that sort of thing. Quite frankly, I have many farmers coming to me saying, 'We just cannot operate under the current pricing schemes.' In 2005 there was plenty of grain around and farmers were having a great season. In most years it is the land of milk and honey, and what they were finding was that, once they got their first payment from the pool and realised how low it was, they could barely pay their chemical bill, and then they had to move on.

What has exacerbated this drought is that we did have a big year in 2005 but we were getting values for our grain that were nearly 30 years old. I ask the members of this house: would you be prepared to sit here on wages that are almost 30 years old? I doubt it. No-one is putting their hand up in a hurry, anyway.

Mr Bignell: The super would be better.

Mr PEDERICK: I accept what the member for Mawson says that the super would be better, but that is another issue. This is a serious issue. For how long can you put the squeeze on? I think it has got to the stage where growers think they need something else to happen. Why has there been a better price in WA and Victoria in 2005 and 2006? I will just quote from a couple of items of correspondence that have been sent to me in the past couple of days, as follows:

Dear Adrian, I believe there is the possibility that there could be a disruption to the smooth passage through parliament of a new Barley Marketing Act. I think this should be avoided as it will cause uncertainty to the entire barley industry for the upcoming season. It is now March and barley growers need to be sourcing seed, fertilisers and chemicals to begin plans for the cropping season. Growers also need to begin their 2007-08 marketing plans as soon as possible. Unhelpful amendments to the new Barley Marketing Act will create confusion and possibly reduce the area of land sown to barley.

May I stress that I think Rory McEwen's intervention into Barley Marketing in South Australia was an appropriate decision as SAFF's Grain Council had too much industry intervention. I believe Neil Andrew and the Barley Marketing Review Committee have served the industry well and their recommendations should be adhered to.

Please will you and your colleagues give Rory McEwen's new Barley Marketing Bill a safe passage through parliament.

I quote from another letter:

Dear Mr Pederick,

I understand the peak representative body for South Australian grain growers, the SAFF Grains Council unanimously—

which it did—

endorsed The Barley Marketing Review Committee's findings into Barley Marketing. The Agriculture Minister, the Honourable Rory McEwen has put the findings into action and I believe the new Barley Marketing Act has been tabled to amend The Barley

Marketing Act 1993 (The Principal Act) to allow additional marketers to access the existing grain storage and handling systems and create competition for our barley crop.

For the past three years since the merger of ABB and AUSBULK under the current legislation SA has had the lowest barley prices in Australia. New seasons barley prices 2007—Vic \$212 per tonne, SA \$180 per tonne, SA growers simply cannot afford to receive \$32 per tonne less again. I and my fellow farmers feel we simply cannot cope with the current unstable and unsustainable current legislation. Please put your best effort into passing this legislation to allow changes to this season and save my livelihood!

These were a couple of items of correspondence that I received. It will be historic if this bill goes through, and I think what everyone has said is great. It obviously takes a bit of courage for members to make a certain stand, but that just echoes where some people in my electorate wish to go with it. You could think that our doors would be knocked down by people frightened that the sun will not come up if the so-called single desk disappears, but that has not happened.

With regard to local issues—and I mentioned some in my speech in December—in the recent harvest about 5 000 tonne a day was heading out of South Australia over the border to Murrayville, which turned into the third biggest eastern-based land site in Australia because the prices offered in South Australia could not match it. Grain could be sent up from Coomandook (about 250 kilometres from Murrayville in Victoria) for \$60 a tonne better. I can assure members that there would be plenty of single desk supporters in that lot sending their grain to Murrayville, because it just did not pay to put grain into South Australian silos. If this change goes ahead—

The Hon. R.J. McEwen interjecting:

Mr PEDERICK: Yes, absolutely. If this change goes ahead, I think ABB will still be there. It needs to be strong because it holds the infrastructure. It needs to be a strong company, but I want to see ABB utilise its storage. There are about 12 storages barely used at Murray Bridge and east of Murray Bridge. Our people—wives, sons, daughters, workmen—cannot get jobs at the local silos because the grain is heading over the border. I was informed that one load from Ceduna managed to make money going to Murrayville on a certain day when the price just happened to be right. That is amazing. Plenty of grain was coming from further afield—Sedan, the top of the Yorke Peninsula, etc.

If this bill does not go through, the wheat single desk will be under threat. What everyone needs to be aware of is that ABB Grain is part of the three sisters currently exporting wheat. That is a fact. Another fact is that ABB Grain is actively looking at taking over wheat exporting. It is a bit of a fallacy to have your foot in one camp and then actively go for deregulated wheat in another. I just do not think you can have your cake and eat it too.

The diversification of the ABB is another issue. As I said, we need to have a strong ABB. It has served farmers well and, if this bill is passed, the ABB will show how it can compete locally, give better prices to local farmers and use its storages. It has recently moved into the malting area, with Joe White Maltings and third-party grain trading. It has also moved into finance and the wool market, and just recently it started up a farm chemical business. So, it is diversifying away from where it started in 1939, and it will be a completely new ABB that is operating. I think that it is marvellous that it is diversifying to protect its interests and its shareholders and, as has been indicated to me in the party room, there are many other shareholders other than the farmers. It is a brave

new world: it will move on, the sun will come up and it will go down—as it does in Victoria and Western Australia.

Mr Venning interjecting:

Mr PEDERICK: I thank the member for Schubert. One issue that people need to be aware of is that the ABB will still be there if they want to deal with it through the pools or cash options; I firmly believe that. So, if you are looking for safety and security, I believe that the ABB will find a way to guarantee your payment if you are not game to deal with other traders, and ESCOSA will be in place, which will ensure that traders are doing the right thing. I think that people will find that life will go on, that we will be able to use our local storages and that we will be able to market our grain successfully. If people did not think that it would happen this year, they thought it would happen at some stage down the track, because the wheat job is at risk of falling over. I was always a supporter of the wheat single desk but, as to what has happened with the Iraq deal (and I do not agree with how business was done, although some people would say that is how you do business in those countries), where it made its mistake was not to out itself quickly enough. I support the bill.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I move:

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

Motion carried.

Mr PICCOLO (Light): I wish to make a brief contribution to the debate. At the outset, I admit that I am not a farmer.

Mr Venning: You have Freeling.

Mr PICCOLO: Yes—and Greenock, Wasleys and Roseworthy, which are grain-growing areas. I am pleased to have them in my electorate, and I think that they are pleased to have me, too. I regularly read the *Stock Journal* as a way of keeping up to date with the interests of parts of my electorate. When I received my copy this morning, I read a couple of the letters regarding the Grains Council and the debate on the ABB. If my reading of letters and other material in the *Stock Journal* over the past month has been accurate, opinion has been running at about 2:1 in favour of deregulation. For my contribution, I can do no better than read this letter written today by a farmer from Bordertown, because I think that it puts quite well the case for the government moving this way. It states:

I would like to congratulate the SAFF Grains Council on its courageous decision to liberate the grain growers of this state from the export monopolies of the ABB and the AWB. While many grain growers feel very loyal to those companies, they are reluctant to acknowledge the difference between the statutory bodies they once knew [and grew up with] and present structures.

