HOUSE OF ASSEMBLY

Wednesday 26 September 2007

The SPEAKER (Hon. J.J. Snelling) took the chair at 11 a.m. and read prayers.

PUBLIC WORKS COMMITTEE

Ms CICCARELLO (Norwood): I move:

That the Public Works Committee have leave to sit during the sitting of the house today.

Motion carried.

NATURAL RESOURCES COMMITTEE: ANNUAL REPORT 2006-07

Mr RAU (Enfield): I move:

That the 10th report of the committee, being the Annual Report 2006-07, be noted.

This is the second annual report I have had the pleasure of presenting to the house and, once again, it summarises the comprehensive work that this committee has engaged in over the past financial year. The report details our principal functions set out in the Parliamentary Committees Act of 1991 and summarises the other two very specific obligations we have under the Natural Resources Management Act 2004 and the Upper South-East Dry Land Salinity and Flood Management Act of 2002.

The details of our scrutiny of natural resource management levies, as proposed by NRM boards under provisions of the Natural Resources Management Act of 2004 can be found in the reports being tabled today. Briefly, four NRM plans were referred to the committee because the proposed increases in their levy exceeded the CPI rise. The committee found that there was room for considerable improvement in the processes of determining levies. We felt that there were undue pressures and unrealistic expectations by having the committee examine their levy proposals at the very end of the process, and in this regard we have recommended that the committee be included in the earlier consultation phase. We have also recommended that the consultation period be extended and that it includes the public and not just local government. Under provisions of the Upper South-East Dry Land Salinity and Flood Management Act 2002, the committee is required to monitor the drainage program being constructed. Our report on that program will be tabled in parliament later this year and our findings summarised in our next annual report.

This report also contains a summary of our findings into two inquiries. The first of these was on the mineral resource development in South Australia. In that inquiry we found that South Australia's strength in this industry was its capacity to facilitate exploration and mining, and we are generally acknowledged as being the benchmark state in Australia in this regard. We envisage that significant investment in infrastructure such as road, rail, power and water supply to support the expected mining boom will be required and will provide unprecedented opportunities for the industry and remote communities alike. There are significant opportunities, particularly with the development and application of ground-breaking technology, such as the use of geothermal energy and new water treatment technology.

Because Australia is generally experiencing a growth in this industry and there is a high demand for skilled people—although efforts are now being made to meet that demand—we can expect a skill drain to other states. Our findings have led us to conclude that we have a convoluted mechanism in place to deal with the management of native vegetation issues, and I am sure that some members of the opposition will not be surprised to hear that. We found that there are far better ways in which to deal with indigenous matters, such as sacred sites and native title. All this can be done without detrimentally affecting our important environmental assets and areas of high conservation and cultural value.

The committee also inquired into the impact of forestry on Deep Creek—a once perennial stream that flows into the Deep Creek Conservation Park. The park is regarded as having high conservation value, as have a number of swamps within the Deep Creek catchment which are being affected by the reduced flows. Evidence gathered by the committee confirms that there has been an appreciable reduction in stream flows and that these are causally related to the expansion and growth of local forestry. The committee is not advocating a ban on forestry in the catchment or elsewhere in the state. Indeed, it is supportive of this industry as a whole. However, the industry has an obligation to take into consideration and minimise the impact of its activities on the environment. We feel that the manner in which these issues are managed will clearly signal the values that this community and government agencies alike place on the preservation of this unique environment for future generations. We see that broader issues arise in relation to water use and forestry. Urgent consideration needs to be given to external factors, such as the looming prospect of carbon trading and what it may mean for forestry proposals in sensitive environments. There is some thought that in the near future we may inquire into forestry and its impact on ecosystems and waterways.

The report details all other aspects of our work from field trips to the conferences that members have attended. At the back of the report there is a schedule of our meetings, which includes the names of almost 80 witnesses who have appeared before us. This is in addition to more than 30 people we met and spoke with on our site visits. Overall, I believe the committee has had a very productive year, and through the recommendations in our reports we have made public our views that have not always been in accord with contemporary thought of government agencies or, indeed, the public. I thank all who have contributed to the business of the committee, including the many witnesses who have given up their valuable time to put their views and understanding of issues before us. I am particularly grateful to all the committee members—the Hons Graham Gunn MP (who brings his vast and incomparable experience of this place to the committee), Sandra Kanck MLC, Stephanie Key MP, Caroline Schaefer MLC, Lea Stevens MP and Russell Wortley MLC—for the cooperative manner in which they have worked together.

I also thank the committee secretary Knut Cudarans. The research officer, John Barker, left during the course of the year but did provide tremendous assistance to the committee. I wish him well in his future career and thank him very much for his support and assistance. We on the committee look forward to continuing the spirit of cooperation (which has characterised the deliberations of the committee) into the coming year. I commend the report to the house.

The Hon. R.B. SUCH (Fisher): I have read the annual report of the Natural Resources Committee with some interest and some concern. One of the developments in recent times, not only here but also elsewhere, has been to try to develop and promote an integrated approach to the management of the environment. Nature does not have separate departments of physics, chemistry, biology and botany but, as humans studying the environment and trying to protect it, we have compartmentalised aspects of the environment, often with unfortunate consequences. We are still a long way from getting an integrated, comprehensive, ecologically-based approach to managing the environment.

I start with the least important aspect in the report, and that is the role of the committee in overseeing the natural resource management boards around the state, their levies, and so on. To me, that is the most minor aspect of their task and, as I have said previously in this place, we spend more time analysing the fund collection activities of the NRM boards, and previously the water catchment boards, and putting those people through the hoop than we spend, for example, in relation to the Department of Health or the Department of Education and Children's Services. It always seems a bit strange that we are zealous in relation to people who spend a few million dollars but fairly laid back about departments that spend literally billions of dollars.

In South Australia, our record in terms of our treatment of the environment from the time of European settlement has been appalling—in fact, it is one of the worst records in the world and probably is the worst in the developed world. In South Australia, in particular (and our record is worse than any other state in Australia, and those records are not good), the situation involving the clearance of vegetation has been absolutely horrendous. That is not totally the fault of the farmer because, as members would know, under some of the lease conditions that were imposed years ago farmers were required to clear the particular piece of land they were leasing from the government. So, it is not fair to put the blame for that extensive clearance totally on the farming community because it was a condition of their getting land from the government.

But the consequence of that approach, particularly in the higher rainfall areas (although we do not have many that qualify as high) has been that we have ended up with relatively small areas of remnant native vegetation, and much of that has been compromised by weeds, idiots on trail bikes and people who are pretty ignorant about the environment. So, South Australia is starting from a very low point in terms of the environment. As a post-Aboriginal jurisdiction, we have an appalling record. So, one would hope that a committee such as the Natural Resources Committee of the parliament would be particularly focused on trying to do what it can to ensure that what little is left of our native vegetation is protected.

I have had dealings with farmers over a long period; as I have said in this place, many of my relatives are farmers, and I interact with them frequently. Clearly, there is a problem with some aspects of the way in which native vegetation matters are managed within the state government. I was talking to a farmer recently from Swan Reach way, and I will just use his first name, which is Kevin (it seems to be the popular name this year). He said that he was happy to conserve hundreds of acres of very good quality native vegetation on his property if the government would pay his freeholding fee (I guess it is) of $5 000, and the government said it could not do that. We know that government agencies are restricted in what they can do and how they can do it, but it seems to me that if you are dealing with farmers and trying to get the best outcome in terms of preserving native vegetation you have to do a bit of horse trading with them.

I am not going to attack the Native Vegetation Council but, to me, there seems to be an issue in relation to how some of those matters are dealt with, particularly in terms of the interface between farmers and people whose job it is to oversee the protection of native vegetation in this state. Reading between the lines and talking to people on NRM boards, I believe it is obvious that the way in which applications for clearance are dealt with—and what I would call horse trading, and so on—is a sore point. Some of these issues have arisen because of developments in things like centre pivots, and all that type of modern approach to agriculture.

The first point that I would reinforce is that sometimes you have to clear native vegetation. The argument is often put forward that you can replant as a substitute. Whilst it is desirable, it is not a substitute—that is a nonsense. You cannot replant an equivalent of something that has evolved over millions of years. You do not have to be too bright to realise that whacking in a few native trees and shrubs will in no way equal or even approximate what has evolved over millions of years. We have to be careful that we protect what little is left of remnant native vegetation, not only in rural areas but in an urban setting as well.

As I indicated, our record is appalling. In Adelaide, we have lost many species of plants and animals as a result of the removal of habitat. We have the bizarre situation where it is illegal to export native animals, but you can destroy their habitat and more effectively kill them that way. Likewise, we have koalas on Kangaroo Island which are not indigenous to the island. The government is spending millions of dollars to protect them even though their numbers are out of proportion to their food source, yet in other areas we have native plants and animals which are under real threat and should be protected. The money needed to provide such protection would be better spent that way than in trying to save the overabundance of koalas on Kangaroo Island. To sterilise koalas, they are given an anaesthetic. My view is that, if you give koalas an anaesthetic, you might as well send them to koala heaven at the same time and do the environment a service.

As I said, we need an integrated approach to the management of the environment. We do not have it yet in relation to water—one of my constant themes. This is no reflection on individual ministers, but we have a minister for above-ground water and one for below-ground water. It does not make sense to me. As far as I know, the water comes from the same source and, unless things have changed, it should involve an integrated approach to total management of water issues. We hear that the government seems to be keen on flooding the hinterland of Mount Bold, which will become South Australia's Franklin River issue. Already, people like Associate Professor David Paton at Adelaide University—and other experts—are warning that, if we raise the height of the spillway, or build a new spillway, at Mount Bold and flood its hinterland, the best remnant native vegetation in the state will be destroyed—the best habitat and the best biodiversity. We will have not only people like Professor Flannery coming down on us like a ton of bricks but David Suzuki as well, because there will be a huge outcry.

I would not expect the people at SA Water to have the environment at the forefront of their thinking, but they should

have. They should reconsider that proposal, especially if raising the spillway results in the destruction of that rare and quality high rainfall habitat. This report is a mixed bag. I see a few concerns in here. I see some sensible things in relation to Deep Creek, but I am concerned about giving the green light to the mining industry to basically do what it likes. I think people should tread carefully there, because we do not want a mining industry at the expense of giving proper regard to our natural environment.

Time expired.

The Hon. R.G. KERIN (Frome): I take the opportunity to rise on the noting of the report. I would like to put on record a couple of things about integrated natural resource management in this state, which is a matter of both concern and disappointment to me.

I was the minister who was initially responsible for the integration of natural resource management, of bringing together weeds boards, water catchment boards and soil boards. Quite frankly, we had too many boards. We had a lot of very good people putting in a lot of effort but it was very difficult to get integration, not only across the state but also in the individual areas where those boards were operating.

There is no doubt that it was the right thing to integrate these boards and there was a groundswell from the regional areas, from the stakeholders, to do so. However, like marine parks (and we will have that debate soon), it got absolutely hijacked along the way. Probably the big disappointment, after the change of government in 2002, was that virtually overnight the natural resource people who had been based in Primary Industries were shifted into Environment and the whole agenda of this move toward integrated natural resource management changed. It was absolutely hijacked and happened very quickly.

I have no criticism whatsoever of the current chairs and boards. I think they are taking a fair hammering out there in the bush, and it is not their fault that this whole thing was hijacked. Basically, to put it in a nutshell, the whole idea of integration and setting up NRM boards was to have the control from the bottom up and largely the funding from the top down. However, we have exactly the opposite: what we have now is all the control of natural resource management being exercised from the top down and it resides with the bureaucrats rather than the stakeholders and the many volunteers out there who are willing to do the groundwork and who understand, on a day-by-day basis, what natural resource management is all about. These people have had a damn good track record over the last 20 or 30 years of fixing some of the mistakes that were made in the early years, not deliberately but through our ignorance of natural resource management.

I think that is a real problem we have. There is too much bureaucratic control, and now there has been a shift in the funding, which needs to come from the bottom up. That is causing enormous problems in some areas. There has been a lot of concern in regional areas about lifting NRM levies but this year, basically in those areas that are droughted, the NRM levies will be a hardship that is probably beyond the capacity of some of the farmers concerned. As it is a cost-shifting exercise, I think that natural resource management levies, particularly in those droughted areas, is one aspect that the government could possibly look at as a means of providing drought relief.

Overall, because of the hijacking of this situation, natural resource management has suffered. The true custodians of our natural resources are the landholders who are out there and who have a greater understanding of what is involved. Over the years there was a lot of damage done, and we did clear some areas that should not have been cleared. The old tillage practices were not the right type of tillage practices for our kind of soils. But some of the criticism you often hear is unfounded. Living in the Mid North, I hear a lot of people say, 'Gee, it was vandalism—the fact that all these areas up here were cleared.' A lot of them are talking about the area between Jamestown and Orroroo but a lot of that area never saw a tree until European settlement. A lot of those areas were grassland, anyway, but a lot of damage was done, nevertheless.

However, in the last 25 to 30 years what we have seen with minimum tillage is a big change in the way farmers work. They used to work the soil and harrow it 10 or 12 times in a lot of areas, which was breaking the soils down and they would wash away. They would burn their stubble so nothing was going back into the soil. Nowadays, farmers do not burn; they reincorporate the stubble into the ground. Most of them, when they are cropping, only work the ground once or twice. We can see a difference; instead of fine dust you see pebbles in the soil. I think farmers need to be congratulated on what they have done with the technology that has been available to them.

Certainly, revegetation has picked up enormously over the last 15 years or so and we see a lot of trees in areas that were admittedly pretty bare, say, two decades ago. Along the way, some enormous contributions have been made by many people in regional areas, and in our own area I think of people like Kevin Jaeske and Doug Henderson. Many people have served for long periods on either a soils board or a weeds board.

Basically, their contribution has been enormous. Some of my own family members, including my father and brother, have also been on soil boards. It has been one of those things that landholders have always been very aware of, and with the technologies that have become more available, I think they have done a damn good job. However, I think it is a shame that bureaucracy has hijacked the process. As I have indicated, I expressed my disappointment as the minister involved with the initial negotiations. It had always been a bottom-up exercise whereby the stakeholders would be the people who drove the process. Unfortunately, that has been turned around whereby we see the bureaucracy overriding that type of control, and the funding, instead of being from the top down, has very much become something from the bottom up.

I commend the chairman of the committee for the fact that he has a very good understanding of what has been going on with NRM. He was very willing to hear from a range of people about the issue of levies and what was going on regarding consultation. I commend the committee for the fact that they have been willing to have a damn good look at this matter, but I have some concerns about the direction in which it is headed. I think that, with this control that we see happening from the top down in relation to natural resource management, our environment and natural resources are the loser.

Ms CHAPMAN (Deputy Leader of the Opposition): I acknowledge and thank the presiding member and other members of the committee for the work they have undertaken. This committee has been operational since 2003. Much has been said, and I expect much more will be said in this

parliament, about the progress of the natural resource management structure, its costs, its levy process and the concerns raised about the delay in the implementation. I would like to place on the record a few matters of concern. One is that, within the metropolitan natural resources area (which includes my electorate of Bragg), I have sought a briefing—and I have been kindly provided with a briefing—in relation to pest control, and I urge the committee to maintain a level of interest in this matter, which I think will be a major concern for the future. This matter has been advanced and it has been an area of priority in the rural communities in South Australia but, with our approach to protecting areas in our parklands and the like, it is absolutely critical that we maintain a very clear watch on the spread of animal and plant pests. My concern is that, when I was provided at the briefing with a list of areas detailing pests, it was clear that there is not yet any direct strategy as to how those pests will be dealt with.

In an environment where the three areas of soil, pest control and water are involved, the responsibility for which has been incorporated in the legislation and is the responsibility of this committee and its various boards, it is not surprising that the water situation would be highlighted and advanced in the current circumstances. I am not critical of the board in its giving priority to that matter but, frankly, I was concerned that, with a very strong record of water catchment board structures in the past, the other two poor cousins would be left in abeyance.

Whilst water is a priority and requires serious attention, given the current drought, we should not forget the health of our soil, which is such a major requirement in the production of agriculture. As the former speaker has pointed out, it is an important responsibility for our rural community particularly to be the bread basket and the food bowl for South Australia. Please keep an eye on the pest control; make sure that it has been advanced and is given some clear consideration. Clearly, whilst we have a structure which monitors and regulates landowners—whether they are government or private—in relation to plant weed control we have very little in relation to animal pests. I think that that is an area of major concern, so I ask the committee to keep an eye on it.

The second matter to which I briefly refer is that I am pleased to note that the committee has undertaken some field trips. A comment has already been made in relation to the recognition of the future mining industry. Whilst I have not completely digested the recommendations in the annual report in terms of the findings of some of the observations that have been made, I do commend the committees for taking five field trips. I think that if we are to have committees it is important that they go out and have a good look at what is going on. I note in another region of interest for me—Kangaroo Island—that a field trip was undertaken on 15 and 16 May this year. A number of members on the NRM, which covers Kangaroo Island, met with the committee and, indeed, a number of members of the council, including Mayor Jane Bates and other members of the Kangaroo Island District Council, to discuss issues of importance.

One of the speakers already referred to the issue of koalas. I do not need to traverse that any further. I think those comments were wisely made. I make the observation that, during this field trip, it was brought to the committee's attention that about 4 500 residents—and a few more during the summer period—have to manage and pay for the cost of infrastructure for over 160 000 visitors a year to Kangaroo Island. I think in the circumstance of tourism for South Australia it is important that this is an industry that is recognised. It is important that the island is maintained in its natural environment, bearing in mind that it is a major industry for the island, and, in fact, is the major destination for tourists in South Australia. I am pleased that the visit has taken place.

I noticed that there was a discussion about clearing native vegetation for borrow pits. I mention this because, historically, on Kangaroo Island there has been access to roadside vegetation gravel pits for the purpose of providing surface material for roads. As most of the roads on Kangaroo Island are dirt roads and are unlikely to be sealed roads in the immediate future, it something that is ongoing. The recent practice, as I understand it, of not accessing gravel for the road maintenance and building from roadsides, but, indeed, to access farming land or other private land for the purpose of harvesting the gravel and necessary soil for road building, is one that is cost significant to those who are paying for the cost of the roads. That may be a state or a local government depending on the road that is being dealt with, but it is carried out by the employees from the Kangaroo Island District Council.

If you add the cost of road building to that, of course you have a limited budget, and therefore you reduce the amount of maintenance that is able to be done. I say to the committee, as I have to the Minister for Infrastructure and Transport, that this is a matter which I think we need to look at in terms of what is a clear balance. Not all roadside areas or, indeed, areas on private property are useful for the purposes of gravel harvesting, and it is therefore obviously not all roadside that is vulnerable for this. But, small borrow pits can be accessed, and have historically been accessed. Frankly, given the balance of cost and the need to maintain dirt roads, this is something that is sensible.

It is not only the cost of actually harvesting it from another area in another region but, of course, someone has to be paid to transport it from that region to the road in question. Let me give you an example. In relation to the area in which I have an interest on Kangaroo Island at Western River, the Western River Road accesses a magnificent part of the island, where we have thousands of tourists, who go along North Coast Road and access down that road. Frankly, it is a road that we, as local land owners, would say needs a bit more attention. What I would say is that to actually now service that road, gravel is having to be brought in from another part of the island, yet on the roadsides and, indeed, on a property there, there is plenty of gravel which has historically been accessed. I can say, as a landowner—I disclose my interest there—there would be available support to make that provision.

It just seems absolutely absurd to me that we have moved under the framework of wanting to protect one asset without recognising the significant financial implication to another. If you are going to dig up gravel anywhere then, frankly, whether it is on the roadside or it is on a private property is actually academic. So, I would ask the committee, when it considers these things, to be open about considering all of the important aspects of these so that we do not have these absurd consequences, which I know even the most well-intentioned would find to be absurd.

Mr PEDERICK secured the adjournment of the debate.

NATURAL RESOURCES COMMITTEE: KANGAROO ISLAND NATURAL RESOURCES MANAGEMENT BOARD LEVY

Mr RAU (Enfield): I move:

That the 11th report of the committee on the Kangaroo Island Natural Resources Management Board levy proposal 2007-08 be noted.

I note that the member for Bragg has already directed a number of remarks to the particular circumstances of those people residing on Kangaroo Island, and this report really does focus specifically on the Kangaroo Island issue. The member for Bragg, hopefully, will find this report interesting in its context there, but also we have a further report, which is in the process of being prepared, on Kangaroo Island in a more general environmental sense which hopefully she will find of interest. In response also to her earlier remarks, I would invite her to get the committee some correspondence on the subject that she has just addressed about gravel because I think it is something that we could usefully look at and perhaps give some consideration to. But I digress—back to this report.

In considering the levy proposal it became clear that there was one common area of concern and that was regarding consultation. I am talking about all of the NRM levy proposals, not just this one. All of the proposals examined by the committee proceeded in the manner prescribed by the legislation. With respect to the Kangaroo Island NRM Board we were satisfied, and this was an unusual experience, that the board had done a good job within the current legislative framework. We were particularly impressed with the comprehensive consultation processes engaged by the board which went well beyond the requirements of the act. This included a five-week consultation period that engaged the community, public meetings and advertising in local media.

The committee is of the view that consultation with local government, as is specifically required by the act, is not in and of itself an adequate level of consultation. It may provide a local government authority with the opportunity to highlight its concerns, which may or may not be those shared by the community. Its own particular concerns are, after all, broadly about the collection of the levy. The public might vent its anger ultimately on local government in that they are collecting the levy but local government does not bear the burden of the levy, the community does.

Communities should be given a real opportunity to have input into what their NRM Board is proposing to achieve and why this is proposed and at what cost to them as ratepayers. Even if, after that consultation, the ratepayers do not agree with the proposals put forward by the board, at least they have had an opportunity to be heard and at least the board will understand the community sentiment. It is a very important phase in the development of these proposals.

Boards should be required to engage directly with the public, not just local government, in order to be able to sufficiently gauge public sentiment and encourage responses. The committee sees the comprehensive consultation processes associated with developing a regional plan as being equally valid. Our recommendation is that section 81(7)(a)(ii) of the Natural Resources Management Act 2004 be further amended to require a natural resources management board to consult with the public as well as any constituent councils. We are aware of cases where there has been an apparent disregard of comments received—even from local government—and, from the submissions we have received, we have concluded that both communities and local governments are equally dissatisfied with the current consultation processes that boards have undertaken.

However, I emphasise that this does not appear to be the case with the Kangaroo Island NRM Board. This board went well beyond its statutory requirement regarding consultation and is to be commended for it. I would also like to point out that the board did not receive a single submission of complaint regarding the operation or the levy proposed by the board. We consider that that is at least in part due to the fact that it took the trouble to go out and consult with the community, upon whom the burden of the levy was ultimately to fall.

We also know that there was a general dissatisfaction with the prescribed length of a minimum 21-day consultation period, and it is the recommendation of the committee that the minimum consultation period of at least 21 days (as required by section 81(7)(a)(ii) of the act) be increased to 35 days to facilitate a more comprehensive consultation process that includes the public and, importantly, the Natural Resources Committee. Another of our recommendations is that section 81(7)(a)(ii) of the Natural Resources Management Act be amended to require a natural resources management board to consult with the Natural Resources Committee as well as constituent councils.

I briefly mention the fact that, as in so many of our other inquiries, the Native Vegetation Council came in for special attention in our inquiries on Kangaroo Island, and there will be more about that in our following report. However, the Kangaroo Island report does have a unique feature which I would like to draw to the attention of the house.

