

## HOUSE OF ASSEMBLY

Thursday 7 June 2007

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

### CONTROLLED SUBSTANCES (CANNABIS OFFENCES) AMENDMENT BILL

The **Hon. I.F. EVANS (Davenport)**: I move:

That the Controlled Substances (Cannabis Offences) Amendment Bill be restored to the *Notice Paper* as a lapsed bill pursuant to section 57 of the Constitution Act 1934.

Motion carried.

### DOG AND CAT MANAGEMENT (CATS) AMENDMENT BILL

The **Hon. R.B. SUCH (Fisher)** obtained leave and introduced a bill for an act to amend the Dog and Cat Management Act 1995. Read a first time.

The **Hon. R.B. SUCH**: I move:

That this bill be now read a second time.

This bill, as members may recall, is a reintroduction following the proroguing of parliament. Some good has come out of that proroguing because what were originally going to be amendments to my bill have now been incorporated in it, so it is all in the one measure. This bill mirrors the dog aspects of the Dog and Cat Management Act of 1995. The member for Morphett could attest to the fact that cats are different from dogs. In management terms—obviously with some adjustment for the fact that we are dealing with cats—it mirrors that bill of 1995.

I have been interacting with the minister responsible for this area, the Hon Gail Gago, and her staff for quite a while. When I introduced the bill before in its earlier format, the member for Hartley—I think responding on behalf of the minister in another place—indicated that the government did not agree with the bill primarily because they interpreted the bill as not covering the possibility of mandatory microchipping of cats.

In actual fact, I double-checked with parliamentary counsel and new section 67J of my bill indicates that the opportunity for compulsory microchipping would be available under that section of the act, that is, it would be dealt with by regulation. Many councils are very keen to see some action on this issue. What we have seen has been a bit like beach volleyball with, I think, the government believing that councils should take the initiative and councils believing that government should take the initiative. What we need, obviously, is a joint approach to this issue.

My bill, through the Dog and Cat Management Board, makes provision for councils to manage cats. Following the initial release of my bill, certain councils suggested some amendments, and these have now been incorporated into the bill. One amendment—the insertion of new section 7A—deals with cats wandering at large. That issue has now been dealt with and is covered in the bill. Several councils requested that. Another aspect I think the minister, through the member for Hartley, queried was the fact that my bill makes provision for not only the registration of cats (I do not

think the minister had any problem with that) but also cats wearing a disc as a form of identification.

This bill does not say that is the only form of identification, but I believe that disc is necessary as well as the microchipping because not many people in a street where a cat may wander would have the ability to read a microchip. You still need some simple mechanism, I believe, whereby a neighbour or people who want to see a cat returned to its owner could easily ascertain that by reading the disc on the cat. South Australia has been somewhat slow in addressing this issue.

I know that the former minister, the Hon. John Hill, was getting close to taking some action in relation to the management of cats, but he was transferred to other duties. Now he is combining railways and hospitals, and I think that is a very innovative approach. The current minister, as I said, the Hon. Gail Gago, now must deal with this issue. Councils (and I have been interacting with many of them) want to see some action on this matter. The argument that councils could do something now is wishful thinking. Some may but, generally speaking, one council will not do much about an issue, such as cat management, unless other councils do so.

We know that is because some very active people in the community do not want to see cats restrained in any way, shape or form, and I think that is very unwise. I have spoken with vets who tell me that, since the registration of dogs came in, as well as better laws relating to the management of dogs, fewer dogs have been hit by cars and, in the main, they have been supportive of what I have been trying to do with this bill. I do not come from a standpoint of anything other than wanting to see the sensible and reasonable management of cats.

If people want to have cats, that is fine, that is their right, but the welfare of cats needs to be managed properly, as well as consideration for others. Some people feel very strongly about this issue both for and against. As I say, I am trying to come at it from a sensible position of management and not passing judgment on whether or not people should or should not have cats. What needs to happen is that people who have cats look after them, that there is a mechanism to deal with their management and that we do not continue to see cats dumped, as happens frequently now out on some of the country roads. If you go out from Murray Bridge you will find many cats that have been dumped by thoughtless, inconsiderate people who have no regard for the welfare of cats or of wildlife.

I will not relay every aspect of the bill as members can read for themselves, but it clearly gives councils the authority to administer and enforce the provisions of this act, to maintain a register of cats and to comply with the requests of the Dog and Cat Management Board. Moneys collected under this act would be used for the administering of the act in relation to cats. The bill makes provision for dealing with the issue of desexing and for people who are cat breeders and people who board cats when people go away—all those provisions are covered in the bill.

The bill says that every cat of or over the age of three months must be registered. It has requirements that need to be met where a cat is sold or given to someone else, so we can have proper, sensible management of cats. I have taken quite an interest in this topic for quite a long time, and in New South Wales they have compulsory microchipping of cats. In Victoria they have compulsory registration and a requirement for the cat to be identifiable. Both states believe

and have evidence to show that proper cat management provisions work.

My bill enables pensioners and others to get a discount for any fees that may be imposed and encourages the desexing of cats. The city council in Sydney provides very generous incentives through the veterinary profession and has generous provisions in terms of both having cats desexed and the microchipping of cats. I am not suggesting that people on a low or fixed income should be disadvantaged but rather that they should be given special consideration so that they and others who love their cats can have them and those who have experienced inconvenience caused by cats will no longer be subject to that behaviour, where currently a small number of cat owners have acted or do act irresponsibly.

There is provision in the bill for councils to seize cats that are wandering at large and for taking them into care by the RSPCA, Animal Welfare League or any other body specified by the minister by regulations. There are provisions relating to the return of a wandering cat and other safeguards in relation to ensuring that proper efforts are made to return a cat before it gets to a point where it has to be put down. This is a reasonable measure.

If the government does not want my bill, I am happy to see it put in its own bill or amend or take over mine. This issue should have been dealt with a long time ago. I have had great support from most veterinarians. One or two have taken a misguided view because they are trying to pander to a small section who do not believe there should be controls on any animals. Apart from that small minority, the wider community and most veterinarians see this measure as reasonable and responsible. I think it will help protect valuable cats—and people who have them usually regard them as valuable—and will ensure that people can go on enjoying having a cat as a pet, but with it we will deal with the small percentage of irresponsible people who have no regard for cats or for people in the community at large. I commend the bill to the house.

**Mrs GERAGHTY** secured the adjournment of the debate.

#### **STATUTES AMENDMENT (PROCEEDS OF TERRORISM) BILL**

**Mr HAMILTON-SMITH (Leader of the Opposition)** obtained leave and introduced a bill for an act to amend the Criminal Assets Confiscation Act 2005. Read a first time.

**Mr HAMILTON-SMITH:** I move:

That this bill be now read a second time.

This is a most important bill, which should warrant careful consideration from the government. Essentially, the bill serves to prevent those who are charged or convicted with a prescribed terrorism offence, or those associated with them, from profiting by selling their story to the media. It does not prevent such persons from telling their story; it merely prevents them from profiting by doing so. The bill seeks to pass such proceeds (if and when they occur) to the Victims of Crimes Fund or other charitable organisations approved by the Attorney-General. As the house would be aware, the federal Proceeds of Crime Act 2002, which was used earlier this year by federal authorities to freeze Schapelle Corby's much-hyped biography, covers these circumstances. It would, therefore, be difficult for David Hicks or those like him to sell his story when released. However, I have doubts (based on advice I have received from others) about the effectiveness of the federal law as it exists. I am advised that it is not yet fully tested and that it may not be absolutely watertight.

Therefore, I introduce this bill within the state jurisdiction to ensure that David Hicks, or any other person in the same or similar circumstances, cannot derive profit from the publication of their story. It will make the law watertight in that, if the proceeds of Crime Act 2002 is found to be lacking, this bill will cover the circumstances. I hope that other jurisdictions will introduce similar legislation so that, in all states and territories of Australia, the loopholes, if any, when exposed are closed and dealt with. The key features of the bill include a provision to define a 'prescribed terrorism offence' as an offence against part 5.3 of the commonwealth Criminal Code. My bill also provides that a person who is charged, or has been convicted with, a 'prescribed terrorism offence' in South Australia or elsewhere and derives literary proceeds directly or indirectly in relation to the offence, is guilty of an offence.

My bill provides that, where the media provides or offers to provide literary proceeds directly or indirectly to a person who is charged or convicted with a 'prescribed terrorism offence' they are guilty of an offence, unless the proceeds and interest are paid to the Victims of Crime Fund or other charitable organisation approved by the Attorney-General. I do not seek to make life difficult for the media. I understand the realities that when someone like Mr Hicks is released from gaol there will be pressure on him from the commercial media to sell his story and there may be competitive bids for that story. To be perfectly frank, in practical terms, I think it will be very difficult to stop Mr Hicks from telling his story and for that to be reported. The point of my bill is to try to control the process so that the people who benefit are the victims of crime and not Mr Hicks or his nominees or, for that matter, any others who find themselves in a situation similar to that involving Mr Hicks.

This bill is not purely tailored around Mr Hicks: it is more of a principle device. It would be only in the case where the media gave the money directly to Mr Hicks or another offender and/or their nominees that the media would be guilty of an offence. I know there are loopholes; I know that deals can be done overseas; I know that money can find its way to the offender one way or the other; and this bill reaches out only through the South Australian jurisdiction. I know all that.

In fact, one of the complications flowing from all this is that, if you do not provide a device for the story to be told in one way or another, the implication is that Mr Hicks, or someone like him, will simply go somewhere else, tell their story and profit from it. So, in a way, this bill offers a device to control the situation here from South Australia rather than have it explode elsewhere. The bill also provides that where a body corporate (for example, a media corporation) is guilty of an offence an officer or employee may be criminally liable if they knew and promoted or acquiesced in the contravention, unless they can show they took all reasonable and practicable steps to prevent contravening the offence. So, the bill attempts to cover each of these options.

The government obviously noted my public statements right back in April, I think it was, that I would be introducing a bill such as this in the parliament—and the government had not, I am sure, given any thought whatsoever to the matter up until that time. Of course, as the government is wont to do, it noted that the opposition had raised this concern, and then I see that on 29 May the Premier launched into the parliament, saying, 'Oh, by the way, the government will introduce a bill of its own.' Of course, when one looks at the government's bill, one notes that it is not as complete and as

thorough as the proposition I am putting. In particular, the government bill does not recognise some of the realities and practicalities of how the media operates and how the commercial arrangements in regard to such stories work, and I feel quite certain that the government's bill will be much easier for an offender to escape than would be the case with my bill.

During the debate on the government's bill, I recall the Attorney saying, 'Well, how might you contain the media on this or bring the media into this arrangement?' I suggest that he looks at my bill and considers whether any of its provisions might have applicability to the government's bill. I am quite happy to support the government's bill in a bipartisan way; the important thing is to get an outcome here and not to have argy-bargy over which particular bill goes forward. I understand that the Premier and the Attorney would not have wanted to support my bill because, after all, it is my bill, isn't it! They would have to put forward their own bill. However, I am not going to prevaricate or be churlish about that; if that is the way they want to play the game, I am happy to support their bill. I just say to them: look at my bill and see whether there are provisions in it that would improve your bill, and amend your bill if necessary. The bill pretty much speaks for itself. I commend members to an examination of its provisions. I thank parliamentary counsel for their assistance and guidance during the process of the drafting of the bill, and I thank others from the legal community who have given me advice as the matter has proceeded.

On the general issue of Mr Hicks, I am pleased to see that he is now serving his time here in South Australia. I think he has been a very foolish young man who has committed some very serious offences. As I have mentioned to the house earlier, I have never been a member of the David Hicks fan club. I would say it has been very interesting how government members were very quick to jump on the Hicks bandwagon and portray him as some sort of an innocent victim of US and Australian imperialism—incarcerated over there in Guantanamo Bay. They were very quick to bring out the violins and start to play them and appear to act almost as his advocates and his saviours.

I am equally interested to note how at the moment he confessed to his crimes, the moment he was convicted of them and the moment it became apparent that he had been actively involved in aiding and abetting terrorism, the very same people who were lauding his praises suddenly turned around and expressed concern and alarm that he might be coming back to South Australia: 'Oh by golly, by gosh, he's a terrorist. He could bring the state down or run around and blow up the entire state. Wouldn't we be endangered if he came back here? We should call on the federal government to do all sorts of things.' We had the Premier out there trying to beat up public hysteria, saying, 'Gee, I'm not sure whether we want him back here.'

Of course, the Premier had come into the house earlier and said he was quite happy to have him back, and he made a ministerial statement to that effect. The Premier was quite happy for motions to be passed through the Labor Party's caucus asking for Hicks to be immediately returned to Australia. A number of members opposite—I see them smiling—were quite happy to put those motions forward to the caucus and the Premier was quite happy to support them. He said, 'Yes; we want David Hicks back here straightaway. Poor, innocent David Hicks, a victim of US imperialism.' Of course, the minute he was convicted and became a self-confessed terrorist, those opposite were concerned about him

coming back and said that he was a terrorist after all and we should be very alarmed.

I just think that the hypocrisy of certain members opposite—not all, but certain members opposite—and in particular the Premier, was quite transparent on this issue. They seemed to say, 'Let us go with the issue one way and try to get political advantage out of it, and the minute the issue turns let us blow the other way and see whether we can get some political mileage out of it in the other direction.' It is just typical of the shallow media rhetoric that flows from this government on a daily basis, as it promises to deliver results but delivers nothing but drivel.

I think this is a good bill. Clearly the government agrees with me or it would not have introduced a bill that is almost a mirror of it. So, perhaps it can support my bill, which is a better bill, or, at the very least, take whatever provisions in my bill are relevant to its own and insert them, because the main aim, as I said, is to get a result for South Australians. I think the result should be that, in a free country, Mr Hicks, once he has done his time, be left to have the freedom to talk about his experiences and tell his story, and for any commercial arrangement involving payment for that story to be made, but for the law to provide for that payment to go to the victims of crime, because, frankly, if we have a terrorist event in South Australia the maimed and the injured will need care, they will need help and they will need attention. If this money goes into the Victims of Crime Fund, that is the very place from which that sustenance might be found. I think it is a much better arrangement than the government's proposition which, as I read it, is to ban any sort of payment whatsoever for the story; thus there is no benefit for victims of crime. I put this proposition to the house. In accordance with the will of the house, I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

##### Part 1—Preliminary

###### 1—Short title

###### 2—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Criminal Assets Confiscation Act 2005*

###### 3—Amendment of section 3—Interpretation

This clause amends section 3 of the *Criminal Assets Confiscation Act 2005* to amend the definition of "serious offence" by adding to the list of such offences a "prescribed terrorism offence", which is itself defined to be—

(a) an offence against Part 5.3 of the Commonwealth Criminal Code (the Part that deals with terrorism offences); or

(b) an offence against a law of a foreign country that would, if committed in Australia after the commencement of Schedule 1 of the *Security Legislation Amendment (Terrorism) Act 2002* of the Commonwealth (which is the Act that inserted Part 5.3 of the Commonwealth Criminal Code); or

(c) an offence against international law that is an offence arising out of, or related to, an act of terrorism.

As a consequence of the amendments, terrorism offences will be offences in relation to which the *Criminal Assets Confiscation Act 2005* will apply.

##### Part 3—Amendment of *Criminal Law Consolidation Act 1935*

###### 4—Insertion of Part 6D

This clause inserts a new Part 6D into the *Criminal Law Consolidation Act 1935* comprising the following clauses:

###### Part 6D—Offences relating to proceeds derived from terrorism

###### 175—Interpretation

This clause sets out definitions for terms used in the Part. The definitions mirror those used in the *Criminal Assets Confiscation Act 2005*.

###### 176—Deriving literary proceeds from terrorism

This clause makes it an offence for a person who is charged with, or who has been convicted of, a prescribed terrorism offence to derive literary proceeds in relation to the offence, or for a person to derive literary proceeds on behalf of such a person. The maximum penalty is 4 years imprisonment.

Subclause (2) makes it an offence for a person to provide or offer to provide literary proceeds to a such a person. This subclause is intended to prevent media outlets and similar bodies from inducing people charged with or convicted of terrorism offences to sell their story. The maximum penalty is 4 years imprisonment or a \$20 000 fine depending on whether the defendant is a natural person or a body corporate.

However, subclause (3) provides a defence to subclause (2) if the literary proceeds and associated interest are provided by the defendant directly to, or were offered on the condition that they would be provided by the defendant directly to, the Victims of Crime Fund or an approved charity. By providing such a mechanism, matters of genuine public interest may continue to be reported, without allowing the person who is charged with, or has committed, a terrorist offence from profiting from the offence, and in fact would provide a benefit in real terms to victims of such offences.

#### **177—Liability of officers of body corporate**

This is a standard clause providing for the liability of officers of a body corporate in the event of the body corporation committing an offence.

**Mrs GERAGHTY** secured the adjournment of the debate.

### **PUBLIC AND ENVIRONMENTAL HEALTH (NOTIFIABLE DISEASES) AMENDMENT BILL**

**Ms CHAPMAN (Deputy Leader of the Opposition)** obtained leave and introduced a bill for an act to amend the Public and Environmental Health Act 1987. Read a first time.

**Ms CHAPMAN:** I move:

That this bill be now read a second time.

The purpose of the bill is to add staphylococcus aureus (otherwise known as golden staph or staph) to the list of notifiable diseases under schedule 1 of the subject act. At present the current notifiable diseases are scheduled as follows: acquired immuno-deficiency syndrome (AIDS), arbovirus infection, brucellosis, campylobacter infection, chlamydia infection, cholera, cryptosporidiosis, diphtheria, food poisoning, gonococcal infection, haemophilus influenzae infection, human immuno-deficiency virus infection (HIV), hydatid disease, legionellosis, leptospirosis, listeriosis, malaria, measles, meningococcal infection, mumps, mycobacterial infection, pertussis, plague, poliomyelitis (polio), Q fever, rabies, rubella, salmonella infection, shigella infection, syphilis, tetanus, viral haemorrhagic fever, viral hepatitis, yellow fever and yersinia infection. As will be clear from that list, we have some serious deadly diseases and very common viruses and illnesses which are described under their common name in the schedule. Under schedule 2, a portion of those, which attract a higher level of scrutiny, obligations and responsibilities, are listed. Even in that serious list, conditions such as measles have been included.

What is it that I am asking to be added, why should it be added and where is it at present? Staphylococcus aureus is commonly found on the skin and in the noses of healthy people. When bacteria are living on or in the human body but are not causing infection, it is simply called a colonisation and the person is said to be a carrier. A number of people in our community at any one time continue to be carriers. Why is this so dangerous, particularly as we know that salmonella and e coli and other viruses live in our ordinary environment all the time? For example, e coli, which can be deadly, is found on cattle skin and hide and in the soil around us. It is

the most common cause of skin infections, such as pimples and boils, but it can cause serious and sometimes fatal infections, such as bloodstream infections, surgical wound infections and pneumonia. Skin-to-skin contact with a person carrying the bacteria on their skin, with or without the symptoms, and sharing towels or linen can spread the bacteria, particularly within families.