This is an interesting bit:

The spots have stayed the same but the leopard underneath is a very different animal. It is self-evident that the best way to maximise profit for shareholders is to buy grain as cheap as possible and sell as dear as possible. There is no doubt that there is a conflict of interest between the statutory obligation of these two companies to maximise shareholder returns and their responsibility to give the best return to us growers.

Deregulation is inevitable. However, if we embrace it as [the] grains council has done and try and steer the change, we will get a far better outcome than if we have to be dragged into it kicking and screaming [this is a farmer speaking, not me]. Victoria has had a deregulated barley market for a while and very little has changed from a grower's perspective. Pools are still being run, not only by AWB and ABB but by Elders, Graincorp, or whoever. Indeed, in

2005 Graincorp's barley pool beat the socks off ABB. I know that, because I had some in each. Segregations, central delivery points and delivery standards also haven't changed very much. Neither should variety recommendations, although if someone opens up a new market they should be able to specify what they want. We all sell our canola, peas, beans, oats, sheep and wool on the open market and I cannot see how wheat and barley are any different.

Finally, there is no doubt in my mind that AWB and ABB will continue to be major players in the grains industry and that they will continue to handle the lion's share of the Australian harvest. If they can't survive [and this is important, Mr Acting Speaker] in a free market with the loyalty and asset backing that they enjoy, then they don't deserve to. Personally [and this is still the farmer speaking], I think they will be much better companies to do business with if they have to earn our respect, and not just arrogantly assume it as a right.

I believe that letter summarises where the industry is at the moment and probably reflects a majority of farmers' views—not 100 per cent, but a majority. I think it is wise counsel for this house.

Mr VENNING (Schubert): I oppose this bill. I have been here for almost 17 years and this is an issue that is very close to my heritage. At the outset I remind the house of my interest as a farmer, a barley grower and hence a shareholder along with my family. My late father, Howard Venning, was chairman of South Australia Cooperative Bulk Handling, which later became AusBulk and which, of course, is now ABB. My brother Max is currently the deputy chairman of ABB. I am proud of both of their efforts on behalf of farmers; I do not run from it at all. So, you can see that I have more than a casual interest in this matter. I am a fourth-generation farmer from Crystal Brook; we have been farming there since 1870—that is, 137 years. Surely someone's judgment ought to be considered in these matters.

This legislation is all about whether South Australian barley growers can continue to effectively market barley to the export market together—commonly called, in this issue, a single desk. Very simply, our barley board accumulates barley from its grower members and sells it overseas on their behalf. All profits and the costs are shared. Some would call it agrarian socialism, but it has worked well for 68 years. The same happens with wheat and the Australian Wheat Board. Both Australian wheat and barley have been sold this way for over 68 years, and by any score that has been fabulously successful.

I would like to remind members of a bit of history. Some very famous names in South Australia have been linked to setting up this orderly marketing system, and a few come to my mind straightaway. Thomas Stott, a name already mentioned in the debate, was a great South Australian—in fact, sir, he sat in that chair, your chair, Mr Speaker, as member for Ridley. Tom Shanahan, father of the current Shanahans; Michael, Des and next generation Tom; Herb Petras from the member for Hammond's electorate, who we used to call Mr Barley; Max Saint from the peninsula; Anthony Honner and his father, Jim: these guys ate and slept barley. I will also mention Maurice Kerin, a great friend of my father and the father of the man sitting in front of me now. Maurice was one of the best barley agents in South Australia and he was a great mate of my father. I have not spoken to him about this matter, but I am sure that he would agree with me more than he agrees with his son on this matter. I know that our very own shadow minister started his working life for the Australian Barley Board. Isn't this quite a historic and ironic moment?

Why are we pulling it down? After 68 years I cannot believe we are doing this. I feel a sense of failure that, personally, I have not been able to convince the parliament of the value of its retention. I feel let down by the government, although the speech by the member for Enfield certainly encouraged me. It was a great speech; I encourage members to read it. I feel let down by my own party but most of all I feel let down by the National Party. Over 68 years the National Party of Australia has been the party above all others that supported the single desk—particularly in wheat and barley—more strongly than any other. After all, it is supposed to be the national country party—or, at least, it was—that represented country people. If it were not for the old LCL and that gentleman depicted on this wall here, Sir Thomas Playford, I would be here as a National Party member, not a Liberal member. But that was done years ago: we got them together and I have no regrets about that.

I was quite devastated to learn in my discussions with the member for Chaffey, the leader of the National Party here in South Australia, that the party will not be supporting the retention of the single desk; in fact, I spoke to her twice on this matter, because I am sure that some of her federal National colleagues would be quite horrified at the state's stance on this. In relation to my own party, I am very disappointed that it has gone with the so-called flow on this and it said that, because the SAFF Grains Council has supported deregulation, the state Liberal organisation would not stand in their way. As to the government, I am extremely disappointed, because I know that several members—particularly, the member for Enfield—have made speeches in the house over the years and they have been very supportive of the single desk.

The speech by the member for Enfield highlighted some salient points. We have made some big mistakes in the past. Yes, 10 years ago we should never have corporatised SACBH (now AusBulk), and it was in his words 'the spivs' who convinced us—and I was one of them under their influence—that we had to change it. We changed it.

Mr Bignell: Tell me about ETSAs.

Mr VENNING: It is a brave person who admits he made mistakes. I have admitted that we all made a mistake. I wish we could go back, but we cannot, because we will end up losing the lot. That is what will happen in this corporate world. We were told it was where we needed to be. I have appreciated the support of members and I have appreciated the quality of the member for Enfield's speeches. I think they were from the heart, very clever and deliberate. I often circulate his remarks. I thank my colleagues—particularly the members for Stuart, Goyder and MacKillop—who stood up, because it is not easy to stand as four members against the rest—the other 43. That is what it will be, but I do not care, because I am here for my conscience.

As I have said, it is often best to fight the battle hard and lose and still have your honour, rather than to win and have no honour. I thank those members. I believe that the Minister for Agriculture, Food and Fisheries has conned the Labor Party, and that may be too harsh—let me say that before he gets upset—but I think he has had his total way with a pretty uninterested party on this issue. To arrive to this position is sad indeed, this so-called perception that we need to do this. In the minister's second reading explanation he stated:

Pressure to change this arrangement has been building for years. Rubbish, I say. I strongly dispute that. Yes, there has been criticism, especially from our overseas competitors, that the

single desk is unfair and uncommercial. That criticism ought to be the reason we keep it, not the opposite.