An honourable member: It is on an island.

Mr RAU: Indeed, it is on an island. The Kangaroo Island NRM region is the only one in South Australia which shares a common boundary with its only constituent local government area—in other words, there is a complete identity of coverage. All other NRM regions have a number of local government areas within their boundary, either entirely or in part. Having to work with one local government has made the task of getting community acceptance of the NRM plan much easier than would otherwise have been the case. Furthermore, only one levy rate needs to be struck and applied across the whole region. This coincidence of jurisdictions of the board and the council may, in the committee's opinion, provide an opportunity to share some administrative functions that are currently being duplicated. We would like to see an examination of this proposal to learn whether a cost-effective administrative arrangement between the board and the council could be achieved. Such arrangements could then enable money to be directed away from administration and towards on-ground works, and the committee is keen to see any arrangements that could improve service delivery and provide more efficient utilisation of scarce funds available to the KI community. To this end the committee recommends that consideration be given to the rationalisation of functions and services given by the KI Natural Resources Management Board and the KI Council.

The last matter I wish to raise today is the proposed levy rate. Bearing in mind that there are about 4 000 rateable properties on the island and 540 kilometres of coastline, there is a considerable burden being placed on ratepayers; however, the board has contained the levy to about $25 per rateable property compared with $10.25 in 2006-07. Although this represents an increase of about 144 per cent, the committee was satisfied that the proposed levy for 2007-08 was

reasonable and that it had community acceptance. Again, that marvellous word, 'consultation'.

I want to thank all those who gave their time to assist the committee during its consideration of this levy proposal. In particular, I want to thank Janice Kelly (Presiding Member), Janette Gellard (General Manager), Frazer Vickery, Rodney Bell and Jayne Bates, all of whom are from the Kangaroo Island Natural Resources Management Board and all of whom appeared before the committee. Obviously, I also thank all those members of the KI Council with whom we met. Although we met with them for a number of purposes, they also gave us insights into this matter. My penultimate thanks is to none other than the member for Finniss, who demonstrated the enormous hospitality that he and that beautiful part of his electorate has to offer visitors, and I thank him for his great assistance. Finally, I take this opportunity to express my appreciation to the members of the committee: first, the entirely incomparable Hon. Graham Gunn, whose experience in this matter, as in all other matters, is irreplaceable; the Hon. Sandra Kanck MLC; the Hon. Stephanie Key MP; the Hon. Caroline Schaefer MLC; the Hon Lea Stevens MP; and the Hon. Russell Wortley MLC. I thank them for the cooperative manner in which we have been able to work through this inquiry. Again, I thank, particularly in the case of this inquiry, the committee secretary, Knut, for the support we have received from him in the preparation of this report and, indeed, his organisation of the field trips in which we have engaged. I commend the report to the house.

Mr PENGILLY (Finniss): I also rise to support the report that has been produced by the Natural Resources Committee of parliament in relation to the Kangaroo Island Natural Resources Management Board. I express my thanks to the member for Enfield and his committee for coming to Kangaroo Island and for taking the time to make an in-depth analysis of many of the issues to do with the activities of the Natural Resources Management Board on Kangaroo Island. I am also heartened to hear that the committee's Presiding Member (the member for Enfield) wants to return to Kangaroo Island to continue those investigations, which I think would be a most useful exercise.

I think it is fair to say that the introduction of these boards around South Australia has not been all beer and skittles. Indeed, more to the point, it has not been an outstanding success in terms of outcomes, and I think that is exhibited very much by the Kangaroo Island Natural Resources Management Board. Members of the board have quite regularly said to me that there is far, far too much writing of reports and that there are far, far too many legislative requirements for them to adhere to, and members of the community are saying that they are not seeing anything coming out of it.

A few years ago, when local government administered the Animal and Plant Control Board and the Soils Board and whatnot on the island, there were very few staff members attached to these boards. At the time, I was most supportive of moving to the natural resources model the government was introducing; indeed, I went to various forums and supported the general thrust of this model. However, I do have a real concern now that the thing has grown bigger than Ben Hur. Indeed, when the office was opened last week, the local newspaper, *The Islander*, stated that the office had 17 employees. So, the Natural Resources Management Board on Kangaroo Island has as many, if not more, administrative officers than the council does, and I find that somewhat bizarre.

I realise that some of these members of the Natural Resources Management Board are supposedly doing things out of the office. However, I am most concerned that, in a small area like Kangaroo Island (indeed, at the time, I fought for the region to be maintained within the boundaries that the member for Enfield talked about) that we had this great big structure, which is sitting alongside another great big structure housing the department of environment and National Parks and Wildlife. We then have another structure down the road called the Council, and then we have another structure called the Kangaroo Island Development Board; we have another structure called Tourism Kangaroo Island, all of which are being funded out of the public purse by either taxes or rates.

Quite frankly, we are just overburdened by bureaucracy. This is something I have pursued for a long time, and I know that, in recommendation 4 of the report we are discussing today, the rationalisation is urgent. Indeed, as part of its address to cabinet last week, the council raised this issue, and it was raised in a public forum with the Premier and cabinet on Monday night in the town hall in Kingscote. There is a great concern that we are overburdened with bureaucracy on Kangaroo Island, and I think it is something that the Presiding Member has spoken to and raised concerns about in the report.

If we are genuine about getting the place going, we have to get rid of these multiple layers of bureaucracy, and everybody trying to stop one another from doing things, and get on with it. There are some great issues relating to legislative requirements that the board is struggling under. I regularly see at the airport officers, presiding members, general managers and so on from the KI Natural Resources Management Board who are flying backwards and forwards to Adelaide, so I will seek to find out just how much a year is being soaked up in air fares. It would be an incredible amount, given that the average plane fare is around $150 return. I know that the members of the board have said that they have to come backwards and forwards all the time. It is not a simple exercise to attend these things in Adelaide from Kangaroo Island or, indeed, from the West Coast. In my view, a centralised bureaucracy and a system that requires these people to be over here all the time is cumbersome, expensive and not in the best interests of the South Australian community. I think it is something we have to look at.

I attended the hearing at Kingscote and sat very quietly in my chair. I put on the record that I was concerned that, despite being told that the members of the board had been given the opportunity to listen to the hearing, when I inquired of a couple of members, they knew nothing about it. That concerned me greatly and, indeed, I raised the matter with the Presiding Member (the member for Enfield), and a couple of members did come in. I thought that something there was just not quite right, and I do not think that it was appropriate.

Mr Rau interjecting:

Mr PENGILLY: No; it was not the fault of the Natural Resources Management Committee of the parliament: it was a local issue they need to attend to. You cannot have conspiratorial meetings with parliamentary committees and so on. They need to be open and transparent, and the natural resources management boards around the state, not just that of Kangaroo Island, need to know that, if a parliamentary committee is going there, they need the opportunity to provide their input. I think that went down like a lead balloon

with some members of the board, so I think it is an issue that needs to be addressed.

I am not convinced that the thing is ticking along properly on Kangaroo Island. I am far from convinced that we are getting outcomes, and I think that there is too much doubling up. Lately, where there has been conflict—not open conflict but a conflict of interest—with organisations such as the Natural Resources Management Board over issues in relation to what the council, as the peak body on the island, wants to do and discuss, I think that certain ministers seemed to want to run off and listen to other groups, rather than listen to the council and the mayor, so I was very pleased that the mayor was received so well by the Premier and the cabinet last week. The mayor gave a particularly good briefing to the cabinet, and I commend Mayor Jean Bates and the council on it.

Trying to get Kangaroo Island up and running is a very difficult issue. It has a small population of some 4 500, with a large tourism input. It has a small rate base, and it just does not have enough money. The thing that strikes me more than ever when I go home now is the near poverty that exists in the Kangaroo Island community. There is no money in the community. The only people who actually have money to spend are those who work in the Public Service, in government departments and so on. There is not a large amount of money around. A few individuals have money but, by and large, the community of Kangaroo Island does not have spending power.

It is a major expenditure for them to go to the football for the day where they might spend $30, $40 or $50. They do not have the money for grandiose holidays. It just does not exist. The people earning the money are those working for the state government and state government departments—and that is a concern to me. I am not knocking them for it—members should not take me the wrong way—but teachers, nurses the people in the national parks and the natural resource management people are on good salaries and good incomes. If one walks around the streets over the weekend they are the people one sees having coffee.

I think the Minister for Transport rightly summed it up at the community forum on the island when he said he would like to see a lot more development on Kangaroo Island. I would like to see a much larger population, around 10 000 to 14 000 people, to make economic productivity so much greater and keep businesses going through the winter. The activities of the Natural Resources Management Board are critical to the island. I say again (at the risk of repeating myself) that they are not getting enough outcomes. They are far too involved in writing reports for government departments, doing planning strategies and having to run back and forth to Adelaide rather than getting activities on the ground. There are issues such as the bees and rabbits that they are trying to address—the fact that people cannot take them onto the island. A great number of products on the island need protecting and a host of weed issues need investigating. I know they are doing their best to accommodate them, but the job has been made so big by the legislation and the requirement to add to bureaucratic reports that it is inhibiting the work of the board.

The Hon. R.B. SUCH (Fisher): I am using the Kangaroo Island report as the basis for general comments about NRM activities around the state, so I am not focusing in detail on Kangaroo Island. I reinforce some of the points the member for Finniss and others have made. I have been concerned about what appears to be an overly bureaucratic approach to natural resource management. In fairness to the people involved on the NRM boards, they have gone from being catchment boards. Essentially, they were getting their act together in that regard but the role was changed and expanded to take in soil conservation and pest plants. We need to temper any criticism with the realisation that the role has been greatly expanded. It is important that the message be conveyed so that we do not end up with unnecessary layers of administration when it comes to the environment and natural resources.

It would be ironic if we set out to have an integrated approach to the management of the environment but we do not have an integrated approach to the actual management processes. It is still early days but I hope that the parliamentary NRM committee keeps a close eye—and I am sure it will—on the evolution of NRM boards. The point alluded to by the member for Frome is that we need to keep things simple and at a local level, not simply create a bureaucracy. People need to look at not only what they pay by way of an NRM levy but also what they get by way of services. It is the same argument that I have raised in relation to local government. People often complain saying, 'I pay so much in rates', and I say that you have to look at what you get, not just what you pay; you have to look at what you get in return for what you pay.

Debate adjourned.

CONTROLLED SUBSTANCES (POSSESSION OF PRESCRIBED EQUIPMENT) AMENDMENT BILL

The Hon. M.J. ATKINSON (Attorney-General) obtained leave and introduced a bill for an act to amend the Controlled Substances Act. Read a first time.

The Hon. M.J. ATKINSON: I move:

That this bill be now read a second time.

In its election promises for the 2006 election, the government dealt with hydroponic cannabis and its tough-on-drugs policy. In that policy it pledged to make it an offence to have hydroponic equipment without lawful excuse and also to require hydroponic equipment retailers to maintain a record of sales of hydroponic equipment. It also promised legislation to require customers to provide identification when purchasing hydroponic equipment.

On 12 November 2004 the Ministerial Council on Drug Strategy agreed to the development of a national cannabis strategy and, after much development work, the strategy was endorsed by the ministerial council on 15 May 2006. That strategy says that priority actions include:

> Assess the feasibility of the regulation of the sale of hydroponic equipment, similar to regulation of the liquor and second-hand dealer industries, at a national level whereby: businesses selling hydroponic equipment need to register on a police-controlled database; business owners must be judged to be of good character; and the identification details of purchasers need to be recorded. Evaluate the impact of these increased regulatory controls.

If the parliament is to legislate on the subject of specific equipment commonly used to grow cannabis, it also makes sense to legislate on the subject of specific equipment commonly used in illicit drug laboratories. I have determined that this sort of equipment should be treated in the same way as prescribed hydroponic equipment.

I therefore propose to amend the Controlled Substances Act to make it an offence to possess regulated equipment

without a reasonable excuse. The onus will be on the possessor to prove a reasonable excuse on the balance of probabilities. This offence will be extended to possession without reasonable excuse of any document containing instructions for the manufacture of a controlled drug or the cultivation of a controlled plant. I also propose that this offence attract the maximum summary penalty of imprisonment for two years or a fine of $10 000. This ensures that the offence is placed at the top of the summary offence range.

This bill and others to be introduced are part of the first phase of the government's legislative response to criminal motorcycle gang offending, in this instance targeting the cultivation of cannabis and the manufacture of amphetamine and amphetamine-type drugs. Legislation comprising the second and subsequent phases will be introduced later this year and next year.

The cultivation of hydroponic cannabis has absolutely no function for the personal use of cannabis. Hydroponic cannabis feeds organised criminal activity and it must be disrupted and curtailed. The inclusion of drug recipes and other illicit material in the regulations will target illicit drug laboratories repeatedly associated with criminal motorcycle gang offending.

The specific equipment concerned will be prescribed by regulation. As presently advised, an indicative list of the things contemplated by this policy would include:

- specified carbon filters;
- high-performance lights;
- condensers;
- distillation heads;
- heating mantles;
- rotary evaporators;
- reaction vessels;
- splash heads;
- manual or mechanical tablet presses;
- manual or mechanical encapsulators.

I commend the bill to members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Controlled Substances Act 1984*

4—Insertion of section 33LA

This clause inserts a new provision in Part 5 Division 4 of the Act (as amended by the *Controlled Substances (Serious Drug Offences) Amendment Act 2005*) as follows:

33LA—Possession of prescribed equipment

This clause makes it an offence to possess, without reasonable excuse, ***prescribed equipment*** which is defined to mean documents containing instructions for the manufacture of a controlled drug or the cultivation of a controlled plant and other equipment prescribed by regulation. Proof of a reasonable excuse lies on the defendant and the offence is punishable by a fine of $10 000 or 2 years imprisonment or both.

5—Amendment of section 63—Regulations

This clause makes a consequential amendment to the regulation making power to specify that a regulation prescribing equipment for the purposes of new section 33LA does not require consultation with the Controlled Substances Advisory Council.

Ms CHAPMAN secured the adjournment of the debate.

ELECTION OF SENATORS (CLOSE OF ROLLS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 September. Page 880.)

Ms CHAPMAN (Deputy Leader of the Opposition): The member for Heysen, who is the opposition spokesperson on legal matters, indicated to the parliament yesterday the opposition's support of the proposed legislation.

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: The timing of this bill is a matter on which I intend to make some comment.

Mr Hanna interjecting:

Ms CHAPMAN: Well, we'll wait and see. It is important that we sort out this issue, because South Australia and Victoria have not dealt with this matter, notwithstanding correspondence between the Prime Minister and the premiers—including the Premier of South Australia—to my knowledge as early as 27 October 2006. So, whilst we indicate our preparedness to accommodate the conclusion of this matter, and its rapidity through the legislative process, it concerns me—and members of the opposition—that this state is so far behind.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Ms CHAPMAN: The commonwealth parliament passed legislation back in June 2006 to legislate in respect of federal elections. In particular, the timing and time limitations to provide for the close of the rolls are to be shortened, relative to most of the state times that apply and remain applicable under the state legislation for the election of our senators. What can occur in a federal election, in relation to one-half of the senators from each state, is that positions are declared for the purposes of election and open to election and, once the writs have been issued and the times are imposed under the commonwealth legislation, it is possible that under the state legislation, if we do not remedy this situation in our parliament (as most of the other parliaments in Australia have already done), we could have a situation where someone would apply to enrol for the purpose of voting for a South Australian senator (between one and seven days, within the time period), and when they are excluded from having the opportunity to vote under what they would see as the state entitlement they would, in fact—

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: They would, or at least could have the opportunity to object to that and it becomes the basis of a court of disputed returns and we might end up in the High Court in the first week of an election being called. That is a matter which, in any election—whether it is federal, state or local government—especially when we have advance knowledge of an anomaly, should be remedied.

The federal parliament passed this legislation in June and the Prime Minister wrote to the premiers of each of the states on 27 October 2006 and asked them to consider this matter. In fact, the New South Wales parliament had dealt with its legislation to bring it in line with the commonwealth close of rolls provision; the Victorian and Western Australian governments had introduced their complementary legislation; the Queensland and Tasmanian legislation allows for their state governor to specify the close of rolls, so no legislative requirements are required. At this point, only South Australia—

The Hon. M.J. Atkinson: And Victoria.

Ms CHAPMAN: One moment—only South Australia had not introduced legislation to deal with this matter. Victoria

introduced its legislation back in December last year and then went off to get advice and consult, as one would normally expect. As I understand it, the Victorian government got the Attorney-General's advice. It appears that they may take the view, although they debated it in parliament last week to try and ensure the cooperation and passage after, effectively, seven months of consultation and getting any crown law advice they wanted—therefore, after debating it last week they may take the option of considering putting a request to the Governor to deal with the matter; that may still apply in Victoria. That is a matter for them. They can take that view if they wish.

However, if it is the case that South Australia has received advice that the validity of whether the Governor can be instructed in those circumstances is questionable, then I would have thought that it would be an opportune time for the Attorney-General in South Australia to advise his colleague in Victoria (if he has not already done so) of the advice that he has received—unless, of course, they want to deliberately leave open the option to cause a problem in the federal election. That could be the case. However, let me say this: at the very least the Attorney-General here has, perhaps at the eleventh hour, at least introduced the legislation, expecting us to rush it through, which we are happy to do.

When I received advice from the Attorney-General's office yesterday that this was a matter of pressing urgency and that we needed to deal with it, we were happy to accommodate that in the circumstances, but one of the things that was presented to support that was that the Attorney-General had only received notice of this as a result of the request in the letter from the Hon. Gary Nairn, who is the special minister of state, in August this year. He contacted the Attorney-General's office by correspondence a long time before August and it is the Attorney who did not read it and who did not acknowledge it or note it until 7 August. So, if there is a delay in this matter, it rests squarely with the state Attorney-General in his failure to address this issue which has been on the table in his department for months on which legal opinion has been obtained from the Crown Solicitor's office, which he has failed to deal with, and he expects us to run around here and hurry this through the parliament in order to cover his having failed in his duty to advise the parliament of the proposal that is in this legislation.

Let us be absolutely clear: we are expected to expedite legislation because of the slackness of the Attorney-General in failing to deal with this matter when his Premier has had notice since October 2006—in fact, tomorrow is the first year anniversary since the Premier has had notice of this issue—yet he throws it in here as a result of a call yesterday. If the Attorney-General does not advise his colleague in Victoria of the advice that he has received in relation to the powers of government—

An honourable member interjecting:

Ms CHAPMAN: He does not have to do it, that is true, but I can tell you it will be on the record here that if the Victorian Attorney-General has not been advised of the possibility of there being a court of disputed returns as a result of an attempt to instruct the government of Victoria which is deemed to be beyond the powers for that to occur, let it be clearly on the record here that every opportunity has been given for the Attorney-General of South Australia to advise his counterpart in Victoria of the way in which this could be dealt with. They could deal with this on the next day sitting in the Victorian parliament rather than what could be interpreted as a deliberate attempt to hold open the opportunity to have a court of disputed returns or to disrupt an election campaign by rushing off to the High Court. So, on those matters, I question the government's action in failing to deal with this important matter.

How often are we called upon to come in to support and accommodate and to sign off on deals that are done between prime ministers and premiers or federal and state attorneys and to be able to deal with matters from insurance law to terrorism powers and everything else? They rush off to all these meetings and reach these agreements and we are expected to deal with them and fall into line. Whilst it is important that we try to work cooperatively with the other states, let it be known that we are the last on the record to have to deal with this matter because of the slackness of the Attorney-General.

The Hon. R.B. SUCH (Fisher): What we are dealing with today with this bill is the result of some moves by the federal government which are regarded as undesirable, undemocratic and designed to reduce the opportunity for some people within our community to have a say in the forthcoming federal election. I am really disappointed that the federal government has gone down this path. I think it was Senator Eric Abetz who was the engineer of this move to restrict the opportunity for people to have a say in our allegedly democratic society. It was a part of a range of measures, including taking away from prisoners the right to have a vote. The basic point here is that we are being asked to come into line with what the federal government wants in its attempt to deny opportunity for democratic expression by our fellow citizens.

In respect of senators generally, I would like to make some comments. I do not believe that we need 12 senators per state; there is a lesser number per territory. We can still maintain the ratio which protects the smaller states. We do not need 12 senators. The United States seems to function with two senators per state—

An honourable member interjecting:

The Hon. R.B. SUCH: My colleague points out that they have more states, but that does not devalue the argument. We do not need 12 senators per state. It is a costly exercise. Having just come back from the Northern Territory as part of a parliamentary committee conference, I found that their local members have something like 6 000 electors. The phrase is used often that Australia is overgoverned. I do not think it is the right phrase, but we may be overrepresented. It would be better to have a focus on quality representation rather than on quantity. Let us move away from 12 senators. I think that six senators per state would be plenty. We would still maintain protection for the smaller states, and the territories would have a correspondingly smaller representation.

The other point that I would like to make is that it is ironic that this bill is entitled Election of Senators (Close of Rolls). We still do not have at the federal level a fixed date for the election. It is still the province of the Prime Minister to call the date of the election. It is ridiculous that, in a nation like ours, something like the election date, which is supposed to help determine the future of this country, is at the whim of one person. We fixed the situation in South Australia; it was largely the work of the member for Mitchell. It has been fixed at the local government level, and I see no reason why, at the federal level, there should not be a fixed term, a fixed date, for the federal election.

We have childish behaviour with constant speculation about when the Prime Minister will call the election. Well, the Prime Minister is not Australia; he is not the sum total of our democratic system. The democratic process should be above that of a prime minister. The timing should be fixed and locked in to stop the silly games, which are played by all of the major parties when in office, in their choice of election date, which is obviously designed to give them an electoral advantage. It is not about what is best for the country: it is what is best for their particular mob, and it is time that that is changed.

In respect of the bill before us, it is a sad piece of legislation, because it is designed, in particular, to disadvantage and disenfranchise many South Australians, and, ultimately, throughout Australia disenfranchise people who are least likely to vote for the federal coalition. I can understand the federal government's logic and rationale in trying to get an electoral advantage, but I do not agree with it. I think it is unethical and unprincipled.

Mr HANNA (Mitchell): I am speaking in opposition to the Election of Senators (Close of Rolls) Amendment Bill. This is an extraordinary piece of legislation, which the Labor government is seeking to rush through this parliament. When I explain the background to it, it becomes very difficult to understand why the government would wish to do so. In June 2006, the commonwealth parliament passed the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act. Among other things, the act cut short the time in which people have to enrol after the calling of a federal election. However, the federal government stuffed up. The federal government made a mistake because it did not realise that it needed states' approval, because the Senate, of course, is considered in our constitutional arrangement to be the states' house. The Election of Senators Act 1903, which is a South Australian act, makes provision for determining the times and places of elections for senators to South Australia. In other words, there was state legislation which needed amendment in order for the commonwealth legislation, cutting short the enrolment period, to be truly effective.

The consequences of not passing this legislation but having afoot the commonwealth legislation are difficult to predict, but at the very least one would think there would be some chaos due to the fact that there could be, conceivably, two different roles for electors, one for the Senate and one for the House of Representatives, in South Australia. The Deputy Leader of the Opposition has made the point that the federal government wrote to all the states last year, and the states were slow to act on this federal measure. What I query is why they have acted at all: why go along with that? Why take part in this measure which is designed to disenfranchise a number of voters?