Over the past 50 years, treatment of these infections has become more difficult, because we have a new form of staphylococcus aureus called a methicillin-resistant staphylococcus aureus (MRSA). This is a form of golden staph which has become resistant to many antibiotics. Traditionally, MRSA infections have been associated with hospitalisation but, in recent years, an increasing number of people with MRSA infections appear to have acquired them in the community but have had no history of hospital admission. That is perhaps hardly surprising, given that people whose health is suffering are not always hospitalised. We know that a significant number of people in the population innocently carry this without side-effects or symptoms on their body. As long as the organism is carried on the skin, the person does not usually have symptoms of the infection to be able to transmit the bacteria.

There are significant treatments. I want to refer to these treatments because some aspects of them are concerning. Mostly, staphylococcus aureus, including MRSA, can be treated with appropriate antibiotics, but the resistance to available antibiotics is increasing. People who carry the germ on their skin or in the nose will only require antibiotics under special circumstances. Many common skin infections will heal without medical treatment; however, some skin infections will require incision and drainage of the infected site, and some infections may require antibiotics.

Most skin infections will heal within a few weeks, but more serious skin infections can take longer to heal if treatment is delayed or if ineffective treatment is given. When it develops into pneumonia or bloodstream infections—more serious types—then, typically, this in itself requires hospitalisation and treatment, including intravenous antibiotics. It is fair to say that it is with us. It has always been with us, but why is it that I now seek through this legislation to add it to the list? There is no doubt that, personally, the discovery that, in recent months, 22 babies had contracted the staphylococcus virus at the Glenside Hospital was of concern.

Concern was raised surrounding its discovery. Most of the parents only discovered it when it had become public on the television news on the Friday night. They were alarmed to hear that a number of their babies had actually been infected by this, and they were further alarmed to hear, via information that has been given to me, that they had been advised that it would not be necessary to undertake treatment. That was concerning, because one family, for example, subsequently consulted their doctor after leaving the hospital, was referred for paediatric assessment, and found that it was necessary to administer antibiotics to a newborn baby. This should be a joyous occasion for parents—we know that many parents have happy, healthy babies and it is a joyous occasion—but, particularly if a child is born prematurely or with other ailments or there are issues in relation to the health of the mother, this can be a very concerning occasion for young parents. It is not acceptable under any circumstances that, if their child has a golden staph infection, parents are not fully apprised of it when others in the community have been informed.

I particularly investigated a number of other cases about which I had received a notice of complaint, not because they had specifically contracted the condition—they understood that it was alive and in the general environment—but because they had not been told about it when they had been admitted to a public facility, in particular, a hospital. From time to time, as the shadow minister for health, this would come to my attention and, like most people in the public, I thought, well, look, this is fairly common, it would place an unrealistic burden on the authorities, general practitioners and hospital administrators to have to report this as a public concern and therefore attract the levels of responsibility and warnings to the public and the like, which are ordinarily administered.

During this process, especially since January, the government has had multiple—in some cases hundreds of—notifications of already notifiable diseases, and I have been very critical publicly of their failure to deal with those. I could talk about the hundreds of cases of salmonella that have been reported without adequate public announcement. There has been a massive number of reports of cases of *E. coli* and cryptosporidium, and still no findings have been published as to where they have emanated from. A restaurant had some 40-odd cases identified in relation to it. Nobody wants to unfairly criticise any operating business, whether it is a hospital or a restaurant, but, quite frankly, the public needs to know.

Then we had the most scandalous concealment, I suggest, of a reportable and notifiable disease, namely, HIV, involving Stuart McDonald. This was a situation where the government promised to publish information and ascertain where things had gone wrong in the department, but we had a complete cover-up in relation to that lack of action and responsibility by the government.

Let us come back to golden staph. Apart from the case of 22 babies coming to my attention and that of the hospital in recent months, let me give you another example of where things go terribly wrong, and this is probably the flavour of most of the cases that come to my attention. A 67 year old woman contacted me to say that she had attended for day surgery at a city hospital to have arthritic treatment administered. She then contracted golden staph into her knuckle, and has had two further operations. She has been told she is in danger of losing the entire finger due to the infection. She has been on antibiotics since her operation, she will need to take these antibiotics for another year to kill off the infection, and must visit her doctor every week for regular blood tests to monitor this. That is the type of case I have had brought to my attention by people who have been specifically affected. When it strikes, there can be very serious complications, and the people who utilise the services, and the public generally, must have access to that information.

Let me give one of the more alarming examples: a nurse at the Flinders Medical Centre has contacted my office and reported to us her concern that the Flinders Medical Centre, to use her words, 'is riddled with it', and that something must be done about this. Her sister had a major operation at the hospital and contracted it. She is now back at the Flinders Medical Centre trying to recover from it. She has lost three stone in weight and she is on a drip. In this case there has been no proper procedure for the disposal of swabs and tissues; they have just been put into an open bag, and I point out that this person was in a ward with three other people. That is the case the nurse reported. She claimed that a friend of hers had two aunts who had died from contracting golden staph at the Flinders Medical Centre.

I do not want to pick out the Flinders Medical Centre in particular; these situations exist in public and private hospitals alike. They are a matter of concern, and people have suffered serious long-term effects from this condition. That is not the fault of the medical profession, and I point out that through this amendment the minister will be responsible, even though I have raised many complaints about his lack of responsibility in terms of his department's administering this aspect in the past. It is very important that a competent government and department should administer this provision properly and thereby protect the public. There are certain matters on which it is important to advise and alert the public when this phenomenon is detected and identified, and certain things that must be done: first, to have standard precautions in the form of strict hand washing by care-givers, and to ensure good personal hygiene generally in the family environment.

Boils and infected wounds should be covered with clean, dry dressings until they have healed, and, obviously in some cases, drainage procedures should be followed. In addition, there should be the cleaning of hands frequently with soap and water and/or alcohol-based hand rub, especially after changing bandages or touching wounds and disposing of the use of dressings promptly into a sealed, plastic bag. I note the complaint that has come in which, obviously, is in clear breach of that, and this is why it is so important that warnings go out. Clothes, sheets and towels of the infected person should be washed with a detergent in hot water. Ideally, they should be dried in sunlight. As they say, sunlight is the greatest disinfectant, while laughter is the best medicine.

Let us take some note of it this time and understand how important this is. If you are going to use a clothes dryer use it on a hot setting. In hospital, where patients have wounds and the infection could pose a special risk, additional precautions must be taken to prevent transmission, which includes a single room with en suite and requires staff and visitors to follow the hospital's recommended precautions. It is absolutely critical that the information on this issue get out to the public, and the only way we have any hope of making that happen is for this bill to be passed and for golden staph to join the list.

**Mrs GERAGHTY** secured the adjournment of the debate.

#### VISITORS TO PARLIAMENT

**The SPEAKER:** I acknowledge in the chamber today student leaders from Hackham East Primary School who are guests of the member for Mawson.

#### BAROSSA VALLEY

**Mr VENNING (Schubert):** I seek leave to make a personal explanation.

Leave granted.

**Mr VENNING:** Yesterday in this house I made a speech in relation to the game Monopoly and the Barossa Valley. In today's media it would appear that this honour was allegedly gained by less than credible means. I say 'allegedly'; I am not sure. Irrespective of that, I want to completely distance myself from any such activity. I am very disappointed that this success is now rendered sort of hollow as a result of this allegation. I am very pleased for South Australia, the Barossa and Adelaide, but it is a pity that we got it this way. I just want to clarify that I do not condone that behaviour at all.

### HUMAN GENETIC TESTING SERVICES (PUBLIC AVAILABILITY) BILL

**The SPEAKER:** Private Members Business, Notices of Motion, No. 6 is unable to be restored because it did not pass through the second reading, and I direct that it be withdrawn from the *Notice Paper*. The member for Morphett will have an opportunity to put the motion on notice this afternoon.

### PASSENGER TRANSPORT (SAFETY OF PASSENGERS) AMENDMENT BILL

**Mr HANNA (Mitchell)** obtained leave and introduced a bill for an act to amend the Passenger Transport Act 1994. Read a first time.

**Mr HANNA:** I move:

That this bill be now read a second time.

I bring into the parliament two important innovations which would improve the safety of taxis not just for drivers but also for passengers. The background to this reform is the series of reports of sexual assaults in taxis over the last six to 12 months. Many of these allegations remain unresolved. There has been a lot of talk from the taxi industry and the government about better driver training, and that is a good thing. I do not dispute that driver training is a part of the solution to making taxis safer, but it is not the entire solution. The sort of behaviour we are talking about is criminal behaviour, which no amount of driver training will improve. It is not a lack of training that leads a taxidriver to behave inappropriately and sexually with a passenger. The answer lies in employing the technology that is available right now. It is not expensive and it is extremely effective. It is more effective than what we have at the moment.

By way of background, we introduced a scheme of filming in taxis several years ago. It is now mandatory for taxis to have a camera. That camera will take images when people get in or out of a taxi, and the driver can activate the camera if the driver feels under threat. Those cameras were introduced because we had a number of assaults on cab drivers, and that is a horrible thing. We even had a homicide of a taxidriver. The camera system was introduced with driver safety the paramount consideration.

I am introducing this legislation because we now have to consider the safety of the passenger as the paramount consideration. I have spoken to a number of young people who have serious doubts now about catching taxis late at night. We have to accept that many young people will frequent Adelaide or Glenelg night spots and be up til 2 or 3 a.m. There is no public transport at that time and the options are limited. If they drive or go with a friend who is driving home, they run the risk of either being caught acting unlawfully drink driving themselves or getting into a dangerous situation with a driver who may have been drinking. The obvious thing to do is catch a taxi, and that is the recommended way to get home for someone who has had a few drinks and wants to get home at 4 a.m. However, serious fears are held by young people, especially young woman at present, because of the number of reports of sexual assaults and inappropriate behaviour generally by taxidrivers.

By and large our taxidrivers perform an excellent service and rate very well compared with any taxi fleet in the world. However, there is a small offending minority that needs to be reined in. I believe technology is part of the solution. The proposal I have is to reform part of the Passenger Transport

Act, which deals with the requirements for licensed taxis. There are already a number of requirements for a vehicle if it is to be licensed as a taxi, and they are the sorts of things you would expect for a taxi. We can go two steps further by improving the camera system and the GPS system. The security camera system should provide a recording of what is happening in the vehicle at least once every minute. Currently we have digital film cameras, but they could be programmed to operate periodically for just a second, and that would give an image of what is happening in the taxi without unduly offending the privacy of the passengers.

Secondly, I suggest that GPS tracking, which is currently available, should be hard wired to the engine of the vehicle so that, whenever that vehicle is turned on and it is ready to be driven, the GPS would be tracking the vehicle. GPS, of course, refers to that global positioning system which allows exact pinpointing of the location of a vehicle through a central tracking system.

The point is that, at the moment, the GPS system relies on taxidrivers logging on. So, when they say to their booking company, 'We are ready to do business; we are ready to take a booking,' then, yes, the GPS tracking system will operate and the booking agency (whether it be Independent Cabs, Yellow Cabs, or whatever) will be able to track that vehicle. The technology that we have at the moment has reached the point where you can track the speed and location of a vehicle very precisely and you can store that data fairly comfortably without undue expense for a period of months—and that is what I am suggesting we should do with this legislation. Just to give members an idea of what we can do with the legislation, I will give a relatively minor example of offending.

An example was provided to me of a taxidriver who was speeding and who denied that he had been speeding. The GPS records of that particular taxi showed where and how the vehicle was travelling and confirmed the guilt in that particular case. Another example was provided to me by Nigel Hall of Smart Move, a company which provides this tracking technology. I am sure that it is only one of a number of companies in the market that can do this, but this particular company has the contract for tracking taxis in the western New South Wales region. An incident occurred at one of the RSL clubs—I cannot recall whether it was Orange or Dubbo—and there was a complaint about a taxidriver. It was said that the offending against a passenger occurred between 5.30 and 6 a.m. and at a particular location. The GPS data was available very promptly to police to identify two potential cabs which could have been related to the offending, and that allowed a very prompt police investigation and identification of the driver.

The technology is not expensive. For a very modest additional amount, every cab in Adelaide could have this sort of system. What it means is that, if a young woman wants to catch a taxi home at 4 a.m. from Hindley Street and is taken to a place, let us say, in the western suburbs and assaulted but she is not exactly sure of the location, she would be able to go to police the next day and say, 'Well, I caught a taxi. I am not sure what taxi company it was, but I caught a taxi between 4 and 4.30 a.m. in Hindley Street and I was driven to somewhere in the vicinity of West Beach or Fulham'—for example—'and then I was left somewhere on Topleys Hill Road after the incident.' That would be sufficient information to pinpoint exactly the cab that was used in relation to the offending in a very short space of time.

I realise that this needs to be coupled with appropriate procedures for identification of drivers. It is one thing to

identify a vehicle; it is another thing to identify the driver. Yes, we need driver training improvement, we need appropriate procedures to identify drivers and to insist on identification of drivers before they are allowed to get into a cab but, once you have those things, if you then have this technology and insist upon it, you will be able to pinpoint exactly the offender.

Let me point out that this is also protection for drivers because, if there is a false allegation where somebody says, 'The taxidriver took me to the wrong place,' this technology enables you to say, 'No, your claim is false because we can track exactly down which streets that taxi travelled.' Let me also point out that we could go even further; we could have something like a panic button available to passengers in taxis. If we really wanted to stamp out inappropriate behaviour in taxis, we would have a button available to passengers which would, for example, switch on an outgoing radio facility from the cab to the booking company or some central security monitoring point. That would protect taxidrivers as well as passengers.

Debate adjourned.

**Mr VENNING:** Mr Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

### ROAD TRANSPORT

**Dr McFETRIDGE (Morphett):** I move:

That this house condemns the state government for the appalling lack of road maintenance in South Australia and its failure to develop a real plan for the future of road transport in this state.

I realise that the Department of Transport, Energy and Infrastructure is responsible for nearly 23 000 kilometres of roadway in this state. The national highway is just over 2 700 kilometres; 920 kilometres is urban arterial roads; 22 000 kilometres is urban local roads; 8 600 kilometres is rural arterial roads; and there is over 10 000 kilometres of rural local roads for which DTEI is responsible. I do not expect the department to have every road up to complete 100 per cent acceptability overnight, but what I would like to see is a plan, and I do not see any plan, unfortunately. If you go to the DTEI website, you can look at a map of South Australia showing the roads that are maintained by the various levels of government: the AusLink national roads; the DTEI maintained sealed roads; the DTEI maintained unsealed roads; and the other roads—an absolute network of roads.

There are some national highways managed by AusLink funding, but there are a number of roads that go from Adelaide and other areas to the state borders that are a state responsibility, and they include the Barrier Highway and the Goyder Highway. Then, down south there is the Princes Highway, the Riddoch Highway and the Pinnaroo-Bordertown Road, linking across to the border of Victoria.

If you look at the metropolitan Adelaide road map, you see that very few roads are highlighted in red on these coloured maps. They are the AusLink national roads; the remainder of the roads are the responsibility of the state government. It is an absolute network. As I have said, almost 23 000 kilometres of roads are being managed by the state government. If you drive around in my own electorate of Morphett, you will see the appalling condition of state-managed roads. When you refer to the RAA's now nearly 18 month old report 'Backwater to Benchmark' on the condition of South Australian roads, you can really see that there are some serious issues.

In my own electorate of Morphett, Oaklands Road is a disaster to drive on; the rutting, the potholes and the corrugations are atrocious. Brighton Road between Anzac Highway and Sturt Road is getting worse by the day. Even driving from this place down to the Bay along Anzac Highway, with the patches and strips of repairs, one can see that it is in an atrocious state and needs urgent repair. I hope to see significant spending this afternoon in the state budget. When you look at the money that needs to be spent on roads in South Australia, it is a travesty that there has been no plan and nothing in past budgets that would significantly advance the repair of South Australian roads.

In this very comprehensive RAA report, there are a number of charts and figures that are quite telling in relation to the deplorable spending on South Australian roads compared with the other states. On page 15 of the report, table 1 shows that the state and federal road construction and maintenance expenditure for South Australia is unfortunately at the bottom. New South Wales is \$1.9 billion (and these are approximate figures), going down to Western Australia, \$652 million. South Australia comes fifth at \$286 million. When you look at the road construction and maintenance expenditure per capita, South Australia is way down at the bottom. Western Australia spends \$331 per capita; New South Wales, \$296 per capita; Queensland, \$290 per capita; and Victoria, \$169 per capita. South Australia squeezes in just above Victoria at \$187 per capita. These figures are 18 months old; I hope there has been some improvement. I have not been able to find the other figures, but I hope—and the minister can correct me, if necessary—we are up with New South Wales and Western Australia, at nearly \$300 per capita.

When you look at the estimated state and federal revenue from motorists per capita (and this is 18 months ago), I am sure that the current figures have at least indexed up if not risen above CPI. The estimated state and federal revenue from motorists per capita is shown; indeed, this is not just a state issue but a federal issue as well. I am not going to let my federal colleagues get off scot-free on this. However, the state government has huge revenue from GST. Let us not forget the GST on petrol that is coming in—and, certainly, we will talk more about the revenue coming in from other motor vehicle fees.

If we look at the per capita figures, we see that New South Wales is \$875 (this is revenue paid in taxes), and it goes to an all-time high of \$1 174 in South Australia. The next highest is Western Australia with just over \$1 000. This is an indictment on the fact that South Australian motorists are paying more than they should be both to the feds and to the state, but we are not seeing it come back in terms of the state of the roads. In relation to the estimated percentage of revenue returned to roads per capita, South Australia is the lowest at 15.9 per cent, whereas New South Wales is 33.8 per cent, which is more than double South Australia's input. It is just a sad indictment on the government's priorities.

When we look at the crash statistics on some of these roads around the place, the cost in accidents and injuries is absolutely atrocious. According to the update, the crash costs for the Princes Highway, which is a state-managed road, amounted to \$72 million. The latest RAA update also shows that the crash costs for the Victor Harbor Road amounted to \$47 million. The cost of crashes on the Riddoch Highway, in the latest update, is \$55 million. So, there are significant costs to society of crashes on these major roads, never mind when you include all the inner metropolitan roads and the rural and

regional roads. The Princes Highway, in the latest rating put out by the RAA, is still only 3½ out of 10; the Victor Harbor Road—we see so many tragedies on that road—is still rated at 4½ out of 10; and the Riddoch Highway is still rated at 5½ out of 10. The Barrier Highway, one of the state-maintained roads, linking South Australia with Broken Hill and New South Wales, is rated at 4 out of 10, and the cost of crashes on that highway is \$23 million.

Just about every day on the roads in the Adelaide Hills, particularly at weekends, we will see a report in the press of another accident, and 18 months ago the rating for this road was 5 out of 10. I would be more than pleased to hear from the minister that they have spent a lot of money on the Adelaide Hills roads, and I would like to see what the current rating is on those roads. More money is needed for AusLink roads in the metropolitan area, and I would have loved to see more funding for that area in the federal budget. I am not letting my federal colleagues off scott free in respect of the lack of support for South Australia. I think we are being badly done by and I would like to see, between now and the election, some promises of further support.