How dare they criticise our collective scheme when they operate a corrupt market with market subsidies. We don't and never will see it here. Also, we have a vocal core of a dozen or so young deregulators who have been encouraged by some of our grain traders to agitate for change. Four of these agitators got themselves on SAFF's Grain Council, and I name them because I blame them absolutely for this. I am not blaming the minister. These are the people you can blame. They can take it fairly and squarely to their blinkin' grave, because I believe they have acted against the overall best interests and intention of their membership.

I know them. The Chairman Brett Roberts was not the first one. Michael Schaeffer, Ian Farley and Gary Hanson are three who agitated very strongly and convinced the then chairman to change, and Brett Roberts then changed. Of course, the rest is history. Brett Roberts was a Nuffield Scholar, a fine citizen and a very good farmer. He went to the United States on a scholarship and on return he toured the states trumpeting loud and clear how lucky we were and the value of the single desk. The Americans told him that, while they were envious of the single desk, they were critical of it. They all had a comment about our single desk. He came home thinking, 'Wow, we need to do all we can to retain it.' Well, when you hear what he has done now, you wonder who and how or what got to him.

Communication in relation to this whole issue has been very poor, and I do not believe the *Stock Journal* has given us enough coverage. We are all being told that no-one has written in about this matter. The minister will say that no-one has bothered to write in about this matter. You know why? Because they are apathetic and because most of them think, 'Well, the cause is lost. There's nothing we can do; we have to accept it.' I believe the media should have done much more to keep this debate alive and kick it along.

The debate about whether South Australia should continue with its single desk export selling of barley regime via the Barley Marketing Act 1993 has been aired much in recent years. Single desk selling of barley, like single desk arrangements for wheat, has worked well in favour of our farmers for over 68 years, therefore it should not be tampered with lightly. The suggestion that there is increased pressure to change this arrangement—in fact, the whole debate—is based on a false premise. The large majority of South Australian farmers do not want to deregulate their barley marketing arrangements. A poll conducted by SAFF in 2005 asked several questions. The first question was: do you support a single desk for barley? Eighty per cent said yes. How would members like that majority in their seat? The second question was: do you support a more independent single desk for barley—and the majority supported that, too. But there were no models to give it access. SAFF erred with this. As I said, 80 per cent wanted a single desk. That was the first question, and you cannot deny the fact that 80 per cent said yes.

The Hon. R.J. McEwen: Of how many?

Mr VENNING: I'm not sure; I have forgotten the figure.

An honourable member: Eighty per cent of 49 responses.

Mr VENNING: I'm not sure; I could guess the figure.

The Hon. R.G. Kerin interjecting:

Mr VENNING: It was 29 per cent of members. I thank the shadow minister.

An honourable member interjecting:

Mr VENNING: Or 30 per cent of the total membership. On average, more than 80 per cent of South Australian barley is exported, and 20 per cent is supplied to the domestic market, which has been deregulated for years. The National Competition Council has been targeting single desk for some time. Competition drives down prices, for example, Australia Post and domestic airfares. Why would you want to drive down prices for the Saudis, Chinese and Japanese buyers of our barley?

Mr Rau: Ask your colleagues.

Mr VENNING: Well, you put it very well in your speech. Competition payments have ceased, and there has been no indication that they will continue. So, why are we doing this now? Minister McEwen keeps harping back to the key reasons to deregulate, that is, our non-compliance with national competition policy and our loss of more than \$9 million in competition payments. First, most farmers have no sympathy towards the NCP. Why? Because national competition is just that: efficiencies within Australia to reduce prices and costs to consumers. Nothing about export and nothing to do with this issue. Why reduce prices on the export market? The opposite is true. We have already deregulated our local domestic market, so NCP does not apply in relation to the \$9 million worth of lost payments.

The Rann government, through its then minister (Hon. Paul Holloway), instituted a report to federal Treasurer Costello in 2002 showing due cause why we should be exempt. The Round report (as it was called) was duly delivered by Professor David Round and a chosen committee, comprising Mr Ian Kowalick and Mr Greg Schultz, but the findings were not conclusive because it was never properly funded. The federal minister asked for a more conclusive report, but it was never revisited. Minister McEwen responded by twice introducing further amendments to the Barley Marketing Act 1993, and both lapsed.

A member of the Round committee was amazed at the interpretation put on its deliberations. The formal recommendations were selected without his input after he had signed off. Disgrace. The push to deregulate our barley has come from certain quarters, most from the farm grain traders such as Brooks Grain. It is now a fully owned subsidiary of Glencore. And who is Glencore? A huge multinational grain trader. It has also been said that the future of the single desk for barley is directly tied to the single desk for wheat, and that will be decided in 2010. So, why do we not wait until then? I believe that we should at least wait to see the outcome, with meetings about that currently being held across our state.

Yes, this bill is only about the South Australian arm of ABB and barley, but we grow the most barley in Australia by a fair margin, so that it does have some similarity to AWB and the national wheat market. I know that my shadow minister does not agree with me. We are significant barley producers. With Western Australia, we supply 33 per cent of the world's traded barley. South Australia and Western Australia collectively market their export barley using a joint venture called Grain Australia. Given that more than 90 per cent of barley exports come from South Australia and WA, one could argue the similarity to a national wheat single desk.

In his second reading explanation and on other occasions, the minister stated that the SAFF Grains Council agreed to the establishment of a barley marketing working group. Yes, but it had no choice, and it was minister McEwen's idea to set up this kangaroo court, without being too harsh, and he chose who would sit on it. He set up the guidelines, and in no way was the representation indicative of the opinion of the

growers. Of the six members, only two were known single desk sympathisers. No wonder it came out with the findings it did. It had no representation reflecting the will of the majority of growers at all. They recommended a phased transition to introduce deregulation. In effect, this will mean the total deregulation of our barley by 1 July 2007.

Of the meetings called to discuss the wheat single desk, over 250 attended the Balaklava meeting three weeks ago, and another convened by the Hon. David Fawcett two weeks ago, and both had overwhelming support to retain the single desk for wheat. No ballot was taken, but the analysts all said that it was quite clear as to the intent of the meetings and a model of an independent authority creating a regulated single desk put up by grain analyst Malcolm Bartholomaeus has much support; that is, a separate single desk identity funded by a levy controlling all export sales except bags and containers. Of the 40-odd speakers at Balaklava, only three supported full deregulation.