We know, from experience, something of the characteristics of those voters. There are many people who do not get around to enrolling or changing their enrolment until after the election is called. No amount of advertising can persuade people to keep absolutely up to date with the electoral roll, but when the election is called it is a prompt to many people to get on the roll. In particular, many thousands of young people will be affected. It is fairly obvious that among those people who are waiting to get onto the roll, or who have not got around to enrolling, there are going to be people who have just turned 18 (perhaps earlier this year). If they have not enrolled through programs at school or as a result of advertising, etc., then when the election is called they are going to be caught short, and that is utterly unfair.

True it is that voting is not as popular in this country as it is in some places overseas. It sometimes staggers me that members of my community grumble about going off to vote at a local, state or federal election every two or three years when I have travelled to countries where people have literally risked their lives for the right to vote in democratic elections. Be that as it may, I strongly uphold the right to vote and the availability of the vote to as many people as qualify. The commonwealth legislation, ironically called 'electoral integrity legislation', truly cuts against that. There was no mischief which that legislation had to ameliorate; there was no evidence that there was electoral fraud or bogus enrolment of any kind which justified the commonwealth measures being passed through the federal parliament last year.

Apart from young people, there are also a number of new citizens who may not have filled out their enrolment form, despite the practice of enrolment cards being provided when people take the citizenship test. There are also many tens of thousands of Australians who will have changed their address just recently and will not have properly enrolled at their new address: why should they be disenfranchised? Experience shows that upwards of 400 000 Australians, and certainly tens of thousands of South Australians, will be cut out and have their opportunity for voting taken away from them as a result of the commonwealth legislation.

Why then should the state Labor government go along with that at all? There is no requirement for it to do so and not only will it probably have a negative impact on Labor's numbers in the election, because it might be thought that a higher proportion of young people (18 year olds) might vote Labor rather than Liberal after the preferences are counted, the fact is that it was unprincipled legislation. When the Attorney-General brought it into this place yesterday, he made very clear the ethical and practical failings of the commonwealth legislation, and I find it very hard to understand why the Labor government has gone along with this. In order to investigate this further (because I really feel that I need to speak with the Labor leadership about why it has carried on with this and why it seeks to rush it through parliament this week), I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ELECTRICITY (FEED-IN SCHEME—RESIDENTIAL SOLAR SYSTEMS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 September. Page 773.)

Mr WILLIAMS (MacKillop): The Electricity (Feed-in Scheme—Residential Solar Systems) Amendment Bill has been introduced to the parliament basically to provide a feed-in fee to domestic customers who have installed small photovoltaic generators and who, from time to time, feed electricity back into the grid. The government, in line with its wont to establish green credentials, has proposed this bill and in so doing is proposing that when small generators do put electricity back into the grid the customer gets a rebate equal to about double the retail price of electricity generated.

I contacted ETSA Utilities which, at the end of the day, will be responsible for providing a rebate (and I will come back to that in a moment), and it is interesting that it said it

did not have any problems with the bill. However, it also said that it did not think the bill would actually do anything (I will also come back to that in a few moments).

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: It is interesting that the minister, by way of interjection, refers to the ETSA sale. The minister knows full well (because he made a statement to the house earlier this year—I think in February or March) that the sale of ETSA was one of the best things that happened in this state in recent history. Not only is he now part of a government that actually has some latitude with regard to finances (because we were able to write off a large portion of the debt that his colleagues from previous times had left the state) but (and as we always claimed would happen) residential customers in South Australia now enjoy electricity prices that are, in real terms, no higher than what they were when it was a public-owned asset. The minister knows that full well.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: The minister says 'Thanks to us.' After we sold ETSA and set up a scheme to get private competition, which has driven down the price, the minister is actually trying to claim credit for that outcome. How ridiculous. The minister knows full well that if the former Olsen Liberal government had not sold off the old ETSA assets we would be in the exact same situation as are electricity customers in New South Wales and Queensland—that is, paying substantially higher prices in real terms than what we were paying in the 1990s. He knows that; everyone knows that. However, the Labor Party, for pure political purposes, will continue to maintain the lie and the line that it was bad policy and that the Labor Party fixed it up. That is a lie. The policy was correct at the time.

The minister knows full well that his colleague the Premier of New South Wales is wanting to do the exact same thing in that state—and he has been wanting to do the exact same thing there for years and years. It has almost reached the point where New South Wales will be disposing of its publicly-owned assets to the private sector because it has seen how effective it has been in South Australia and Victoria. Electricity is so cheap in South Australia now that we are a net exporter of electricity. I guarantee that that would not have happened if ETSA was still owned by the taxpayers.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: South Australia, for several months this year, has been a net exporter of electricity, and the minister knows that.

The Hon. P.F. Conlon: You are on the record as saying that.

Mr WILLIAMS: I think you will find, if you look at the figures, that in March—

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: I am looking forward to the minister standing up shortly and telling us that black is white, because that is what he has been doing for the past 10 years with regard to electricity. He has been saying that black is white, and he has been caught out. As I said a minute ago, I think it was in February or March this year that he actually acknowledged that South Australian customers and consumers are better off now than they were when the taxpayers owned the assets—that is as electricity customers; leave aside how much better off they are as South Australian taxpayers—because of the benefits that have accrued to the state by the Liberal Party getting rid of the State Bank debt that was left to us by the previous Labor government. The unfortunate thing about that whole scenario is that we are rapidly heading down that debt path again under this Labor government. However, I will leave that discussion for another day.

The bill proposes that the feed-in tariff be set at 44¢ for the life of the scheme. There are two interesting points here: the life of the scheme will be for five years; and the 44¢ is, I guess, a 'best guess' estimation of two-times the retail price of the electricity standing contract tariff expected over that five year period. I cannot argue against the figures that have been produced; I can only assume that the best efforts have been used to come up with that figure. However, I do question why we are setting it at double the retail price. Already, interestingly enough, at least two retailers in South Australia are providing a one-for-one benefit to the customers that this bill is aimed at, whereas, if they put electricity back into the network, they are credited for that on their accounts, and they get a full at-cost benefit for that electricity.

In the second reading explanation, the minister, when he was making his argument as to why the government is using this approach, noted that Adelaide Thinkers in Residence, such as Professor Stephen Schneider and Herbert Girardet, had supported the introduction of a feed-in tariff. He also noted that the Chairman of Green Cross International, Mikhail Gorbachev, had written to the government and recommended the introduction of a feed-in scheme. I thought that was quite revealing because I recall that, earlier in the year, when the Premier was introducing the climate change and greenhouse emissions reduction bill, he was lauding the fact that Mikhail Gorbachev had written to him congratulating him for the initiative. I thought at the time (and I think I noted it in the house) that it was strange that Mikhail Gorbachev would have been reading the Adelaide morning newspaper or the *Hansard* from this place and saying, 'Gee, that Mike Rann is doing a good job down there. I'll just run a letter off to him.' I remember musing at the time that that was not actually an unsolicited letter of support, and now I see where the letter came from.

Obviously, as Chairman of Green Cross International, Mikhail Gorbachev has probably written to every jurisdiction in the world suggesting that it utilise the mechanism this bill sets forward. Of course, our Premier, who is very good at writing letters (he rushes off letters all over the place), responded to Mikhail Gorbachev and said, 'Yes; of course we have been thinking about this, and we are going to do this other business about greenhouse emissions, too.' I am sure that Mikhail Gorbachev wrote back in an unsolicited way. In your second reading explanation, minister, you answered one of my queries from earlier in the year.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: At least I have a heart, minister. I understand that a number of jurisdictions in other parts of the world use this mechanism to try to drive this technology. When the government looked at this in Australia, it realised that it was not quite as simple to achieve as in some other jurisdictions because of the nature of our system and our competitive electricity market in South Australia—a market, as I pointed out earlier, that is performing very well, largely because of the structures put in place by the previous Liberal government, unlike the market that continues to struggle in New South Wales, where those structures are yet to be put in place; however, it is only a matter of time.

As a consequence of the nature of our market, a scheme has been developed whereby it is not the retailer, the person who is actually selling electrons to customers, who will provide the benefit to customers at twice the rate. In fact, there are a number of those, and it would be very hard to

manage. We have one distributor, so they have been picked on as the one to manage the scheme and, in effect, pay the rebate to customers. For the minister's benefit, I point out that I have no intention of going into the committee stage. I am quite happy for us to go straight to the third reading at the end of the second reading, although I do not know whether other members are interested in going into committee. However, I will pose a few questions I hope the minister will address in his summing up.

In my second reading contribution, I will go through the clauses of the bill. Obviously, clauses 1, 2 and 3 are standard and appear in virtually all bills considered by the house. However, it is worth noting that clause 2, the commencement clause, provides that the act will come into operation on a date to be fixed by proclamation. I understand that it is the government's intention that the scheme be in operation no later than the end of this financial year or before the beginning of the financial year commencing 1 July 2008. Clause 4 inserts three new sections in the principal act, namely, sections 36AC, 36AD and 36AE. New section 36AC is an interpretation clause and, first, defines a domestic customer. The scheme will apply only to domestic customers. It defines 'excluded network' and allows small networks to be excluded from the scheme. Interestingly, a 'small network' is defined as a distribution network that services fewer than 10 000 customers. I cannot imagine that too many networks are anywhere near that size and need to be excluded from the scheme. The minister may have an example he will give to the house, but I think it is a rather large number.

The clause also defines a 'qualifying generator'. It restricts the scheme to domestic customers operating small photovoltaic generators complying with Australian Standard AS 4777 that are connected to a non-excluded distribution network. A small photovoltaic generator is also defined in new section 36AC. That again restricts the scheme to such photovoltaic systems with a capacity up to 10k VA for a single-phase system and up to 30k VA for a three-phase connection. New 36AD sets as a condition of a distribution network licence (we are putting a condition on the licence of the network operator) that eligible customers be allowed to feed electricity into the network, that a credit of 44¢ per kilowatt hour for any electricity fed into the network be made against network charges and that the operator fulfil certain reporting requirements. Also, it sets as the licence condition to the electricity retailer that they determine the credit charges payable and provide to the domestic customer a record of the amount of electricity fed into the network and the amount of credit owing. So the retailer, after being supplied the information by the network distributor, will show the figures on the paperwork.

It also provides, if the credit exceeds the charges for a billing period, for that credit to be rolled into the next billing period, but the domestic customer is entitled to a cash payment of any credit balance at the expiry of 12 months if their account is still in credit. It also gives the minister the power to give notice by gazettal to impose reporting requirements and may vary those requirements by subsequent notice in the *Gazette*. New section 36AE sunsets the scheme at 30 June 2013, which gives the scheme a five-year life. I understand that the government also expects to hold a review into the scheme at the expiration of two and a half years from its commencement or earlier if the installed capacity of eligible customers exceeds 10 megawatts.

The scheme certainly to my mind, if not to the minister's, raises a number of questions: first, why is the scheme exclusive to photovoltaic generators rather than available to domestic generators using other technologies? A number of technologies are available to households and probably the most widely used is wind generation. I fail to understand why the government would be seeking to give a rebate to somebody installing a photovoltaic generation system, but not offering the same rebate to somebody who has installed a wind generator, particularly in light of the fact that photovoltaic generation I understand is economically the least efficient technology available to householders and anybody else. It is very expensive technology. Wind generation is quite expensive, but probably at least half as costly as photovoltaic technology.

If we are to have a feed-in rebate, why would we set it at double the retail cost of generating electricity? I do not think the minister has made out an argument for why it is double and why we would create a situation where the going rate of producing electricity for one technology is double. Why would we not set it as a one-for-one rate and make it equal to the going price or make it more than double if there is some compelling reason to have it more than double? The government may have a compelling reason to drive this technology as opposed to other technologies available to generate electricity and/or power.

I said earlier that I contacted ETSA Utilities, which largely will be the business entity affected by this bill. ETSA Utilities' modelling suggests that this will have very little impact principally because the average size of these installations is about 1½ kilowatts and, during daylight hours, the average domestic consumption is substantially higher than that, probably somewhere between two and three kilowatts. First, ETSA Utilities is suggesting that the amount of time that power will be flowing from one of these generators back into the grid will be very limited. Obviously, some would argue that this sort of scheme may take pressure off the grid in times of high demand, peak demand.

They also suggest to me that this will have no discernible impact on the capacity of the grid at times of peak demand. That is the information—

The Hon. P.F. Conlon: Do you want to put a name to them?

Mr WILLIAMS: Yes, ETSA Utilities.

The Hon. P.F. Conlon: Who told you that at ETSA? Come on?

Mr WILLIAMS: It was actually Lew Owens, if you must know. He told me that, as far as it was concerned, ETSA Utilities' modelling suggests that this will have no impact on the network and that it would be very rare that customers will actually get a benefit from it. That is ETSA's assessment. Again, it poses the question: why—

The Hon. P.F. Conlon: We will just check that you have got it accurately.

Mr WILLIAMS: All right. Again, that reinforces this question: why would we give a two-times rebate on the value of electrons produced if it is not going to give some benefit? The other fact is that the cost of installing this is very high. It is a very expensive technology. In fact, the federal government gives a substantial rebate on the installation of photovoltaic systems, but I understand that there is still a very long pay-back period—probably getting towards 20 years—to recover your costs on this. Because the costs are so high and because the pay-back period is so long, I would argue that it is only the relatively wealthy who can afford to put in one of these systems. I would argue that not too many people in the Labor heartland are rushing out there to put in these systems.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: I am sure there are people out there caring about the environment, and one of the points I am making is that if you really care about the environment you will use the most efficient, the most economical system of protecting the environment. I am posing some questions, minister. I am hoping that you will be able to put to us a convincing case, because I can tell the house that, certainly, you did not do that in your second reading explanation. You certainly did not put a convincing case. You have not convinced me of this.

I will take the pressure off you, minister, I am not going to oppose the matter. I think it is a bit of nonsense. The reality is that I was also told by Lew Owens that this scheme will create a pass-on event whereby ETSA Utilities will go off to the Regulator and say, 'We've got an extra cost. If any cost is imposed'—

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order!

Mr WILLIAMS: —'ETSA Utilities will go off to the Regulator and the cost will be passed on to the rest of the community.' What we have here is a scheme whereby the government is saying, 'If you are wealthy enough to be able to afford a photovoltaic system, we will give you a nice little sweetener if you put in a big enough one to put a few electrons back into the grid. And, boy, have we got a deal for you, because guess who is going to be paying for it? All the other consumers for electricity across the state.' The cost will be passed on to all the other consumers of the state.

As I said, I cannot see too many of these being installed out there in Labor heartland. I think that is the reality. So, we have here a nice little scheme which, at the end of the day (and I do not mind admitting this, minister), I do not think will have much impact. The only impact that this scheme is designed to have is at the ballot box. This is another one of those schemes that this government has thought up. It is a little like the climate change and greenhouse emissions bill that we discussed earlier in the year. This is one of those bills that is designed to do nothing but have an impact at the ballot box. It will not reduce greenhouse gas emissions. It will, at the very worst, transfer costs from the wealthy to the poor, or the not so wealthy, and it will give us very little net impact.

There are other technologies that the government has failed to embrace. I would have thought that, if we wanted to do something positive in South Australia and we wanted to use solar energy, we would be doing something along the lines of solar powered airconditioners. Our peak load comes from airconditioning on hot summer days, and we could be putting some money into research and running trials with solar powered airconditioners. But no, we will go for photovoltaic cells. One of the interesting things that I have learnt about PV cells (as they are known) is that their efficiency also drops off as they become hot. On days of extreme heat, when we have the maximum load on the network, people might think that they are absorbing all that energy and turning it into electricity and doing great things but, of course, the cell heats up and, as it does so, it loses efficiency. So, during those times of peak load they are not even working at their maximum efficiency.

If we put a bit of a commitment into solar powered airconditioners and got that technology going, maybe we would have some considerable impact on the peak load in South Australia, and we might even have some impact on greenhouse gas emissions here. However, that requires a little effort. It probably also requires a few dollars of taxpayers' money out of Treasury, and it is very difficult for this government to get any money out of Treasury (and we know why; because it has squandered it) to put into a worthwhile scheme. It is much easier to come up with a scheme which gets a headline in the local press and which sounds good and looks like we are doing something. That is basically what we have here. As I said, the opposition will not oppose this measure, but we do not know that it will bring any great benefit to South Australia.

Mr O'BRIEN (Napier): I wish to speak in support of this bill. In doing so, I would like to acknowledge the tremendous benefit that the Thinkers in Residence program is having in bringing the propositions of leading international thinkers into the South Australian policy mainstream. Two thinkers, Professor Stephen Schneider and Herbert Girardet, injected the notion of a feed-in tariff for surplus electricity generated by domestic solar panels—the subject matter of this bill—into the wider sustainability and climate change debate taking place in this state. In doing so, they have reinforced South Australia's enviable position of national policy leader in this most critical area and, most importantly, they have given us a significant policy tool in reaching target 312 of the South Australian Strategic Plan 2007.

The target is that South Australia supports the development of renewable energy so that it comprises 20 per cent of the state's electricity production and consumption by 2014. The rationale for this target, as set out in the plan, is that the stationary electricity sector accounts for about 50 per cent of greenhouse gas emissions in Australia. This is because most of our electricity generation is supplied by coal-fired generators. To reduce these emissions, South Australia must generate more electricity using renewable energy. This is a proposition, or a conclusion, that now enjoys widespread community support, but moving from community support to action requires government intervention by way of setting price signals, and that is what this legislation will do. I seek leave to conclude my remarks at a later date.

Leave granted; debate adjourned.

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

SOLID WASTE LEVY

Petitions signed by 1 685 residents of South Australia requesting the house to urge the government to ensure that all funding raised from the solid waste levy is used in programs designed to meet the SA Strategic Plan target for reduction of waste to landfill were presented by Mr Pengilly and Mrs Penfold.

Petition received.

SCHOOL BUDGETS

A petition signed by 25 residents of South Australia requesting the house to urge the government to reject cuts to public school and pre school budgets and ensure funding of public education to enable each student to achieve their full potential was resented by Mrs Penfold.

Petition received.

QUESTIONS

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

ESTIMATES COMMITTEE A

CONSUMER AND BUSINESS AFFAIRS EMPLOYEES

In reply to **Mr GOLDSWORTHY** (23 October 2006).

The Hon. J.M. RANKINE:

6. I refer the member to the Auditor-General's Report for the year ended 30 June 2006, Part B Agency Audit Reports, Volume 1, Page 182, Note 6.

The total number of OCBA employees whose total employment cost of $100 000 or more for the period was six.

The total includes two employees who received termination payments, and whose remuneration, including normal remuneration and termination payments, exceeded $100 000.

Of these two employees, one had a total employment cost of $200 000 or more.

Positions Abolished

Department/Agency	Position Title	TEC Cost
Office of Consumer and Business Affairs	N/A No positions abolished	N/A No positions abolished

Positions Created

Department/Agency	Position Title	TEC Cost
Office of Consumer and Business Affairs	N/A No positions created	N/A No positions created

SURPLUS EMPLOYEES

In reply to **Mr GOLDSWORTHY** (23 October 2006).

The Hon. J.M. RANKINE:

Surplus Employees as at 30 June 2006

Minister for State/Local Government Relations

Minister for Volunteers

Department/Agency	Position Title	Classification	TEC Cost
Department of Primary Industries and Resources SA	Research Officer	ASO-4	$64,323

FEES, FINES AND PENALTIES

In reply to **Mr PISONI** (23 October 2006).

The Hon. J.M. RANKINE: The 2005-06 actual results were not available before the production of the 2006-07 Portfolio Statements. About fees, fines and penalties: the estimated result published represented the revised budget for this item.

Given there were no budget adjustments for this item in 2005-06, the revised budget was the same as the original budget of $19.487 million.

SCAM COMPLAINTS

In reply to **Mr PISONI** (23 October 2006).

The Hon. J.M. RANKINE: OCBA received 5 160 complaints during the 2005-06 financial year. These are matters where a consumer makes a request for assistance. Of this number, 1 364 complaints related to scams and schemes.

The vast majority of scam complaints, involving things such as the Nigerian scam and various lottery promotions, were found to arise out of scam activity that originated interstate or overseas. Accordingly, OCBA could not prosecute or impose any fines as a result of these complaints, Instead, OCBA publicises these scams and schemes and warns consumers about the dangers they present.

If scam activity originates within australia, but outside South Australia, OCBA is able to refer it to its interstate counterparts.

Locally, OCBA received 308 complaints about the David Rhodes Chain letter scheme. This resulted in OCBA issuing over 300 warnings letters to those persons who participated in or promoted the scheme, and seeking assurances that they would not participate further.

Over 200 people have responded to date. OCBA will continue to monitor any new complaints about the scheme to detect any repeat participants, and will consider stronger action about those people.

OLYMPIC DAM

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

Leave granted.

The Hon. M.D. RANN: I am delighted to inform the house today that, in mining terms, South Australia is the land of the giants. This morning, BHP Billiton informed the Australian Stock Exchange that the size of the resource at its Olympic Dam mine has virtually doubled over the past two years. By having the largest and most intensive drilling program in the world, with 18 drilling rigs operating in 2007, the company now believes Olympic Dam is a copper, uranium, gold and silver resource of almost 8 billion tonnes. It is just astonishing. A couple of years ago, it was the world's biggest resource; now it has doubled, and still counting. The new resource estimate of 7.855—

Members interjecting:

The Hon. M.D. RANN: I know that members opposite think that the expansion is some kind of mirage in the desert, but they are wrong. The new resource estimate of 7.855 billion metric tonnes is a virtual doubling of the 3.98 billion tonnes estimated in the 2005 annual report. It is now, quite simply, the world's largest base metals resource.

Ms Breuer: Hear, hear!

The Hon. M.D. RANN: And it is in the electorate of the member for Giles—a great champion of this mine.

Members interjecting:

The Hon. M.D. RANN: Members opposite complained when I overturned the federal ALP's policy to allow an expansion of uranium mining. I am told that about 160 uranium licences have been issued for exploration, with a hundred more in a queue.

This means that Olympic Dam is now the largest known source of uranium in the world by a country mile. At 2.2 million tonnes, it is nearly 10 times the next largest resource, the Elkonsky Gorsk mine in Siberia. It is the fourth largest copper resource in the world, eclipsing even the giant Escondida mine in Chile. It is the fifth largest gold resource

in the world, and the biggest in Australia, overtaking Kalgoorlie's Golden Mile.

I cannot understand why we are getting cries of opposition from the opposition, because this is probably the biggest economic announcement in this state's history. The ore body covers an area of six kilometres by 3.5 kilometres. Let me explain that: the ore body covers an area of six kilometres by 3.5 kilometres, with ore still being found at depths of two kilometres below the surface. So, currently the Olympic Dam mine is mined down to one kilometre, and another kilometre down we are now finding that it is the same ore body. In the past 12 months, 270 holes have been drilled, totalling 170 000 metres of additional drilling. BHP Billiton—and I am pleased that its executives are here today—informs me that it has yet to discover the limits of this massive ore body, and it is continuing its drilling program until the end of this year.

The President of BHP Billiton's Uranium Customer Sector Group, Graeme Hunt, has been discussing the latest results of the drilling program with the South Australian government because, of course, this resource is not owned by the company: it is owned by the people of South Australia. The results so far clearly confirm Olympic Dam as a unique base metals deposit which positions it as an outstanding world-class mineral resource. The South Australian government is continuing to work closely with BHP Billiton to develop Olympic Dam into one of the world's greatest mining operations. Clearly, it is the intention—indeed, the responsibility of this government—to maximise the number of jobs and economic benefit from this project that it can.