We saw the member for Wakefield, David Fawcett, doing a terrific job out there. He recently managed to get AusLink funding for some of the roads in his area. I know he is watching very carefully the development of the North-Eastern Expressway. There is a need for this government to put its money where its mouth is. The GST that is coming into this state is huge. The GST that is coming into this state from motorists is enormous. Certainly, the RAA, in its comprehensive report, identifies the amount of money that is being paid by individuals per capita and as a percentage of revenue being spent on roads. It is a sad indictment on all governments that we have come to the parlous state of some of our roads.

As I say, you do not have to go very far at all to see that it is not only the major highways—it is the regional roads, the rural roads and the unmade Outback roads. I know there was one member in this place who intimated that some four-wheel drive tourists may see a rough road as an adventure, but I guarantee that if you speak to the truck drivers who are on these roads in the Outback they do not see them as an adventure, and many tourists do not see them as an adventure. When you look at the roads on the DTEI maintained map, there are very few in South Australia that are directly federally funded through AusLink. I would like to see both the federal and state governments, but particularly the state government, as it has the prime responsibility and it is getting the GST, put more money into these roads—there is no excuse.

I know that some of the roads within my own electorate, and other roads I have driven on, have not been touched for five years, and that means they certainly were deteriorating under the former Liberal government. I am not letting the former Liberal government off the hook, either, because certainly more should have been done, but it did not have the opportunities of this government, it did not have the GST revenue rolling in—truckloads of money coming in. We are going to see \$11.4 billion, I think it is today, in the state budget. I will be very interested to see how much of that will go into road maintenance and new roads; not into plans that are four or five years out, but things that my constituents and the constituents of every member in this place can look at in the next six to 12 months and see that it will actually happen, that the roads will be improved.

The member for Giles interjected a moment ago—and I have a lot of sympathy for the member for Giles. I know the

huge area of the state that she is doing her very best to look after. Having driven over many of the roads in her electorate, they need significant work done on them. It costs a significant amount of money to upgrade roads. In fact, one thing that I still have problems with in this place—among the many things I have problems with—is just realising how much it costs to do something that is undertaken by the state government. The need to spend that money, though, is there, and I hope that the member for Giles has some money in the budget today to spend in her electorate.

I will conclude by saying that, in this morning's paper, Senator Minchin spoke of toll roads. I do not understand why we even need to go down the track of looking at toll roads in South Australia, because the federal government is rolling in money. It has huge revenues that should be spent in helping states maintain the roads but, at the same time, the states should be spending that money as well.

In the state of South Australia we will see today an \$11.4 billion budget—\$3 billion more every year than the former Liberal government had. The government should be spending that money. There is no excuse for anybody in this place, or in Canberra, to say, 'Well, we don't have the money to spend on roads.' When you look at the crash statistics and when you look at not only the financial cost but the social cost of crashes, it is absolutely atrocious. I urge everybody in this place to look at the 'Backwater to Benchmark' report by the RAA, and to look at the cost of accidents and injuries. If we could reduce that by 10 or 20 per cent, it would make a difference of millions and millions of dollars. It is not just a matter of a rough ride home for me down to my electorate of Morphett, as good as the idea of going home at night is. I catch the tram—and that actually rocks and rolls a bit, too. I would like to go down there on a very smooth road, on a new road. I urge the government to spend the money to give back to taxpayers some of their money in the form of a smooth ride, not a rough ride.

**Mr VENNING (Schubert):** I agree with and support the motion of the member for Morphett. If you look at the *Notice Paper*, you will see my name there, too. I agree with my colleague that the federal formula does still disadvantage our state in relation to the moneys we get from Canberra. Over the years, I have attempted to remedy that, but it is not remedied. All that happens is we get a flush of money, a one time offer, but that formula still remains and it does still disadvantage South Australia, and that concerns me. Our roads really are in a very parlous condition. You only need to drive down some of the roads—particularly the roads I drive on—to see that some are just downright dangerous; they are so narrow. All we have done in recent years to address the situation is to reduce the speed limit, which is ridiculous.

One particular road—and I take one at random—is north of Kapunda going to Marrabel. It is dead straight, very narrow, absolutely worn and dangerous. In fact, it is so rough that I have a broken wheel stud off a new Holden in my hand. That is how extremely rough it is. We wonder why accidents happen: this is why. I would say that it has not had any attention in 40 years—and that is obvious. Also, when you drive on some of our tourist corridors, for example, Walker Flat Road from Mount Pleasant—

**Ms Bruer:** Why is it our problem? Why didn't you do something about it when you were in government if it was so important?

**The ACTING SPEAKER (Ms Fox):** I think we will let the member for Schubert carry on.



**Mr VENNING:** Thank you, Madam Acting Speaker, for your protection. I am happy to stand on our record when we were in government. If members reflect back, in my electorate alone the Morgan to Burra Road was \$19.6 million. Do members opposite remember that? There has not been a single road project such as that since. We did it again with the Gomersal Road when we spent \$7.7 million. We were doing it—and we have done it—so do not have a go at me, member for Giles, about what we did! We will stand on our record: you stand on yours—and you have three years to rectify the problem. I am urging you to do it for the sake of safety and all constituents, both yours and mine.

Members should take a drive to Walker Flat. It is a beautiful tourism corridor through lovely country. Even the barrier, the armguard on the side, is rusty. I have never seen that before in my time. At least the department used to paint them, but these are almost past that: they should be replaced. It is a disgrace and it is third world stuff. They are there for safety and they are also supposed to be reflective so people do not run into them—that is why they are usually bright silver—but they are rusty. I have never seen it in my time and I have been around for a while. I have driven on a lot of roads. It is a disgrace.

I have said before that in my whole time here—and I said it when we were in government—our deteriorating roads are a ticking time bomb. There must be a periodic replacement and maintenance program. If you do not have that, all the roads need replacing at the same time and the state cannot afford to do them all up at once. Some of these roads were designed and built 40 to 50 years ago and, with the loads we are putting on them now, particularly with B-doubles and large trucks, it is little wonder they are breaking up. They are dangerous. The maintenance men go along and fix them with patches but the modern motor car hits them, thumpetty-thump-thump, and the car does a jiggle, particularly when it is raining. It is very bad and dangerous. I think it is time that some road accidents were attributed to the true cause, that is, road conditions. It is time we had a good look at our ourselves. These roads are there for not only our convenience but also our safety. They are there for us to run the state. They are there for businesses to be able to run their businesses effectively and safely. They are infrastructure for our mining and resource industries, but they all need upgrading.

The Sturt Highway, which is a major corridor into South Australia, goes past the wonderful Barossa Valley. The Australian Automobile Association gave it a rating of three stars. One should look at the accident rate on the Sturt Highway between Gepps Cross and Waikerie. It is absolutely shocking.

*An honourable member interjecting:*

**Mr VENNING:** Yes; I agree we are doing something about it. I have been complaining for five years that we need illuminating lights at the intersection of Barossa Valley Way and Sturt Highway. That is now being done and I am pleased about that, but it has taken five years to do it. We need to address this matter. I agree with the member for Morphett: absolutely no way would I ever support toll roads. People pay taxes and expect to have roads provided. It is part of their taxes. Too much money is being wasted on other things. I believe that all the money that is paid to public relations outfits at present, the Premier's spin team and others, should be put towards road maintenance. It is \$9 million a year. How many roads could be built for \$9 million? It would build a major road.

**The Hon. R.G. Kerin:** How many million?

**Mr VENNING:** Some \$9 million—and that is just what we know about. What about the other wastes and excesses in government? It is a disgrace. It is high time we in this place were responsible enough to realise that people in the state have been paying their taxes, and to start talking about toll roads is an insult and a disgrace. It is a dereliction of our duty, having people pay for the roads. What are we getting for our taxes? What are we getting for the levy we pay? What are we getting for all the government charges people pay? All we are getting is a massive government bureaucracy that does not deliver the goods. I have to agree with the Labor Party's policy and say, 'Look, hand over transport responsibility to the federal government.' Let us try to cut down the waste that way, because we do not seem to get any results.

Finally, in relation to this motion, let us call a truce in the discussion this morning. I want to hear from the government its real plan for the future, as the motion states. Has it highlighted any roads? Has it any priority list? Has it a time line for some of these major projects, for example, the Sturt Highway?

**The Hon. R.J. McEwen:** Like you did.

**Mr VENNING:** Absolutely. I got the Morgan Vale Road, I got the Gomersal Road. Are you going to give us a program? Is the Adelaide-Clare Road on the program? Is the Sturt Highway on the program? What is on it?

*An honourable member interjecting:*

**Mr VENNING:** We haven't got a program. I just want to see a plan, and I want to see some time slots in it. I am very concerned that some of these projects are costing so much money, and so little is coming before the Public Works Committee. I was on that committee until this parliament, and in the last four years there were very few major public works. The contractors left South Australia and took their headquarters interstate. Now we are calling them back to do works, and we are being charged a premium price because they do not have a presence here. We are paying at least 25 per cent extra because these companies do not have a presence in South Australia. It is our fault, because we have not provided them the opportunity to dish up major projects. I challenge the government to develop a real plan for the future of road transport in this state. Give us a program.

*Members interjecting:*

**Mr VENNING:** If they could work like they talk, madam, we would not have a problem. I certainly support this very good motion and I congratulate the member for Morphett on moving it.

**Ms BREUER (Giles):** What drivel we hear in this place on a Thursday morning. It really is better than the movies to come in here on a Thursday morning to hear the drivel that members opposite come out with. The member for Morphett's motion condemns the state government for the 'appalling lack of road maintenance in South Australia'. What drivel! He is concerned because he has a couple of roads at Glenelg that have a couple of little holes in them. Oh, my heart bleeds for him! I have the biggest electorate in the state, despite what the member for Stuart implies by saying that his is bigger: mine is bigger than his. I spend most of my time—

**Ms Simmons:** Size matters.

**Ms BREUER:** Size matters. I spend most of my time driving around my electorate. In the last three or four weeks, I have probably driven about 10 000 kilometres on various trips. I consider myself somewhat of an expert on roads, particularly those in my part of the state. I have also driven

through quite considerable amounts of Stuart because we cross over at frequent points, and it is necessary for me to go there. There are some problems with road maintenance in the state—I agree with that—but it certainly is not what the opposition is implying.

Recently, because I was told that it was too bad, I did not drive on the road from William Creek to Lake Eyre. I was offered a flight by Mr Trevor Wright from Wrightsair in William Creek. He is a good friend who certainly knows what is going on out there. He arranged for me to fly down low over the road to have a look at it, and I was glad that we did not drive on it. I anticipated that it would add about an hour and a half to my trip, but, having looked at the state of the road, I decided it was at least a three or four-hour trip. It is just a track at this stage. However, because more tourists are travelling along that track it is becoming more important that it be upgraded. Members will recall that a couple of years ago, sadly, a German tourist died on that track, not because of the state of the road but from a lack of understanding of Outback conditions.

This is becoming more and more a tourist road. We seriously need to look at that, and I am following it up with the Minister for Transport. I know of a couple of other roads that are in a quite serious condition. Really and truly, our Outback roads are not that bad. They are reasonably adequately maintained considering the amount of money and the number of kilometres involved in that area.

I think the Department of Transport does an excellent job in maintaining the roads out there. For example, I refer to the recent flooding that occurred in the north of the state and the audit that was done after the flooding. It looked like there was at least \$20 million worth of damage done to the roads out there, which the Department of Transport immediately began to fix. I believe that estimate has now gone up to at least \$30 million worth of maintenance that is required out there. You cannot do anything about situations like this; flooding is a natural event and it does affect our roads. The Department of Transport responded very quickly by sending their gangs out there, and they have done an incredible job of clearing up as much as they possibly can. They got the main arterial roads sorted out very quickly and they are now working on some of the other roads. So, the department does an excellent job of continually maintaining those roads.

I think what happens is that some of our people go out in their Toorak tractors—their little Glenelg four-wheel drives—for a trip up north, having driven around the streets of Glenelg for a long time, and they get out there and expect the same sort of conditions that they get in Adelaide. A gravel road is a gravel road; it is not a bitumen road in Glenelg or North Adelaide or anywhere else. I think people really overestimate what these roads are going to be. They are gravel roads, you do have to take care on them, and they do need to be maintained. I certainly would not like the member for Morphet to take his sports car up there on those roads—I think he would have considerable trouble. You cannot drive a sports car on these roads; you have to be very careful.

I get very concerned when the member for Stuart comes in here and continually has a go at the state of our roads and what is required, and he then wants us to raise the speed limits in Outback South Australia. We are talking about road safety here. He wants to raise the speed limits, yet he still complains about the state of the roads. To me, that is an absolute paradox and quite ridiculous. We need to keep our speed limits at a reasonable level because it is quite danger-

ous to drive at the sorts of speeds the member for Stuart proposes.

Really and truly, this is just a nonsense; this is an attention grabber. We put a lot of money into road maintenance. Certainly there is not enough money there for road maintenance, and I blame the federal government for a lot of this because we are not getting our share of the federal funding to which we are entitled. I think, instead of caning the state government on this, the opposition members should be talking to their federal colleagues about getting more funding into our area.

Recently, I was very pleased with the announcement by the South Australian Minister for Transport to seal the Lucky Bay road. The opposition has been squealing about sealing this road for months and months. The ferry began operating and, quite sensibly, the Minister for Transport decided he would wait and see whether the ferry was successful. I agreed with him on that—I thought we did need to wait and see if it was successful. It now appears that the ferry is going to be successful; it is working very well. I did not expect any sort of decision to be made until it had been operating for at least 12 months, but he has come out now and said, 'Yes, we will put our share into the sealing of that road from where the ferry arrives from Wallaroo into Cowell.'

What happened? We discover that the federal government has not promised any money and is not prepared to support this road. Opposition members were making a lot of noise and fuss about this, and then we found out that they have not spoken to their federal colleagues and they are not prepared to put the money into it. I think that is an absolute disgrace. The Minister for Transport has made a courageous decision after a very short period and said, 'Yes, we will do it,' but he is not being supported by the federal government. We cannot fund it alone. They talk about roads, but they are just talking rubbish—it is not really happening.

I think this is a frivolous notice of motion. There is a lot of work that goes on in the Outback and a lot of money is put in. I consider that roads are of a reasonable standard and, as I said, I travel on them far more than anyone else, including the member for Stuart. I know I travel more than he does on these Outback roads. In the past, he has certainly spent his time out there, but now I consider that I have spent more time out there. We have problems after rain and certain weather conditions, and they are caused by tourists and trucks travelling on the roads when they should not be. They are warned not to go out there after rain but they continue to do it, and that causes major damage to our roads. A real education program needs to go out to tourists to keep them and the trucks off those roads after we have had rain.

The transport department is doing a great job; it is doing incredible work on the gravel roads. As for the highways, I cannot agree with the RAA and its recommendations. For example, I think the Stuart Highway is a very good road. I gather there are some issues about the width of the road but, if you drive sensibly, the Stuart Highway is a very safe road; in fact, I think it is one of our safest roads. I do not have any problems with our highways; I think they are well maintained. Vegetation is kept back from the side of the road; they are wide and, if you drive carefully and safely, you should not have any problems on those roads, so I cannot support the member for Morphet's motion.

We have only so much money, and I think we are doing an excellent job with the money that is there. We are maintaining those roads. I have very seldom been on a road where I have said, 'This road needs work.' I have always

said, 'No, this road is not as bad as they make it out to be; it's working quite well.' My job is to make sure that I keep putting pressure on the Minister for Transport and the department to make sure they are continuing their level of maintenance. If a road is not being maintained properly, there needs to be more maintenance. My role is to make sure that is happening, and I do that. I constantly ring and talk to them about roads if I think there is an issue. Instead of bringing this motion into this place, the honourable member should be concentrating on his federal colleagues and asking for more money from them for Outback roads—and he should stick to driving his sports car around Glenelg.

**Mr PISONI (Unley):** Madam Acting Speaker, I hope that your position today gives you some taste of what you are missing in the classroom. I speak in favour of this motion and, in particular, I want to raise the problem we have with Unley Road. The part of Unley Road that is in my electorate is only 2.7 kilometres long but, thanks to the then transport minister, the Hon. Di Laidlaw, it went through an extensive consultation and planning process in the late 1990s. I am fully aware of that consultation process because at that time I was a trader on Unley Road. A member of my staff, Grant Kerr, is now also a trader on Unley Road, and he took a very active role in the planning process for Unley Road.

The intention of the consultation process was to come up with a solution for Unley Road which would enable traffic to go into and out of the city and farther out into the suburbs beyond my electorate of Unley in a more efficient manner. However, there were other challenges such as ensuring that the village atmosphere and the strip shopping (which had been so successful on Unley Road) continued. There was a difficulty with managing the road use for the greater community whilst at the same time providing benefits for the local community.

I believe that, at that time, under the Hon. Diana Laidlaw, the transport department did a great job to come up with a proposition that was unanimously supported by the traders, residents and other users of Unley Road, as well as the transport department. Three options were put out to consultation and there was quite an unusual result: the cheapest option succeeded by a long shot. It was the most popular option and the option that was agreed to by all the stakeholders. That option allowed dedicated right-turning lanes to be introduced and to have two lanes into the city in the mornings and one lane out, with that being reversed in the afternoons.

The research and consensus indicated that Unley Road would be able to cope with the traffic coming down from the outer suburbs, but that traders would be able to conduct their business and it would still be a pleasant place for shoppers and for people to have a coffee at a cafe and to visit the central business district. The plan would benefit everybody within the City of Unley and beyond. However, in 2002, unfortunately, there was a change of government. I am told the submission for funding was put forward to the then transport minister and it was knocked back. It is still being knocked back and I would be very keen to look at the budget when it comes out today to see whether there is some funding for Unley Road. We have been waiting; we deserve it. It is a road looking for safety. Some money has been spent on black spots in Adelaide and it has all come from the federal government, for which I am grateful. However, while Goodwood and Unley Roads have received black spot funding, Unley Road needs a complete plan implemented from Greenhill Road right through to Cross Road.

**Mr GRIFFITHS (Goyder):** I am pleased to contribute to this debate. As someone who drives 60 000 kilometres a year, I feel somewhat qualified to have some input. Having worked previously within local government, I am used to the frustrations of communities about the condition of their road network—and people do not generally care whether it is a local, state or federally funded road. I have been around long enough to remember when on Yorke Peninsula the speed limit was reduced on the Transport SA controlled roads, for which the state is responsible, from 110 to 100 kilometres. That was a fairly contentious decision at the time and many people were upset about it. They were concerned about their travelling time when going to Adelaide and other places in the region and they wanted some form of action to be taken by the community.