There has been a notable shift back to single desk, especially after strong grower reaction to SAFF Grains Council's announcement two weeks ago that it supported deregulation. The SAFF Grains Council is out of step with all other grower organisations around Australia. The WAFF in Western Australia, the VFF in Victoria, grower meetings in New South Wales, Victoria and Queensland, have all strongly supported retaining single desk or a clone of it. SAFF Grains Council arrogantly said—and just cop this—'We all know what they want, but we are going to give them what they need.' How arrogant is that? It says it all, doesn't it? If I was not here I would use another word. Bloody disgrace. How arrogant is that? 'We all know what they want, but we are going to give them what they need.' Bloody disgrace.

Why did they cave in now after the NCP's threat had all but subsided and gone? Who is the pressure coming from? We all know. Since its announcement a few weeks ago, SAFF has suffered membership losses because a majority of growers believe that SAFF, as a body, is out of touch with the real needs and views of its members. My own membership of SAFF goes back over 40 years. I have always been a strong supporter and I have always vouchsafed the strength of SAFF. I have to consider my own position now, after 23 March. I feel totally let down—absolutely. It is expected that many of SAFF's executives will come under pressure at the AGM to be held on 23 March. Chairman Brett Roberts is a director—and I do not do this lightly—of Australian Growers Direct (AGD). I checked the facts.

As one of the most sophisticated on farm storage handling systems in South Australia, many growers are quite concerned about this apparent conflict of interest. I am sure I would not survive that sort of conflict in here. He has an employee who was an employee of ABB and together they are working out some of the clients of the former ABB and doing their own storage on farm.

Given that he is chairman of the section, I find it very difficult to comprehend. The Grains Council has discredited itself and SAFF's members generally. If wheat is deregulated in 2010, I have no problems if we do this with barley, but not until then. After three years of this legislation we will have nothing—not even a Western Australian type GLA (not that we wanted one of those).

It is a well held opinion that effective pools are as important as a single desk. Under deregulation the pools will probably decline. Pools in New South Wales and Victoria are very small and are offered by Elders and Graincorp. Farmers

have to trust pools, and they generally do. I do not believe the role of ESCOSA goes beyond checking out the bona fides of would-be grain licensees. It will not involve itself, I do not believe—the minister could be right—in ensuring that Australian barley does not compete with Australian barley on overseas markets and whether they are being protected and/or satisfied.

Currently, pools are controlled by the existing Barley Marketing Act 1993, and pools by law have to operate to maximise return to growers. You do not get much better protection than that. If the act is repealed, there are no guarantees—they are gone with the stroke of a pen. ABB will still be running pools and will still trade barley, so under deregulation which division will get most of the effort? Of course it will go straight to the trading arm.

Finally, surely, in this emotive debate with a lot of heat in it, the best thing we can do with a bill like this is amend the last clause to say that before this bill is repealed we should at least give every grower in this state the right to a ballot, a poll, and the right to have a say. We all dispute who is saying what. Ask them. Is that not democracy? Ask them. I am sure the industry would pay for the poll. If you are fair and straight, ask them. I rest my case and wait on the amendments.

Time expired.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): This is one of those rare occasions where, in rising to conclude the debate, I need to say very little because for every point that has been made a counter point has equally been made and it is one of those rare occasions when there has been a free and flowing debate and a range of views have been expressed, irrespective of one's political allegiances, which is a wonderful thing to see. I need to deal with a couple of matters in terms of the opening address of the lead speaker for the opposition. I indicated that I would put on the record my support for all but one of his amendments, with one slight modification about an ESCOSA member being on the advisory committee, which we both agree is neither possible nor advisable. The last of his amendments need a bit more work, and we will do that between the houses.

Equally I need to reassure people that the bill does not extend beyond the licensing of barley exporting. I will quote from a response I gave to the Managing Director of ABB Grain Limited as a consequence of two letters from him to me. I stated:

Your letter details ABB's concerns that the bill has been extended beyond the licensing of barley exporting to include the regulation of grain handling services. An explanation for why the bill has been constructed in the way it has should demonstrate such concerns are unwarranted.

They are clearly unwarranted. I go into more detail further on in the letter—I have left out a section of the letter, although the whole letter has been made available to members—and state:

Clause 5 of the Barley Exporting Bill 2007 declares only barley exporting to constitute a regulated industry for the purposes of the ESC Act. Under s.5A of the ESC Act, the Essential Services Commission of South Australia is able to regulate price and perform licensing and other functions under related industry regulating acts.

Of course, the industry regulating act in this case, if it should be successful, is the Barley Exporting Act. The quote continues:

However, it is important to note that the relevant industry regulating act, in this case the Barley Exporting Act, only provides

ESCOSA with a function of licensing barley exporters. ESCOSA's price regulating authority does not extend to grain handling, as this is not the related industry.

It is important that I clarify that. Members raised whether or not there should be a ballot. Some people referred to 'other ballots'. There have been ballots before and there will be ballots again. The most important ballot, I think, was an individual letter personally addressed to every barley grower in South Australia—conducted, I might add, by the working party that actually delivered the South Australian barley report to me. Before that group was formed I gave a commitment (and I met with the shadow minister) that we would stand back and not interfere in any way, because we believed it was appropriate that the industry determine this very complex matter, and we said then that, to the best of our ability, we would translate their wishes into an act and bring it to this place. That is what we have done.

To the best of our ability, we are attempting to honour in legislation what these leaders believe is the best possible thing for the industry going forward. Neil Andrew, Gary Hanson, Stuart Murdoch and Michael Schaefer, along with Geoff Knight and Don Plowman with support from others, have put together a 107-page document, and it is well worth reading. The answers to many of the questions raised during the debate are clearly set out here, as are the pros and cons of the different options. It is a quality document. It is very well debated. Equally, those who chose to had the opportunity to be briefed first hand by Neil Andrew, who went through a detailed presentation in relation to the matter. Every question was answered in a very professional and thorough way by Neil on behalf of that group.

In closing and thanking everyone who has contributed to the debate, I can say that when people come back to this issue they will be surprised to see the passion, the range of opinion and the quality of debate that has led to the position we are in where, quite clearly, the majority of us believe that this is the best way forward for the industry. It is what the industry has asked for and what we are prepared to deliver on its behalf.

The house divided on the second reading:

AYES (35)

Atkinson, M. J.	Bedford, F. E.
Bignell, L. W. K.	Breuer, L. R.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Fox, C. C.
Geraghty, R. K.	Goldsworthy, R. M.
Hamilton-Smith, M. L. J.	Hill, J. D.
Kenyon, T. R.	Kerin, R. G.
Key, S. W.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J. (teller)	O'Brien, M. F.
Pederick, A. S.	Penfold, E. M.
Piccolo, T.	Pisoni, D. G.
Portolesi, G.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Simmons, L. A.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (4)

Griffiths, S. P.	Gunn, G. M.
Hanna, K.	Venning, I. H. (teller)

PAIR

Foley, K. O.	Williams, M. R.
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Majority of 31 for the ayes.
 Second reading thus carried.
 In committee.
 Clauses 1 to 3 passed.
 Clause 4.