The Gawler Craton, where Olympic Dam is located, really is the land of the giants. As many members would be aware, the Prominent Hill mine is also a world-class mine located in the Gawler Craton—also, in the electorate of Giles. It recently advised that its known resource had the potential to increase the mine life from the current plan of 10 years to at least 20 years and that the company has yet to find the full limits of that ore body. Teck Cominco has been working on the Carrapateena gold and copper discovery 100 kilometres south-east of Olympic Dam. The discoverer of the deposit, Rudi Gomez, was recently honoured at the Excellence in Mining Awards for making 'The Discovery of the Year' here in South Australia and in the electorate of Giles.

WATER REUSE

The Hon. K.A. MAYWALD (Minister for Water Security): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.A. MAYWALD: Yesterday during question time, the Leader of the Opposition alleged that the government is considering recycling effluent into drinking water as an alternative to desalination. I can assure the house—

Members interjecting:

The SPEAKER: Order! I cannot hear what the minister is saying.

The Hon. K.A. MAYWALD: I can assure the house that nothing is further from the truth. The Premier has stated publicly a number of times that this government has ruled out recycled water being used for Adelaide's drinking water supply, and that position has not changed. It turns out that the leader's allegation is based on limited information from an internal ETSA Utilities memo.

As members are aware, the government commissioned the desalination working group in March this year with the task of investigating desalination as an option within the context of the Waterproofing Adelaide strategy—that is, in the context of Adelaide's overall water security. The group is also charged with investigating appropriate desalination technology, possible locations for a plant and appropriate procurement and funding arrangements.

The government did not ask the working group to investigate reuse of non-potable water for drinking. I am advised by the independent Chairman, Mr Ian Kowalick, that he asked SA Water to obtain information on this issue to assist the working group to benchmark desalination against other technologies that have most often been canvassed publicly. I have yet to receive the desalination working group's final report. However, the chairman has advised that, even in its draft form, the working group report confirms the state government's position that indirect potable reuse should not be considered as an option.

The chairman has indicated that the desalination working group's conclusion is that a more appropriate and worthwhile strategy for making use of recycled effluent is for non-potable reuse, such as for agriculture or public open space irrigation. This is exactly what the state government is doing.

Mr Williams interjecting:

The Hon. K.A. MAYWALD: I think that if the member who interjects had listened to the comments that were made earlier, he would know that we are yet to receive the desalination working group's report. He is obviously not listening. I referred to the desalination working group's conclusion, and that is exactly what the state government is doing in terms of its policy of using recycled effluent for non-potable reuse, such as for agriculture or public open space irrigation. Already we use 20 per cent of our recycled waste water, while the national average is just 9 per cent. Reuse projects already announced, such as the Glenelg to Parklands pipeline, will increase this to around 45 per cent. Such projects also mean we will be freeing up stressed ground water resources and reducing the flow of nutrients into Gulf St Vincent by half.

In summary, the government is not and will not be considering recycling effluent into the drinking water supplies, not as an alternative to desalination, not as a part of Waterproofing Adelaide, and not as a part of any other proposal for securing Adelaide's water supply.

LEGISLATIVE REVIEW COMMITTEE

Mrs GERAGHTY (Torrens): I bring up the seventh report of the committee.

Report received.

VISITORS TO PARLIAMENT

The SPEAKER: I draw to honourable members' attention the presence in the chamber today of students from Uraidla Primary School, who are guests of the member for Heysen; students from East Torrens Primary School, who are guests of the member for Hartley; and students from Our Lady of the Sacred Heart College, who are guests of the member for Enfield.

QUESTION TIME

DESALINATION PROJECTS

Mr HAMILTON-SMITH (Leader of the Opposition): My question is to the Premier. Is the government considering four metropolitan sites for a desalination plant, and has the Premier accurately reflected the cost of electricity provision at these sites within his claimed $1.4 billion construction estimate? Documents leaked to the opposition reveal the following:

> SA Water has selected four preferred sites for the location of the seawater desalination plant. These are Port Stanvac, West Adelaide, Torrens Island and Pelican Point.

The documents state:

> The estimates range, for requested capacity options, from $17 million at Port Stanvac to $77 million at West Adelaide.

I am sure that the member for Colton will be interested. The documents also reveal that United Water has requested indicative estimates for new or upgraded electricity supply and associated pumping infrastructure sites ranging from $300 000 at the Hillbank tank site to $4.5 million at Hope Valley.

The Hon. M.D. RANN (Premier): I am delighted to answer this. We have actually informed the people of South Australia that we are committed to a desalination plant, and we are looking at a number of sites. If there are four, five or six sites, we want to get the right site, and that is the most important thing. I am very pleased to talk about desal plants today; indeed, I am very pleased to inform the house that I met with the federal Leader of the Opposition last night for a very useful discussion about a range of issues in South Australia, including managing our water security.

I briefed Kevin Rudd about our plan to build a desalination plant to supply about 25 per cent of Adelaide's fresh water needs—about 50 gigalitres—although engineered with outlets and piping to deal with an even bigger desalination plant should that be necessary in the future. Kevin Rudd was very enthusiastic about the plan and about our intentions to reduce our reliance upon the River Murray. He has informed me (and he has repeated publicly today) that he believes a federal Labor government has a role in partnering the South Australian government in delivering this very important project.

We are now engaged in discussions with Kevin Rudd and his office about how this project can be facilitated with commonwealth support. Of course, much of the detail of that will depend on the outcome of the work of the desalination working group, as previously outlined to this house. One of the issues I am very keen to have explored is whether federal participation can assist in accelerating the project. So you are correct: we are looking at a series of different sites and we will pick the right site. Of course, the South Australian government would welcome any commitment from the Howard government towards the establishment of a desalination plant for Adelaide. To date there have been no offers, so I am delighted with Kevin Rudd's response and with what he said today about a desalination plant for Adelaide. We would be very pleased to talk to the federal Howard government as well.

Kevin Rudd has also committed support for the plan to rescue the River Murray through the establishment of a national, non-partisan, independent authority. I also discussed with Kevin Rudd the recommendations of the Low Inflow Contingency Planning Working Group and Victoria's refusal to support the recommended water-sharing arrangements. Kevin Rudd endorsed the recommendations of the Low Inflow Contingency Planning Working Group in the water-sharing arrangements, including the establishment of a reserve to meet South Australia's critical needs for 2008-09; I understand that he has publicly stated his support.

So, it is terrific to have the support of federal Labor for a desalination plant and terrific that Kevin Rudd has today announced his support for a desalination plant for Adelaide. I am delighted to get that Dorothy Dix question, and thank you for giving us advance notice.

Members interjecting:

The SPEAKER: Order!

AFFORDABLE HOUSING

Mr O'BRIEN (Napier): Will the Minister for Housing update the house on any initiatives arising from the recent state housing summit 'Housing for the Future: Building Partnerships' held on 14 August 2007?

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the honourable member for his question, and I am very pleased that he was able to participate in that landmark event that was held just a short while ago. There is barely a day goes past now without there being talk of affordable housing, but it was not always thus. Just a few years ago we had the Prime Minister saying that no-one was coming up to him in the street complaining about the fact that their house price had gone up. However, I do not know how many interest rate rises further on and he has changed his tune.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That is right. They are now actually talking about affordable housing and wading into the debate, and that is welcome.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: No; the Prime Minister was very clear. He said that no-one was complaining to him about the fact that the value of their house had gone up.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That is right. A few months later, after all these interest rate rises, suddenly house price inflation is the fault of the states. That is the change in reasoning, and we know why that change happened—basically, it was because he was caught without running an affordable housing policy for 11 years. There were 11 years of abject neglect in this area and suddenly, on the eve of the election, he is now trying to run a few policies in this area; however, it is largely about blaming the states.

We were not waiting for the commonwealth to come on board. We put in place our own housing summit and we are doing important things in South Australia to address the affordable housing dilemma in this state. We have been proactive on a number of fronts. Through our State Housing Plan for South Australia we have created a new funding supply for affordable housing, and we have created new home ownership, rental and community housing options for low to moderate income earners.

We have also created a legislative framework through the new affordable housing act. We have provided the means by which we can have 15 per cent of residential developments now set aside for affordable housing. We have put the tools in the affordable housing act, including tools such as the statutory covenant and also the statutory basis for the 15 per

cent target now in legislation. We have an innovative Breakthrough loan, which is a shared appreciation product designed to give low to moderate income owners a leg-up into home ownership—and HomeStart Finance has been recognised for that product and new initiative at a recent ceremony of the Australian business awards.

I am also pleased to announce today the release of the Noarlunga Central affordable housing project tender, which includes the design and construction of the first stage of the housing project on GoldSmith Drive: 30 of the 61 houses to be built through this program will be made available exclusively to low to moderate income earners through our new online property locater. Our housing summit, held on 14 August and coordinated through the new Affordable Housing Trust, was an excellent event which brought together a range of key stakeholders from the development, local government, planning, community and private sectors. Delegates discussed the challenges of responding to the affordable housing crisis. We are already seeing the benefits flying from that summit. I know that my colleague the member for Napier is working closely as part of the planning review to look at putting some of those measures in place.

We saw an important concrete plan announced by Tony Zappia, the Mayor of Salisbury, who said that, on council owned land, home buyers would be able to enter into deferred land purchase arrangements in order to be able to enter the property market. The capital growth would be shared with the council on sale, with a proportionate distribution based on the share of the initial investment. Tony Zappia's idea attracted strong support from industry and prospective buyers.

Mr Pengilly: He could have taken it to council first.

The Hon. J.W. WEATHERILL: In fact, he took it to council. I don't know what your information is. He got his endorsement from council, and there was widespread support across the community. The HIA—those well-known Labor supporters—said, 'I don't believe that there is any impediment to the scheme.' Real Estate Institute's Mark Sanderson has said:

> Anything that gets people into home ownership that normally would not have that available to them is a very good thing. . . We need to be more creative in pitting this problem of home affordability.

Karen Grogan from SACOSS has supported the proposal and said that, hopefully, other councils would follow suit. She also said:

> If we could get local councils to join the growing body of people concerned with the housing availability and affordability for people in their local area then I think it would be a very good thing.

But there was the odd man out. No prizes for guessing—Bob Day, CEO of Homestead Homes and the Liberal candidate for Makin. Bob said:

> Well we should be doing the same as we've done for the last 50 or 100 years and that is building new suburbs on the urban fringe.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That is right. It is odd because he is at odds with just about everyone who has been asked to comment. He is also at odds with one of his federal colleagues, Malcolm Turnbull, who has voiced strong support for shared equity products to allow people to enter the housing market. That is when Mr Turnbull was chair of the Menzies Research Centre which prepared an extensive submission to the prime ministerial task force on home ownership in 2003. If we were to choose which millionaire businessman with whom we look to agree, I think we would back Mr Turnbull. They had good news and a successful policy initiative, but it was a successful summit and we are beginning to see the fruits of that summit being implemented.

DESALINATION PROJECTS

Mr HAMILTON-SMITH (Leader of the Opposition): My question is to the Premier. What are the environmental implications of building the government's desalination plant at beaches within one of the Premier's preferred sites at West Adelaide near Glenelg or West Beach?

Members interjecting:

The SPEAKER: Order!

The Hon. K.A. MAYWALD (Minister for Water Security): Unlike the opposition, this government is supportive of developing desalination as an alternative water source for the state of South Australia. In fact, earlier this year we established a desalination working group. I will read for the benefit of the opposition the terms of reference on which the desalination working group was asked to report.

Mr Pengilly interjecting:

The SPEAKER: Order, the member for Finniss!

The Hon. K.A. MAYWALD: Thank you, sir. The terms of reference are as follows:

> . . . to research and report to the Minister for Water Security on:
> - How desalination fits with the Waterproofing Adelaide strategy for an integrated and diversified water supply system.
> - Feasible options and optimal technology for seawater desalination.
> - Options for sizing and location and integration with the existing metropolitan Adelaide water supply system.
> - The estimated capital and operating costs of desalination as a resource for metropolitan Adelaide, including funding options and implications.
> - Environmental implications of constructing and operating a desalination plant, including in the context of climate change.
> - Appropriate arrangements for constructing and operating a desalination plant.

This is all incredibly important work that needs to be undertaken in preparation for a desalination plant and a decision on desalination.

Mr Williams interjecting:

The SPEAKER: Order! I cannot hear the minister's answer. The member for MacKillop is warned.

The Hon. K.A. MAYWALD: As I outlined in my ministerial statement earlier today, the government is yet to receive a final report from the desalination working group. We look forward to receiving that report and providing information to this house on subsequent decisions the government will make in regard to this important infrastructure.

EARLY CHILDHOOD TEACHERS

Ms BEDFORD (Florey): My question is to the Minister for Education and Children's Services. What progress has been made to support teachers in early childhood education/

Mr Williams interjecting:

The SPEAKER: Order! I apologise to the member for Florey. The member for MacKillop is warned a second time. I will not warn him again. I ask the member for Florey to repeat the question.

Ms BEDFORD: My question is to the Minister for Education and Children's Services. What progress has been made to support teachers in early childhood education?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the honourable member for her question. She understands the importance of

the early years in setting the stage for a child's successful life and outcomes in their future. She also realises that what happens in a child's life before the age of five is important in terms of their capacity to fulfil their potential and have a successful time both in and out of school. That is why the government has put a major focus in its time in office toward upskilling teachers, developing programs and, indeed, building children's centres which collocate and integrate the services across not just education and children's services but also other departments such as Families and Communities and Health. Young children's issues and challenges are often founded in activities and services provided by other departments.

We have worked hard to recognise that leadership is an important skill for early childhood workers and we have worked with the university sector to provide opportunities to be involved in skills development for those workers. We have now provided scholarships worth $2 000 each to 11 early childhood teachers as part of a new state government scholarship scheme directly focused towards the early years. There is a growing demand for leaders in the early childhood sector in South Australia and we believe that these scholarships will help to give early childhood teachers not only the qualifications but also the skills to lead in the rapidly changing environment in which they work with experts from other portfolios and a range of people with paramedical and paraeducational skills.

The scholarships will support our strategic focus on lifting the skills of teachers, and these early childhood teachers will be working towards a Graduate Certificate in Education in Early Childhood Leadership being run jointly by the University of South Australia and the Lady Gowrie Child Centre in Adelaide. Over the next 12 months, teachers will complete their studies externally through online weekend courses, allowing them to continue working while they are getting extra qualifications. They will receive support from experienced mentors as well as complete a major practical subject using their current workplace as the basis for their research.

South Australia has for some years been a leader in early childhood education and development, and we are committed through our children's centres and policy reform to providing universal, integrated and accessible early childhood programs that promote and improve health, education, development and wellbeing for South Australian children—but also for their families, because indeed many families' parents require support mentoring and assistance in maintaining the lives of their families and children.

The new graduate certificate will ensure that our focus and our strategic direction will continue, and support the initiatives that we have developed in terms of our children's centres by providing skilled professionals who can lead those workplaces and support the development of children.

WATER REUSE

Mr HAMILTON-SMITH (Leader of the Opposition): My question is again to the Premier. When did he first become aware of work being carried out throughout 2007 by his government's desalination working group to propose an alternative to a desalination plant in the form of recycled wastewater via Adelaide reservoirs for human consumption?

The Hon. M.D. RANN (Premier): This is a report on SAFM earlier this year, on Sunday 28 January 2007, and it goes like this:

> The debate on recycled water is back on the table today. The federal government—

that is, the Liberals—

has floated the idea—

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: I will answer the question the way I will answer the question.

Members interjecting:

The Hon. M.D. RANN: No, he will not let people finish the answer, so we will make this particularly long. It says:

> . . . has floated the idea of one day drinking recycled sewerage but Premier Mike Rann is having none of that.
>
> Premier: 'South Australia won't be part of a plan like that. We think that it is totally wrongheaded but in fact that the pristine water should be used for drinking water and the effluent water that's treated should be used for irrigation. So we think they've got it back to front.'

Then on 891 ABC Adelaide on Saturday 28 September there was this report:

> The Premier Mike Rann has ruled out the use of treated effluent in South Australian homes. Last week, the Prime Minister John Howard said Australians would eventually have to accept the need to drink recycled sewerage.

That was the Prime Minister of Australia. That was your guy. He wanted us to drink recycled sewage. It goes on to say:

> Mr Rann says he supports using treated water for irrigation but not for drinking.
>
> Premier: —

quote, and this is the ABC so it must be true—

> Apparently part of the plan is to allow the cotton growers and rice growers upstream to use pristine river water but at the same time eventually saying that treated sewerage effluent water should be used for drinking water in our capital cities. Well I can veto that in South Australia.

I do not care who has provided documents to whom, because the simple fact of the matter is that we run this government and we have vetoed using treated sewerage water for drinking water. But your side of politics supports it. So you announced a desalination plant but will not say where it will be located. You keep saying you announced it first. Where will your desalination plant be? Is it Brighton, Victor Harbor, Lake Eyre, or maybe Coober Pedy? Who knows? Basically, that shows your lack of substance, because what you do is mistake a press release for a policy. But let me clear it all up.

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: Media Marty. Let me clear it up for you.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Breaking news. Today I have written to the Chairman of SA Water, Mr Phillip Pledge, in the following terms:

> Dear Mr Pledge
>
> Earlier this year I categorically ruled out the use of treated wastewater in South Australia for human consumption.
>
> The government is strongly committed to the expansion of the use of treated wastewater for non-human consumption, including irrigation, industrial and commercial purposes. In fact, the use of treated wastewater and recycled stormwater is central to our Waterproofing Adelaide and Waterproofing South Australia programs.
>
> Currently South Australia recycles about 20 per cent of its wastewater, and when the approved recycling projects are completed this is expected to rise to 45 per cent, compared with the current national average of 9 per cent.

So, yes, absolutely we are committed to using recycled sewage, effluent water—but not the Liberal plan for drinking

it. Ours is for irrigation purposes. So, I go on and say in my letter to Mr Pledge:

> I was very surprised to hear that SA Water has commissioned ETSA to provide an indicative estimate for electrical supply associated with an investigation by SA Water into the treatment and supply of treated wastewater to the Little Para Reservoir and other reservoirs.

This is dated today. I continue:

> I can reiterate that the government has consistently ruled out the use of treated wastewater for human consumption.
>
> I would be grateful if you would inform the Board and the Chief Executive of the government's position.

We made it clear in January of this year. I do not care which official in ETSA or SA Water is doing what. The fact is that the South Australian government has ruled out using sewerage effluent for human consumption. But the Liberal Party supports it, and there is the difference.

SCIENCE RESEARCH INFRASTRUCTURE

The Hon. S.W. KEY (Ashford): My question is to the Minister for Science and Information Economy. What commitment has the state government made to supporting improved collaboration between our key science and research institutions, enabling them to gain greater access to world-class research infrastructure?

The Hon. P. CAICA (Minister for Science and Information Economy): I thank the honourable member for Ashford for her question and interest in this area. As part of our commitment to science and research in South Australia the state government is a major investor in the National Collaborative Research Infrastructure Strategy (NCRIS). The primary objective of NCRIS is to encourage research institutions to work collaboratively to retain scientific expertise in Australia, through the establishment and sharing of leading edge scientific infrastructure facilities.

This week, one of the first research entities to be established through NCRIS, the Australian Microscopy and Microanalysis Research Facility (AMMRF), will be officially opened at the University of Sydney. The AMMRF will be of immense benefit to South Australia, providing our research institutions, and their industry partners, with access to leading edge research infrastructure in key industry sectors, such as mining, advanced manufacturing, agriculture, health, environment and biotechnology. Access to the AMMRF will also strengthen our emerging industries, such as biofuels and aquaculture, and will help to attract and retain highly skilled researchers in South Australia.

All three South Australian universities formed an alliance, known as the South Australian Regional Facility for Microscopy and Microanalysis (SARFMM), to establish themselves as partners in the AMMRF. This outstanding collaborative effort from our universities, which received specific praise from the NCRIS committee, enabled them to acquire two new state-of-the-art microscopes, to be located at both the University of Adelaide and the University of South Australia. Both instruments will also be connected, via the high speed SABRENet broadband network, to Flinders University. As well as giving local industry greater access to cutting edge research, the SARFMM will increase demand from interstate and international researchers for our state's infrastructure, creating a valuable revenue stream for further research and development in South Australia.

It is imperative to note that the establishment of both these facilities would not have been possible without the significant support of the state government. Last year we committed around $22 million, over five years, to NCRIS, and our investment leveraged significant additional funding, including federal NCRIS funding of over $28 million, and around $32 million in industry and institutional funding guarantees as well.

The state government's investment in research infrastructure is essential to maintaining the international reputation of South Australia's leading research facilities, including the Wark, the Waite and our medical research institutions. Our investment in NCRIS demonstrates to industry, and to Australian and international researchers, that South Australia is firmly committed to maintaining and building our science research capacity.

The government's commitment to NCRIS and other areas of research and development enhances South Australia's reputation for research excellence, and it complements our investment and skills development for the long-term benefit of South Australians. I—along with every member of the house, I am sure—congratulate all South Australian universities for their collaborative approach and for leveraging maximum return to the state with this significant NCRIS initiative.

DESALINATION PROJECTS

Mr HAMILTON-SMITH (Leader of the Opposition): When did the Minister for Water Security first advise the Premier that, throughout 2007, her department was working with Mr Ian Kowalick's desalination working group, SA Water, ETSA, and others, on an alternative proposal to a desalination plant to see treated effluent pumped from Bolivar to the Little Para reservoir for consideration in cabinet by September-October? The opposition understands that Mr John Williams, head of Strategic Projects, SA Water, an agency reporting to the Minister for Water Security; a Treasury representative reporting to the Treasurer through Treasury; and Mr Rod Hook, a senior officer of DTEI, reporting to the Minister for Infrastructure, are all on the desalination working group. In her statement to the house, the minister suggested a few moments ago that she and the government were unaware of the desalination working group's investigation into recycling effluent for drinking use as an alternative to desalination.

The Hon. K.A. MAYWALD (Minister for Water Security): I refer the leader to the ministerial statement I made earlier today. The independent chairman, Mr Ian Kowalick, heads up a working group which, as has been advised to this house previously, is made up of officers from—get it, surprise, surprise—SA Water, Treasury and DTEI. This is no secret, and the details of who is on that group have been readily available. I also pointed out in my ministerial statement earlier, that the independent chairman, Mr Ian Kowalick, asked the SA Water representative who was on that group (who is John Williams) to obtain information on the issue to assist the working group to benchmark desalination against other technologies that have most often been canvassed publicly. To actually benchmark, costings are required. There is absolutely no surprise in that. The working group's work will be revealed once they report, the cabinet will make decisions based on recommendations in that report, and all will be revealed.

DENTAL TREATMENT

The Hon. P.L. WHITE (Taylor): My question is to the Minister for Health. Can South Australians expect faster dental treatment under government health reforms?

The Hon. J.D. HILL (Minister for Health): I thank the member Taylor for her question. I know she has a very strong interest in teeth, having a very good set herself.

Ms Chapman interjecting:

The Hon. J.D. HILL: What was your point of order?

The SPEAKER: I cannot rule on that. I will have to ask the member to repeat the question.

The Hon. P.L. WHITE: Can South Australians expect faster dental treatment under government health reforms?

The SPEAKER: Can the deputy leader explain to me why that might be a hypothetical question?

Ms CHAPMAN: I withdraw the objection, Mr Speaker. It is slightly different to what I heard; there is so much noise on the other side.