Specifically the council wanted to take action, and I point out that something like 1 100 kilometres of roads across the state were subject to the speed reduction, of which about 500 kilometres happened to be in the Goyder electorate—

*The Hon. M.J. Atkinson interjecting:*

**Mr GRIFFITHS:** I am always intrigued by what the Attorney says. I often do not take it positively, but I am intrigued by what he says. The only way I could resign myself to the fact that the speed limit had been reduced was the wish that it would make the state government realise the necessity to invest in the road network, in the hope of bringing the speed limit back to 110 kilometres again, but that has not been the case.

I acknowledge that the Rann government has invested about \$1.5 million in the Ardrossan to Port Wakefield Road upgrade, with shoulder widening and a significant improvement to the pavement, but still we have not seen the speed limit increased to 110 kilometres. A lot of sections of road in my area are absolutely terrible. The one I know intimately, because I travelled on it three days a week for almost four years, is the Maitland to Minlaton Road. The Attorney, who would have travelled on that road when he stayed on Yorke Peninsula at the previous mayor's home, would have some degree of familiarity with it. It is constantly up and down—

*The Hon. M.J. Atkinson interjecting:*

**Mr GRIFFITHS:** He is not my political patron, but he is a friend of mine.

*Mr Goldsworthy interjecting:*

**Mr GRIFFITHS:** He is talking about a previous mayor.

**Mr Goldsworthy:** Don't take any notice of him.

**Mr GRIFFITHS:** No, I am intrigued by it. I don't mind it when he talks—that's okay; he does not put me off. This road is about 44 kilometres in length, is constantly up and down, has shoulders with drop-offs of about five inches in many cases, and it is not wide enough for the vehicles that travel on it. Yorke Peninsula has a lot of caravanners, and it has an important future in the tourism industry, so it is important that the road network is improved to ensure the safety of people who use the road.

Similarly, within the electorate there is also the Balaklava to Owen road (I am not as familiar with this road but I have travelled on it quite a bit in the last year). That road is in a disgraceful condition; there is no other way to describe it. From the upgraded intersection through to Owen it is about 14 kilometres and it is patchy, very thin, the shoulders are an issue, and it is a disgrace. The speed limit there is 100 kilometres an hour (it certainly could be no more than that) but I call on the government, as part of its infrastructure plan, in the hope that it actually develops a 20-year transport plan, to

identify this road as being one that needs to be upgraded. The Kulpara to Paskeville road is—

**The Hon. M.J. Atkinson:** You are right about that one.

**Mr GRIFFITHS:** The Attorney acknowledges the fact that that road is a disgrace. For those of us who are not aware, the field days held at Paskeville every two years attract probably 60 000 to 70 000 visitors, who have to use that road. There are speed restrictions in place at the times of the field days, but that road is terrible. All of us in this place know that the Copper Coast is becoming an increasingly popular area, and it is important that investment goes into it. We do not want just patches; we want rebuilds. The road has been patched and patched, and people continually complain to me about it. We are questioned in this place about whether we have actually written letters about issues that are brought to us, and I certainly have written to the Minister for Transport about this one.

It is true that with a small tax base it may be difficult to invest in the infrastructure needs of all Australia, and that is particularly so for us in this place who have responsibility for South Australia.

**The Hon. M.J. Atkinson:** What do you think about toll roads?

**Mr GRIFFITHS:** I do not have an opinion yet; I want to listen to the arguments. I have seen them operate in New South Wales, and it is interesting, but I will wait until the science is known and I actually have some details. The member for Schubert is quite strong on it and I know that other members in this place are quite definite about their position on it. However, it is a fact that South Australians need better infrastructure. We all hope that later on this afternoon, when the Treasurer brings down his budget, it does include significant investment in road infrastructure, not only for the people who live in the areas and wish to travel safely but also, importantly, to allow the opportunities for economic growth which will exist in the northern part of the state and which will require significant investment in infrastructure. It is absolutely critical.

I will give a little bit of a reflection upon history. Transport SA staff used to have responsibility for the maintenance of the roads within the Yorke Peninsula area with which I am familiar. About five years ago that was changed to a contractual situation, where a Victorian-based (I think) firm, Emoleum, came in with a five-year contract in place in an effort to maintain the roads. Specifications were prepared for the maintenance of that road network but it was never actually enough money to allow a reasonable investment to occur. The workers who operated under that contract did the best possible job they could; I knew some of them personally and they lived with the frustrations of not enough money being available, but they tried to maintain the road network to ensure that it was safe for all users.

Yorke Peninsula in particular has something like 530 000 visitors per year who spend 1.9 million nights in the region. They, and the 25 000 people who live there permanently, deserve the absolute best road infrastructure. One would hope that this afternoon will result in an investment in the region, specifically on roads.

**Dr McFETRIDGE (Morphett):** This house has heard some very good argument today from this side of the house as well as some comment from members of the Labor Party, but I can just say this: the truth is out there. Just go out the front and see what is going on. Just look around at our roads—whether it is the William Creek road in the member

for Giles' electorate, the Kulpara road in the member for Goyder's electorate, Unley Road in the member for Unley's electorate, or Oaklands Road down my way. The constituents who drive over those roads all pay, and pay dearly, in South Australia. Look at the RAA reports into what they are paying per capita. It is over \$1 000.

*The Hon. R.J. McEwen interjecting:*

**Dr McFETRIDGE:** If the member for Mount Gambier had been here before, I said in this place that I do not see the need for toll roads because, per capita, we are paying more in South Australia than any other taxpayers in Australia. We should not have to be looking at toll roads. The money is coming in, both federally and state, to pay for road upgrades. We need to make sure this government puts its money where its mouth is and that it puts it into road repairs, not just into more than 200 ministerial advisers and spin doctors. Let's cut the spin and let's get on with some real road repairs and maintenance. We had the MATS plan. I tried to get a copy of it in the library before coming in this morning, because it is in there somewhere—I have seen it. We also had the Glenelg expressway. It was a fabulous plan. We just did not get any progress with it, because Don Dunstan stopped it and John Bannon sold off the land. We will never do that again; it would be physically and financially impossible to do that. We do not have a MATS plan, and I am looking desperately today for the 'Pat's Plan'.

*Members interjecting:*

**Dr McFETRIDGE:** It does not have a plan—that is the whole problem. South Australians are looking for that. Every day they get in their cars and they are looking for Pat's plan, but it is not there. It is a travesty that this government is not spending the money where it will get the results—

**The Hon. R.J. McEwen:** Have you got a plan? Where's Duncan's diagram?

**Dr McFETRIDGE:** The 20-year plan that the Liberal government will be putting towards the next election will be well thought out and well worked out. At least we did not come to the 2002 election without a transport plan or a tourism plan for that matter. Don't tourists need good roads? Neither was there, and that is for everybody to see. What I am looking for is Pat's plan, and we do not have that. We have nothing from Premier Rann. Today I just hope beyond all hope that the \$1.4 billion budget that is being handed down this afternoon will contain something for South Australians to at least reduce the more than \$1 000 that they are paying per capita each year, every year, towards road maintenance. They are paying it in GST, motor vehicle levies, insurance and stamp duty. Every time they turn around, it is another whack from the state government. The federal government must also put more in; I am not letting off the federal government. Let's see more today. Let's see Pat's plan.

Motion negated.

**The ACTING SPEAKER (Ms Fox):** I call the member for Fisher.

## TRANSPORT, LIGHT RAIL

**The Hon. R.B. SUCH (Fisher):** Thank you, Madam Acting Speaker, and I must say, without reflecting on the chair, that the chair looks the best it has ever looked. I move:

That this house calls on the federal government and the federal opposition to commit to the funding, in all or part, of a modern electric light rail system for the Adelaide metropolitan area and for the state government to start detailed planning for such a system.

I will not talk today about the system in any great detail, because that has been canvassed before. The point of this motion is to encourage the federal Howard government and the Rudd Labor opposition to commit to funding, whether it be in total (that would be great) or at least in part, for South Australia to have a modern electric light rail system. That would involve extending the network to Seaford and beyond. It would look at extending a light rail network out to the eastern suburbs, converting the current heavy diesel broad gauge system to a standard gauge, electrifying it, getting rid of the diesel train system and having an integrated light rail system, integrating the Glenelg system as well, which is already on a standard gauge track.

I wrote to the Prime Minister and, sadly, one of his private secretaries—not Tony Nutt, who is fairly switched on—responded to my request on this topic, and it missed the point. So, I have communicated the substance of this motion to all federal Liberal MHRs and senators in South Australia, hoping that they will understand that this is something that we need in Adelaide. In particular, I hope they will understand the politics in electorates such as Kingston, which, in my view, when it comes down to the vote later in year, will be fairly close. Kevin Rudd's response to my letter was very pleasant. However, he referred it on to Martin Ferguson (the federal transport minister), whose response was not as encouraging, because he basically indicated that the focus was on the east coast, which is regrettable. No-one denies that the rail system in the eastern states needs to be upgraded, with a better connection between Melbourne and Brisbane. However, I would urge not only the federal opposition but also the federal government to realise that Adelaide still has the most antiquated rail system on the Australian mainland. We are the only state that still has a diesel system.

I understand that, many years ago, the federal government of the day offered to support an electric rail system in Adelaide. The government of the day, as I understand it, turned down that offer and said, 'No; we will stick with buses,' which I think was a very short-sighted response, if my information is correct. In essence, I want the Prime Minister and the federal Leader of the Opposition to realise that the task of creating a modern light rail network in Adelaide is achievable. It does not have to be done all at once: we can do one line at a time. We can do extensions out to the eastern suburbs; it can be a phased operation. The cost varies somewhere between \$400 000 million and \$1 billion. However, we need to have a plan.

As I have said repeatedly, that is why this state government has been criticised with respect to the extension to the Glenelg tramline, which is a project which I have always supported. I think that, in hindsight, people will say that it was one of the best things this current government did for the state. It will be a lasting monument to the far-sightedness of the government. I do not agree with the government on a lot of things (as members will find out in a minute), but on that score I give it 100 per cent for having the backbone to stick it out, when a small, unenlightened group opposed that tram system. The people who opposed it did so because they saw it as simply a replacement for a free bus service. If it was only that, their criticism would be justified. However, as I see it, it is the spine of an extended network. However, to make it happen earlier, we need support from the federal government.

I am hopeful that today some money may be provided to get this process under way. I know, from the Minister for Transport, that we need to do a lot of work, irrespective of

what sort of system we have, just to upgrade the current rail network, in terms of the sleepers, and so on. We have a very run-down sleeper system. The tracks also need upgrading. So, whether we have light rail, heavy rail, or whatever, we face a cost of several hundred million dollars just to upgrade the existing rail network, in terms of the current track. If it can be done (and it has to be done soon) in a way that would allow an easy transfer to a standard gauge system, that can be accommodated when the tracks are upgraded, as they need to be in the near future.

I commend this motion to the house and, more importantly, I commend it to the Prime Minister and to the federal Leader of the Opposition. When it comes to the crunch later this year, I believe that any party federally that has not committed to an extension of the rail line down south or to an upgrade may have cause for regret, especially when the vote is counted in Kingston, in particular (but not only there), because I believe that the vote will be very close.

**Dr McFETRIDGE (Morphett):** I rise to support this motion. I will begin with the \$1.7 billion hospital, about which I was informed approximately six weeks ago. As the minister said on the radio this morning, he was surprised that it had not been leaked earlier than that. The hospital has been planned for a long time. Why would you stop the tram at Morphett Street? Why wouldn't you keep it going down to this new hospital? I suppose one reason is that it will not be built for another 10 years.

I am on the record in this place as being a tram fan. In fact, one of the first private member's motions I put up was to extend the tramline. It has been part of Liberal Party policy for a number of years now, and I admit that I have had some robust discussions with my state colleagues on this. My extension of the tramline was out to North Adelaide, through parklands, past the Wine Centre, and then back down North Terrace and past the Royal Adelaide Hospital, the universities and the museum. We have to acknowledge that Adelaide is the flattest capital city in Australia and ideal for a new tram network. We did have one. We had one of the best tram networks in the world, but we pulled it up, as many cities did around the world, and they are now putting them down again.

The reason I mention the Parklands is that, with modern light rail technology, you can put tramlines through heritage areas and parklands and not even know they are there. I have photographs showing tram tracks in cities in Europe, and I will show those photographs to any member in this place. I understand that, with the deviation around Victoria Square, lawn will be laid in the tram tracks. That is great, because it will camouflage them, and people will be surprised at how good it looks.

But I weep for what is being done at the front of this place. The technology that is being used is absolutely years old. Mr Greenhouse Premier is not even insulating the rails. Energy leakage will occur through those rails, and electrolytic reaction between non-insulated rail, the steel sleepers, and infrastructure—the old water pipes underneath King William Street—is well documented. It is not just me saying this. It could have been stopped years ago, and I have documents from people who advised the government on fitting rail boot. When the Premier was in Portland, Oregon, he commented on how quiet and smooth the trams were. Why? Because they use rail boot technology—technology that he knows about but is not using out the front here. They are embedding new grooved, proper light rail in concrete on steel sleepers. It will

be as rough and as noisy as you could imagine—even with the new trams.

I understand that one of the conditions of the warranty on the new trams is that they will be run on booted rail; that is, fully insulated rail in concrete bedding or rail on non-road tramways, where the rails still have insulation and are properly insulated. I understand that the warranty on the new trams could be voided because of the harshness of the ride they will be on. We are really not seeing what should be done here. South Australians would be totally in favour of extending light rail if they saw what was possible. The new trams are twice as long as the old H-class trams, but they carry only as many seats as one of the old H-class trams; even with crush capacity standing room, they carry far fewer than two trams coupled together. You cannot couple these trams together without major modifications. They are narrower than the old trams.

The only other place in the world that runs these trams is Frankfurt, where they ordered the same trams as we did and at the same time. I understand that we paid \$5.3 million for them and that the Germans paid \$3 million for the same tram. If I am wrong, let the minister come in and tell me so. I am more than happy to be wrong, but the taxpayers of South Australia need an answer because, if that is the case, it is an absolute scandal; in fact, the whole extension of this tram is an absolute scandal. This government has every right to come out with a proper plan for light rail. I do not see one, because we do not have a tram stop where the new hospital will be. We do not know about the Port Adelaide extension, although there is an article in today's *Advertiser* about the possibility of an extension there. I would have thought that they would run the light rail down the old heavy rail track, which has gauge-convertible sleepers. As the member for Fisher said, it is easy to convert from broad gauge to standard gauge. I do not see that plan. We have seen hints of it from the member for Lee when he was the minister for transport, and from various bureaucrats around the place.

*The Hon. M.J. Atkinson interjecting:*

**Dr McFETRIDGE:** And the member for Croydon. I hope he does get his wish for a light rail plan. Port Adelaide Enfield council's plan to take the tram to Port Adelaide is a very good idea. When you look at the lifetime of these light rails, they are worth investing in, because they will last 100 years. The trams should last 30 or 40 years, although whether these trams we have now will last that long, I am highly doubtful. We need a comprehensive light rail plan for South Australia, and I strongly encourage the federal government to participate in this. Everyone in this place should acknowledge the fact that the trams nowadays can be not only very energy efficient but also efficient in carrying large numbers of people, which gets cars off the road and, from a greenhouse gas emission and economic point of view, you would have to go for light rail. Trams produce zero emissions.

The energy being used to mobilise those trams is usually electricity, and South Australia is a classic example because we have gas-fired power stations, so the amount of CO<sub>2</sub> put into the atmosphere is reduced significantly, and certainly the number of cars that will go off the road is another positive for greenhouse gas emissions. Light rail is a positive way to go. As I said before, I am a tram fan, and I am pleased with what the government is doing: \$31 million sounds like a lot of money but, when you amortise it over 30 or 40 years, it is a priority.

I put on the record that the Liberal Party has never opposed extending the tramline, but it is the priorities we question, with \$31 million being spent on the tram track now when we have other issues to consider. Extending the tram line has been our policy for a number of election campaigns now, and it is a thing we should have kept going with. However, we do not see any long-term plans. I hope today there is an announcement in the budget that we will have an extension of light rail in South Australia, because we need it. We need it to Seaford, Port Adelaide, Norwood and the northern suburbs.

*The Hon. M.J. Atkinson interjecting:*

**Dr McFETRIDGE:** Actually, it does not go to Somerton Park. We need an extension of light rail in South Australia, and the federal government needs to consider its position on this. It needs to be putting into public transport but, at the same time, the state government needs to invest in what is going to be good in the long term for public transport in South Australia, and light rail is the way to go. The need to put a budgetary figure on this is obvious. I understand that it is a long-term plan, so final figures may not be as accurate as the media would like. I understand that but, at the same time, that should not stop people proposing policy, putting in plans and investigating the options that are out there. Both the state and federal governments—particularly the state government—should be considering this, and I look forward to an announcement today in the state budget.

**Mrs GERAGHTY** secured the adjournment of the debate.

## VICTORIA PARK REDEVELOPMENT

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

That this house expresses its concern regarding the decision-making process followed by the Adelaide City Council and the state government in their desire to erect a permanent corporate multistorey building in the centre of Victoria Park.

The focus of this motion is not specifically on the building that is proposed or its location, which I have already argued previously in this house is inappropriate. It is about the process that has been followed in relation to this whole matter. I think the first we heard about a possible permanent structure being built in the Parklands was when the Hon. Sandra Kanck made an announcement at the end of last year—and it turned out that she was correct. She suggested that cabinet was considering such a proposition. Obviously she had an insight or a good contact because she was proven to be correct.

From the start, this process has been handled badly. What should have happened is that the government and the city council should have called for expressions of interest in a design brief not only for the replacement facilities for the horseracing activity in the Parklands (to which I do not object) but also a replacement of some of the ageing facilities for motor racing (to which I do not object, either). A design brief should have been called for. It could have been an open invitation to designers, architects, or whatever, to come up with a proposal to meet the needs of the Motor Sport Board in relation to improving what is now run-down temporary facilities for the Clipsal 500 and also run-down and inappropriate facilities for horseracing in the parklands, but that did not happen.

That was never put to the community as an opportunity for input. Neither was the opportunity put for consideration of a solution to the Britannia roundabout nightmare. What we

have now, as a result of a secretive process and an incomplete consultation process, is a lot of angst in the community which could have been avoided. There was no opportunity for people in the community at large, private designers, architects and so on to make submissions about tackling these issues in a better way than what we have seen thus far. For example, it could have been possible to tackle the Britannia roundabout issue by rerouting the eastern end of Wakefield Road maybe to come out onto Fullarton Road and use part of that as the car racing track. It could have been possible to look at replacing the facilities abutting Fullarton Road with more appropriate facilities for horseracing.

All of that was kept under wraps until we had an announcement, in effect, of what was presented as a fait accompli about what was going to happen. The Department for Transport, Energy and Infrastructure (which seems an unusual agency to have oversight of this) was given the task of handling this project and it produced some fancy material. It invited feedback. Its brochure said:

The Victoria Park (Bakkabakkandi) Masterplan brochure and fact sheets have been prepared so the community is well informed of this important and significant project to rejuvenate one of Adelaide's best known and used open space, recreation and special events area. We invite and encourage you to have your say and welcome your comments below. . . Please submit your feedback form in the reply paid envelope provided (no stamp required) or post to. . . Major Projects. . .