The Hon. G.M. GUNN: I seek from the minister an explanation for the reason the government of South Australia and the Premier will strongly support protection for the car industry by maintaining a 10 per cent tariff while this bill will take away protection afforded to the barley industry. How can there be two sets of policy from the one government? If it is right to protect the car industry, surely it must be right to protect the barley industry. The set of circumstances here suggest that the Labor Party and the Premier have been out. I am not a free trader; I never have been. I believe in looking after our own industries. I believe it is important to ensure our neighbour has a job. Why have we got two sets of rules and two sets of policy coming from the government of South Australia?

The Hon. R.J. McEWEN: I think the most valid point is that we asked the industry to decide on balance what it wanted. Along with the shadow minister, I gave the industry a commitment that if it did an extensive and thorough job and weighed up all the pros and cons then we would respect its wishes going forward. Its wish on balance was that the best thing to do at this time is as the bill reflects. In no way did that reflect on the arrangements to this point. I think the shadow minister made the very strong point that what necessarily serves the industry well in one era does not serve the industry in another era. When we look at where this industry sits around the nation it seems that South Australia stands alone at present. The growers said that it was an appropriate time to align the way in which we do business with others around Australia. It is important to acknowledge from the outset that this is an industry request, unanimously supported by the peak body.

The Hon. G.M. GUNN: The minister indicated that this is the unanimous view of the industry. I put it to the minister, quite clearly and precisely, there is only one way in which to get a clear and precise view from the industry; that is, to ask the Electoral Commissioner to conduct a poll of growers. I am very happy to accept the result of that poll. If we truly want to know what growers think—not from some rather convoluted survey—we should get the impartial umpire to conduct a poll; then we will find out what the barley growers think. I am very happy to comply with whatever that result is. I actually know what the result will be—and it is quite contrary to this. I ask the minister: why has that process not taken place?

The Hon. R.J. McEWEN: I did not say that the industry unanimously supported it: I said that the industry's peak body unanimously supported it. Equally, the member may have missed the point I and others made during the debate. As part of the extensive consultation, the working group wrote to every single barley grower. You cannot get a better poll than to ask every single barley grower, 'What are your wishes in this regard?'. The majority remained silent, I might add, in other polls that were quoted today. We must be honest every time and, if we quote from a poll, the starting point must be how many people participated in it. The working party chose to write to every single grower. Every single piece of information that was collected was carefully analysed and, as a consequence of that, they brought forward the seven recommendations that were a key to this bill.

Mr VENNING: I am not convinced by the minister's argument in this instance. He says—correctly—that every barley grower had an opportunity to respond. Well, they did not. Does their silence mean that their opinion goes along with what you are doing here today? I believe that most growers know that it has been before the house but, if they do not, the publicity in next week's *Stock Journal* will be such that they will know. I believe that a poll, even if it be paid for by the industry, would be the only democratic way to go. Is there any way, minister, that you would consider arranging an independent poll by anyone, including the electoral office, if you wish, because that would put the decision beyond any doubt about whether there is or is not support?

The Hon. R.J. McEWEN: How the member can have the audacity to even propose this proposition when, ahead of the 1997 election, he was part of a government that said that it would never sell ETSA and within months sold it. If he is not prepared to support a poll on a matter so fundamental and so significant to the people of South Australia, why would he now want a poll on this when, on this occasion, every grower has already had the opportunity to be part of a very thorough process. No-one had the opportunity to reflect on the fact that a fundamental promise had been broken. There is no reason now, other than a few people looking for a desperate excuse because they have not been able to carry the weight on the strength of their persuasion.

We have had a thorough debate. Every member in the place has listened to the pros and cons and come down on the side of what is before us. That is democracy at work and that is what I support. That is why the member is in this house; that is why he was elected to be in this house, along with the rest of us. That is democracy at work and that is what we are experiencing here today.

Mr VENNING: Minister, in a nutshell, you are refusing the calling of a ballot. Yes or no.

The Hon. R.J. McEWEN: I have made it abundantly clear that the most thorough ballot possible has occurred. Every single grower was personally written to and asked what they thought. You cannot do better than that, which is a lot better than they chose to do in the far more fundamental example I gave a minute ago.

Mr VENNING: I note the wording of the bill in clause 4(2) is rather strange when it talks about the size of the container being 'not more than 50 tonnes'. I presume that is up to 50 tonnes of barley; in other words, any container, as long as it does not hold more than 50 tonnes. Is that correct?

The Hon. R.J. McEWEN: That is just reflecting the current industry arrangement.

Clause passed.
 Clauses 5 to 10 passed.
 Clause 11.

The Hon. R.G. KERIN: I move:

Page 5, lines 26 to 30 (inclusive)—Delete paragraphs (c) to (e) (inclusive).

This simplifies the setting of the licence fee. I felt that the current paragraphs (a), (b) and (f) basically suffice, rather than having to look at the assets and make guesses about how much each trader will make out of the year's trading.

The Hon. R.J. McEWEN: I indicate that the government supports the amendment.

Amendment carried; clause as amended passed.
 Clauses 12 to 20 passed.
 Clause 21.

The Hon. R.G. KERIN: I move:

Page 9, line 3—Delete ‘may’ and substitute:
must

Basically, this is a pretty simple amendment. At the moment the bill provides that the minister ‘may’ appoint the advisory committee. We feel that it probably better reflects the set-up if we replace ‘may’ with ‘must’.

The Hon. R.J. McEWEN: I indicate that the government fully supports this amendment. From time to time, I have been told by parliamentary counsel that ‘may’ means ‘must’ but, if ‘may’ means ‘must’, I like the amendment of the opposition, which means that you actually put the word ‘must’.

Amendment carried.

The Hon. R.G. KERIN: I would like to move my amendment No. 3, with the exception of (2)(f), which says that at least one member must represent the commission.

The CHAIR: You are seeking to move your amendment in an amended form?

The Hon. R.G. KERIN: Yes.

Leave granted; amendment amended.