The SPEAKER: I do not uphold the point of order. The Minister for Health.

The Hon. J.D. HILL: I thank the member for her question. I am about to talk about oral health but I could recommend to the deputy leader that we have some very good aural health programs in the health system, too, that she might care to avail herself of. Back in 1996, members would recall that the federal government axed funding for dental health care in Australia. This was one of the most disastrous, dreadful things that could have been done by the Liberal government of the day and, as a result of that, about $100 million worth of expenditure that would otherwise have occurred in dental health care in South Australia has not occurred. As a consequence of that, state governments have had to put in extra resources. The former Liberal government did not put in many extra resources and, as a result of that, the waiting time under the Liberals rose to 49 months before people could get access to dental care. In our first term in government we have halved that; so, it is about 24 months now. In the 2006-07 budget, we pledged an extra $12.9 million—

Members interjecting:

The Hon. J.D. HILL: Look, you might want to defend John Howard's dental health policy of cutting funds to the states, that is fine. You go out into your electorates and do that, but in here you have to listen to the facts, and the facts are that they cut it and we put in extra resources. In the 2006-07 budget, we pledged an extra $12.9 million over four years, and that will provide services to an extra 7 000 South Australians. I am pleased to say that last week the federal leader of the Labor Party, Kevin Rudd, and the shadow minister for health, Nicola Roxon, announced that under a federal Labor government up to $290 million will be committed by the commonwealth government to a dental health program. That funding would be a boon to South Australians, and I would like to explain how we would use it and how our services would be combined with theirs.

If that promise were put in place, if a Labor government is elected, that would mean that dental waiting times in South Australia would be virtually eliminated by 2010. If the federal government were able to put that funding in, the state service (the state dental funding) could be targeted to deliver a preventative maintenance program. That is, after patients have completed a course of care through the public dental service, they could be enrolled in a regular program of checkups that could be delivered to them every 12 to 24 months. In that way, dental disease can be prevented or treated early before it becomes complex, needs emergency care and is costly to treat. That is a very good example of the state and federal governments working together, and we would love to have that kind of arrangement with the federal government. Over the first three years of a preventative maintenance program, I would expect that about 100 000 South Australians could be recalled and treated in a timely manner to maintain good oral health.

The additional funding would also mean that the South Australian Dental Service could expand its work in residential aged care homes, providing services to nursing homes across the whole state, and that is a great program on a limited basis which is already occurring. In the first three years of such a program, 8 000 people in residential aged care could receive publicly funded dental treatment, and the figure would expand to 20 000 people over the following four years. Under the Rann Labor government and a Rudd Labor government in Canberra, low income South Australians such as pensioners and health care cardholders who need dental care would benefit. Importantly, those South Australians who need extra help like pensioners and health care cardholders will get regular checkups and dental care when they need it.

MOUNT BOLD RESERVOIR

Mr HAMILTON-SMITH (Leader of the Opposition): Can the Premier guarantee the house that the cost of his Mount Bold reservoir extension will not exceed $1.6 billion, and why was the project under costed at $850 million in the June 2007 budget? Documents leaked to the opposition reveal—

The SPEAKER: Order! The leader needs to seek leave.

Mr HAMILTON-SMITH: All right, sir, I will seek your leave.

The SPEAKER: Leave is granted.

Mr HAMILTON-SMITH: Thank you very much, sir. Documents leaked to the opposition reveal plans to construct bulk water transfer infrastructure from Mount Bold reservoir through to the Mannum-Adelaide pipeline for use during significant drought periods. The documents further reveal that a company known as Tonkin Engineering Services has been engaged by SA Water to prepare a confidential report by 21 September 2007 on the costs of this infrastructure to include a high-level estimate by ETSA Utilities for the provision of electrical infrastructure at various pumping sites.

Members interjecting:

The SPEAKER: Order!

The Hon. K.A. MAYWALD (Minister for Water Security): This is quite an extraordinary question, given the work of the desalination working group has been requested to undertake. This is obviously the kind of work that they would do under the terms of reference, and they are doing that work diligently. When that report is made to the government we will consider the recommendations, and as a government we will make decisions on the infrastructure and the way forward. I think that it really shows a lack of understanding from the opposition about how to develop and investigate projects. The press release in relation to Mount Bold indicated that the preliminary estimates could be in excess of 850; that is not a costing. A costing actually requires significant further investigation, feasibility studies, and work and quotes from people who are going to do the job.

I think that it is extraordinary that the Leader of the Opposition does not understand the difference between—

Members interjecting:

The SPEAKER: Order!

The Hon. K.A. MAYWALD: —a statement that says 'could cost in excess of' and 'a costing'. Obviously he has not been in government long enough in his past life during the last Liberal government to understand how a project is developed. When costings are delivered, you can then determine whether or not there is a cost blow-out in the project. But, to date, there have been no costings; there has been an announcement that it could be in excess of $850 million. No surprises there.

WOMEN'S AND CHILDREN'S HOSPITAL

Ms CHAPMAN (Deputy Leader of the Opposition): My question is to the Minister for Health. Given that the minister has publicly dismissed any relocation of the Women's and Children's Hospital to North Terrace—

The Hon. J.D. HILL: Mr Speaker, I must protest! This is a hypothetical question that the deputy leader is asking me.

Members interjecting:

The SPEAKER: Order! There is no point of order. The deputy leader.

Ms CHAPMAN: Given that the minister has publicly dismissed the relocation of the Women's and Children's Hospital to North Terrace and that his government cancelled the $7 million redevelopment at the Women's and Children's Hospital in last year's budget, and there is none in this year's budget, what capital works are proposed for the hospital in the next three years?

The SPEAKER: I hope the Minister for Health knows what the question was, because I do not.

The Hon. J.D. HILL (Minister for Health): The question seems to be a whole series of statements about things that the Deputy Leader of the Opposition purported that I said, and then she drew some conclusions. I think the question was: tell me about the vibe of the Women's and Children's Hospital and where it is all going in the scheme of things. I noticed that she did not ask me the question that was really obvious, which is what the front page of *The Advertiser* is talking about today: why was the Women's and Children's not combined with the new Marjorie Jackson-Nelson hospital? I know why she did not ask that question: because, of course, her side of politics does not want to build the new hospital. The question for the opposition is: what would they do with the Women's and Children's Hospital since the staff of the hospital is now arguing that it ought to be combined with the Marjorie Jackson-Nelson hospital, which should not be built? But that is an interesting conundrum that I will let the opposition sort through.

At the time that we were thinking through the Health Care Plan, we entertained for a period of time the possibility that the Women's and Children's Hospital should be merged with the Marjorie Jackson-Nelson hospital. I assume that, if we announced that, the protests about merging that hospital with Royal Adelaide and parts of the QEH would still be going on. Leaving that kind of thing to one side, the cost of doing it would be prohibitive. There was only so much money that we were able to find in the budget for the Health Care Plan—$2.2 billion over 10 years—that there were not sufficient funds to do all of the things might have been done.

I have told the house before that we know that work over the next 10 or 15 years at the Women's and Children's must occur. We know that more work is required at the Repatriation Hospital. We know that more work is required in country hospitals. A large legacy of work is required on the infrastructure of the state's hospitals. What we did in the most recent budget was commit ourselves to $2.2 billion of capital expenditure over the next 10 years—the biggest announcement of capital expenditure in health in the history of the state. Not every player won a prize in that particular budget but, as I say to the people from the Women's and Children's and everywhere else, there are future budgets where all the other issues will be addressed.

However, at the moment we are looking at a number of the critical issues at the Women's and Children's Hospital. I know that my colleague the member for Torrens has raised issues with me about some hospital services, and we are looking at how we can provide some extra amenity to that hospital in the short term.

Ms CHAPMAN: My question is again to the Minister for Health. How many available beds are there at the Women's and Children's Hospital, and is there any intention to further reduce the number of available beds? The number of available beds was 324 in the 2003-04 year and was reduced to 295 in the 2005-06 year. The government has announced the proposed closure of obstetrics at the Modbury Hospital.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Fortunately, Mr Speaker, I studied Latin so I understand the arrangement of words in a syntax which is different from English, and I am able to understand what the deputy leader said. I think the question was: how many of the available beds are available? Well, the answer is that all of the available beds are available. How many beds ought to be available? Obviously, the number that is sufficient to deal with the patients on a day-to-day basis.

I would like to say this about hospitals generally. In the past there has been an obsession about bed numbers in politics from both sides, I have to say, as well as in the media. In reality, South Australia has more beds per head of population than anywhere else in Australia. We have more doctors, we have more nurses, and so on. In fact, I think the Deputy Leader of the Opposition and the Leader of the Opposition at some stage, when criticising the government, said that it was not so much the need for more money in health but more about how you use the resources better, that there is plenty of money but we are just not using it properly. One of the things we are trying to do in the health system is use our beds in a better way so that we have fewer people needing beds. We want to look after more people in their homes and we want to have fewer people getting ill and needing the hospital beds. So, the general issue about beds is being dealt with through that kind of policy framework.

In relation to the exact number of beds currently utilised at the Women's and Children's Hospital, I do not have that number in front of me but I am happy to come back to the member with more detail.

Ms CHAPMAN: I have a supplementary question. Given the minister's answer and the proposed closure of obstetrics at Modbury (with 700 births a year), and no increase in the number of beds at the Women's and Children's Hospital, is it the government's proposal that birthing mothers will deliver and go home on the same day?

The Hon. J.D. HILL: The government does not propose anything of the sort, and it is a nonsense to suggest that it

does. Decisions about how long women who have had babies stay in hospital is up to the women and their doctors. It is contrary to law for the government to interfere in that process. Some mothers (and I am aware of a mother related to one of my colleagues) left hospital within, I think, 24 hours, but that was a personal choice of the mother concerned. Some mothers want to get out of hospital very quickly while others want to stay longer. Clearly, it is in the best interests of the mothers and their babies if they can leave hospital in a relatively swift time; however, obviously all factors need to be taken into account. There is no intention by the government to push people through the birthing system any faster than their doctors choose to do it.

In relation to Modbury Hospital, I gather that there are around 600 to 700 births there every year and our planning is based on about half of those occurring in future at the Lyell McEwin Hospital, which is being upgraded and extended quite dramatically with a couple of hundred million dollars being spent there as part of the $2.2 billion investment over the next ten years.

About half the births will occur there and roughly half the births will occur at the Women's and Children's Hospital. That is approximately one a day. Given that they have 4 000 plus births there each year, we are more than confident that they can deal with that extra one birth a day. In addition, we also expect that, over time, as we build-up the Lyell McEwin Hospital birthing service, some of the women from the northern suburbs who currently go to the Women's and Children's Hospital will choose to have their children at the Lyell McEwin Hospital because it will be a fantastic centre for birthing, and that will take some of the pressure off the Women's and Children's Hospital; and so some of the women who would have otherwise had their babies at Modbury will be able to go either to the Women's and Children's or Lyell McEwin. We think that there is plenty of capacity to deal with this need.

NORTHERN EXPRESSWAY

Dr McFETRIDGE (Morphett): My question is to the Minister for Transport. Did the Ernst & Young consultancy into funding options for the Northern Expressway project recommend any form of toll or private subsidy; and to which of the report's recommendations has the government agreed? Documents made public by the government today confirm the cost of the project has blown out to $564 million, and that a $336 000 government funded consultancy explored options for private and public investment or additional charges to pay for the project originally forecast to cost $300 million.

The Hon. P.F. CONLON (Minister for Transport): Thank you for the question. A little knowledge is an extremely dangerous thing. Yes, I have to confess in the house that the Ernst & Young consultancy did look at other options, including tolls—he's got us—except that was because it was a requirement of the commonwealth which was funding the thing—a Liberal commonwealth government. It is Liberals who love toll roads, not us. The reason we spent that money, even though we told the federal government it was an utter waste of money was that your Liberal counterparts made us do it; okay. Do you know what it found? It found exactly what we told them; that is, there was no reasonable opportunity to do that and therefore we have stuck with our commitment.

He adds a little $14 million to the project; he says it has blown out by another $14 million. These are overpasses added as a result of the local community. They have nothing to do with the freight road and were strongly supported again by the federal member David Fawcett—and supported to the extent—

An honourable member interjecting:

The Hon. P.F. CONLON: No, they would not have put it on our road—supported to the extent that we were told by the commonwealth that we should ask for them because we would get them. That is where they came from. So, do not come in here peddling that, too. This is this bloke all over. He cannot be factual. He was in here yesterday talking about the tram project, and everything he talked about he got wrong. He claimed—

Dr McFETRIDGE: Mr Speaker, I have a point of order. My point of order is relevance.

The SPEAKER: I do not uphold the point of order but the minister needs to refrain from making reflections upon the member who has asked the question.

The Hon. P.F. CONLON: I will not do it because I am a charitable man and I try to overlook the mote in my neighbour's eye. All I can say is that the member for Morphett would be better placed if he researched some facts before he asked a question.

Dr McFETRIDGE: I have a supplementary question. Will the minister table the consultancy report?

Mr Hamilton-Smith: In full.

The Hon. P.F. CONLON: I will take advice on that. I do not have it with me. Oddly enough, I do not run around with every consultancy report. Can I say that I strongly suspect your federal colleagues have looked at it. So, if you have any mates up there—and I strongly doubt that—you can go and look at it. However, what I will say just to add to the member for Morphett's low stock of information is that, just last week at the engineering excellence awards, the Northern Expressway gained a commendation for its design in environmental planning.

Members interjecting:

The Hon. P.F. CONLON: Because the engineering association are all Labor supporters, apparently. The Northern Expressway is one of the most important projects this state has seen in freight for many years. It is very important; and that is why John Howard is funding it and it is why Labor has promised to fund it even higher than John Howard has funded it. Labor understands the importance of it.

In relation to the nonsense about earlier estimates by members opposite, I stress to the house that no-one has done anything to make it cost more. The member for Morphett goes on radio and tries to make it look like the project has been mismanaged so it costs more. That is an absolute untruth. The truth is—and we have had to wear it—the estimate was wrong in the first place. But it was not as wrong as the Liberal Party's election promise on duplicating the Victor Harbor Road. They said it would cost $130 million, but a couple of weeks ago the member for Morphett was saying that it should be duplicated and it would cost between $200 million and $300 million. They have revised the cost! My advice is that it is well north of $300 million. If members opposite want to talk about estimates, they should do so, but I say to them that they could take some notice of the member for Wakefield, Mr Fawcett. Do members know what he said about all this nonsense? He said, 'Get over it and get on with it.'

TRAMLINE EXTENSION

Dr McFETRIDGE (Morphett): My question is about the tram—

The Hon. P.F. Conlon: Walk right into it, mate!

The SPEAKER: Order!

Dr McFETRIDGE: Have government backflips exposed flaws in the original justification for extending the tramline to the western end of North Terrace? On 29 July 2006 the minister issued a press release which states:

> Adelaide's north-western quarter will be brought to life with a visionary regeneration project. The Glenelg tramline will be extended further to the City West university campus and the government plans to move the South Australian Film Corporation into the city's west, along with a single consolidated office for more than 1 300 transport workers.

Since that time the government has announced that the transport workers will stay where they are at Walkerville and this week the Premier said that the Film Corporation will be moving to Glenside.

The Hon. P.F. CONLON (Minister for Transport): Again, it is not quite the factual base. I will explain later all the facts in relation to the tramline. We said that we had a desire to see whether we could shift those things to the West End. Because we have some big priorities in terms of other capital projects, we have decided that the Department for Transport, Energy and Infrastructure will stay where it is for the time being.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: When members opposite have a bad day they just start interrupting, don't they? What a fizzer it has been for them.

Members interjecting:

The Hon. P.F. CONLON: They are so rude, really. We still believe that it would be better to bring the people at Walkerville into the city. We cannot do that at present but we still have it on the agenda for the future; and that is what we told the private sector. Again, there is misinformation about the tram extension. Just yesterday the member for Morphett accused us, first, of having cost blow-outs but doing it on the cheap. I tried to reconcile that. He said that transponders were slow in coming from Germany; and shortly I will explain why that is. He gave an example of its being done on the cheap. He said that new platforms are in place but some of them are not 'even disability access compliable'. I am not sure what 'compliable' means, but I am prepared to guess that he means that they are not compliant with the Equal Opportunity Act. Well, that is simply not true. The platforms and the work we have done are compliant with that act. He may be referring to an old station in Halifax Street or some things that are the responsibility of local government. We spent a lot of money making sure they are compliant with the act. What he said is just not true.

He said that the switches have not been upgraded. The switches have been progressively replaced since August 2005. Again, it is not true. He said that no new rail was ordered so it is way behind schedule. Again, that is simply not true. Then he corrected Rod Hook about whether they are called switches or points. He said that they are supposed to be called switches, not points, so Rod (the best project manager in this government and the former Liberal government in relation to Holdfast Shores) does not know his stuff. He said that there will be a manual switch in the station at the front of Parliament House. I do not care whether they are called switches or points but it will be a manual switch east of the Morphett Street Bridge, not out the front of Parliament House. I think that is probably the more important thing. But then he went on to say we should extend it further and we need to do more. The fact is I picked up a Messenger newspaper in which the Deputy Leader of the Opposition said it should go no further at all and this should not have been done. So, it is a little difficult to understand just what they are talking about with regard to trams.

But I will say this: I am quite happy, because we went to the last election campaign with the tram extension. We defended it. You went to three elections and broke your promise three elections in a row on it. We were happy to go to the election, we had a mandate to do it, and I am happy to go to the next election campaign telling the people of South Australia that I supported the tram extension and I thought it was a good idea; and I still think it is a good idea, and I think it will be very popular. And I bet members that in a couple of years' time you will not be hearing boo from these weak, vacillating, switching people on the other side.

SOUTH ROAD UPGRADE

Dr McFETRIDGE (Morphett): I should give the minister a rest after that: I think he needs one. My question is to the Minister for Transport. Will he guarantee South Australian taxpayers that the cost of the Port Road/Grange Road underpass along South Road will definitely not exceed $300 million? Parliament heard on 29 August 2006 that the Port Road/Grange Road underpass project, originally costed at $122 million, may now exceed $245 million. Media reports have now revealed that the necessary movement of the ETSA substation at the junction of Port Road and South Road is likely to cost an additional $50 million, pushing the project towards and beyond $300 million.

The Hon. P.F. CONLON (Minister for Transport): If ever a person were a recidivist in this place, it is the member for Morphett. We saw the report, which we corrected on the weekend, of a $50 million cost to move the substation. It would be a $50 million cost if we had to move the substation, but we do not. Again, let me talk about recidivist behaviour, because—

An honourable member: You don't know what you are doing.

The SPEAKER: Order!

The Hon. P.F. CONLON: Let me talk about recidivist behaviour, because it was the same mob that said that the tram project would blow out by $10 million because of the cost of the ETSA substation. We budgeted $1.5 million for the cost of the substation and it came in somewhere around $1.4 million. There is never an apology from the other side for their fear-mongering and lack of accuracy. They want to get out there.

Can I say this, also: what we now have in relation to the north-south corridor is this government committed to fixing the biggest problem, that is, South Road. We have the commonwealth government signing up to assist us in doing that. It is not playing politics, because it knows it is the most important road. We have the Leader of the Opposition and Martin Ferguson agreeing that Labor will support the works on the corridor to the extent of billions of dollars between us. We have all that. We have the South Australian Road Transport Association agreeing it, along with the RAA, the Freight Council, and the Committee for Adelaide Roads. All of them agree it is a good idea. But not this opposition. It

does not believe we should be doing it. The simple truth is that these are difficult projects and very expensive, but everyone has recognised they are very important—including your colleague and the federal opposition—and it is about time you got on board.

GRIEVANCE DEBATE

WOMEN'S AND CHILDREN'S HOSPITAL

Ms CHAPMAN (Deputy Leader of the Opposition): Today we had confirmation from the Minister for Health that he would not be proposing the relocation of the Women's and Children's Hospital, currently on its North Adelaide site, to North Terrace where the government has announced a proposed $1.7 billion (now $1.9 billion when we add in the cost of all the railway work) for the new hospital. In the house this afternoon the minister has confirmed that he had considered this—it had been under consideration at the time of developing the health plan, and had been dismissed. Notwithstanding that, clearly, there are members of the medical profession who consider there are significant clinical reasons for its relocation.

Let me say why that is so, because it is clear that the government has not listened to its own board or advisers in relation to this matter. And can I also say that the only significant capital works that has actually been undertaken at the hospital during the lifetime of this government was an initiative by Dean Brown which was to build a new emergency department, which has now been opened and is operational. It is an excellent facility. Incidentally, it was rebuilt on an existing site—although, of course, we have heard from the government that the reason it has to build a new hospital on a clean site is because it cannot redevelop on a current site.

So, what has occurred is that a report has come from the board that covers the Women's and Children's Hospital, and that is the board chaired by the Hon. Carolyn Pickles. Her board is still in existence, just, because, of course, under the new Health Care Bill it is to be axed. Under her leadership she provided to the government a report, dated 23 October 2006, from the Children, Youth and Women's Health Service, in which she outlined the 'Medical Inpatient Facilities—Case for a Change Report'. In that are the recommendations for the necessary work to be undertaken on the site of this hospital, none of which has been announced in the $2.2 billion capital works development by this government, which in the meantime has cancelled the Helen Mayo House, Boylan Ward $7 million program in last year's budget, which the former minister for health had announced. That got the axe.

There is nothing in this year's budget for any major capital works or redevelopment. But notwithstanding this, the Children, Youth and Women's Health Service has said in this report that the deterioration of assets is concerning in respect of the following. For the removal of asbestos, the risk is high; on the deterioration in condition of the buildings, the risk is high; and on the poor condition of electrical systems, the risk is high. The only one to get even a medium risk is the outdated and unreliable nurse call communication system. But, in relation to the others: for the lifts, the risk is high; it is non-compliant for fire requirements, and the risk is high; the hydraulic systems are aged, and the risk is high; the airconditioning systems are aged and in poor condition, and the risk is high; with the lack of work space, the risk is high; and on occupational health and safety it is clearly a disaster zone, and the risks again are high.

So this report recommended to the government that it had three options. One was to do the necessary incremental immediate maintenance, which had a cost of about $11 million. The second was to do a partial redevelopment, at $32.5 million; or to do a full redevelopment, at $41 million. It is actually $44 million, but with the McGuinness McDermott Foundation contribution of $3 million it would be a net cost to government of $41 million. An amount of $41 million out of $1 700 million that it proposes to spend for adult health patients in this community, to build a new hospital from one end of North Terrace to another, and yet it does not want to spend one dollar on capital works, any major capital works, for the women and children of this state. For the only major tertiary hospital for women and children in this state that does not get one dollar.

Well, here is the report from Carolyn Pickles' board, which tells us that this is the important and necessary redevelopment on this site, and yet we have nothing from this government in this year's budget, and no comfort today of what the government's position is. To make matters worse, they have moved with the closure of beds in this hospital. It has increasing demand, but we have a closure of beds. It is a disgrace and an insult to the women and children of this state.

Time expired.

GARRETT, Mrs B.F.

The Hon. L. STEVENS (Little Para): Recently I, along with a large number of other people, including my colleague the member for Morialta, attended a memorial service for Barbara Frances Garrett, who died peacefully at home on 2 September, aged 85 years. Barbara had a very large and loving family. She was the loved wife of the late Brian; the loving mother of four children, Mike, Andrew, Jamie and Frani; the fond mother-in-law of Dawn, Averil, January and Martin; and the dearly loved 'Bubba' and grandma of Lauren and Evan, Nick and Tom, Rebecca and Madeleine, and Josh, Jack and Ayla. She was also the loving sister and sister-in-law of Tom and Fairy.