Alternatively, you could comment online, call a 1300 number or email a website address also given. That is all well and good. Comments had to be in by 30 March. Respondents did not have to give their name, so there is no way of knowing whether any response was authentic. I am told that people at the Clipsal were given these forms and filled them out in large numbers to try to influence the result. No doubt people opposed to the project also may have done the same thing. So, what you have is a process which is questionable, at best. I see this happening far too often.

Just digressing for a moment, there was an article by Senator Natasha Stott Despoja in *The Advertiser* the other day—and I have a lot of regard for Natasha—where the Democrats ran a survey by distributing hundreds of forms at universities and TAFE colleges and then, on that basis, extrapolated that the young people of Australia feel a particular way. It is about as meaningless as going to Rundle Mall and asking people to give a view that is representative of the views of South Australians.

That is a complete misuse of statistical analysis and methodology, and so is this approach on the Bakkabakkandi—it is a joke. It is a farce because there is no way of knowing who has responded and, therefore, there is no way of checking its authenticity. The comments submitted could have been 10 comments from Mr X or Mrs X, there could have been 150 comments from some people who have had a bit too much liquid at a function, or there could have been 600 comments from people attending a meeting of the Parklands Preservation Society.

It is completely meaningless unless you can establish the validity of the answers by way of techniques such as stratified random sampling, or something like that. All that feedback has now been refused (in terms of a request from, I think, Messenger Newspapers) with the answer being, 'We cannot provide any details of the responses because it will be a breach of privacy.'

People did not have to put their names on it and it is probably doubtful if anyone did. I put my name on it, so I

might be one of the few, because I have nothing to hide. That was my opinion, and I responded in good faith and took a bit of trouble to comment on the proposal. But, where it becomes even more farcical is that the government and the Adelaide City Council did not even wait for the response deadline to be met. Prior to 30 March the Deputy Premier (and, I guess, acting on behalf of cabinet) told the Adelaide City Council, 'Either you accept what we are proposing by way of a structure, or something similar to that, within a couple of days'—these are not the exact words, but the thrust of it—'otherwise the whole project will not proceed.'

So, within two days, the Adelaide City Council (comprising two members who happen to be on the Motor Sport Board—Richard Hayward and Anne Moran—which raises questions about a conflict of interest) decided that it would modify the government's plan, do a little bit of cut and paste, and agree to it. Therefore, all the submissions that people made in respect of a particular development were rendered useless because what they had commented on was a different structure.

The whole thing has been absolutely farcical. It was all stitched up before the deadline had been reached for the comments to be put in. Then, the people who had commented on a proposal find that, after they had commented, the proposal had changed before the deadline for their comments on the original proposal. This is Keystone Cops stuff.

The council, in its deliberations, became even more farcical. It trotted out Bert Taylor, who I feel very sorry for, because it has been published that he has Parkinson's disease, which is an awful disease, and I wish him all the best. But Bert Taylor was brought in for a meeting at the council, when he had not been able to attend other meetings, presumably to give the numbers. The allegation is that another councillor was offered support to become deputy mayor if this councillor supported the proposal. As I mentioned earlier, there was Councillor Haywood and Anne Moran (the latter wanting to become the next mayor) who are both on the Motor Sport Board. We can understand why they would support the proposal, and I will leave it to the court to decide whether or not there is a conflict of interest.

The other farcical thing is that the Mayor, Michael Harbison, used his casting vote, against all the traditions of charring meetings, and gave his support for the development when, in accordance with practice known over many, many years, he should have cast his vote in the negative. The other aspect that is also farcical is that, although the government is required under the act to consult the Adelaide Parklands Authority in relation to Parkland developments, etc., that did not happen in the way in which it should have happened. So, what we have is more and more of a farce.

I wrote to the Treasurer (Hon. Kevin Foley) to ask whether a cost-benefit analysis had been undertaken in relation to the proposed Victoria Park building development and, if so, whether it was available. I also asked whether there were plans to provide car parking for events that would be held at the proposed multipurpose venue and, if so, what were those plans. I had a reply from the Acting Deputy Premier (Hon. Paul Holloway) stating the following:

Thank you for your letter of 2 March. . . A cost and benefit analysis will form part of the project information that will be presented to the Public Works Committee and will be available to the public.

I would have thought that you would do a cost-benefit analysis before you committed yourself to a project. Is that not the logical way in which to proceed with a development?

So, we do not have a cost-benefit analysis but we will have one in time for the Public Works Committee because, if it proceeds, this development will have to go to the Public Works Committee because it exceeds \$4 million. We are spending \$33 million-plus on a development which, as members would know, is not accessible to the public for car racing and accessible in a very limited way to the public for horse racing. We are going to look after the millionaires by giving them a taxpayer-funded, multistorey permanent facility right in the heart of one of the few large open spaces in the Parklands. In terms of car parking, the Acting Deputy Premier said:

With regards to car parking, the project team will examine this matter more broadly with the Adelaide City Council and see if the proposed arrangements can be improved. The current plans are for the SAJC to use the Clipsal track for parking during their race meetings, whilst car parking during the Clipsal race will continue to be based on on-site and off-site parking.

So, they have not even worked out where they are going to park the cars in any specific sense, yet this is a major project and I have heard some suggestion of a requirement for parking for 600 cars. I have also heard a figure many times that.

The situation is even more farcical because Thoroughbred Racing SA did a review of thoroughbred racing in South Australia for 2007-12 and concluded that at Victoria Park the availability of racing will be limited to approximately 20 to 30 meetings annually. That is different from what we have heard from the SAJC, because it was suggesting up to 34 meetings a year. Thoroughbred Racing SA is saying that Allan Scott Park at Morphettville will eventually have a synthetic track and that it could host 50 to 60 meetings annually (currently, it is 30 to 35 meetings). So, do they need Victoria Park at all if they upgrade Morphettville? If you can have 60 meetings a year at Morphettville on a synthetic track, as well as a natural turf track, how are we going to have 34 meetings a year at Victoria Park, as envisaged by Steve Ploubidis from the SAJC?

Recently there was a review by Phillip Bentley (my dear tutor from my economics days at Flinders University) entitled 'Study on the future of the South Australian racing industry'. I asked someone who is involved in this at a senior level whether this will look at Victoria Park, and he said, 'Don't be silly; we're not going to get involved in that.'

The whole thing has been a sham and a farce. We now have to wait for parliament to deal with a lease, which we have not seen and we know little about. I think the public of South Australia are going to be very disappointed when they reflect on the actions of the state government, which have disappointed me. I am also disappointed with the actions of the Adelaide City Council, which, I think, have been far from satisfactory. I am very disappointed in the Rann government.

**Mr PISONI** secured the adjournment of the debate.

#### HIV REPORTING GUIDELINES

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

Leave granted.

**The Hon. J.D. HILL:** On Tuesday I disclosed significant information about the review of relevant legislation and guidelines about the management of knowingly infecting people, conducted by Mr Stephen Walsh QC. My office received this information on 1 May. Both Mr Walsh and the Crown Solicitor advised that this information could be

released, and I tabled the advice in parliament this week. The government supports all of Mr Walsh's recommendations. On 4 May my office received preliminary information from Mr Walsh on other aspects of his advice. This was accompanied on that date by advice from both Mr Walsh and the Crown Solicitor. As I have previously said, both Mr Walsh and the Crown Solicitor have advised me not to disclose Mr Walsh's legal advice to the department on potential legal liability arising from the matter. I was also informed that this was not the final advice. That advice has still not been received.

Since that time further advice has been sought and received from the Crown Solicitor on numerous occasions as I sought to release as much of the advice as possible. The latest advice in relation to what can be said about Mr Walsh's advice was received yesterday. This matter is the subject of a police investigation and I am informed that charges have been laid today. This case may also result in civil action. I therefore must exercise prudence about what information I disclose and, guided by legal advice, I am not in a position to disclose the contents of Mr Walsh's preliminary legal advice.

*[Sitting suspended from 12.58 to 2 p.m.]*

## QUESTION TIME

### HONEY INDUSTRY

**Mr PENGILLY (Finniss):** Is the Minister for Agriculture, Food and Fisheries aware of the devastating effects of Colony Collapse Disorder in the United States and the Verona mite in New Zealand's South Island? If so, what is the minister and his department doing to prevent the local honey industry, especially that on Kangaroo Island, from falling prey to these threats? Kangaroo Island has the sole remaining pure strain of Ligurian bees in the world. The honey industry is worth in excess of \$1.5 million a year to the island's economy, quite apart from tourism spin-offs. Regulations prohibiting the entry of honey products to the island are not working.

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I think a number of us who are avid watchers of television would have seen the program on the weekend highlighting some significant issues around the potential introduction of damaging pests into the honeybee industry in Australia. This would not only have an impact on honey but, obviously, because that industry is now absolutely vital in a pollination role in our horticultural industries, any impact of this nature would not only impact on honey on the island but it would probably have a bigger economic impact in terms of the pollination role and, therefore, obviously fruit yields and fruit quality.

Those who saw that program would have seen how difficult it is to manage the illegal bringing of bees into Australia. You can actually bring in a bee in a pen: you can remove the refill and put the bee in. The challenge is, of course, to stop that sort of behaviour. The issue in terms of Kangaroo Island is whether it would be feasible to have a full-time quarantine officer stationed not only at the ferry (searching every single vehicle) but also at the airport to make sure that no bees are being brought onto Kangaroo Island. Obviously that would not be possible. That is not a reasonable request. We should be doing more, though, in



terms of heightening the awareness of this matter for any visitors to Kangaroo Island.

The industry would not be able to fund in any way, shape or form the level of compliance that would be needed. Imagine having to search absolutely every single vehicle on the ferry to ascertain whether or not somewhere in that vehicle somebody is smuggling in a bee. That is an unreasonable request to make of either taxpayers' dollars or industry dollars. However, I take the point that, in terms of not only full-time roadblocks coming into this state but all the other roadblocks, we have to be vigilant at all times to ensure that, at a state level, we are protecting our industries from this sort of risk.

I am not sure what more we can do other than implementing a public awareness campaign. However, I am happy to talk to the minister and continue—as I do—to discuss with the industry what we can do about biosecurity generally and about the risks to animal health that these sorts of quarantine issues bring to the fore, as well as the risk to our markets. Just yesterday, my colleague the Minister for Regional Development had a number of guests in the house celebrating the access of the citrus industry to the Japanese market. That is all due, of course, to the thinking that has been done over a number of years to secure the fruit fly free status for this state. We understand how valuable these quarantine measures are and we understand the risks, but there is a point at which we just have to rely on people to show a bit of common sense, because we cannot expect to have the resources to search everyone on every single occasion.

#### ADELAIDE CABARET FESTIVAL

**Ms CICCARELLO (Norwood):** Will the Premier advise the house about the 2007 Adelaide Cabaret Festival?

**The Hon. M.D. RANN (Minister for the Arts):** Tomorrow, the Adelaide Cabaret Festival will open for the seventh year running and, once again, it offers an exceptional line-up—16 nights of cool, witty and daring entertainment. I pay tribute to the Hon. Diana Laidlaw for her work and her role in setting up the Cabaret Festival, which we are pleased to continue. Obviously, we have done some things, such as making the Fringe Festival an annual event, WOMAD is now an annual event, and we have the International Guitar Festival and the Oz Asia Festival, but the Cabaret Festival is one of our standouts. It is always important, in the spirit of bipartisanship, to pay tribute to members on the other side of politics who make an outstanding contribution; and, indeed, the Hon. Diana Laidlaw certainly did so in the area of arts.

*The Hon. J.D. Hill interjecting:*

**The Hon. M.D. RANN:** Indeed, the Minister Assisting the Premier in the Arts is opening an art exhibition of her own work. I also understand that the minister has been asked to contribute a canvas by September for an auction to raise funds at the Urban Myth Theatre of Youth.

The Cabaret Festival offers satire, song, talks, exhibitions, burlesque, master classes and, of course, dancing at the fabulous Kool Kat Festival Club. Indeed, there is something for everyone from central desert language lessons at Ngaparrtji Ngaparrtji to ethereal interpretations of Michael Leunig's poems and the more traditional sounds of artists covering cabaret greats such as Edith Piaf and Marlene Dietrich.

Over the years the festival has been an internationally renowned event, garnering accolades from around the world.

For example, the *Sunday Express* in London wrote of the 2006 Cabaret Festival:

... an amazing two week event that celebrates the diversity of the most intimate art of musical cabaret.

*What's on Stage*, a UK publication, wrote:

This festival far and away exceeds anything I have ever seen in London or New York.

In Australia the national press has been equally glowing. In relation to the 2006 festival, *The Age* in Melbourne wrote:

The cabaret festival is the largest in the world and has garnered an impressive national and international reputation... by any standards, the Adelaide festival rocks.

What is more, the artists themselves absolutely love the event with its fast becoming the place to be and be seen for cabaret artists internationally, providing an opportunity for cabaret artists to get together, to share their experiences and skills, and to simply create. Indeed, over the 16 days, more than 450 artists from New York, Paris, London, Germany, Canada and Australia will gather at the Adelaide Festival Centre to perform some 178 performances of no less than 68 different shows.

Most importantly, however, the Cabaret Festival this year is shaping up to be a huge hit with audiences. As of Wednesday night, more than 26 600 tickets had been sold—approximately 3 500 more than at the same time last year—and 35 sessions have sold out, with some shows selling out entirely. In particular, tickets are no longer available for the unplugged Dave Graney, the feast of flavours and sensations that is *Argentina Gina Catalina*, the awe-inspiring voice of Andy Seymour, Julie Anthony and Simon Gallaher, Eddie Perfect's *Shane Warne the Musical* and popular local Libby O'Donovan. I know people remember *Paul Keating the Musical* last year. There is no doubt that with the huge line-up the Adelaide Festival Centre will be a creative and artistic humming centre of activity. This year's brilliant and diverse program will illuminate the already overloaded intellect of Adelaide with further joy, and is sure to be a roaring success.

I would like to take this opportunity to congratulate Julia Holt and her team at the Adelaide Festival Centre on their work in pulling together such a fantastic line-up. I am certainly looking forward to personally seeing a number of the performances as are, I am sure, a large number of other members here today. In fact, maybe there could be 'This parliament: the cabaret', having witnessed it in recent days.

#### TOURISM COMMISSION

**Mr GOLDSWORTHY (Kavel):** Will the Minister for Tourism now confirm that the Sydney office of the South Australian Tourism Commission has closed? On 3 May 2007, I asked a similar question of the minister, who later responded in a personal explanation, as follows:

The New South Wales market is a very important one which the South Australian Tourism Commission has no intention of quitting.

The opposition has received minutes of a South Australian regional tourism committee meeting dated 18 May, in which, under the heading, 'Structural changes to the South Australian Tourism Commission', it states:

The South Australian Tourism Commission has also closed its Sydney office.

**The Hon. J.D. LOMAX-SMITH (Minister for Tourism):** I thank the member for his question. As I have said before, we regard the Sydney and New South Wales markets as one of our most important areas for the origin of tourists.

In fact, only last week I was speaking to the staff who came from that office and were in Adelaide. They were here and were functioning normally. What I do know, however, is that that office in Sydney was regarded as quite an expensive piece of real estate. It is not a retail shop front. The public does not go into the office. The public does not buy holidays there. It is a behind-the-scenes promotional office. In fact, you might argue that its whereabouts and the office block it is in is not particularly important.

My understanding is that for some time they have been looking for a different office in a different location. It would not concern me exactly where that office might be located within the Sydney area and, if they have moved, then I think that that is quite acceptable. It is a management decision about where they operate, how much the real estate is, and what their rental is. The exact location of the office is not really relevant to us.

### NATURE TOURISM

**Ms BREUER (Giles):** My question is for the Minister for Tourism. How is the South Australian Tourism Commission working with the Department for Environment and Heritage to promote nature-based tourism experiences in South Australia?

**The Hon. J.D. LOMAX-SMITH (Minister for Tourism):** I am grateful for that question, because I know the member for Giles has a keen interest in nature-based tourism. She would know how significant it is in our tourism market. I understand that around 21 per cent of international visitors specifically come to South Australia with the hope of taking advantage of a nature-based or national parks-type tourism opportunity. That is why we are very keen to promote our accessible and exquisite national parks as major tourism destinations. Of course, everyone would know about our world heritage-listed site, which is controlled by the Department for Environment and Heritage. That is just one of the many fabulous destinations for both local and international tourists.

In order to make sure that these operations are sustainable, well managed and, particularly, well marketed, the SATC and the Department for Environment and Heritage have worked together on a range of significant initiatives. One of them, of course, is a commitment to work together. I know that the previous government did not actually encourage that kind of cross-portfolio activity but, in order to entrench it in 2003, we signed a memorandum of understanding between the two agencies. This memorandum of understanding has been renewed and reviewed in order to form the basis of specific projects and initiatives across our portfolios and to commit senior staff to work together. A number of joint marketing activities are taking place currently. One of them is a joint funding agreement to produce 70 000 copies of a national parks guide; another is to have input into our regional guide documents that highlight whichever national parks are relevant in those guides; and another is to involve our 'Brilliant Breaks' marketing campaign in pushing, marketing and promoting national parks.

In addition, we have sought and received assistance from DEH in the upgrading of the SATC's website to make sure that if anyone is considering visiting South Australia those national parks initiatives and opportunities are uppermost in their mind. Importantly, we have also made clear by our work with DEH that the Department for Environment and Heritage is part of the tourism sector. It is not just the owner of an

asset that it maintains and promotes: it is actually in the business of tourism. The department engages staff to work in this area, and there is cross-membership of committees so that a member of the SATC also chairs the National Parks and Wildlife Council.

Currently, I can tell the house not only that the DEH attended the Australian Tourism Exchange (ATE) in Adelaide for the first time last year but also that this year the ATE was in Brisbane and DEH attended in its own right as an individual promotion to make sure that its product was on the market internationally. It is important to realise that these initiatives, of course, do require sustainability and good management within the national parks, their reserves and their land-holdings. We also work with local councils to make sure that any suitable development can occur both on their land and adjacent to it.

One knows that there are accommodation opportunities within national parks, and we are particularly focusing on how we can provide guidelines for local government to allow developments to occur both on and off sites close to national parks. Part of this is to produce a sustainable tourism development policy in conjunction with the planning department so that some of the local government debacles that have occurred in the past are not likely to impede good tourism development in the future. We also work together on research, and we have had projects to define the major attractions and events in South Australia.