The Hon. R.G. KERIN: I move:

Page 9, lines 5 to 7 (inclusive)—Delete subclause (2) and substitute:

- (2) The advisory committee must consist of at least 7 but not more than 10 persons, of whom—
 - (a) 1 (the presiding member) must have knowledge of, or experience in, but be independent of, the barley industry; and
 - (b) at least 2 must be barley growers; and
 - (c) at least 1 (who must not be a barley grower) must have knowledge of, or experience in, a particular area of grain handling services; and
 - (d) at least 1 must have knowledge of, or experience in, the fields of law, commerce or economics; and
 - (e) at least 1 must represent the Government.
- (3) The members of the advisory committee will hold office on such terms and conditions as the Minister thinks fit.
- (4) The Minister must ensure that a meeting of the advisory committee is convened at least twice in each year.
- (5) The procedures to be observed in relation to the conduct of the business of the advisory committee will be—
 - (a) as prescribed by the regulations;
 - (b) insofar as the procedure is not determined under paragraph (a)—as determined by the Minister;
 - (c) insofar as the procedure is not determined under paragraph (a) or (b)—as determined by the committee.
- (6) The presiding member of the advisory committee must, as soon as practicable after a meeting of the committee, make a report to the Minister on the business transacted at, and any advice arising from, the meeting.
- (7) The Minister must, as soon as practicable after receipt of a report from the advisory committee, provide a copy of the report to the Commission.
- (8) The Commission must, when exercising its functions under the Act, take into account the advisory committee’s report.

I would like to explain the reason I have moved to put this into the bill, and that is to more succinctly spell out the composition of the advisory committee and also the way the committee operates. Given the report of the working group, I think this gives comfort that the advisory committee will operate in the way it was intended. We have changed a couple of things to make it fit with the way the legislation works, but I think what we now have well and truly fits the model as put forward by the working group, and that is why I have moved this amendment.

The Hon. R.J. McEWEN: I support the amended amendment filed by the shadow minister. In so doing, I wish to bring to the attention of the committee a couple of

components of that amendment, particularly subclauses (6), (7) and (8), where it is quite clear now that not only must the minister have such a committee formed but he must also receive reports from that committee and must refer them to ESCOSA. This is what we wish to do. It seems to be a roundabout way, but the advice we have had from parliamentary counsel is that ESCOSA itself cannot form a subcommittee.

So this cannot be a subcommittee of ESCOSA and therefore the only way we can form this committee and give it responsibility to report to ESCOSA is by directing the minister not only to set up the committee but also to receive reports from the committee and then he must refer those reports to ESCOSA and the commission must, when exercising its function under the act, take into account the advisory committee’s report. In supporting this amendment, I compliment the shadow minister for framing it in this way and making it abundantly clear to all stakeholders that they have a clear, direct line to the commission.

The CHAIR: Minister, for the benefit of the chair, could you indicate what ‘ESCOSA’ stands for?

The Hon. R.J. McEWEN: ESCOSA is the Essential Services Commission of South Australia. Madam Chair, you might have noted that, throughout the debate, we referred to that body in the abbreviated form.

Amendment as amended carried; clause as amended passed.

Clause 22 passed.

Clause 23.

The Hon. G.M. GUNN: Clause 23(1) provides that ‘the Governor may, by proclamation, fix a date for the repeal of this act.’ Why has the minister not gone down the track of doing this by regulation and then, if members are of the view that that is an unwise course of action, at least they have some recourse. Under the proclamation procedure, they will read about it in the *Government Gazette*, and that will be it. If it is done by regulation, at least they can bring it to the attention of either house of parliament and have a debate on the issue. I seek from the minister the reasons why that has not been done. Once that proclamation is issued, the barley growers of this state will have been cut completely loose; they will have been hung out to dry. Surely a member of parliament who feels strongly about this matter should have the ability to at least challenge it on the floor of this chamber.

The Hon. R.J. McEWEN: I am advised that we are just looking for some flexibility. It is the intention that this operate for three harvests. That is quite clear. We have talked about three years and three harvests. We are just saying that, to ensure that we can get it in place to allow it to carry on for three harvests, there is a little flexibility. The intent, though, is quite clear. The flexibility is just around what the final date might be. However, there will be some more discussion about what we do between now and then, which is what the shadow minister has indicated, and what we will deal with between the houses.

Mr VENNING: I appreciate what the minister just said, and I understand that a lot of work will be done on this over the next three years. I think the matter raised by the member for Stuart is very sound advice, indeed. In fact, as a person of 36 years’ experience, I think it is very wise counsel to put that measure in there, because the decision comes back to this place by way of regulation, and not by reading it by way of a proclamation of the Governor. I think it is a good idea, and I think the advice from the member for Stuart is sound. It can always be altered by changing the act—you can do it in two

years if you wish, or whenever you like. But to do this by way of regulation for the next three years certainly would provide a brake, so that this house would have the final say.

The Hon. R.J. McEWEN: We are dealing with the establishment of a three-year licensing scheme for exporters of barley, and a little bit of flexibility around that. Although we say potentially from 1 July 2007 through to 30 June 2010, the intention is to have a licence scheme operating over three harvests. It is quite clear what we want; we just need a little bit of flexibility about where the starting and finishing dates might be in relation to this licensing scheme operating over three harvests.

The committee divided on the clause:

AYES (32)

Bedford, F. E.	Bignell, L. W. K.
Breuer, L. R.	Caica, P.
Chapman, V. A.	Ciccarello, V.
Conlon, P. F.	Evans, I. F.
Fox, C. C.	Geraghty, R. K.
Goldsworthy, M. R.	Hamilton-Smith, M. L. J.
Hill, J. D.	Kenyon, T. R.
Kerin, R. G.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J. (teller)
O'Brien, M. F.	Pederick, A. S.
Piccolo, T.	Pisoni, D. G.
Portolesi, G.	Rankine, J. M.
Rann, M. D.	Simmons, L. A.
Snelling, J. J.	Stevens, L.
White, P. L.	Wright, M. J.

NOES (4)

Griffiths, S. P.	Gunn, G. M. (teller)
Hanna, K.	Venning, I. H.

PAIR

Foley, K. O.	Williams, M. R.
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Majority of 28 for the ayes.

Clause thus passed.

Schedules (1 to 3) and title passed.

Bill reported with amendments.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I move:

That this bill be now read a third time.

In doing so, I thank John Cornish for his assistance today. I thank the whole team who put this together; particularly I thank Neil Andrew and the work he did, and I thank the industry for showing leadership on this complex issue.

Mr VENNING (Schubert): It is indeed a sad day and I was rather amazed that the minister, with good spirit, could not have agreed to that one amendment in relation to the regulation, but he certainly has not conceded anything. There is concern out there, and I discussed this the other evening, as the minister knows, with Neil Andrew's committee, and that is in relation to the review of the act. That is provided in the last clause, schedule 3, in relation to what is an essential service, particularly when after the paragraph we insert the words 'EA Grain Handling Services'. This raises several issues. I will put these questions on the record so the minister can address them either now or later.