Barbara Garrett was also an outstanding citizen of South Australia. She served the people of our state for a lifetime. She received an MBE in 1979 for services to health and people of ethnic background. She received a Centenary Medal in 2001 for services to the community, especially in health. She was involved in the leadership of SACOSS for most of its 60 years in existence, including serving as its president for almost 25 years; in fact, she was still president when she died. She served on the board of the Council on the Ageing at three different periods, the last of which was 1990 to 2006, and most of that time she served as its vice president.

Barbara started work in the department of social work at the Royal Adelaide Hospital, and she stayed there for 31 years, 12 as an almoner and the rest as a social worker. For 14 years she was the director of social work and, in that time, introduced many innovations including social workers on ward rounds, interpreter services, Lavender Ladies and Lads, discharge planning and domiciliary services. She also served

on the ACOSS board for 10 years in the late 1960s to the late 1970s. She was chair and board member of the Independent Living Centre for many years, and she was involved in initiating it. Barbara was a board member of Julia Farr for many years; chair of the Julia Farr Foundation; a member of the Steering Committee for Ageing—a 10-year plan; and an inaugural member of the Ministerial Advisory Board on Ageing under Dame Roma for eight years. She was on the South Australian Dental Service Consumer Advisory Panel; she was the Chair of the Family and Community Development Advisory Committee; a member of the NHMRC Gerontology Committee in the 1970s; a member of the Older Persons Health Council; and a trustee of the Da Costa Samaritan Fund. She was appointed to the Premier's Women's Council by the Hon. Stephanie Key, and I appointed her as a member of the South Australian Government Women's Health Advisory Council.

Barbara Garrett was an amazing person in so many ways, making a huge contribution to South Australia, not only in her personal life but in her wider participation as a very wise woman in our community. Her friend and colleague, Ian Yates, who is the Executive Director of the Council on the Ageing, said this of Barbara in an email to many of her friends across South Australia:

> We shall miss Barbara in many, many ways. . . Above all the challenge we all now face is to continue the battles in which she engaged with such vigour and commitment through her life—for social justice, equity and sensible social policy.

He went on to say:

> Barbara's death is the end of an era. We have lost our mentor, guide and friend. We are all the wiser for having had her as part of our lives. Vale Barb!

AGRICULTURAL SHOWS

Mr PENGILLY (Finniss): In the short time available to me today, I would like to pay tribute to the rural shows that are currently taking place around the state. I would more particularly like to draw attention to the shows that take part in my electorate of Finniss. We have four agricultural shows: the Yankalilla show and the Port Elliot show on the mainland side of the electorate; and the Kangaroo Island show at Kingscote and the Pandarna Show Society show in November. I think it is really important that we pay due homage to those small groups in the community that do an enormous amount of hard work to provide these agricultural shows and events once a year.

I think it is a great shame that this year there will be no horses in action. Indeed, the two-day Port Elliot show has had day 2 cancelled. There are no horses in action there and there are no horses in action at the Yankalilla show, the Kangaroo Island show or the Parndana show, as I understand it. I think that is a great tragedy because, having a daughter (who incidentally is getting married this coming Sunday) who was heavily into horses and still is into horses, I know the enormous amount of work that goes into preparing horses for the show and the workings and the tears and agony that goes on with mothers, particularly, in my case, who are ready to take horses in on show day.

This Saturday sees the first of the shows in my district, as I mentioned, namely the Yankalilla show. The Yankalilla show is quintessentially rural; it is a terrific display of what is done on the western Fleurieu and, once again, the small committee that does all the work in putting it together deserves full praise for its efforts, and I hope they have the most successful day. It happens to be on the same day as the AFL grand final, so that will have some impact on the crowds, unfortunately, but that is the way it is. The following week is the Port Elliot show, which is just a terrific day. For members opposite who may have nothing better to do, I suggest they jump in their cars on Saturday week and shoot down to Port Elliot. The Governor of South Australia is opening the show. There are new facilities and an enormous crowd of people from the south coast, who come from Goolwa to Encounter Bay and surrounding areas, go to the Port Elliot show. It is a great day and I hope the weather treats them kindly and, once again, that those few people who put these things together enjoy the fruits of their labour.

The Kangaroo Island show in Kingscote on the last Saturday in October is something different again. It is quintessentially a small town show. It provides a large amount of entertainment for the children on Kangaroo Island. The show rides and so on that come over are something they do not normally get because of the lack of facilities. It is also great to see the local produce on display and the other displays in the pavilion which, once again, are organised by a few people. Names that spring to mind are the late John Turner and Mrs Jo Turner. It is a hardworking committee and some of my family have been involved over the years, and I pay full tribute to them for the work they do.

The show at Kingscote overlooking Nepean Bay is just a great day and a couple of weeks later they go to Parndana which is a real bush show in itself. It is a real farmer's show, with sheep and cattle on display and usually horse events on the oval, which will not be on this year, to the best of my understanding. The wool display is kindly donated by the farmers and it is then sold with proceeds to Legacy. It raises a significant amount of money for the KI Legacy group which is passed back to Legacy Adelaide. These shows are such a quintessential part of South Australian life that I think they deserve full credit. Once again, I urge members around the traps to visit Yankalilla this Saturday or Port Elliot in a couple of weeks' time, and perhaps they could venture over to Kangaroo Island and leave some money over there in late October-early November. I take my hat off to those who organise the shows and I wish them all success.

DOMESTIC VIOLENCE

Ms BEDFORD (Florey): On Thursday 20 September, I had the honour of opening the annual conference of the Coalition of Domestic and Family Violence Action Groups for the Minister for Families and Communities. The importance of their work in this specialised and sadly all too prevalent circumstance cannot be overstated, and I acknowledge their commitment to this very vulnerable section of our community.

The State Strategic Plan has highlighted the importance of reducing all crime in this state and it emphasises a specific focus on violence against women. The government launched a Women's Safety Strategy over two years ago and many at the conference were involved in setting that strategy's direction and priorities. There is also a SAPOL Domestic Violence Policing Strategy, and SAPOL provides administrative leadership for the trialling of the family safety framework in the areas of Holden Hill, Noarlunga and Port Augusta. There is also a range of programs to address offender behaviour provided by the Department for Correctional Services. The state government is changing the law to make a clear statement about the consequences of perpetrating

violence against women in the areas of domestic violence, rape and sexual assault.

Law reform is an important tool in educating everyone about what behaviour is unacceptable. Again, the coalition was involved in that. Two Women's Safety Strategy conferences have been held, and a third is planned for later this year. I have received some statistics from Patricia Howard from the North-East Domestic Violence Action Group (NEVAG) that came from the 2005-06 National Homicide Monitoring Program's annual report recently released by the Australian Institute of Criminology. Incidentally, in conjunction with the New Zealand Institute, it is involved in a conference at the Convention Centre this week. I am particularly interested in the combined institutes' work and look forward to reviewing the outcomes of their conference.

The report was undertaken by Megan Davies and Jenny Mouzos in July this year. The findings of the report support the family safety framework initiative, but focus on women and children at high risk of injury, serious injury or death. The findings of this report also support the South Australia Police's new domestic violence policing model and the government's domestic violence law reform agenda. Key points include: the data was disaggregated by jurisdiction and gender, and the findings offer some important insights into the gendered nature of homicide. The report captures some distinct trends relating to women within South Australia. It indicates that during 2005-06 a total of 74 intimate partner homicides occurred—up from 66 in the 2004-05 period. Four out of five intimate partner homicides involved a male offender killing his female partner—80 per cent of all incidents. The report identifies that 64 per cent of women killed in South Australia were killed as a result of a domestic altercation, with male intimate partners posing the greatest risk to females. The greatest likelihood of death for women was by beating (36 per cent), stabbing (27 per cent), and gunshot, (9 per cent). This is significantly higher than the national average.

The data from this report also supports the research undertaken by Caroline Johnson from the University of Western Australia. Her study on familicide—multiple murder within a family—indicates that there is a history of violence in all the seven cases that she studied, and that the murder/suicides occurred post separation, and in all cases there was a dispute about residency or contact with children. All of this underlines the importance of building and maintaining healthy relationships and working to prevent relationship breakdowns by teaching and showing people negotiation skills and how to respect the rights of others.

Some of the South Australian disaggregated data reveals that family relationships were recorded in 38 per cent of homicides in South Australia, which is double the national average. A greater proportion of females were victims in South Australia—50 per cent—compared to the national average. Previous research on offenders shows that women kill for different reasons than men. One example included in the report is an incident where a woman had a long history of domestic violence victimisation from her partner, and she resorted to lethal violence and killed him. Another incident resulted in a female who was murdered as a result of trying to end a relationship.

As in previous years, homicides were most likely to occur towards the end of the week or on the weekend. This fact ties in with research that associates peaks in domestic violence coinciding with sporting events, and includes both sport spectators and participants. The link between violence perpetrated by sportsmen has seen many sad examples, including the end of season trips away. In light of the important sporting fixtures this weekend, I hope that we will not see a spike in the data, and that spectators and sportspeople alike enjoy the contest and celebrate or commiserate in a safe and responsible fashion. Go the Power!

WEST PAPUA

Mr HANNA (Mitchell): Today I will speak about the topic of West Papua. I hope that members will take to heart some of the facts that I will set out. Briefly, the historical background is this: West Papua, then West New Guinea, gained independence from the Netherlands in 1949. From 1949 until 1961 the Indonesian government attempted to reclaim West New Guinea, declaring it a part of Indonesia. In 1961 Indonesia mobilised its military and threatened to invade West New Guinea and annex it to Indonesia by force. In 1966 General Suharto took control, opening up the Indonesian economy to the west. In 1967, the first western company—American mining company Freeport Sulphur—took advantage of Indonesia's new foreign investment laws. It gained concessions to vast tracts of land containing gold and copper reserves in the West Papua, then known as West Irian.

Eventually, Indonesia took control of West Papua in 1969 under the so-called Act of Free Choice. The Act of Free Choice was a kind of poll. It was conducted by UN officials over six weeks in 1969, but I note that, prior to that, effective control over the land had passed to the Indonesian administrative and military forces. This supposed act of self-determination ended up being just over 1 000 West Papuans voting publicly and unanimously in favour of integration with Indonesia—highly questionable. The UN supported the annexation of West Papua to Indonesia in November 1969; however, the British government has publicly recognised that the West Papuans were coerced into voting in favour of Indonesia's rule (I note the official report dated 13 December 2004), and the International Commission of Jurists of Australia acknowledges that the Act of Free Choice was a complete sham.

In the current situation there is a terrible litany of abuse being carried out in terms of human rights abuses. Many West Papuans have been beaten, imprisoned, tortured and killed by Indonesian military forces since the 1960s—usually for political reasons—and women and girls have been publicly raped, mutilated and murdered. The list goes on. Mining companies in the area have had a largesse which would not be permitted in any western country in terms of dislocating local people and disrupting cultural and environmental practices. The Yale Law School International Human Rights Clinic went so far as to consider Indonesian practices in the region to be genocide.

So, where to from here? A slight note of optimism was sounded in 2001 when the Indonesian government considered that West Papua would be suitable for special autonomy; there was hope that it would develop in the same way as Aceh at the other end of Indonesia. However, the promise has not been borne out. If improvements are not made, West Papua will continue to be a source of unrest in the area, and that will not be good for Australia or Indonesia. Most of all, it will mean continued suffering for the West Papuan people.

There are some things we can do and I trust that members of this house and of the Legislative Council, who read these

words or hear them today, will encourage their federal colleagues to influence Australia's foreign policy. I realise that the Australian government will not come out and condemn Indonesia; however, in the usual constructive dialogue that Australian officials have with Indonesia at a political and diplomatic level, surely we could encourage a genuine dialogue between Indonesia and West Papuans. Could we get an independent mediator to be involved, perhaps a monitor of the conditions of the West Papuan people, could we develop and implement the special autonomy package that was promised to the West Papuans and, ultimately, could we have a UN-sponsored re-run of the Act of Free Choice, allowing West Papuans to choose between independence, special autonomy, or some other means of existing next to their Indonesian neighbours?

SMITHFIELD PLAINS COMMUNITY POLICING PROGRAM

Mr PICCOLO (Light): A petition was lodged yesterday in this house from 300 residents of the Peachey Belt (a part of my electorate) concerning the location of a police shopfront. For operational reasons the proposed police shopfront will be located near Blakeview rather than Smithfield Plains and, while I understand why police have chosen to do this, people in the Peachey Belt feel as if their needs for safety and security have not been adequately addressed.

I understand that police statistics show that the crime rate in that area has dropped—and that is to be welcomed—but there is one issue that has come up on a number of occasions at community forums I have held and resident association meetings, as well as through direct contact with my office—that is, the issue of monkey bikes, or unregistered mini bikes, in that area. These bikes pose a significant safety issue for residents when they are misused. Putting aside the noise issues associated with these bikes, they are a danger to pedestrians, other road users and the riders themselves when they are illegally used. They also generate a great deal of property damage.

Most of the riders of these monkey bikes do not wear protective gear and generally ignore the road rules. From the community forums I have held in both the Munno Para and Smithfield Plains area, the problem is so serious that it is only a matter of time before someone may be killed by them. Irresponsible adults are giving rides to children on these bikes without appropriate head gear. Police, quite rightly, in my view, are reluctant to chase the offenders because, doing so, could result in the death of the rider, passenger or an innocent bystander.

The question remains: how can this problem be tackled to protect the community at large? The lawful use of these bikes does not pose a problem. First of all, we need to provide safe places where people can use them in a lawful manner because they are a legitimate form of sport for those who use them properly. In this regard, I think that local councils need to work with police and relevant government agencies to identify locations where the riding and perhaps the racing of these bikes can be undertaken in a lawful manner and without danger or nuisance to other people. In relation to the unlawful use of these bikes, we need to take some tough action. Given that police, quite rightly, are not prepared to chase and catch these offenders, a possible solution is to ban them from problem locations or areas altogether. In other words, you would make the possession of these bikes unlawful in certain areas, which could be identified by local authorities, on the grounds that their ongoing misuse poses a serious threat to community safety.

By doing this, you enable their lawful use by responsible owners and deny irresponsible users the opportunity to offend. This ban could be achieved in a similar fashion as dry zones have been created for the misuse of alcohol. In my view, the Commissioner of Police, upon an application from a local council and subject to the appropriate community consultation, could have the power to declare areas monkey bike free. The riding of these bikes would be not only unlawful in those areas but also possession. In this way, police do not need to chase these offenders to stop them. Any person found in possession of a monkey bike in a banned location would have the bike confiscated and an appropriate penalty applied. Law-abiding people in these communities are sick and tired of these irresponsible people putting not only their own safety at risk but also the community's safety.

While I applaud the various anti-crime measures the Rann government has implemented, now is time to start on this problem. I think one of the solutions is to ban them altogether in problem areas.

ELECTRICITY (FEED-IN SCHEME—RESIDENTIAL SOLAR SYSTEMS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 907.)

Mr O'BRIEN (Napier): In returning to this bill, I would like to recap on my observations before the lunch rising. The major thrust of this legislation—the notion of a feed-in tariff—is a very tangible example of the impact the Thinkers in Residence program has on policy development in South Australia. The legislation is also an enabler for the attainment of target 3.12 of the South Australian Strategic Plan, which is a 20 per cent supply of electricity from renewable energy sources by the year 2014. The legislation will send a clear price signal to the community as to the improved affordability of solar power. To continue, determinations for payback on solar systems are difficult to calculate, but have ranged between 15 and 30 years. The recently introduced commonwealth government rebate of up to $8 000 on newly installed domestic solar electricity systems will have a considerable impact on the payback time, but the missing ingredient has been the introduction of a premium feed-in tariff (as set out in this bill). Consumers will now have a double enticement for placement of solar panels on their roofs: a federal government subsidy on the cost of installation; and a state government mandated premium payment of 44¢ per kilowatt of power generated, which will further reduce the payback time on the residual capital invested.

Much of the literature on greenhouse gas abatement and climate change talks of the low-hanging fruit—the actions that can be taken in the short term to stem further rises in greenhouse gas concentrations in the atmosphere while the more substantive measures are put in place. By 'more substantive measures' I mean the technologies that would flow as a result of the carbon emissions being priced through Kyoto mechanisms, as reflected in schemes such as the state-based carbon trading scheme devised by South Australia and

the other states. Ironically (if I could use that word), this particular pick of a low-hanging fruit over time and with a takeup by most South Australian households could prove to be more than an early measure to hold the line against further concentrations in CO_2 atmospheric concentrations. It could well become a major tool in reducing our emissions to the desired Kyoto targets, as incorporated in the South Australian strategic plan. Target 3.5, entitled 'Greenhouse gas emissions reduction', sets out the target as follows: to achieve the Kyoto target by limiting the state's greenhouse gas emissions to 108 per cent of 1990 levels during 2008-12 as a first step towards reducing emissions by 60 per cent to 40 per cent of 1990 levels by 2050. I commend this bill to the house and look forward to further government initiatives for the picking of further low-hanging fruit.

Mr HANNA (Mitchell): I am speaking in support of this government initiative in the Electricity (Feed-In Scheme—Residential Solar Systems) Amendment Bill. It is a great idea. It is one for which I and many other members of the house have called for some time. The fact is that it is already happening. A number of very conscientious citizens have gone out of their way and put their hand in their own pocket to have solar systems attached to their roof. It does work and it is only to the benefit of us all, as well as the individual, to have additional encouragement in terms of a feed-in bonus. The feed-in, of course, refers to a guaranteed payment of 44¢ per kilowatt for every bit of juice transferred from the householder back into the grid to be used by others. That is more than double the current retail price of around 18¢ per kilowatt, so there is a clear benefit. That is tempered somewhat by the fact that there is a GST issue. Generally, the householder will not be a GST entity. They have to pay GST on the electricity they receive but they do not get back the GST, neither can they charge GST in respect of the electricity they sell back into the system. I have written to the federal minister about this issue and it is most regrettable that I have made no headway. It is an anomaly which does not sit well with the federal Liberal government's profession that it wishes to do something about climate change.

I want to take a particular tack in relation to the legislation by looking at the German example. I believe we can learn something from the way in which they do this sort of thing. The latest figures I was able to obtain show that Germany has about 700 megawatts of solar capacity installed compared to Australia's two megawatts. Germany has created 21 450 jobs out of this industry—so it can be extremely good for employment. Of course, Germany does have about four times the population of Australia, but they have only about half our sunlight. When one makes the adjustment for the higher population, Germany is more than 1 000 times the solar capacity we have installed in Australia.

What is the difference between Germany and Australia? One of the most critical things is that Germany has had a feed-in law for some time. It is further proof that this does work; and it is a tremendous encouragement. But it goes one step further, and this is an important difference I think we can learn from. The German feed-in tariff is guaranteed for 20 years so, if someone puts their solar panel on the roof, they know that for 20 years they will get the guaranteed payment of electricity and they will have that benefit. That is a shortcoming of this South Australian legislation, because it has that sort of guarantee for only five years. I would hope that in five years' time whichever government we have would not be so backward as to take away the benefit from those who have installed solar rooftop capacity.

As I have pointed out, there is a benefit to the whole community because the installation of solar rooftop capacity will reduce greenhouse emissions. It will help the government achieve the greenhouse emissions targets that it has set, even though they are relatively easy ones, I might say. This will be all the more important when we have major projects such as the Roxby Downs expansion coming on stream.

There is another shortcoming that I would like to point out in relation to the bill, and that is that it just refers to domestic energy users. If it is a good idea, why not extend it to commercial users as well because, after all, they will have much more space? In my area, for example, and I know it is not too far away from minister Conlon's area, is the Mitsubishi plant at Tonsley with that enormous flat roof. My mind boggles at how many thousands of watts could be produced from that.

I will make one more reference to Germany and the sort of scale they are doing this on. Currently, there is a project being worked on that is a 40 megawatt solar park (so that, in itself, is about 20 times Australia's solar capacity) at a former military base. The total surface area is comparable to about 200 soccer fields. That is mind-boggling, and shows just how far ahead they are. However, credit is due for this small step forward.

I think that, rather than a see-how-it-will-go approach, we could have been a lot bolder and have something a lot stronger with long-running guarantees and an extension beyond residential uses. Compare this proposal to what has happened in relation to rebates for rainwater tanks. We acknowledge that there is a water shortage in South Australia and, in the past, there has been a rebate for rainwater tanks of $400 a tank. That was only attracting 140 rebate requests in the first nine months, and during that time the water crisis only deepened. Only when the rebate was doubled to a maximum of $800 did applications increase to around 140 a month. My point is that the government has a very key role to play here and, with a small additional incentive to consumers, you can have a massive positive benefit—for the consumer, yes, but also for the whole state.

In summary, this is a good bill, as far as it goes. It could go a lot further. The minister might wish to take a trip to Germany to see how they do things there, because they are way ahead of us. I commend the bill to the house.

Dr McFETRIDGE (Morphett): I will not keep the house long. I support the bill. The only issue I raise is why this is confined to domestic users. I cannot remember the exact time, but the Premier announced a similar pricing scheme for schools, and I asked the minister in estimates committee about this and she did not know anything about it at the time and I was going to get an answer but I have not had one. There is a fantastic scheme funded by the government—to give it its due—to put solar panels in schools. Because of the fact that schools are shut for nearly 3½ months of the year, they are in a perfect position to get some funds back into their funds which are being increasingly stretched, by a rebate scheme such as this. So, I ask the government to consider extending this to the public school system. It is not something that is difficult. The solar panels are going in at government expense and, certainly, the opportunity is there. Having said that, I support the bill.

Mr PEDERICK (Hammond): I seek to applaud this bill. I think the use of solar panels is excellent, but I do have a bit of an issue with the mini wind turbines on government buildings. I think it is a fairly tokenistic approach—in fact a totally tokenistic approach. I wonder why with this bill we have not encouraged the use of small wind turbines, that some people in renewable energy situations use to supplement their solar energy power. I have one constituent who has a small wind turbine, as well as solar energy, and already puts power back into the system. So, I am a bit disappointed that that has not been incorporated into the bill, because people are a bit more adventurous in what they can do, especially when they cannot hook in directly to the powerline. I note that the debate is so much about emissions and climate change, but is the elephant in the room nuclear energy?

Mr Kenyon interjecting:

Mr PEDERICK: I am talking about baseload power here. I think it is great to have targets of 20 per cent for renewables, and I think that is great for low emission technology, but we really do have to look at where we are going with baseload energy in the future. I would certainly like to see geothermal get up. I know there are issues with getting through the hard granite up there at Innamincka and splitting it to access that energy but, hopefully, they will get there in the longer term. It really intrigues me that we have a Premier who is happy to embrace uranium mining and sell it to others overseas for their power generation but he will not even give the people of this state the right to even debate the issue.

The Hon. P.F. CONLON (Minister for Energy): I thank members for their contributions. I will deal with them in order, if I can. Firstly, there is the lead speaker for the opposition, and I will deal with the two parts of his contribution. The first part of his contribution was a kind of diatribe about why the privatisation of ETSA was so good for us all. I will deal with his main point last, but, as to the ETSA privatisation, I will deal with some of the arguments he used to promote that, because he put them on the record here and, frankly, I was astonished by what he had to say. He said that because of the privatisation and competition we had done so well we were now cheaper than New South Wales and Queensland. I will refer to the figures for South Australian energy use—and I wish they were lower. And this is because of the use of summer peaks as well. But we have done a very good job, and I will come back to that in a moment.