This research report delineates the number of visitors to national parks. For instance, 330 000 went to the Belair National Park in a year and Mount Lofty Summit was close behind. As well, a number of visitors go to places such as the Cleland Wildlife Park, which is a premier tourism destination from Adelaide; and, of course, everyone's favourite, the world heritage-listed Naracoorte Caves gets 59 000 visitors a year—in itself that is not many but it is a very fragile environment and clearly one that is not suitable for mass tourism even though there are opportunities to view some of the assets through closed circuit television. I know that members are interested in this because, of course, there are endangered Bent-wing Bats—

*An honourable member interjecting:*

**The Hon. J.D. LOMAX-SMITH:** No, Bent-wing Bats. It is the only place where you can watch the endangered Bent-wing Bats breeding. It is a fascinating sight.

**An honourable member:** That's not something I'd want to see!

**The Hon. J.D. LOMAX-SMITH:** This is true. People can view this through closed circuit television because, of course, it can be rather a noxious environment for human beings because the odour in a bat cave is rather strong and it is rather hot. These sites are our premier assets within the state. We must make sure that they are not loved to death but well managed and protected. The SATC and the Department for Environment and Heritage are working together to promote these brilliant experiences.

### KANGAROO ISLAND PARKS

**Mr PENGILLY (Finniss):** As a supplementary question—

*Members interjecting:*

**The SPEAKER:** Order! I do not think it is a supplementary question but, if he is on his feet, the honourable member is welcome to ask a question.

**Mr PENGILLY:** Given the minister's response to the question asked from her side of the house and the fact that she stated that the Department for Environment and Heritage is in the business of advancing tourism, will she explain that while the Department for Environment and Heritage manager on Kangaroo Island sets the fee charges for camping and visitation to national parks, he can also run his own business of camping and touring in connection with those vehicles entering and camping in the national parks? Is that a conflict of interest or not?

*Members interjecting:*

**The SPEAKER:** Order! That is certainly not a supplementary question.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL (Minister for Health):** The reason I get a gong, as the opposition so kindly puts it, is because I represent the Minister for Environment and Conservation in the other place. As the question is really about an environmental matter—whether or not there is a conflict of interest in the operation of a particular national park—I will refer it to the minister and bring back her response for the member.

#### ANZAC EVE YOUTH VIGIL

**Ms THOMPSON (Reynell):** Will the Minister for Multicultural Affairs inform the house what the government is doing to encourage members of our migrant and refugee communities to engage in various aspects and customs of Australian life that we all value?

**The Hon. M.J. ATKINSON (Minister for Multicultural Affairs):** I know that the member for Reynell has much interest in the spirit of ANZAC and that she was instrumental in establishing the ANZAC Eve youth vigil at Morphett Vale. ANZAC Day is one of the most important events on the Australian calendar, and on that day every Australian should pause to remember those who have given so much in the service of our nation. Although the day was originally fixed to remember those lost at ANZAC Cove, the focus has broadened as the years have rolled by. Although ANZAC Day will always be a special day of remembrance, there is no doubt that it also allows us to acknowledge the importance of community solidarity and service. Those are the values that are embraced by many Australians, not just those who served in times of war. They are part of what we call the ANZAC spirit.

ANZAC Eve youth vigils also manifest the ANZAC spirit. They are largely a South Australian idea and have been adopted throughout our community. Every ANZAC Eve since 2000, members of youth and community groups gather at the state's National War Memorial on North Terrace, the War Memorial Gardens at Morphett Vale and, more recently (as the member for Davenport pointed out), at Blackwood (and a fine war memorial it is too), to observe a vigil for 12 hours. They display a renewed interest in this most important custom and this has resulted in a large increase in numbers attending all our ANZAC Day ceremonies.

ANZAC Eve vigils are generally conducted by members of different community groups. At last count there were more than 15 different groups that had volunteered to be involved. At each youth vigil young people speak, and, with a spirit that belies their age, they talk of youth, sacrifice and the importance of remembrance. This year for instance, Ella Kenny, a young woman from the West Coast, read her award-winning essay, entitled 'Sacrifice and Remembrance', and spoke about

what ANZAC Day meant to her. She likened the ANZAC spirit to the spirit of determination and loyalty shown by her father and others when they fought the Eyre Peninsula bushfires that wrought such devastation on her community. Ella said:

Although Gallipoli was one of the first times that Australians showed the traits of loyalty and sacrifice, a similar spirit still endures, not just in the military but among the many volunteers who work tirelessly for the greater good, regardless of their own needs.

She said that it was important to remember these sacrifices and that, in doing so, we proved ourselves 'true Australians'.

An aspect of the ANZAC Eve youth vigil that complements Ella's view is the involvement in the vigil of young representatives of different ethnic communities. They too come together to value all that the ANZAC spirit stands for. Their involvement is organised by Multicultural SA in conjunction with the ANZAC Eve Vigil Committee, and this year young people from Turkish, American, Dutch, French, Greek, Irish, Italian, Maltese, Polish, Scottish, Serbian and Vietnamese communities participated in the youth vigil. They joined representatives of youth and community groups and were led by young Aboriginal representatives to remember all that ANZAC stands for. Every representative laid a book or token of remembrance on the War Memorial to acknowledge their pledge to the ANZAC spirit.

In addition, Multicultural SA invited a group of young people from the Ogaden community to attend the vigil. The Ogaden community is Somali and mainly Muslim. The chairman of the ANZAC Eve Vigil Committee spoke with these young people and discussed with them the significance of the event. Two young Ogadens, Daud Harun Mohamed and Jibril Abdi Giire, spoke with Peter Goers on ABC Radio about why they were there. Daud said:

We came to show solidarity with those Australians who lost their lives at war; and... we're here tonight with our fellow Australians... we're Australian... we're here to show... this is our new home... new country... we're here to show solidarity.

Jibril added:

In my heart I want to do this because it is commemorating the people that gave their lives for Australia and I feel... part of... Australia... by doing this.

As explained by the chairman of the ANZAC Eve Vigil Committee, ANZAC Day is for all Australians. It provides us with an opportunity to demonstrate the value the community places on remembrance, service and community solidarity. This truly multicultural event also has the added advantage of reinforcing the harmony and acceptance that come from living in a country that the ANZAC spirit has helped keep free. Just as there is bipartisan support for multiculturalism in this house, I am sure the spirit of the ANZAC Eve Youth Vigil, and the contribution made to it by our multicultural communities, is welcomed and celebrated. It is a wonderful way to ensure our migrant and refugee communities come to understand what we as Australians hold dear.

#### MOUNT BARKER FREEWAY INTERCHANGE

**Mr GOLDSWORTHY (Kavel):** Will the Minister for Transport explain why the building of the second freeway interchange from Mount Barker and other local infrastructure works are not a priority for his government? In the Mount Barker district, a real need exists for significant infrastructure works, including a second freeway interchange—a demand caused as a result of the major residential development in the

area. At present, these costs are being shifted to local government, developers and potential property purchasers.

**The Hon. P.F. CONLON (Minister for Transport):** On the contrary, the costs are not being shifted. What the member is asking for is, in fact, to shift the cost of a local road onto the state government. The road he refers to is a local road. The freeway he refers to is part of the AusLink network; in fact, I think the great achievement under the previous Liberal government was entirely funded by the federal government. The improvement to the tunnels—

*Members interjecting:*

**The Hon. P.F. CONLON:** Well, it was entirely funded by my good friend, Laurie Brereton—a very good man. The truth is that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** —the interchange they seek to make is a local road with an AusLink network. They have been to the commonwealth and the commonwealth does not believe it is necessary for the operation of that road. It is a local road. In fact, the member for Kavel is fighting with his colleague the member for Morphett who also believes we should put a local road in his area onto our responsibility and take on the cost of that. It happens all over the place. I met with the Mount Barker council a couple of days ago to discuss these matters. We are lending the council what assistance we can for what is essentially its responsibility. We believe one of the best ways to achieve funding for that road may well be to keep it as a local road and get onto one of the special projects grants that are rolling out from the commonwealth at the moment in what closely resembles pork-barrelling when you see it up close.

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** Yes, there was a quite astonishingly quick turnaround in applications out in that seat of Wakefield recently for funding on roads that no-one even talked to us about, but that is a subject we will save for another day. I can understand why the Mount Barker council would like us to assist it with its road. We are giving it assistance in kind where we can because I think the Mount Barker council has done a very good job in quite difficult circumstances and it is a progressive council. But at the end of the day, there is a limit to state roads. The member for Stuart has also on occasions been to see me about converting local roads into state roads. It is not a new—

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** Yes. Various members for the seat (including Kangaroo Island) have been doing it for a very long time. We will help the council where we can, but we simply cannot convert local roads to state roads every time people ask. During private members' time this morning, the member for Morphett abused us for not spending enough on maintenance for our roads. It will make it much harder to spend money on maintenance for our roads if we are continually converting local government roads to our roads and paying for upgrades on them. You just cannot have it all ways. We are very sympathetic to the council and we will help it where we can, but we simply cannot convert local roads or accept council responsibilities every time it is asked of us.

### HOSPITAL SERVICES

**The Hon. S.W. KEY (Ashford):** My question is to the Minister for Health. What implications does the steady increase in hospital demand have for our health system?

*An honourable member interjecting:*

**The Hon. J.D. HILL (Minister for Health):** I can assure the member that she always gets an answer. I thank the member for Ashford for this really important question—and, I should say, it is also an important answer. In 2003, the Generational Health Review predicted significant growth in demand for hospital services in the 10-year period following that review. Three years later, those predictions are proving to be conservative. Today, our hospitals are experiencing the level of demand that was predicted by that review to occur in about 2011. So, we are some four years ahead of the predictions.

In the past four years, the number of admissions to metropolitan hospitals from emergency departments has, in fact, risen by 25 per cent: over four years, the admissions from emergency departments to metropolitan hospitals has risen by a quarter. Unfortunately, it is predicted that these increases will continue to grow and accelerate. With such a growth in hospital demand, at a time of a world-wide shortage of medical practitioners, we need to focus on keeping people healthy and restructuring our health services to meet the needs of the changing environment in which we find ourselves. That will require an increased focus on early intervention and prevention, as well as changes to the way in which we deliver public hospital services.

It is incredibly important that we get the message across to the public of South Australia that they have to take responsibility for their own health. Something like a third to a half of the diseases that cause people to be admitted to our hospitals are what we could call 'lifestyle' diseases. They include diseases associated with smoking, drinking too much, eating too much (obesity), a lack of exercise and a whole range of other things along those lines.

*The Hon. P.F. Conlon interjecting:*

**The Hon. J.D. HILL:** Sorry. The Minister for Transport rebukes me. Yesterday, I released South Australia's health care plan, which outlines major decisions that the government has made about the future of health services in South Australia. Services across our health system will change to manage the increase in demand over the next 10 years. Through this process, each hospital will have a new centre of excellence on which it can focus. We will increase the provision of primary health services through new GP Plus Health Care Centres to try to keep people healthy and out of hospital, and we will increase rehabilitation, aged care and palliative care services at the Queen Elizabeth and Modbury hospitals to focus on caring for our local ageing populations. We will have a spine of major tertiary hospitals across Adelaide to provide the most complex services. If we do not make these changes, our system will not cope with the increased demand for hospital services in the future.

### LONG FLAT IRRIGATION TRUST

**Mr PEDERICK (Hammond):** Can the Minister for the River Murray advise how many irrigators in the Long Flat and Burdett irrigation areas near Murray Bridge are still to receive their rehabilitation deeds? The Long Flat Irrigation Trust still has not been able to strike acceptable terms with the Department of Water, Land and Biodiversity Conservation to proceed with the rehabilitation of land, which is desired by both parties. According to the irrigators concerned, these negotiations have been drawn out by what they perceive to be the department's inflexibility and apparent erroneous handling of the detail.

**The Hon. K.A. MAYWALD (Minister for the River Murray):** I thank the member for Hammond for his questions. I will seek the details from the department and bring them back to the house.

### VOLUNTEERS DAY

**Mrs GERAGHTY (Torrens):** My question is to the Minister for Volunteers. Can the minister advise the house of the progress of preparation for this year's Volunteers Day event?

**The Hon. J.M. RANKINE (Minister for Volunteers):** I thank the member for Torrens for her question and for her excellent support of the very many volunteers in her electorate. This government recognises that the magnificent contribution of this state's many hundreds of thousands of volunteers deserves to be applauded. Recognising the enormous impact that these volunteers have on the wellbeing of our state is something that this government does every day in a variety of ways, from the grants that we provide through a range of agencies, to the excellent resources that we have available on the Office for Volunteers website, including a one-stop shop bank of information about available grants, and the new initiative in this year's budget to provide seed funding for councils that wish to establish a volunteer resource centre in their area.

One of the highlights of the volunteer calendar has been the celebration function held on Volunteers Day. We host a truly outstanding event at the Festival Centre which has been attended by literally thousands of volunteers in the past few years. We are oversubscribed every year, and not without reason. This year's concert—to be held on Monday's public holiday—has been produced in collaboration with the Adelaide Cabaret Festival management. The event will be attended by a broad cross-section of South Australian volunteers, with some 2 000 volunteers from across the state. They will be coming from as far and wide as Port Augusta, Andamooka, Booleroo, Whyalla, Kadina, Burra, Keith and Port Lincoln. I am delighted that Peter Goers will once again be the MC of this year's celebration, and that the concert will also feature a performance of *Women With Standards* direct from the festival.

Once again, the Joy Noble Medal for outstanding volunteer service in state government volunteer programs, and the Premier's business awards supporting volunteering in the community through the business sector will be presented. This year there will also be a new award: an award for an outstanding community project. The award is to recognise the collaborative efforts of volunteers involved in a community project of significance. I do not want to give the game away, but the inaugural winner is a group of incredibly inspirational volunteers who truly embody the volunteer spirit here in South Australia.

I am delighted to inform the house that our wonderful Governor—the people's Governor—Her Excellency Marjorie Jackson-Nelson will be attending to give the keynote address to volunteers. As we all know, over her lifetime Her Excellency has been an extremely selfless and giving volunteer, as well as an outstanding South Australian. She will always be an inspiration to South Australians, especially to those of us involved in the volunteer sector. I must say it is especially fitting that our new flagship hospital will be named after Her Excellency. It will be a constant reminder of her spirit, strength and generosity. It will pay tribute to her, as well as paying tribute to all South Australian volunteers.

As I have said in this place on many occasions, our volunteers help to make this state the vibrant and dynamic place it is, and I am confident that this year's Volunteers Day celebration will be a fitting salute to their dedication, commitment and contribution.

### SEWAGE OVERFLOWS

**Ms CHAPMAN (Bragg):** Why did the Minister for Water Security write to the residents of Garden Avenue, Burnside, on 8 May 2007 saying that the sewerage pipes have the capacity to contain sewage overflows when, within a month, there was another sewage overflow into two homes and gardens?

*Members interjecting:*

**The SPEAKER:** Order!

**Ms CHAPMAN:** Mr Speaker, I need your protection here. This is a very important question. In fact, it is just around the corner from Don Farrell—

*Members interjecting:*

**The SPEAKER:** Order!

**Ms CHAPMAN:**—who loves living in my electorate.

*Members interjecting:*

**The SPEAKER:** Order!

**Ms CHAPMAN:** Problems with sewage overflow for residents of Garden Avenue have been ongoing for seven years. The professional advice is that the ageing pipes cannot cope. The minister wrote to the residents on 8 May stating that the flow from the Waterfall Gully waste water pumping station down the relined Garden Avenue main is 'well within the capacity of the main'. Well, minister, it overflowed again on 3 June.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.A. MAYWALD (Minister for Water Security):** I will seek details from SA Water and bring them back to the house.

### BIOTECHNOLOGY

**Mr KOUTSANTONIS (West Torrens):** My question is to the Minister for Science and Information Economy. What support is the government providing for local initiatives in the area of biotechnology?

*An honourable member interjecting:*

**Mr KOUTSANTONIS:** Hair replacement, I think.

**The Hon. P. CAICA (Minister for Science and Information Economy):** I thank the member for his question, despite his provocative comment, and acknowledge his interest in the bioscience precinct at Thebarton. I am pleased to advise members that the government is actively involved in the provision of world-class facilities for the biotechnology industry in South Australia through the expansion of the Thebarton Bioscience Precinct. The precinct is Australia's only dedicated biomedical precinct and is now home to one of the largest clusters of commercial medical bioscience companies in Australia. It is ideally situated, being just three kilometres from Adelaide's CBD—

*The Hon. I.F. Evans interjecting:*

**The Hon. P. CAICA:** It is perfectly suited to the cause, Iain, being only three kilometres from Adelaide's CBD and only four kilometres from Adelaide Airport. The precinct forms part of a 12-hectare advanced technology and bioscience hub which enables collaboration with the adjacent University of Adelaide Research Park at the Thebarton

campus. In 2003, the state government approved almost \$6 million to purchase an additional 4.8 hectares of adjacent land to triple the size of the Thebarton precinct. It is the additional land that will, in part, house Australia's only dedicated bioscience incubator, the BioSA Incubator.

*An honourable member interjecting:*

**The Hon. P. CAICA:** No, there is a BioSA Incubator there. The state government approved an additional \$12.9 million of funding to support and construct the incubator facility to enable it to nurture the growth of our budding bioscience businesses. Accompanied by the member for Frome, who has always taken a bipartisan approach in these matters, I was delighted to go down and turn the first sod at the site on 16 April to mark the start of the construction of the 2 600 square metre building which is expected to be completed by the middle of next year.

This development creates a huge advantage for South Australia's bioscience sector by providing an ideal environment to grow our local bioscience start-ups, with the further potential to encourage bioscience companies from other parts of Australia, and internationally, to move their operations to Adelaide. Bio Innovation SA has responsibility for the remediation of the land, facility development and operational management of the incubator. As the hub of the Thebarton Bioscience Precinct, the BioSA Incubator will provide flexible wet laboratory and office space, combined with an extensive business support program for up to 15 start-up bioscience companies at any one time. It will have the capacity to support up to 60 companies over a 15-year period.

The types of business support accessible through the Bio Innovation SA team include: high level bioscience industry business expertise; business mentoring; commercial intellectual property evaluation; business planning and market research; assistance with marketing activities; and access to local, national and international industry networks. I know that the house will join me in congratulating everyone who has been involved with this innovative and important project.

### MOBILONG PRISON

**Mr PEDERICK (Hammond):** Will the Attorney-General clarify exactly what happened in a recent attempted break-out at Mobilong prison; and what he is doing to address procedural and morale matters raised by a staff member at the prison?

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PEDERICK:** It was reported in the local paper that, according to the unnamed prison officer, the sequence of events leading up to the recapture of a would-be escapee at Mobilong was substantially different from the official version. The same paper reported details of other matters of serious concern with security procedures at the gaol, and drew attention to a perceived problem with staff morale at the Murray Bridge facility (which is due for major expansion). The department's strong rejection of that claim implies that there will be no further investigation of this issue, notwithstanding the fact that a staff member has suggested that the problem is self-evident.