If the bill is meant to deal with the accreditation and licensing of barley exporters, why does it seek to make Grain Handling Services an essential service (per schedule 3 of this bill) and make barley exporting a regulated industry (section

5 of the bill) for the purposes of the Essential Services Commission Act? My second question is: why cannot ESCOSA be simply empowered under the bill to administer the accreditation and licensing of barley exporters, rather than trying to artificially create an essential service which really is not an essential service as the community would normally understand that term to mean? The third question is: if in making Grain Handling Services an essential service it is, in the government's opinion, necessary to give ESCOSA the power to administer the Barley Exporting Act, and there is nothing more sinister in mind, why does the bill not provide for this mechanism to lapse when the Barley Exporting Act expires or is repealed?

The fourth question is: does the government intend to propose any regulations in the future to allow ESCOSA to make price determinations in respect of barley exporters? That is a very important question. The fifth question is: does the government envisage that ESCOSA would make codes or rules relating to the conduct or operations of barley exporters as it would be entitled to do under section 28 of the Essential Services Commission Act; and, if so, under what circumstances would this occur and why would it be necessary if ESCOSA's role is merely to accredit and licence barley exporters?

In his second reading speech, the minister referred to a 'three year licensing period'. So, the sixth question is: why does clause 23 of the bill provide for sunset on the fourth anniversary of its commencement? Unless my maths is bad, this covers four seasons, not three. The last question is: on what basis will barley exporters be charged a licensing fee? I probably should have asked these questions during the third reading, but I put them on notice and, hopefully, the minister will answer them at some stage.

Bill read a third time and passed.

MATTER OF PRIVILEGE

The SPEAKER: I make the following statement with regard to the matter of privilege raised by the Deputy Leader of the Opposition in the house earlier today. First, I remind members that privilege is not a device by which members can seek to pursue matters that can be addressed by debate or settled by a vote of the house on a substantive motion. McGee in *Parliamentary Practice in New Zealand* in my view sets the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties.' I refer specifically to the matter raised by the Deputy Leader of the Opposition in relation to the alleged actions and statements of the Treasurer in Rundle Mall on 18 February towards three members of the Adelaide Parklands Preservation Association.

The nature of the deputy leader's allegation is that there is an inconsistency between the actions and statements attributed to the Treasurer by members of the Adelaide Parklands Preservation Association and those described by the Treasurer in answer to questions in the house. The deputy leader has provided me with copies of the statutory declarations of the members of the association, who maintain that the Treasurer acted in an aggressive and threatening manner towards them while both they and the Treasurer were attending a display in relation to the proposed redevelopment of Victoria Park.

The Treasurer, in response to questions asked by the member for Unley, has denied the alleged actions and

statements. In this case, there has been no misleading of the house about the presence of both the Treasurer and the association members and that some form of exchange between the two parties occurred. What has given rise to the matter is a difference in the recollections of the two parties. It does not fall to the chair to judge whose recollection of events is correct. In my view, that is not a matter that this house can settle through the procedures available to it.

Accordingly, I do not propose to give the precedence which would enable any member to pursue this matter immediately as a matter of privilege. This decision does not prevent the deputy leader or any other member from proceeding with a motion on a specific matter by giving notice in the normal way. In reaching this decision, I have no doubt that the three association members who have made statements in relation to this matter are as adamant in their belief as to what they witnessed as the Treasurer is adamant about what he said and did.

In the chair's view, it would be regrettable if, in consideration of the matter, the house was required, by way of a vote, to pass judgment on the veracity of the statements of the members of the association or the statements of the Deputy Premier.

OPTOMETRY PRACTICE BILL

Adjourned debate on second reading.

(Continued from 27 September. Page 1032.)

Ms CHAPMAN (Deputy Leader of the Opposition): It is with pleasure that I finally speak on this bill. I think that I have brushed the cobwebs off the file on a number of occasions. I cannot recall how many times it has been listed for the completion of the second reading debate, but it has been many. Hopefully, tonight it will reach finalisation in this house. I expect that those who practise in the area of optometry will welcome the passage of the bill through this chamber and will look for its speedy passage through the other place.

I am sorry that a former premier of the state, the Hon. David Tonkin—an eminent South Australian ophthalmologist—is not here to have the carriage of the bill as the lead speaker on behalf of the Liberal Party. Not only was he an outstanding contributor to his field but, as some may know in the house, he also continued to consult with some of his patients on Saturday mornings during the term of his premiership. I suppose that those were the good old days when one was able to maintain a direct and important link with the local community. Dr Tonkin, who was the very first member for Bragg in South Australia, entering parliament in 1970, served his profession and this parliament with distinction. Notwithstanding that, I am very pleased to be speaking on behalf of the opposition on this matter.

I indicate that the bill replaces the Optometrists Act 1920, and it is proposed that it will remove certain restrictions on ownership of optometry practices, in line with the national competition policy. This is one of a suite of health professional registration bills that have introduced reform in line with that policy. The opposition supports the bill, and it follows a number of other measures, including the Medical Practices Act 2004. Over the past 2½ years, we have continued to progress these bills, and I think that at this stage the only one outstanding is the Psychological Practice Bill, about which I will have something to say in due course, but probably not tonight.

This measure helps to ensure that non-registered persons who own an optometry practice are accountable for the quality of services provided. The bill establishes the optometry board of South Australia, which replaces the existing board, and proposes some minor changes to the board's composition, to the length of time members can serve on the board and to the way registration and complaints are handled. As with a number of the other bills, it seems that the optometry board (the relevant professional board) is one about which some considerable contribution has been made by stakeholders essentially to restore a composition that involves a reasonable and improved extended number of persons who have qualifications and/or experience in the relevant profession. This seems to have been hard fought, supported in the bill and acknowledged in the amendments before us.

As is the case in all states, except New South Wales, the bill does not require the registration of optical dispensers, because it is claimed that there is no evidence that receiving the wrong glasses actually creates harm. In the course of consultation on this matter, some concern was raised with me by opticians, particularly those from the Australasian Dispensing Opticians Association, South Australian Division. This organisation has written outlining its concerns, and I would like to quote from its correspondence of 2 February. After opening statements expressing dismay at the proposed amendments, it says:

The ADOA is the representative body for approximately 200 registered optical dispensers here in SA, and we are firmly against the deregulation of our industry. The current situation sees registration granted to those who undertake a recognised Certificate IV course provided by a registered training organisation, such as TAFE SA, OTEN in New South Wales or RMIT in Victoria. The three-year, part-time course is supplemented by on-the-job training, and registration is granted after successfully completing the course plus 800 hours logged workplace experience. Regulation of optical dispensing in SA ensures a high level of training and professional service to the public. It motivates employers to invest in staff development, and ensures a fair wage for those who have sacrificed their time and undertaken a long course of study to further advance their skills and knowledge.