However, the figures are: South Australia, between 18.172¢ per kilowatt hour and 19.602¢ per kilowatt hour; new South Wales, Energy Australia, as an example, the first 750 kilowatt hours, 12.87¢ per kilowatt hour, then 17.93¢ and their most expensive price is below that; and Queensland has a retail price of 14.05¢ per kilowatt hour. It is simply impossible to assert that the price is cheaper here. There are a number of reasons why it is more expensive. The biggest two reasons are that the cost of fuel is higher here because it is mostly natural gas, and, of course, the network costs from an extremely volatile system are higher than most other states. But you do have to deal with facts when you come in to argue a bill. Before I move off retail I will say this too: the opposition spokesperson claimed that it was privatising ETSA that led to the introduction of competition which led to a downward pressure on prices.

The statement is sheer hypocrisy. The opposition spokesperson knows—or should know—that, despite their own promises and announcements, when the previous government privatised the retail market it sold it to a single monopoly retailer. If you think we can get competition by selling to a single monopoly retailer, you have a much different view of what competition is than I have. It was one of our most difficult tasks, and one way to bring it under control was to get some competition into that sale. I say this despite the fact that the opposition had promised in its original announcement about the sale that it would sell it to a number of different businesses.

The spokesperson then went on to say that the sale of ETSA—and all those good things—meant that we had become a net exporter of electricity. I do not think that you could demonstrate a greater absence of knowledge of the South Australian market than to say that. Year in, year out, we have been a net importer of electricity—somewhere between 2 000 and 3 000 gigawatt hours each year. The member for MacKillop relies on the most recent months where an aberration has occurred because of the drought conditions. I can assure the member for MacKillop that, year in, year out, we will continue to be a net importer until greenhouse costs catch up with brown coal generation in South Australia.

The other factor that makes a difference is the fact that South Australia—and this government—has been so successful in bringing wind farms to the state. So, there is contribution there in low-demand environments. I do not want to spend too much time on this nonsense: the notion that, despite all that, ETSA set us up. They never balanced the budget. The previous government privatised ETSA and never balanced the budget. They could not govern; they were utterly hopeless. I will leave that nonsense aside. I want to go on to some of the other things.

Mr Williams interjecting:

The Hon. P.F. CONLON: The truth is a painful experience for the opposition. The opposition spokesperson spent 20 minutes bagging it and then said he would support the legislation. That is because he does not have the courage to oppose it. He does not like it, but he does not have the courage to oppose it, because he knows that it is the right thing to do. He knows that it is a very good idea, but the truth is that the member for MacKillop could never acknowledge that Labor has done anything right. It is a character flaw, but that is his business.

The member for MacKillop went on to criticise by saying that he had spoken to Lew Owens, who had told him that they would not actually feed anything much back into the grid from solar panels. The small problem that the opposition spokesperson has is the facts of the matter. At present, people with solar panels are feeding a significant amount of electricity back into the grid. The member says that Lew Owens quoted that the average household demand was two to three kilowatts per day, and the average PV system was 1.5 kilowatts, therefore they could not be feeding anything back into the grid; the system is smaller. Well, he ignores the fact that they do feed back in, and I will come back to that in a moment.

The member for MacKillop also ignores the fact that people who put PV (photovoltaic) panels on their roof are actually switched on to the need to reduce greenhouse emissions and the need to be friendlier to our planet. They are likely to use less power than those who are not switched on to that idea, and that is why they do feed power back into the grid. We did not base our assumptions on some quote—or alleged quote—from Lew Owens, but on the fact that we had provided actual metadata for the 2005-06 financial year. It showed that over a million kilowatt hours had been returned

to the grid from around 1 000 residential solar systems. Again, there is not a skerrick of fact in the contribution of the lead speaker for the opposition.

The member for MacKillop also said that Lew Owens had said to him that the scheme would have no impact on the network, that is, no positive impact in distributed generation and making it work better. Now, why would Lew Owens say that? If it did have a positive impact on the network, and Lew acknowledged that, then he would not be able to ask for as much money for the network as he does from the regulator. I will just explain that to the member for MacKillop in case he does not understand it. Lew Owens would not say that it improves the network because, if he did, he would have to give money back. Just so that you understand, when you take advice from people, and quote them, you have to understand whether or not they have an interest, and whether the person responsible for running the distribution network has a keen interest.

I think a more reasonable question—it is forgivable anyway—was about why photovoltaics had been singled out, and why it is not open to wind or other technologies. The criticism of the member for Hammond was that the many turbines on the State Administration Centre are tokenistic. That is not the case. The reason it singles out photovoltaics is that photovoltaics are the renewable system available at present to put into residential households in the metropolitan area. It is true that you will see contributions made from small wind turbines in rural areas, but the truth is that there is a lot of work to be done before that technology is—on my advice—suitable for residential areas. It has not flowed out there.

An honourable member interjecting:

The Hon. P.F. CONLON: I will explain all this to you at some length, if you like—not in here, but I will give you a briefing on it.

Mr Williams interjecting:

The Hon. P.F. CONLON: If I had made as many mistakes in one speech as the member for MacKillop, I would learn a little humility and I would learn to listen and learn to learn, but that is not in his nature. The reason there are many turbines on the State Administration Centre building is that we are testing them; we are trying to prove that it can be done. There is no point in our going out and building a feed-in law for systems that are not suitable to go into the grid at present. It has a five-year lifetime, and we will continue to look at those things.

We already have more grid-connected solar panels than anyone else in Australia. We have about half of them in Australia. We have more wind power going into our grid than anyone else in Australia. We are the outstanding success in this country in the creation of renewable power, and we are the first people to create a feed-in law. They say, 'What has it got to do with you?' I will tell you what it has to do with us. When we came to government, do you know how many wind towers were operating in South Australia, feeding into the grid?

An honourable member: None.

The Hon. P.F. CONLON: None—not a single one of them. Now South Australia is a world leader—

An honourable member interjecting:

The Hon. P.F. CONLON: Wayne Matthew did it! In Wayne Matthew's mind he did a great many things, but most of what he did was on the telephone, in my experience. That is the simple truth of the matter. I have a lot of regard for the member for Hammond; he is a decent fellow. He owes me a couple of signs but we will get onto that later. In terms of nuclear power, he is quite entitled to raise that debate but, instead of going through it here, I would invite the member for Hammond to come and see me for an hour or so and we will go through the economics of nuclear power. At the end of that hour, setting aside all the politics and the ideology of it, you will see why it is a nonsense to think that there will be nuclear power—

Mr Pederick interjecting:

The Hon. P.F. CONLON: Well, if at the end of that hour you still believe that nuclear power is an option for South Australia, I will be very surprised because—

Mr Pederick: You're happy to sell yellowcake.

The Hon. P.F. CONLON: I am not only more than happy to sell yellowcake, I am on the record and in the public advocating the use of nuclear power in China. But what I am saying to you is that if you can just set aside your ideology, your political biases and all the nonsense for the moment, I am quite happy to sit down with you and explain the economics of it and then you will understand, because someone who comes from a party which supports the marketplace will understand why there will not be a nuclear generator in South Australia in our lifetime, not unless somebody has a big heap of free money somewhere.

Mr Williams: Explain the economics of PV generation.

The Hon. P.F. CONLON: I will explain the economics of PV generation, and I will come back to this point about schools. Again, from the opposition we have completely divergent viewpoints. The member for MacKillop says it is not a good idea and that it should not happen. The member for Morphett says that it is a great idea and that it should happen more. You get used to dealing with that from the opposition. I will explain the economics of photovoltaic power. People who care about the environment—and I will challenge the member for MacKillop on his silly assertions—are prepared to pay a big upfront cost for photovoltaic panels which can supply their homes with renewable energy. It is a decision they can take; it is a decision for them. What this does—

Mr Williams: No, you're subsidising them.

The Hon. P.F. CONLON: Exactly, and if you would let me finish the sentence, what I would say is that the intention of this is to reduce the payoff time on that upfront investment because we think it is a good—

Mr Williams interjecting:

The Hon. P.F. CONLON: Look, your mate thinks it is a good idea. If you do not think it is a good idea, have the courage to oppose it. As I said before, you have a heart like a split pea. Have the courage to stand up for your views. If you do not like greenies, renewable power or people who choose to have a cleaner environment, get up and vote against it, but do not hide behind it in here. The truth is that those people are prepared to put their money where their beliefs are and have a cleaner environment in their own home and, as a government, we are prepared to reduce the payoff time for that. We are prepared, as a government, to give them encouragement. That is why we were prepared to put solar panels in schools.

Mr Williams interjecting:

The Hon. P.F. CONLON: Here we go! Vote against it, then. Go on! Put your hand up and vote against it if it is such a bad idea. You weak, weak individual. He knows it is a good idea.

The DEPUTY SPEAKER: Order! Could you reduce the volume a little.

The Hon. P.F. CONLON: The member for MacKillop does not like people who like the environment; it is as simple as that. He does not believe they should get any support. He says it is only—

Mr Williams: You're saying one thing and you're doing another.

The Hon. P.F. CONLON: He says it is only for wealthy people. I have to take him to meet a constituent in my electorate who grows his own vegetables, has a limited income, a low electricity use and photovoltaic panels on his roof because he has a bigger heart than you, he believes in the environment and he is prepared to spend on what is important. I am prepared to help him out. As a government, we are prepared to lower that payback cost for him. It is the same reason we are prepared to put photovoltaic panels on schools. Do not forget that it is not simply about the economics of photovoltaic panels: it is also about the culture it creates of understanding and caring for our environment. The simple truth is that South Australia—

Mr Williams interjecting:

The DEPUTY SPEAKER: Order! Interjections will cease.

The Hon. P.F. CONLON: South Australia has the lowest carbon footprint from electricity generation in Australia, and this is one small part of it. There are other bigger parts, but this is one small part of it. What this bill is about, whether or not you like it—and it does not extend to the commercial users, because we feel they can make the contribution themselves—is that we do not feel that ordinary electricity users should fund the commercial photovoltaics. We believe that there is a range of answers and we have been calling on the federal government to introduce an emissions trading scheme for years. I went to electricity ministers meetings for three years where the federal government refused even to discuss it, of course until it discovered that the people had got ahead of them; and now, of course, we are going to have an emissions trading scheme because the people of Australia have got ahead of them. I say to the member for MacKillop that the people of South Australia have got ahead of him on this. They have got way ahead of him. He can have his caveman views, but what he should have the courage to do is vote with his caveman views and vote against it, not hide behind a vote in here. People who are prepared to reduce energy emissions by taking on the big upfront cost of photovoltaics, I believe, deserve this little bit of support from the government and the community. I commend the bill to the house.

Mr Williams interjecting:

The DEPUTY SPEAKER: Order! I remind the member for MacKillop that he has already had two warnings.

Bill read a second time and taken through its remaining stages.

RAIL SAFETY BILL

Adjourned debate on second reading.

(Continued from 12 September. Page 772.)

Dr McFETRIDGE (Morphett): I inform the house that I am the lead speaker on this, and that the opposition will be supporting the bill. This is not as large as the Legal Practitioners Bill, which has been spoken about in this place, but it is still a large document of 105 pages, 158 clauses, with 39 model regulations attached. I thank my two part-time researchers, Heidi Harris and Julia Mourant, who have worked very hard in researching the bill, talking to some of the stakeholders. Whilst I do not have the luxury of ministerial staff and a whole department, I remember that the minister did make an offer at the Road Transport Association meeting to the former shadow minister for transport to provide extra staff. If he would like to do that for me, I am more than happy to accept a couple more full-time staff in this job.

The bill is an act to make provision for rail safety and other matters that form part of a system of nationally consistent rail safety laws; to amend the Railways (Operations and Access) Act 1997; and to repeal the Rail Safety Act 1996. Having looked at the accredited railway organisations in South Australia, there are some 45 organisations—everything from TransAdelaide to OneSteel Manufacturing, Limestone Coast Railway, Gypsum Resources, and a lot of others. The need to have accreditation in South Australia is something that we all agree on, and certainly this bill goes a long way towards making the accreditation nationally recognised.

The government has introduced the Rail Safety Bill, which repeals the Rail Safety Act and implements the National Rail Safety Bill 2006, developed by the National Transport Commission in consultation with rail organisations, including the Australasian Railway Association and the Rail, Tram and Bus Industry Union, and rail safety regulators across Australia. The bill aims to provide for the safe carrying out of railway operations and management of risk associated with those operations and to promote public confidence in rail transport. The bill is unanimously approved by the transport ministers throughout the Australian Transport Council, and is part of the process to implement a nationally consistent framework for the regulation of rail safety across the national rail network over the next five years.

Rail operators and infrastructure managers are required to gain accreditation from a state or territory rail safety regulator before they may operate in that jurisdiction. This will improve national consistency of rail safety regulation, reflect contemporary developments, and improve safety outcomes. The bill will contribute to improve rail and workplace safety, as well as protect existing rail infrastructure; clarify the criteria for and purpose of accreditation; strengthen the requirements for all rail transport operators, safety management systems and consultation requirements; allow for approval of compliance codes; enhance audit and enforcement powers and options and improve existing review mechanisms; and provide a better sharing and reporting of data and information regarding rail incidents and accidents. South Australia's existing legislative position in relation to independent inquiries into rail accident or incident provisions relating to drug and alcohol offences and testing will be retained.

The bill introduces consistency with the Road Traffic Act by introducing a new offence of having a prescribed drug in one's oral fluids or blood while carrying out rail safety work, and provides for a rail safety worker to be required to submit a drug or alcohol test following an accident or incident. The bill also allows for a range of minor variations. The local variations include a provision that the Crown is to be bound but not subject to criminal liability in accordance with the policy; provision for ministerial exemptions and delegation of the regulator's powers; retention of existing ministerial power to set fees by publication in the *Government Gazette*; and there are about another 10 local regulations, of variations, which were outlined in the minister's second reading speech.

Currently, rail safety in South Australia is regulated by Transport SA. All railway managers and/or railway operators within South Australia are required to be accredited in accordance with the Rail Safety Act 1996. Transport SA's rail service section is responsible for, amongst other things, the promotion, maintenance and enhancement and safety of private and public sector railways operating in South Australia; rail safety accreditation for railway owners and operators in South Australia in accordance with the National Australian standards AS4292 and the Rail Safety Act 1996; rail safety audit programs; accident and incident data collection investigation; the provision of specialist advice to the Minister for Transport and the rail transport industry on operation and engineering safety policy; coordination of the State Level Crossing Strategy Advisory Committee; assistance in the development of level crossing interface agreements for use by road and rail operators in South Australia; and a number of other things.

Whilst the issue of safety of rail crossings is still being discussed by members of the various national committees, rail crossings are covered in part 9 of the act. In the news release on 8 February 2007, the National Transport Council noted the following:

> Road and rail infrastructure managers must also comply with new laws to manage safety risks at road-rail interfaces, such as level crossings, by 30 June 2010.

Whilst we have been researching this bill, a number of stakeholders have commented on it and given some of their ideas on how the regulations could be looked at. They have raised some questions about how the bill is actually going to work. One question was about the history of the development of this bill and the fatal rail crashes, such as those at Glenbrook and Waterfall and, more recently, Lismore and Kerang, and certainly we all remember the Salisbury level crossing accident a number of years ago. But the comment put to me was that it needs to be explained where the current system failed in these incidents and how this bill will protect against these incidents happening again. There were other comments given to me on various sections. There was reference to clause 17 which concerns the functions of the Rail Safety Regulator, and it provides that the regulator's functions include the administration, audit and review of the accreditation regime. It also goes on to provide that the regulator's role involves the collection and publishing of information, and the provision of advice, education and training. The comment was:

> Will the regulator be a registered training organisation, and will the regulator assume responsibility for all rail safety training for all organisations, and at what cost? Currently, rail operators are responsible for their own training.

The other comment made was under the heading 'Rail safety'. Clause 28—'Safety duties of rail transport operators'—sets out a number of things that may constitute an offence by an operator. One of those (and one that everyone talks about) is fatigue management which, according to the comment here, is one of those areas that everyone talks about but few understand. The comment is as follows:

> This is a grey area that has no standards or approved guidelines that I know of. There is a formula used that is provided by the Centre of Sleep Research at Flinders University that is applied. The purpose of this is for companies to provide enough time between shifts for staff to rest and have the opportunity to sleep and avoid fatigue. Unions argue that it also includes workload, which it doesn't. . . what are the prescribed limits and measures on fatigue management and the definition of fatigue management?. . . What is considered a safe fatigue score by the government? How would it be monitored, what is the organisation's responsibilities and what are the workers' responsibilities?

Some of the other comments that have been put to me relate to the health and fitness program. Under clause 65—'Health and fitness management program'—a rail transport operator is also required to have and implement a health and fitness program for rail safety workers. The comment was made that there was no need for this clause, as rail safety workers must meet the national rail health standards, and people must be responsible for their own health and fitness on their own time at their own risk. That is open to argument, but it is a comment that has been put to me.

Under clause 68—'Fatigue management program'—a rail transport operator is required to prepare and implement a program for the management of fatigue of rail safety workers. The program must be in accordance with prescribed requirements. The question was: what are the prescribed requirements? The comment was that this clause should not be in the bill as it is stated in other documents; it sits in occupational health, safety and welfare bills and could well affect an EBA or award conditions as it involves time off between shifts and the ability to rest. Fatigue involves scientific studies and can affect the workforce; for example, three consecutive shifts with start times between 2 a.m. and 4 a.m. will give a high score.

It says in clause 75—'Investigation of notifiable occurrences'—that the regulator may provide a copy of the report to other persons or publish a report. The comment was made that the regulator's report should be public property, unless it presents a security risk. In terms of division 7, clause 76—'Audit of railway operations by the regulator'—the comment was made that this clause should also seek to ensure that there is no conflict of interest, as most regulators come from rail organisations and may well be auditing their own previous work or procedures. This also applies to clause 121—'Appointment of an investigator'—where the comment was made that this clause should also seek to ensure that there is no conflict of interest, as most regulators come from rail organisations and may well be investigating their own or previous work.

Part 9—Miscellaneous, division 1—'Management of rail corridors, crossings and public works': clause 143 ('Installation of control devices') provides that a rail transport operator may, with the minister's consent, or must, at the direction of the minister, install and operate traffic-control devices at a level crossing in connection with the operation of the railway. As I have said, this is being looked at in more detail by the ministers and they are to report back next year so that new legislation can be enforced by 2010. The comment here was that this clause was fine, but there needed to be a similar clause covering safety devices on locomotives, railcars and trams. This should cover vigilance control systems, as this was a major contributing factor in the Waterfall incident, and recommendations on vigilance were part of the finding. These are an important part of rail safety and are used in investigations to determine cause.

The other comment that has been brought to my attention was made by the Association of Tourist and Heritage Rail Australia which was concerned that, while a national model was being adopted, model regulations were not complete and it was impossible to determine whether future changes would have a significant impact on the tourist or heritage sector. In the April 2007 newsletter of the South Australian Chapter of

the Railway Technical Society of Australasia, the section 'Chairman's Chatter' states:

> The Council of Australian Governments (COAG) agreed last December, with much fanfare, that state and territory governments will adopt uniform national rail safety regulations. But here's the rub. Success is dependent on the states and territories each passing the necessary legislation and introducing uniform regulations. Already we have seen one state do its own thing, by promulgating regulations that are not fully consistent with the national model. Unfortunately it's very easy to get confused when a statement of intent, all dressed up with hype and spin, sounds so much like an announcement of change that we are led to believe that some improvement has actually been implemented. This is not yet the case, so we continue to wait with bated breath. And uniform regulation will do little to ease the burden of having to deal separately with multiple regulators—six in the case of the interstate network.
>
> Although most rail passenger operators run trains only within their home state, the majority of freight operators on non-specialised networks cross state borders. To have just one interstate registration, like our cousins in the road transport industry, would be a great step forward in eliminating bureaucracy and effort, effort that could be directed into more productive activities. We have uniform traffic rules (albeit with some minor and at times puzzling local variations). Maritime safety is managed nationally, as is the aviation industry. Why must rail remain so inefficiently different?

The last comment I will make on this is in reference to an email that arrived at my office just recently. It is actually about the tramline and rail safety accreditation, and I will read from it directly. It states:

> How come Conlon and Hook don't need rail safety accreditation under the Rail Safety Act to build a tramline, when everyone else does? Has Conlon given him and Hook an exemption? Has Conlon broken the law?

I would like the minister to explain that. I understood that the tramline was being overseen by TransAdelaide, and it does have accreditation, but that question has been put to me and it would be nice to get an answer. With that comment I conclude my remarks, and say once again that the opposition supports the bill.

Mr O'BRIEN (Napier): I support this bill. This bill aims to improve rail safety and to increase the consistency between the different state jurisdictions across Australia. The content of this bill is technical in nature and covers issues such as occupational health and safety and welfare regulation for rail workers, including drug testing and fatigue management programs. This bill also covers safety requirements regarding rail infrastructure and rolling stock. Safety regulation of the rail industry by Australian state and territory governments is based on a co-regulatory model. Rail operators and infrastructure managers are required to gain accreditation from a state or territory's rail safety regulator before they may operate in that jurisdiction. Naturally, however, many rail operators work across state jurisdictions—and I think that would apply to the majority of operators—and they reasonably expect a level of consistency across the nation.

In February 2006, the Council of Australian Governments recognised the importance of a nationally consistent legislative framework for the regulation of rail safety across the national rail network. This bill adopts the model National Rail Safety Bill 2006, which was developed by the National Transport Commission in consultation with rail organisations, including the Australasian Railway Association, the Rail, Tram and Bus Industry Union and rail safety regulators across Australia. The model national bill was unanimously approved by transport ministers through the Australian Transport Council. In South Australia, this bill will repeal the Rail Safety Act 1996. This bill is an example of collaborative federalism working as it should. The states have not only recognised the need for national consistency but also retained the right for local variations to meet local needs.

In South Australia, we have retained some aspects of the existing Rail Safety Act, including the ability to grant ministerial exemptions and setting fees by gazettal. One example of this is that, under the current legislation, not-for-profit tourist and heritage rail operators, which play a very significant part in our tourism industry and which are staffed by volunteers, have their rail safety accreditation fees set at zero dollars by ministerial notice in the *Government Gazette*. This practice is intended to continue in the future. It is unlikely that many of these operators could continue to provide their service to the community were fees to be levied in accordance with those payable by operators in the commercial sector. In addition, it would create the potential to require them to divert their limited financial resources away from managing the safety of their rail operations. Nonetheless, these operators are required to obtain accreditation and meet all their safety duties under the act.

It should be noted that the regime is scalable to size and risk profile of operations, thus imposing a lesser compliance burden on small tourist and heritage operators than upon their larger commercial counterparts. This strikes me as being wise risk management and protects our tourism rail operators in the Mid North of the state and in the south around Victor Harbor and Goolwa. Rail safety best practice is not a political issue: it is a matter of using best available expertise. This expertise should be largely applicable across Australia. As state governments, we seek uniformity on technical matters and this bill demonstrates that reality. This uniformity, in time, will reduce costs for both business and government and, most importantly, should provide the best possible levels of rail safety. I commend this bill to the house.