**The Hon. M.J. ATKINSON (Attorney-General):** I am answering in my capacity of representing the Minister for Correctional Services in another place. I have been pleased to visit the Mobilong prison. I am pleased to say that the government will be building a gigantic new prison—

*The Hon. I.F. Evans interjecting:*

**The Hon. M.J. ATKINSON:**—yes, it is a term of art—at Mobilong. As soon as we announced it, the member for Hammond was quibbling and querying it in this chamber, but it will be—

*Mr Pederick interjecting:*

**The Hon. M.J. ATKINSON:** So the member for Hammond says that we do not build a prison which this state needs because local government did not ask for it. I understand the member for Hammond now; I understand where he is coming from.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. ATKINSON:** I will get an answer on the question of the escaper—not the escapee—or the would-be escaper. I will get a reply for the member for Hammond. However, I want to say that this parliamentary Liberal Party opposite us has been screaming for a new prison, saying, 'Where's the new prison?'

**Ms CHAPMAN:** I have a point of order, sir. The Attorney-General is debating the matter.

**The SPEAKER:** Yes, I think the Attorney-General has answered the question. The member for Bright.

### STURT COTTAGE CRAFT PROGRAM

**Ms FOX (Bright):** Will the Minister for Disability advise the house how the state government has helped save a much loved program for people with disabilities at Minda?

**The Hon. J.W. WEATHERILL (Minister for Disability):** Minda provides services and support for more than 1 100 people with an intellectual disability in this state, accommodating 340 adults on campus and another 204 adults in the community. Another important part of its service is its day programs. These activities give people with a disability something meaningful to do each day with their friends. The alternative for them would be a life of loneliness and isolation and, for their families, no respite from what can be a very demanding caring role. We all get so much out of coming to work. It is an enormous pleasure to be here every day and look at the smiling faces of those opposite as they endure another four years in opposition. It is a real joy to come to work each day, and many people do enjoy going to work on a daily basis. That opportunity should not be denied people with disabilities. It gives them an opportunity to learn skills and get out into the community.

One of these programs was the Sturt Cottage Craft Program, established by Minda Special School in 1981, operating in buildings supplied by the education department, first at Sturt Road and then at Seacliff Primary School. This program allowed young adults with intellectual disabilities to work as creative artists in a cooperative, where remuneration was dependent on each artist's own work. Four years ago Sturt Cottage Craft was relocated to Brighton House on the Minda campus after the rooms at Seacliff were almost destroyed by vandals. Since that time, Minda has generously made available a working location and the encouragement needed for such a service to continue. The creative artists at Sturt have produced some remarkable work. Two needle workers represented South Australia in making the Odyssey tapestry for Canberra's new Parliament House. Of the 19 people using the service, 10 are accommodated in Minda's accommodation service, one lives at Balyana, and one in the hostel in Brighton. The other seven are at home with family members.

This valuable program looked like closing in February this year because of the retirement of its leader, Pat Kaufman. Mrs Kaufman, as she is known, is a remarkable woman. She is a former Minda school principal, president of the Minda board, and volunteer at Sturt Cottage Crafts since 1981. Mrs Kaufman and eight of her 12 volunteers, most of whom are in their 80s, have decided, understandably, to retire at the end of this year, but people are very concerned about the loss of this much loved program. I acknowledge that a number of members of this house have written to me about this issue. She will be as pleased as I am to know that the state government has stepped in to provide Minda with enough funding to allow this craft program to continue.

Minda will fund the program until the end of this financial year. Next year, the state government will pay half of the \$151 000 cost of the program. In 2008-09, the state government will pay the total cost. A few of the younger volunteers are prepared to continue one shift a week, and I thank them for their community spirit. I am very pleased that the government has been able to work with Minda to see this important and treasured program continue.

#### MURRAY RIVER TOURISM

**Mr PEDERICK (Hammond):** Will the Minister for Tourism inform the house of her reason for not supporting a major promotion of the River Murray as a tourism destination, which commenced in September 2006, in partnership with the New South Wales and Victorian governments and which is supported equally by the federal government? South Australia declined to participate in this important promotion aimed at the estimated 2.5 million Australians aged between 30 and 64 who travel frequently and take long trips. The remaining two governments each contributed the modest amount of \$250 000 to this important campaign, which is also aimed in part at South Australian based tourists.

As a direct result of South Australia's non-participation, the Murray River Wind Down campaign promoted the river only as far as the border. The campaign material states that 'the Murray tourism region encompasses two states—Victoria and NSW'. It is focused on 'the regional brand strengths of history/heritage, golf, food/wine and water-based activities'. Given the current crisis on the river, it is a cruel blow to struggling river tourism operators that travellers were encouraged to begin or end their journey at the border.

**The Hon. J.D. LOMAX-SMITH (Minister for Tourism):** I thank the member for Hammond for his question. He quite rightly points out the importance of River Murray tourism. Indeed, we have invested extra funds this year, because we recognise that some of the publicity that has been around in the last few months has been extremely damaging in terms of many journalists and photographers taking pictures of dry Darling River beds and dust bowls without water. That has led to some misinformation in the market. So we have refocused our targeting of Murray marketing by involving ourselves in some creative activities. For example, we run a camcorder to demonstrate that when you book there is actually water in the river. We are investing some significant funds in joint marketing with the region.

Ultimately, the issue of cross-border marketing is quite a vexed one that depends on collaboration and cooperation of the regions themselves. I am particularly keen to work across borders. I have been criticised, in fact, for jointly marketing with Tasmania, Victoria, the Northern Territory and Western Australia, because it seems that there are some destinations

that are bigger than state boundaries. Instinctively, I would always want to work with the three states involved in this campaign. In fact, we have run tri-state campaigns in the past. They have been successful, but they often break down at the local level. When we are involved in those local campaigns, they are not effective unless the local regional marketing boards are absolutely on side.

We do market across borders. Most of our Outback, backpacking, and wilderness marketing is done without commenting about South Australia specifically, but pushing the destination. Outback marketing might well involve the *Ghan* and the Outback, with us believing that we own the Outback and them owning the *Ghan*; and our wilderness marketing with Victoria and Tasmania involves both drive holidays and going to wilderness areas. Certainly in the past we have marketed across the three borders about which the honourable member talks, but this time the program did not get support.

#### TRANSPORT INSPECTIONS

**The Hon. G.M. GUNN (Stuart):** My question is to the Minister for Agriculture, Food and Fisheries.

**The Hon. J.D. Hill:** Excellent!

**The Hon. G.M. GUNN:** You are lucky it is not to you! Does the South Australian government support the export of hay and straw from South Australia and, if so, will he make representations to South Australia Police and Department of Transport inspectors to ensure that their actions are reasonable and fair? The minister may be aware that, in recent times, people who attempt to transport hay from their properties to the industry sources that export them have been having some difficulty with overexuberant police officers from the highways patrol based at Gawler. These same people have been paying unreasonable attention to farmers. I also understand that some of the departmental inspectors are now threatening that people down as far as the girl who works in reception in some companies could be held liable. I am interested in the minister's response.

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** What an honour to get a question from the member for Stuart, one of the finest members in this house and, I must say, a member who manages to separate issues from relationships, and that is why he is a member for whom I think we all have enormous respect. Equally, can I just compliment Her Majesty's Loyal Opposition. Members opposite have obviously heeded your warnings of recent days, Mr Speaker. Their behaviour today, I think, is exemplary and a fine example of what we should expect from Her Majesty's Loyal Opposition.

I make one further point in explanation before I get to the substance of the question from the member for Stuart, because it just so happened that, this morning, I found myself in discussion with the members for Chaffey and MacKillop, the substance of which I now forget. However, it transpired during that discussion that we collectively reflected on the fact that, later this year, we will celebrate 10 years in this place. When we look back over those 10 years one thing that will come to all our mind is the many versions of the member for Stuart's Sir Humphrey speech. Equally today, members have seen another version of the member for Stuart's Sir Humphrey speech in his explanation of the question.

The question is: have I made some representation in relation to what the member for Stuart suggests is over-vigilant policing of what is technically an insecure load? I

would have to say that, in short, I share his concerns to some degree and have, through appropriate channels, made it known that we ought not be so vigilant in terms of policing this particular matter. Equally, I pass information back to the industry. We will not tolerate vehicles being overweight, overlength, overheight or overweight. However, we must accept that much of the bailing last year was of short straw—and the short straw to which I refer is not the short straw that people have suffered in this place over different times—and that means that early on in transporting some of that load is blowing off the back of the transport. Obviously, what is blowing off is biological material that will quickly break down, so it poses no threat to the environment. However, if it posed any visual threat whatsoever to a vehicle travelling behind it, you would be making a good point.

I believe (and I think the Minister for Transport agrees) there is a time when officers of both Transport SA and the police ought to show a wee bit of common sense and respect the fact that this straw will only blow off for a very short distance. It poses no great threat, but it would be a significant inconvenience to the transport industry if we actually focused on the letter of the law in relation to what is technically an insecure load. So, yes; we do believe that a degree of common sense should prevail.

#### CLASSROOM SIZES

**Mr PISONI (Unley):** Can the Minister for Education and Children's Services advise how many schools in my electorate of Unley do not comply with the Department for Education and Children's Services guidelines regarding the floor space area of 48 square metres per classroom, advised by her office as being the minimum size? Can the minister also advise what is the government's commitment to ensuring that all classroom sizes in all schools in my electorate comply with her own department's guidelines? Inquiries into the size of classrooms within my electorate have shown that there are a number that do not comply with the department's guidelines and that there has been little or no support from the government in addressing the problem. Advice provided to me details that the response to the problem by the department is to drop school enrolments and not use the offending classrooms. One school in my electorate has at least three classrooms that do not comply with the guidelines.

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I will keep it brief because time is running short. The member will be pleased by our massive investment in education in South Australia over the last five years, by our Education Works strategy and by re-investment programs, our School Pride strategy and the innovation and reform that we are bringing across the whole school sector. Clearly, there are issues about the many good schools in his electorate, and the honourable member would be the first to admit that they are popular. Some of them have waiting lists and they are in high demand, and that is because they are of high quality and we have excellent teachers in his electorate. However, if the honourable member would like a breakdown I am very happy to discuss the exact floor area, the per meterage and the statistics because I understand that he has an eye for small detail.

#### OPERATION CYPRESS

**The Hon. J.D. HILL (Minister for Health):** I lay on the table a copy of a ministerial statement relating to Operation Cypress made today in another place by the Minister for Police (Hon. P. Holloway).

#### BUDGET PAPERS

**The Hon. K.O. FOLEY (Treasurer):** I lay on the table the following budget papers:

Budget Overview 2007-08—Budget Paper 1  
 Budget Speech 2007-08—Budget Paper 2  
 Budget Statement 2007-08—Budget Paper 3  
 Portfolio Statements 2007-08—Volumes 1, 2 and 3—  
 Budget Paper 4  
 Capital Investment Statement 2007-08—Budget Paper 5  
 Regional Statement 2007-08—Budget Paper 6.

I move:

That the Portfolio Statements, the Capital Investment Statement and Budget Statement be published.

Motion carried.

#### APPROPRIATION BILL

**The Hon. K.O. FOLEY (Treasurer)** obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2008, and for other purposes. Read a first time.

**The Hon. K.O. FOLEY:** I move:

That this bill be now read a second time.

Mr Speaker, the 2007-08 Budget sets a framework that will deliver a strong future for South Australians.

The Rann Labor Government has a proud record in delivering sound, financially responsible budgets.

Six budgets under Labor.

Six budgets in surplus.

Prudent and responsible financial management has provided us with the capacity to further strengthen the economy and deliver on our commitments and promises.

And today Mr Speaker we are taking this a step further and will be remembered for delivering even more for the people of South Australia.

The Rann Labor Government will be remembered for:

- its bold decision-making;
- repairing the State's ageing infrastructure;
- the single biggest health reform in the State's history;
- investing in the work to develop a secure future for the State's water supplies; and
- delivering the largest payroll tax cut in the State's history.

Today Mr Speaker, included in these achievements is the biggest commitment of all to South Australians—a new \$1.7 billion hospital.

Mr Speaker, this magnificent, state of the art facility will be named the Marjorie Jackson-Nelson Hospital in honour of one of South Australia's favourite Governors.

The Budget also outlines a \$483 million investment to upgrade the State's rail and road infrastructure over the next four years.

These improvements will further enhance transport safety and improve travel efficiencies for passengers.

Mr Speaker, again, we are delivering a Budget that is in surplus.

We have prudently managed the State's finances over the previous year and have maintained a Triple-A credit rating.



The Budget will deliver net operating surpluses of:

- \$30 million in 2007-08;
- \$205 million in 2008-09;
- \$336 million in 2009-10; and
- \$278 million in 2010-11.

These surpluses will assist in funding major increases in infrastructure investment over the next four years.

Despite these sizeable budgeted operating surpluses, net debt will increase modestly over the forward estimates period to fund a significant increase in capital expenditure.

For the third consecutive year, the Government will deliver more than \$1 billion in total capital expenditure.

Mr Speaker, planned total capital spending in 2007-08 totals \$1.48 billion. This is double the amount spent when the Liberal Party was last in Government.

Notwithstanding the major capital expenditure initiatives announced in this Budget, the ratio of net financial liabilities to revenue will rise only slightly over the forward estimates period.

The Government also remains committed to over \$600 million of Public Private Partnership projects in the areas of education and correctional services.

Mr Speaker, the Rann Government is about providing for the future needs of South Australians and good economic management.

The Budget provides for significant investment in the Health, Transport, Energy and Infrastructure, Justice and the Families and Communities portfolios.

Over the next four years the Budget provides:

- \$542 million for transport and infrastructure initiatives, including revitalisation of the rail network and significant new road infrastructure and road safety initiatives;
- \$523 million for new hospital infrastructure, for progress on mental health reform and to support the delivery of current health services;
- \$163 million for Families and Communities for the delivery of disability services and for the care of children in need; and
- \$114 million of new commitments for law and order and for community safety.

Mr Speaker, the State Economy continues to grow and diversify.

Business investment has increased by 73 per cent over the last five years and employment is expected to grow by a further 1.5 per cent during 2006-07.

The Government is working to broaden and modernise the State's economic base by encouraging and strengthening industries such as mining, defence and electronics.

Spending on mineral exploration in our State almost doubled in 2006 to \$191 million.

Canada's Fraser Institute now ranks South Australia 4th of 65 jurisdictions in mineral potential.

Over the next few years we can look forward to significant economic stimulus from a range of defence and mining projects.

The Prominent Hill mine is already under way and the Air Warfare Destroyer contract and the proposed BHP Billiton Olympic Dam mine expansion are projects of national importance.

Mr Speaker, today's Budget also includes the biggest reduction in payroll tax in South Australian history.

Payroll tax cuts worth \$309 million will be rolled out over the next four years.

From 1 July 2007, the rate of payroll tax will reduce from 5.5 to 5.25 per cent.

A further reduction, that will come into effect from 1 July 2008, will see the rate drop to 5.0 per cent.

From 1 July 2008, South Australia will have a payroll tax rate equal to that of Victoria and equal second lowest in the nation.

More than 6500 businesses employing more than 370 000 South Australians will benefit from these tax cuts.

Mr Speaker, tax cuts announced today will take the total amount of tax relief committed by the Rann Labor Government in this and the last three Budgets to nearly \$2 billion by 2010-11.

Also being phased in, from 1 July 2007, will be more than \$200 million in cuts to rental and mortgage duty announced in the 2005-06 Budget.

And nearly \$28 million in payroll tax harmonisation will be delivered over three years with reforms commencing in 2008-09.

This harmonisation will provide consistency for businesses working across State and Territory jurisdictions and cut red tape.

Mr Speaker, the tax cuts announced today will make South Australian businesses more competitive on the national stage.

Local businesses are already taking advantage of excellent local economic conditions.

Put simply, there is no better time to do business in South Australia.

Mr Speaker, today's Budget defines a program of major reform of public health care in South Australia.

At the very heart of this is a new 800 bed central hospital—the Marjorie Jackson-Nelson Hospital—at a cost of \$1.7 billion.

This hospital will take advantage of the very latest technology and offer a service to South Australians that is the very best in health care.

The hospital will also be a major teaching and research facility for the training of health care professionals.

And, Mr Speaker, it will be designed to the latest standards in water and energy efficiency and is expected to achieve the highest environmental performance for such a facility.

New investment in health infrastructure of \$308 million will occur over the next four years—with \$212.8 million over the next four years to commence construction of the new hospital.

The total cost of the new health infrastructure initiatives announced in this Budget will be in excess of \$2 billion.

Mr Speaker, I am advised that if the Royal Adelaide Hospital is not replaced, at least \$1.4 billion will be required over the next 15 years to continue upgrading the hospital to meet current building standards and to provide facilities that are appropriate for modern health care.

Mr Speaker, most of the Royal Adelaide Hospital is over 50 years old and requires significant levels of ongoing maintenance.

Clearly, the additional investment to deliver a new world-class hospital with better services for the community is the right choice.

Mr Speaker, there are significant challenges facing our Health System, including:

- increasing demand for hospital services, which places significant pressure on emergency departments and hospital inpatient facilities; and
- an ageing health workforce, where it is expected that 40 per cent of South Australia's health workers will retire in the next 15 years.

Mr Speaker, this Budget responds to these challenges.

We have provided additional funding of \$250 million over four years to maintain current services and to address the growing demand for these services, while Health Reform initiatives are being progressed.

The Budget provides significant additional funding to the other components of our health system, including:

- \$106 million over four years for the construction of Stage C of the Lyell McEwin Hospital;
- \$34.7 million over four years for the redevelopment of the Ceduna Health Service;
- \$8.7 million over three years for additional beds at Flinders Medical Centre;
- \$2.2 million for the Port Pirie GP Plus Centre; and
- \$1.5 million to upgrade infrastructure at the Naracoorte Health Service.

The Women's and Children's Hospital will continue to be the tertiary hospital for the delivery of complex maternal and children's care.

The Queen Elizabeth, Modbury and Noarlunga Hospitals will focus on the needs of their local communities.

Our country hospitals at Mount Gambier, Port Lincoln, the Riverland and the Spencer Gulf, will have an expanded clinical profile to provide a number of services that are currently only available in Adelaide.

Prior to the Budget the Government has provided \$26.7 million over five years to support additional medical research.

These measures will position South Australia for the provision of comprehensive population based health care services of the highest standard.

Mr Speaker, the Budget expands on the Government's commitment to mental health.

Funding has been provided for a range of community focused mental health initiatives, including:

- \$36.8 million over four years for non-clinical community-based support, such as care packages and day programs;
- \$12.1 million over three years from 2008-09 for the development of six new Community Mental Health Centres; and
- \$1.6 million over four years for the support of young people who experience their first episode of a mental illness.

Prior to the Budget the Government has provided substantial funding to mental health, including:

- \$38.1 million over four years for the construction of intermediate care facilities and for 24 hour supported accommodation;
- \$3.3 million over four years to further support the mental health reform during the transition process; and
- \$1.6 million over three years from 2008-09 to employ mental health nurse practitioners in country-based health services to support local GPs and mental health professionals.

Mr Speaker, the Budget provides resources to expand the level of opportunity for persons with a disability and for children in forms of assisted care.

An amount of \$94.3 million has been provided over four years for children in care.