It goes on to say:

The current Labor government in South Australia seeks to abolish registration, on the grounds that it is unnecessary and no harm will befall the public should registration be removed. Purported evidence of this is that no harm has befallen the public so far. We argue that no harm has befallen the public due to registration being in place, not the contrary.

I refer to this correspondence because a similar issue will arise with those who delight—and, on the other hand, with those in the profession who will scoff—at proposed deregulation in another bill; and I refer to the Psychological Practice Bill. Some of the same arguments prevail, and I think there are some grounds for the concern raised by the Dispensing Opticians Association.

The opposition's subcommittee, in particular, has given this some consideration and, at this stage, we do not see any alternate regulation requirement as being necessary. What is of concern is the matter of the prescription of plano lenses, which I will cover shortly. In any event, in this bill prescribing glasses is restricted to optometrists and medical practitioners, and, of course, orthotists who specialise in the investigation and management of disorders of the eye—apparently there are 10 in South Australia—will be considered. The bill also enables optometrists to prescribe therapeutic drugs to treat eye conditions, in line with all other states.

I now come to plano lenses, which are used for cosmetic purposes such as changing the colour of the eyes. I am told that these are freely available in chemists and beauty outlets, and I understand that they are purchased by young women, in particular, although there may be others who purchase these products. Plano lenses have the potential to threaten a person's sight if they are not used correctly. I understand these lenses do not have any capacity to improve or change the sight of the wearer but really only add a colour dimension, if one wants to go out at night (as young people do) and look different or have something that matches their clothes. This is a new 'handbag' addition; instead of that accessory one has colour-coded plano lenses. As a former wearer of contact lenses myself, I believe it would be a fairly uncomfortable accessory; nevertheless it seems to be something that is practiced by some in the community and presents, at least in the mind of the wearer, an aspect of attractiveness that they wish to pursue.

So, it is certainly not for me to criticise or question that. It is of concern, though, that if the lens is not correctly placed in the eye or removed or that it is inadequately cleansed, this could cause some infection, danger, scarring or injury to the eye. Frankly, we only have two of them and we rely on them; they are precious and necessary for our work and lifestyle. One can envisage that this would be a dangerous practice if they were inappropriately used. The bill proposes that plano lenses cannot be sold unless they have been prescribed by an optometrist or a medical officer. I am not sure that is necessarily the way to go. We have not considered this at length as to what other ways there are of dealing with this. However, it is fair to say that, if anyone manufactures or sells a product used by the consumer, there be a raft of consumer protection law in place to protect against a product which is not fit for purpose or which causes harm or some kind of injury or damage.

It seems to me that there are alternative mechanisms by which the use of these plano lenses could be supervised. Some would argue that giving forth to a breach of a consumer protection code or piece of legislation or offering some damages claim is never going to cover the potential danger of loss of sight, and that would be such a detriment to a young person who inadvertently uses these. It is such an important aspect of our capacity as human beings that we cannot take the risk. Damages and money payments will not be enough. It is of such importance that it is necessary to absolutely ensure that plano lenses are not used without instruction by adding on a prescription. The presumption is that by obtaining a prescription the proposed wearer will take the time to go along to get the prescription from the medical person or the optometrist, then fill the script and carefully comply with the instructions on how to use them.

Unfortunately, I do not think that is necessarily going to follow. I accept that at least by going into a chemist persons with some qualifications are available to give advice as to their use. I am not certain that they should be issued without some restriction as to who can administer the prescription, but rather that there be a requirement that the prescription is administered with instructions. In other words, it could still be available to the person who gets a prescription, who goes into a large chemist store, fills out the script, and picks it up, because it would still have some instruction on the box as we often get with medications. However, they could still not be read properly or be properly supervised at the time of distribution with proper instructions and warnings given to

the user to ensure that they actually follow those instructions and do not cause themselves damage.

With those words, and the caution that we exercise as to what other options may have been given, we accept that at this stage the prescription procedure is one that we will not object to. We would be hopeful that for as long as this fad might last—and I hope it is just a fad, to be frank, but it may not be, it may become mainstream for people to have these things—they will be used correctly and that, hopefully, we will not see areas of litigation in the future where people have lost their sight or, perhaps even worse, their eye from infection. With those few words, I indicate that we support the bill.

The Hon. J.D. HILL (Minister for Health): I thank the Deputy Leader of the Opposition for indicating the opposition's support for this legislation. She raised a number of issues. I agree that the plano lenses is a matter of concern, and I have had a close look at the issue of optical dispensers. I have looked at their arguments, but I have been informed by the dispensers' organisation itself that not all optical dispensers in South Australia are regulated and members of the association. There is a mixed bag in South Australia, but there does not seem to be any evidence that there are any problems in our state or in other states as a result of that, so I am convinced that we are going in the right direction. Of course, legislation can always change if a problem emerges.

I thank at this time all the bodies I have met with in relation to this legislation. I met with all the professions within the optometry area, and I am grateful for the advice they gave me. I also thank Lee Wightman and Nicki Dantalís from the department for their assistance, as well as Rita Bogna and Christine Swift from parliamentary counsel. I am not sure whether the Deputy Leader of the Opposition has seen them, but I indicate that I have a couple of amendments. One deals with 'putative spouse' and the other is to correct an omission in the original legislation, which picks up the orthoptist issue in other places where it needed to be referred to. It is referred to elsewhere but not in these particular places.

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

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

Motion carried.

Bill read a second time.

In committee.

Clauses 1 to 39 passed.

Clause 40.

The Hon. J.D. HILL: I move:

Page 24—

Line 32—After 'optometrist' insert 'or orthoptist'

After line 41—Insert:

(3) In this section—

'orthoptist' means a person registered as an orthoptist with the Australian Orthoptic Board established by Australian Orthoptists Registration Body Pty Ltd.

These amendments are to include in the professions the profession of orthoptist. As I understand it, it would mean that any script produced by an orthoptist would enable something that could be dispensed.

Amendments carried; clause as amended passed.

Clauses 41 to 56 passed.

Clause 57.

The Hon. J.D. HILL: I move:

Page 34—

After line 9—Insert:

‘domestic partner’ means a person who is a domestic partner within the meaning of the Family Relationships Act 1975, whether declared as such under that act or not;

Line 24—

After ‘spouse,’ insert ‘domestic partner;’

Lines 26 to 33—

Delete the definitions of ‘putative spouse’ and ‘spouse’ and substitute:

‘spouse’—a person is the spouse of another if they are legally married.

These amendments pick up the Family Relationships Act amendments and include the domestic partner arrangement.

Amendments carried; clause as amended passed.

Remaining clauses (58 to 79), schedule and title passed.

Bill reported with amendments.

Bill read a third time and passed.

ADJOURNMENT

At 6.01 p.m. the house adjourned until Wednesday 14 March at 2 p.m.