The Budget provides \$45.8 million over four years for the provision of disability services including the provision of accommodation support, respite services, therapy and the purchase of special equipment.

In addition, the Budget provides:

- \$11.3 million over four years to the Families and Communities portfolio to assist non-government organisations in the community services sector; and
- \$21.1 million over four years in additional support for the Home and Community Care Program.

Mr Speaker, the Government is well advanced in tackling the challenge of securing and improving the quality of South Australia's water supplies.

An extensive range of initiatives is being funded and investigated.

A desalination working group, chaired by Mr Ian Kowalick, is reviewing the longer-term viability of establishing a desalination plant to secure Adelaide's water supply.

This group will report its findings to Cabinet for consideration in October 2007.

SA Water has committed up to \$3 million for environmental studies to determine the feasibility of a desalination plant for Adelaide.

Separately, the State Government and BHP Billiton are investigating the feasibility of a desalination plant as a preferred option for the proposed expansion of Olympic Dam.

This plant may also have the potential to supply water to the Eyre Peninsula and Upper Spencer Gulf communities thereby reducing the draw on the River Murray.

Mr Speaker, the State Government is investigating all options including the expansion of existing storage facilities.

Work is already underway to determine the feasibility of expanding the Mount Bold Reservoir to potentially double the total storage capacity in the Mount Lofty Ranges.

Additional storage at this site could provide an increase in water security in extreme drought years equivalent to about twice the annual capacity of the recently completed desalination plant in Perth.

Significant investment in our water infrastructure is also underway and includes:

- \$151 million for the upgrade of the Christies Beach Wastewater Plant;
- \$54 million for a program to deliver nine new water filtration plants across fifteen communities along the River Murray;
- \$15 million to upgrade the Myponga Water Treatment plant to improve water quality to customers on the Fleurieu Peninsula;
- more than \$5 million for the modification of major pumping station inlets below Lock 1 on the River Murray, enabling ongoing access to water at lower levels for Adelaide and country areas; and
- \$5 million for the Clayton pipeline to provide Clayton with a secure water supply.

In addition Mr Speaker, nine strategies of the Water Proofing Adelaide program have been completed.

Many other strategies are nearing completion or will remain as ongoing activities.

The Government has also committed to developing a Water Proofing strategy for regional South Australia.

Mr Speaker, this Government understands the critical role of public transport in reducing congestion on our roads and in shaping ongoing urban development.

Our public transport system also serves as a major means of reducing greenhouse gas emissions through reductions in private motor vehicle use.

In this Budget I am pleased to announce major new initiatives to improve our public transport system, including:

- \$157 million over four years for the relocation of the Adelaide rail yards and for new signal facilities to

modernise the rail network and to prepare the site for the new central hospital; and

- \$115 million over four years for a major revitalisation of the metropolitan rail network, including concrete resleepering and track upgrades on the Belair and Noarlunga rail lines.

Prior to the Budget the Government has provided \$29.7 million for the purchase of new public transport buses in 2010-11.

These initiatives will improve the standard and safety of public transport services for South Australian commuters.

Mr Speaker, these initiatives demonstrate yet again that the Rann Government has made a commitment in this Budget to rebuild the State's infrastructure.

In addition, the Budget provides funding to commence development of the next generation of public transport ticketing system to be based on advanced technology.

The new ticketing system will make passenger boarding easier, will reduce operating costs and will provide for improved passenger travel data.

Mr Speaker, today's Budget provides significant additional funding for improvements in road infrastructure and for road safety measures, including:

- \$50 million over two years from 2009-10 for the Northern Expressway;
- \$28 million over two years for the construction of a new tram bridge to further improve the flow of traffic on South Road aimed at maximising the potential benefits of the new underpasses;
- \$29.5 million over two years for repairs to flood damaged outback roads under the control of the State;
- \$14.1 million over four years for road maintenance;
- \$10.7 million over four years for road-side rest areas on arterial roads;
- \$7.2 million in 2007-08 for road shoulder sealing;
- \$6.1 million over four years for new measures to combat heavy vehicle driver fatigue;
- \$5.7 million over four years for rural road safety infrastructure;
- \$5 million in 2007-08 from the Local Government Disaster Fund to assist councils to rebuild flood damaged roads;
- \$5 million in 2007-08 to upgrade rural freight networks; and
- \$4 million in 2007-08 for new overtaking lanes.

Mr Speaker, this Government is working to ensure that all young South Australians are either in school, undertaking training or in the workforce.

In the 2006-07 Budget the Government announced the ambitious *Education Works* Strategy that supported investment in school infrastructure of \$134 million in partnership with the private sector.

The Strategy also provided for \$82 million of new public sector investment in existing school infrastructure.

The launch of *Education Works* has been successful and remains a key strategy for improving education outcomes and providing more opportunities for children.

Seventeen schools and preschools were invited to be part of six new schools to be built via a Public Private Partnership arrangement.

All seventeen, plus an additional school, have now voted to become part of this new initiative.

In May of this year we announced three high-tech trade schools, delivering high-end, practical trade skills in the Eyre

and Upper Spencer Gulf, Northern Adelaide and Western Adelaide regions.

These will be the first of a planned 10 new Trade Schools, connecting students to TAFE and industry to expand educational opportunities.

The Budget provides \$4.7 million of additional resources to enhance the *Trade Schools for the Future* initiative.

The *Trade Schools for the Future* initiative facilitates the establishment of brokerage capabilities and the transition from school training to formal training, ultimately placing students in the workforce.

The Budget also provides for 14 new education projects across metropolitan and regional areas.

Additional education and training resources provided for in this Budget include:

- \$5.2 million over four years for the further development of Adelaide as a University City, including alliances with Carnegie Mellon and Cranfield Universities; and
- \$1 million over four years to support Education Adelaide in expanding its marketing efforts in emerging markets.

Carnegie Mellon, Cranfield and other leading overseas universities will bring expertise in teaching and research to South Australia, attracting fee paying overseas students and linking in with local industry, including the expanding defence sector.

Prior to the Budget the Government has provided \$2.9 million over four years to support the Council of Australian Governments' training reforms. The Budget also provides additional support for science and technology initiatives, in the form of:

- \$6.3 million over four years to extend support for the Australian Centre for Plant Functional Genomics at the Waite Agricultural Research Precinct;
- \$4 million over four years for the Premier's Science and Research Fund bringing total support for the Fund up to \$4 million per annum;
- \$2.4 million over four years to establish a Co-operative Research Centre for Seafood in South Australia and for the research activities of four other CRCs; and
- \$750 000 in 2007-08 for Constellation SA to coordinate and promote innovation in the science and technology sector.

Mr Speaker, the State continues to reap the benefits of successfully securing the contract for the construction of the next generation of Air Warfare Destroyers for the Royal Australian Navy.

The Government established the Port Adelaide Maritime Corporation with a charter to facilitate the Air Warfare Destroyer Program and to significantly expand opportunities for the maritime and defence industries in this State.

Today I am announcing additional significant investment in the South Australian defence industry in the form of:

- \$31.4 million over two years for the construction of a high technology Systems Centre for the Air Warfare Destroyer Program;
- \$1.9 million in 2007-08 for the installation of fibre optic cabling between key defence centres; and
- \$3.7 million over three years for additional infrastructure associated with the new Techport Australia Suppliers' Precinct.

Prior to the Budget the Government also provided an additional \$3.9 million for site preparation works for the Suppliers' Precinct.

Mr Speaker, the commitments in today's Budget bring total government support for projects being coordinated by the Port Adelaide Maritime Corporation to \$374 million.

In addition, the Budget provides significant additional funding over four years for economic development initiatives, including:

- \$8.4 million to expand the PACE program in mining exploration;
- \$2.7 million to support the State's skilled migration program;
- \$2.5 million in additional support for the Industry Capability Network SA; and
- \$3.8 million to develop the film industry within South Australia.

The Budget also provides \$6.2 million over four years to the South Australian Tourism Commission for international and domestic marketing campaigns.

Mr Speaker, the Rann Government is committed to keeping our communities safe.

That's why we put an extra 200 police officers on the beat during our first term in office and have committed to provide an additional 400 over our second term.

This will bring our police force numbers to a record level of over 4 400 by 2010.

This Budget also provides \$12.4 million over four years for the upgrade of the Roxby Downs police station.

A further \$2.9 million has been provided over two years from 2009-10 to commence the replacement of the Murray Bridge police station. The total cost of the Murray Bridge police station will be \$9.5 million.

The effectiveness of police operations will also be improved with funding of:

- \$5.6 million over four years for the replacement of radio handsets; and
- \$2 million for the replacement of a police vessel, which will improve the capacity of our police to respond to marine emergencies and for search and rescue operations at sea.

This Budget also provides \$11.1 million over four years for an expansion of the drug driver testing program that will enable an additional 38 850 tests to be conducted each year.

The Budget provides significant additional resources for the administration of justice, including:

- \$2 million over four years to improve the information available for assessing applications for bail across the Criminal Justice System;
- \$3.6 million over four years for the provision of video-conferencing facilities;
- \$1.4 million over four years to expand DNA testing services;
- \$2.4 million over four years to enable additional prosecutors to be employed to focus on compliance with workplace safety legislation; and
- \$2.7 million over four years to increase payments to jurors for loss of income and travel requirements.

Mr Speaker, the Government has previously committed to the largest-ever expansion and reform of the State's correctional facilities, at an estimated cost of over \$500 million.

This Budget provides significant additional resources for the State's correctional system over the next four years, including:

- \$24.4 million for prison accommodation and staffing requirements;
- \$3.8 million for ongoing security upgrades for prisons; and

- \$3 million for accommodation upgrades to the Community Corrections Centres at Port Pirie and Noarlunga.

The Government will also invest \$5 million in 2007-08 for the purchase and development of a new site for the safe storage and destruction of explosives seized by police.

Mr Speaker, the Budget also provides additional support for our other important emergency services over the next four years, including:

- \$9.6 million for the establishment and staffing of a new fire station in the southern suburbs;
- \$4 million to enable increased capacity for aerial fire fighting;
- \$2.5 million for firefighter training for the Country Fire Service;
- \$2.1 million to continue the enhanced bushfire community awareness campaign; and
- \$7.9 million for the replacement of radio communication handsets.

Mr Speaker, this Budget provides further significant resources for the development of the arts and for the support of our arts infrastructure.

An amount of \$9.3 million has been allocated to the Adelaide Festival Centre Trust over four years for a major expansion of arts programming as part of the Trust's *New Directions* strategy.

This funding will enable the Trust to reposition the Festival Centre as the State's premier arts venue for live performances.

In addition, the Budget provides:

- \$7.1 million over four years for building upgrades to the State's most important cultural institutions and for the preservation of our heritage collections;
- \$2.4 million over four years for an initiative designed to promote the development of indigenous arts in South Australia; and
- \$415 000 over four years to secure WOMADelaide as an ongoing major cultural event for South Australia.

Mr Speaker, during 2006-07 the Government announced that it would source 20 per cent of the electricity requirements of government agencies from Green Power by 1 January 2008.

Today's Budget provides additional resources for environmental and climate change initiatives, including:

- \$4.2 million over four years for the planning and creation of marine parks;
- \$675 000 in 2007-08 for a public awareness campaign on the implications of climate change and how our community can best respond to this issue;
- \$331 000 in 2007-08 for the purchase of 20 additional mini wind turbines for use on government buildings to demonstrate the potential of this technology;
- \$200 000 in 2007-08 to match community sponsorship for the purchase of solar panels at the Adelaide Zoo; and
- \$185 000 in 2007-08 to improve water efficiency at Government House.

Mr Speaker, today I present a Budget that lays important foundations for the future health and prosperity of our State.

It is a Budget that demonstrates six years of strong financial management.

It is a Budget delivered by a Government that has provided the capacity to rebuild the State.

We are building a new \$1.7 billion central hospital.

And we are delivering unprecedented tax relief for businesses.

And Mr Speaker we are getting on with the job of securing Adelaide's water supply.

I would like to thank the outstanding work of my Ministerial colleagues, their Chief Executives and their staff in assisting with the development of this Budget.

I would also like to thank the Under Treasurer, the Department of Treasury and Finance, and my personal staff for their efforts.

I commend this budget to the House. I seek leave to insert the remainder of the second reading explanation in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### *Clause 1: Short title*

This clause is formal.

##### *Clause 2: Commencement*

This clause provides for the Bill to operate retrospectively to 1 July 2007. Until the Bill is passed, expenditure is financed from appropriation authority provided by the Supply Act.

##### *Clause 3: Interpretation*

This clause provides relevant definitions.

##### *Clause 4: Issue and application of money*

This clause provides for the issue and application of the sums shown in the schedule to the Bill. Subsection (2) makes it clear that the appropriation authority provided by the Supply Act is superseded by this Bill.

*Clause 5: Application of money if functions or duties of agency are transferred*

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

##### *Clause 6: Expenditure from Hospitals Fund*

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

##### *Clause 7: Additional appropriation under other Acts*

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the Supply Act.

##### *Clause 8: Overdraft limit*

This sets a limit of \$50 million on the amount which the Government may borrow by way of overdraft.

**Mr HAMILTON-SMITH** secured the adjournment of the debate.

## STANDING ORDERS SUSPENSION

**The Hon. K.O. FOLEY (Treasurer):** I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

Motion carried.

## STATUTES AMENDMENT (BUDGET 2007) BILL

**The Hon. K.O. FOLEY (Treasurer)** obtained leave and introduced a bill for an act to amend the Land Tax Act 1936 and the Payroll Tax Act 1931. Read a first time.

**The Hon. K.O. FOLEY:** I move:

That this bill be now read a second time.

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

Leave granted.

This Bill contains revenue measures that form part of the Government's budget initiatives for 2007-08.

The Bill amends the *Pay-roll Tax Act 1971* and the *Land Tax Act 1936*.

The Government has decided to reduce the pay-roll tax rate from 5.5 per cent to 5.25 per cent for wages paid or payable on or after 1 July 2007. A further reduction to 5.0 per cent will apply to wages paid or payable on or after 1 July 2008. South Australia's pay-roll tax rate will then be equal to Victoria's and second lowest of all States and Territories.

These reductions will deliver pay-roll tax relief to business of \$37.6 million in 2007-08 increasing to \$83.0 million in 2008-09.

The Bill also inserts anti-avoidance provisions into the *Land Tax Act* to address the practice where owners of more than one piece of land avoid paying higher marginal rates of land tax by structuring their ownerships so that another party (or parties) hold a small minority interest in an individual piece of land thereby creating different legal ownerships.

The proposed anti-avoidance provisions will enable the Commissioner of State Taxation to ignore any minority interests in land that are 5 per cent or less unless the Commissioner is satisfied that there is no doubt that the interest was created solely for a purpose or entirely for purposes unrelated to reducing the land tax payable in respect of that, or any other, piece of land. If there is a legitimate reason for placing any very small interest in the ownership of another person or entity the parties will be able to satisfy the Commissioner of that fact.

Where a minority interest is greater than 5 per cent the provision will not apply unless the Commissioner forms the opinion that the purpose or one of the purposes for which the interest was created was to reduce land tax. The Government has no interest in attempting to aggregate holdings where there are legitimate reasons for the holding to be structured in that manner.

The placing of the onus on the Commissioner of State Taxation in circumstances where a minority interest is greater than 5 per cent may provide incentive for some taxpayers to increase the size of existing minority interests. The Government will be monitoring changes in minority interests and further action may be taken in the future.

Equally if Government receives advice from RevenueSA that there are other structures being entered into which have no purpose other than to avoid land tax further action will also be considered.

The new provisions target ownerships structured for the purpose of land tax avoidance and come into effect on 30 June 2008 (effective for the 2008-09 land tax assessment year).

I commend the Bill to Members.

### EXPLANATION OF CLAUSES

#### Part 1—Preliminary

##### 1—Short title

This clause is formal.

##### 2—Commencement

This clause provides that Part 1 will come into operation on the day on which the Act is assented to by the Governor. Part 2, which amends the *Pay-roll Tax Act 1971*, will be taken to have come into operation on 1 July 2007. Part 3, which amends the *Land Tax Act 1936*, will come into operation at midnight on 30 June 2008.

##### 3—Amendment provisions

This clause is formal.

#### Part 2—Amendment of *Pay-roll Tax Act 1971*

##### 4—Amendment of section 9—Imposition of pay-roll tax on taxable wages

This clause amends the rate of tax imposed and chargeable on taxable wages from 1 July 2007. The current rate is 5.5 per cent of taxable wages. From 1 July 2007 until 30 June 2008, the rate will be 5.25 per cent. From 1 July 2008, the rate of tax on taxable wages will be 5 per cent.

#### Part 3—Amendment of *Land Tax Act 1936*

##### 5—Amendment of section 13—Cases of multiple ownership and aggregation of value

The operation of section 13, which relates to cases of multiple ownership of land, will, as a consequence of this amendment, be subject to section 13A (inserted by clause 6).

##### 6—Insertion of section 13A

This clause inserts a new provision. Under section 13A, if a person's interest in land owned by two or more persons is 5% or less, subsection (5) will apply in relation to the interest unless the Commissioner of State Taxation is satisfied, on application, that there is no doubt that the interest was created solely for a purpose, or entirely for purposes, unrelated to reducing the amount of land tax payable in respect of the land (or any other piece of land). An application under the

subsection must be made by a person who, as an owner of the land, has an interest in the land exceeding 5%.

If a person's interest in land owned by two or more people is more than 5% but less than 50%, and the Commissioner forms the opinion that at least one purpose for the creation of the interest was to reduce the land tax payable in respect of the land or another piece of land, subsection (5) will apply in relation to the interest.

If subsection (5) applies in relation to an interest, the person holding the interest is to be taken not to be an owner of the land for the purposes of the Act. Also, land tax payable in respect of the land is to be assessed, and is payable, as if the land were wholly owned by the owner or owners of the land who do not hold the prescribed interest.

In determining the purpose of the creation of an interest for the purposes of section 13A, the Commissioner may have regard to the nature of any relationships between the owners of the land, the consideration (or lack of consideration) provided in association with the creation of the interest, the form and substance of any transaction associated with the creation or operation of the interest, the manner of entering into, or carrying out, any transaction associated with the creation or operation of the interest and any other matter the Commissioner considers relevant.

These provisions will not apply for the purposes of other provisions of the Act if their effect is to decrease the amount of land tax payable in respect of any land.

If the Commissioner rejects an application in relation to an interest in land of 5% or less, he or she must give notice of the decision to the owner. The notice must state the grounds on which the decision is based.

If the Commissioner forms an opinion in relation to an interest in land that is more than 5% but less than 50% that results in the application of subsection (5) to the interest, he or she must give notice of the operation of that subsection to each owner of the land. The notice must state the fact that the opinion has been formed and set out the effect of the opinion. The notice must also state the grounds on which the opinion is based.

**Mr HAMILTON-SMITH** secured the adjournment of the debate.

#### **ADJOURNMENT**

At 3.40 p.m. the house adjourned until Tuesday 19 June at 11 a.m.