Mr PEDERICK (Hammond): I rise today to speak in support of the bill. Rail safety is certainly on the mind of people in regional areas. The high speed rail line from Melbourne to Adelaide passes through the seat of Hammond, and interconnecting with that are feeder lines from the Mallee—that is, from Loxton via Karoonda to Tailem Bend—and the line from Pinnaroo to Tailem Bend. One issue I have with the Loxton to Tailem Bend line is that Australian Zircon is soon to begin commercial operations at Mindarie. I think that is a great boom for the area, especially in times of extended drought as we have now, and it is certainly providing jobs for farmers who can work four days and then return to their farms for four days and improve their income in these tight times. The issue we have is that there will be three slow trains a week (which, I think, are restricted to about 60 km/h because of the standard of the rail line).

This will present something different to the people in the Mallee who are not used to the frequency of the trains, albeit only several times a week, but they are not used to trains travelling through those crossings. Over the years, we have seen many deadly accidents at crossings and most, if not all, can be avoided. Therefore, I would be urging the authorities to do all they can to have the appropriate signage in place so that we do not have a tragedy or a severe accident on that line. In a bipartisan way, I commend the member for Bright for her Appropriation Bill contribution to the house on 19 June. She made the comment that we are making the single biggest investment in public transport infrastructure that this state has seen in more than a decade. She said that it demonstrates our commitment to revitalising and modernising our state's public transport system.

Mr Griffiths interjecting:

Mr PEDERICK: Absolutely; it's maintenance. Then she went on to talk in particular about the $115 million—

The Hon. P.F. CONLON: Mr Speaker, I rise on a point of order. I am struggling to understand what the contribution of the member for Bright on the Appropriation Bill has to do with rail safety.

Mr PEDERICK: Well, it was all—

The SPEAKER: Order! The member for Hammond will hold his guns for a moment. I apologise, I have been distracted and I have not been listening to the member for Hammond's contribution, but I will listen to it. He does need to speak to the bill.

Mr PEDERICK: Thank you, Mr Speaker, for your protection which was sorely needed. The Minister for Transport is having a crack at his own budget line on maintenance of railway lines that have been severely neglected by this government—as has infrastructure right across the regions. We are talking about the buckling of railway lines. Is the minister arguing that that has nothing to do with safety? It is put up as a major transport infrastructure program yet it is maintenance which has been let go and which should have been done over many years. The minister has had five years to do this work so there is no point—

The Hon. P.F. Conlon interjecting:

Mr PEDERICK: Okay, that's fine, you will have plenty of opportunity—and I am sure you will. It was intriguing that members opposite are talking about replacing sleepers and improving crossings. It is sorely needed. The member for Bright made her brilliant 6-minute contribution to the Appropriation Bill, and I was waiting for the next part of her speech—which could have continued for 20 minutes—but she thought that resleepering the railway line was the biggest thing in the budget. With those words, I commend the bill.

The SPEAKER: The member for Finniss.

The Hon. P.F. Conlon interjecting:

Mr PENGILLY (Finniss): Patrick, we would like our roads upgraded. You can spend some money on the roads—that is the major issue! I support the bill, which is in the best interests of the rail network and industry in South Australia. I have some rail in my electorate. The Steam Ranger Cockle Train runs from Mount Barker to Victor Harbor so the issue of safety on this particular line is extremely important to both Steam Ranger and those people who choose to travel on the train. Indeed, it is a great attraction to my electorate and provides a great deal of income through the district. Although we do not now have rail on Kangaroo Island, we did have a small train that went from Muston to Salt Lagoon. It was a small railway line with a narrow gauge. I could not tell members whether or not it was safe because it disappeared some time in the middle of last century; so I never saw it. I did have some of the rails in use on my property as part of the sheep yards.

I may be distracted somewhat and I would hate to be distracted, so more relevant to me as the shadow minister for the southern suburbs is that it is important to pick up on the Noarlunga line being taken to Seaford. I acknowledge the contribution of the member for Bright in the Appropriation Bill and her passion for new sleepers. However, it goes deeper than that because this line is a main arterial line which has its fair share of problems. Indeed, my staff member who is in my office at present complains regularly about 'Patrick's trains' and the fact that they are late and there is constant disruption to the service. The line desperately needs extending to Seaford and, yet again, I call for that to happen. Noarlunga council has called for that to be put in place. It is a critical piece of infrastructure. There is not the capacity for a lot of people in the south to move easily between the city and the outer suburban areas. If that line about which the member for Bright is so passionate has new sleepers—which would be terrific—when the line is extended to Seaford I would be a happy man.

The Hon. P.F. CONLON (Minister for Transport): I did not understand most of the questions asked by the member for Morphett, not because they were too complex but, rather, because I could not understand what he was saying. Unfortunately, other members have slightly better hearing than me and did understand most of what he said.

Dr McFetridge interjecting:

The Hon. P.F. CONLON: You certainly do talk too fast. I was going to get some of those headphones they have at the United Nations and get someone to interpret for me. I will deal with a couple of other questions first. I will explain to the member for Hammond the difference between concrete resleepering of a railway line and railway maintenance. We do maintenance all the time. We go and find a piece of track—

Mr Pederick interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: If the honourable member stays patient, shortly he may be none the wiser but certainly better informed. We do maintenance all the time—

Mr Pengilly interjecting:

The Hon. P.F. CONLON: It is hard for someone with my humble ability to deal with all the geniuses on the other side, Mr Speaker, so I will struggle through this. We do resleepering maintenance all the time. Where sleepers have broken down we replace them, usually wood sleepers with wood sleepers. What happens with this is that we take an entire line and resleeper it with concrete sleepers that make it gauge adjustable—a profoundly important step forward because it allows for electrification or conversion to light rail or standard gauge (or whatever) if funds later become available. If members opposite think that is maintenance, then the new *Advertiser* building in Waymouth Street is maintenance, too, because they knocked down an entire old building and got a new one. They have only one building but that is probably *Advertiser* building maintenance. It is a complete nonsense. If it were maintenance it would be a program one would see year in, year out.

Through the lifetime of the previous Liberal government—which was in office for longer than we have been in office, so far—there was resleepering of the Outer Harbor line and it did maintenance on the other lines. It did not do enough of it, but it did maintenance on the other lines. We continue to do maintenance on the other lines, we will do concrete resleepering of the entire Noarlunga line and we are doing a large portion of the Belair line; and they are two profoundly different things. Neither of them has anything to do with this bill but I thought I would help out members opposite in that regard. The member for Bright made a very good speech but I am concerned about the interest of members opposite in her: I think they need to get out more.

I will deal with the questions. I did not understand anything the member for Finniss said because I was trying to decipher what the member for Morphett said earlier, and I apologise.

Mr Pengilly: I can do it again.

The Hon. P.F. CONLON: It is not necessary. In dealing with the questions of the member for Morphett and the omission of level crossing provisions, there was a question about level crossing accidents at Salisbury, Lismore, Kerang, Waterfall and Glenbrook. The first three mentioned were road safety issues; I know there were investigations at Salisbury; and there will be further national transport work on the road safety issues associated with those level crossing accidents. The second two were system-related failures, and both were subject to special commissions of inquiry that have been made public, so I do not think there is an issue there.

Regarding the health and fitness clause, I think the question was: what will it mean? The model regulations will prescribe the present industry standard in volumes 1 and 2 of the National Transport Commission's national standards for health assessment for railway workers.

The question was asked about why all investigations of notifiable occurrences are not made public, and there is a provision for it to be made available to people by the regulator. That is because there are two types. The notifiable occurrences will be a minor matter which may involve an incident with a piece of equipment that is shared by others, if I have got this right. For the information of interested parties, there will usually be an investigation undertaken by the party itself into that incident. Major incidents such as derailments and crashes will have a major inquiry which will be made available to the public. The thing is that this is what the industry has sought and is consistent with the national standards.

In regard to the last question about whether the regulator provides training, the regulator is not a registered training organisation and does not provide training at present, and I do not see why the regulator would be required to do that.

I think the last question is about the installation of the level crossing control devices and the provision dealing with that. Apparently the member for Morphett believes that there should be included a requirement for vigilance devices on trains. The answer is that this is a matter for the operator to consider in developing its own safety management systems. Many operators do use vigilance devices, but the scheme of the act requires the system operator to identify risks and implement measures to control those risks so far as is reasonably practicable, and that is a role for the regulator to enforce. In short, the major answer I would give is that it takes far too long but over many years we have tried to develop national standards for a safety focus for rail operators around Australia that are based on safety and not simply on accreditation.

I will come to the last question of the member for Morphett. Whenever he wants to make some sort of dopey allegation he usually quotes someone else as having made it, and his dopey allegation this time is: did Hook and Conlon—I do not know why he keeps getting into Rod Hook; I thought he liked him, and certainly Rod Hook was the guy who built Holdfast Shores for the previous government, but he does not mind getting into him—but his allegation this time is: did Hook and Conlon break the law by building a tram line when they were not accredited? I assure the member for Morphett that the contractor that built the tram extension, Coleman's, is accredited and that, as much as he might understand differently from me how government works, Rod Hook and I were not down there on the tools driving in spikes or pouring concrete.

An honourable member: Thank goodness!

The Hon. P.F. CONLON: In fact, I never got my hands dirty on it, and I am proud to say that I never intend to pour any concrete or hammer in any nails on rail extensions. In case he wonders about other bills, I can also inform the member for Morphett that the minister for water is not a registered plumber, as much as he might think she should be. I have to say it was one of the silliest questions I have heard. However, I thank the opposition for its support on this bill, and am always happy to try to help out.

Bill read a second time and taken through its remaining stages.

PRINCE ALFRED COLLEGE INCORPORATION (CONSTITUTION OF COUNCIL) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 September. Page 774.)

Mr GRIFFITHS (Goyder): I confirm that I am the lead speaker for the opposition and that the opposition supports this bill. I note that several members on the opposition side of the house are old scholars of Prince Alfred College, and they acknowledged that during our party room debate on this bill.

Simply put, as I understand it, this bill seeks to amend provisions relating to the composition of the governing council of the Prince Alfred College, while also seeking to provide the scope for future changes to the composition of that council without the currently required reference to parliament for such changes. The basis of the bill is the Prince Alfred College Incorporation Act of 1878, and I am again advised that at that time anyone who required incorporation status relied upon a specific act of parliament to do so. This act of 1878 provided for the formation of the Uniting Church and the establishment of Prince Alfred College and provisions relating to the constitution of the school's governing council.

Correspondence from the minister with respect to the bill indicates that Prince Alfred College undertook a review of its governance arrangements in 2004, with subsequent changes supported by the school's governing council in September 2006. So, again, in essence, this bill was only going to support and provide retrospective support for the decision that was made by the governing council.

The bill was only introduced in the last sitting week, so it has been a relatively tight time frame for us to try to consider it and to seek comments from other bodies. However, the opposition has contacted the Independent Education Union of South Australia and the Association of Independent Schools for comment. At this time, I do not believe that any comments had been received, so I take it that those groups have no concerns at all.

The government confirms that the South Australian Synod of the Uniting Church in Australia has approved the proposed change. I note that the current requirements of the act—specifically, section 17(2)—are that not less than one-third but not more than one-half of the members of the council should be ministers of the Uniting Church. Given that the church is supporting the change and the removal of that requirement, it seems to me that this bill should not be held up for very long.

Given the level of support from all the groups involved, the opposition does not oppose the bill. When we talked about it in our party room, an opinion was voiced that it was

a hybrid bill (and I believe that the minister might make a statement about that), and that prior practice had been that it would be referred to a select committee for consideration. However, after talking to members on the other side and the minister, I believe that another action will be taken. I confirm the opposition's support for this bill. We hope that it passes through the house quite quickly.

Mr PENGILLY (Finniss): I rise to support the bill because, being a former student of the school down the road from poor old Princes, I reckon it needs all the help it can get. Many years ago, my former school used to regularly beat it at football and rowing at the head of the river, so it is with a great deal of pride that I rise today to say a few words to try to help it again to get things right. I am sure that Princes needs all the help it can get from a former Saints old scholar! This is a sensible bill. It has come as a result of a request from the Prince Alfred College school council and the Synod of the Uniting Church, and I do not have any hesitation in supporting it. I would just like to reiterate that I hope Saints gives Princes a flogging in the footy, the rowing and everything else for many years to come. However, if it can get this bit right, it might have a better chance of knocking us off.

Ms CHAPMAN (Deputy Leader of the Opposition): Our lead speaker has aptly indicated, on behalf of the opposition, that we are supporting this amendment. As we understand it, this has come at the request of the Prince Alfred College council to remedy a decision made a year ago, I believe, for which it needs authority, and it requires legislative amendment to provide for that authority. I simply add to the debate by indicating that there are a number of private colleges in South Australia which, given the structure of legislative framework that occurred in the century before last, required the assistance of the legislature—indeed, this parliament—to be able to establish themselves as an incorporated body. They include the Methodist Ladies College (which is now known as Annesley College), whose incorporation act was in 1920; the St Peter's Collegiate School Ordinance Act 1849; and the Scotch College, Adelaide, Incorporation Act 1922.

I raise this because I think it is time that each of the colleges that has relied on private legislation needs to consider whether they propose to remain under that legislative framework and require us, as a parliament, to authorise and approve their governance arrangements. If they wish to elect to operate independently of the parliament, it seems to me that that is a matter that they need to at least consider and make a decision on and present that to the parliament, which—quite properly—would be through the Minister for Education and Children's Services. Whilst it is noted that this legislation is effectively allocated to any minister, it would seem to me to be quite proper for the Minister for Education and Children's Services to have the conduct of this matter.

We are now in the 21st century, and to be dealing with legislation today, which was originally made in 1878—or, in fact, to go back even earlier, to the St Peter's Collegiate School Ordinance of 1849—seems to raise a question of whether that is appropriate. It is noted that, if each of the colleges, in considering the matter, decides that it wants to remain effectively under the jurisdiction of this parliament, that needs to be respected. I note that the University of Adelaide, prior to Federation, was legislative based—the first university, in fact, in Australia. So, sometimes there is some historical moment for recognition and continuation of legislation. In the university's case, there is a much clearer reason why it would remain under the responsibility of this parliament, because it receives such significant government funding. I ask the respective colleges to take that into account with a view to how they wish to determine their future, and advise us accordingly.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I express my gratitude that the opposition is willing to allow this amendment to proceed. It is one that was put to us by the governing council of the school and the synod. It is not of our making, although I believe, unlike some people, that one should support the traditional view that, where a school has been constituted with an act of parliament, there are historic precedents. Many of the schools are very proud of their relationship with the parliament and want their position within the constitutional power of government to proceed. I am not of the revolutionary fervour of the member for Bragg who wants to strip—or suggests stripping—those acts away from those schools. Indeed, I have written to the other schools that exist under acts of parliament and I have asked whether, under the circumstances, they would like any amendments or whether they are happy with the position that they are in. Some of them have replied and some of them have not, but I understand that Prince Alfred College is proud of its position and its status, and I support them in wanting to retain their tradition.

I thank members opposite for their support, and I thank those members who want to support the ongoing traditional position of Prince Alfred College.

Bill read a second time.

The SPEAKER: I have examined the Prince Alfred College Incorporation (Constitution of Council) Amendment Bill. It seeks to amend a private act and, consistent with precedent, it is deemed to be a hybrid bill within the meaning of Joint Standing Order (Private Bills) No. 2.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I move:

That Joint Standing Orders (Private Bills) be so far suspended as to enable the bill to pass through its remaining stages without the necessity for reference to a select committee.

The SPEAKER: I have counted the house and, as an absolute majority of the whole number of members of the house is not present, ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

Bill read a third time and passed.

LEGAL PROFESSION BILL

Adjourned debate on second reading.

(Continued from 25 September. Page 892.)

Mrs REDMOND (Heysen): It is my pleasure to resume examination of the Legal Profession Bill. Last night, I got up to about clause 125, if memory serves me well, and I just stopped short of entering into discussion about part 6, which deals with foreign lawyers. I found this to be quite a confusing section to read and come to terms with. I think it relates to allowing and making arrangements for lawyers from overseas to come into this jurisdiction either directly or via another state and obtain an authorisation under this legisla-

tion—which is called registration—that will enable them to practise only foreign law in this jurisdiction.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Mrs REDMOND: That is how I think this clause is meant to be interpreted. I will take a little time to go through exactly what it says.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Mrs REDMOND: If the Attorney wishes to interrupt this matter to deal with some other legislation, he is more than welcome to do so.

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: Well, in that case, it will not be on tonight. I am more than happy for us to interrupt this matter briefly and continue my remarks.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Mrs REDMOND: The Attorney had the opportunity to finish the election of senators bill earlier in the day, but he chose to adjourn it.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order! The Attorney-General will shut up, and he is warned.

The Hon. M.J. ATKINSON: I seek leave to make a personal explanation.

The SPEAKER: You cannot seek leave to make a personal explanation. You can do so at the completion of this business. The member for Heysen has the call.

Mrs REDMOND: Thank you, Mr Speaker. As I said, this issue of legal practice for foreign lawyers starts out incorporating a whole range of new definitions and some of them are fairly obvious like 'Australia' and 'Australian law'. 'Foreign law', not surprisingly, means law of a foreign country. Then we get to local registration certificates which, as I said, seem to indicate that a foreign lawyer can come into this country and obtain a registration certificate and that appears to qualify them to be an overseas-registered foreign lawyer who can then obtain a local registration certificate in this jurisdiction or sometimes they obtain their registration certificate in another jurisdiction (another state or another territory of the Commonwealth of Australia) and they can then come in here.

So, we have this overseas-registered foreign lawyer, and that is someone who is registered in their own country of origin, presumably, to practise law there. 'Practise foreign law' is then defined as 'do work, or transact business, in this jurisdiction concerning foreign law', not concerning Australian law but work in this jurisdiction concerning foreign law. I do not know how often that arises and perhaps people who practise more in family law might have more contact with foreign law being practised in this jurisdiction, but practising foreign law specifically means to do work or transact business in this jurisdiction concerning foreign law which, if it was the sort of work done in this jurisdiction would normally attract the notion of engaging in legal practice here, so it is the sort of work that an Australian legal practitioner would do here if it was local law that is being done on the basis that it is foreign law that is being practised.

Clause 127 specifically provides that this whole part (part 6) concerning legal practice by foreign lawyers does not apply to an Australian legal practitioner, including an Australian legal practitioner who is also an overseas-registered foreign lawyer. So, the idea is that nothing in this clause is going to enable an Australian legal practitioner to be registered as a foreign lawyer under this bill. I have got that far. In order to practise foreign law (that is, overseas law) in South Australia, first of all you have to be registered here; so, rather than being granted a practising certificate which is the mechanism for local practitioners, you have to apply to be registered.

If my memory serves me correctly, you apply to the Law Society rather than the Supreme Court—that is the mechanism by which you get this—and you cannot practise foreign law in this jurisdiction unless you are an Australian registered foreign lawyer. You might be an Australian registered foreign lawyer who is registered in New South Wales who comes into this state to practise or you could be a foreign lawyer coming in and registering directly in this state to practise here. The other alternative is that you can be an Australian legal practitioner practising foreign law in this jurisdiction. You are allowed to practise the law of another country in this jurisdiction if you are an Australian lawyer but, if you are a foreign lawyer coming in to do it, you have to obtain a special registration. Again, the penalty for failure to register and engage in a proper way as provided by the bill is $50 000 maximum.

I found the wording quite circular, as is the case with a lot of the clauses in this legislation. The requirement which appears as subclause (1) of clause 128 that you must not practise foreign law here unless you are in one of those two categories is not contravened if the person is an overseas registered foreign lawyer who practises foreign law in this jurisdiction for one or more periods that do not exceed 90 days over a 12-month period or is subject to restriction imposed under the Migration Act 1958 of the commonwealth that has the effect of limiting the period during which work may be done. Presumably, someone comes in on a limited work visa or some such thing. In addition to being one of those two things, the lawyer does not maintain an office for the purpose of practising foreign law in this jurisdiction and does not become a partner or a director of a law practice. I think I have my head around that so far.

That does not seem too unreasonable, but that issue about not maintaining an office here becomes relevant when we get to the later issues of the keeping of trust accounts and the obligation to put money into trust accounts and so on that appear in the next chapter of this rather hefty bill. One of the things I found peculiar about this bill and the way it is written is that it seems to jump around somewhat. We then have a separate segment at clause 129 which provides that an Australian registered foreign lawyer is, subject to this bill, entitled to practise foreign law in this jurisdiction. I would have thought that would belong way back at the beginning of that particular division or even at the beginning of part 6 just after the definitions but, nevertheless, it appears there, and it goes on to define the sorts of legal services that can be done by an Australian registered foreign lawyer in this jurisdiction.

It is restricted—and it is important to understand what those restrictions are—as follows: Australian registered foreign lawyers can do work or transact business concerning the law of a foreign country where that lawyer is registered. They can provide legal services including appearances in relation to arbitration proceedings of a kind prescribed under the regulations. Arbitration proceedings are quite a narrow concept and, presumably, the regulations will define that even more tightly. They can provide legal services including appearances in relation to proceedings before bodies other than courts, being proceedings in which the body concerned is not required to apply the rules of evidence and in which

knowledge of the foreign law of a country referred to is essential.

Lastly, they can provide legal services for conciliation, mediation or other forms of consensual dispute resolution of a kind prescribed under the regulations. So, it does not authorise them to appear in any court or to practise Australian law in the jurisdiction. They can come in really for the purpose of practising foreign law. I have no idea how many lawyers practise foreign law in this jurisdiction. It seems that there could be some specialty areas—family law, migration law, and the like—but presumably even international building arrangements and things could give scope to the necessity for a knowledge of foreign law in our courts but, more importantly, they cannot appear in the courts but they can appear in our tribunals, and so on, for those purposes.

Despite all of that, though, an Australian registered foreign lawyer can advise on the effect of an Australian law if giving advice on the Australian law is necessarily incidental to the practice of the foreign law here and the advice is expressly based on advice given on the Australian law by an Australian legal practitioner who is not employed by the foreign lawyer. When you start to get into the idea of foreign lawyers who are able to engage and employ Australian lawyers, I think you get into quite a quagmire about what will happen about indemnity insurance, guaranteed funds, and all those sorts of things.

In any event, this bill provides that an Australian registered foreign lawyer can practise on their own account; they can practise in partnership with one or more Australian registered foreign lawyers or one or more Australian legal practitioners; they can practise as a director or employee of an incorporated legal practice, or as a partner or employee of a multidisciplinary practice. That is the area where I think you get into difficulty, as I said, with the idea where liability will rest if, for instance, someone does end up giving advice on Australian law, and all of that area, which they are specifically not supposed to do. The concepts that are put into this legislation will be difficult in practice. They may well be good in theory in the hope of how things will operate, but it seems that there is quite a web, and it will be a very tangled one before we are through. In any event, clause 131(2) basically repeats that nothing that they have put in the earlier section entitles an Australian registered foreign lawyer to practise Australian law in this jurisdiction. Clause 132 provides that—

The Hon. M.J. ATKINSON: On a point of order, the member for Heysen has been thinking aloud for a couple of days now, and is engaging in a clause by clause analysis of the bill, which standing orders would seem to command be done in committee and not at the second reading. I seek your advice.

The SPEAKER: I do not uphold the point of order. The member is free to go through the bill in as much detail as she likes. The only constraints on the member are that she is not repetitive and that her remarks are relevant to the bill. As long as she is doing those two things, there is no constraint, and there is nothing to prevent her from foreshadowing things that may come up during the committee stage of the bill. The member for Heysen.

Mrs REDMOND: In response to the notion that the Attorney just raised, I point out that, had I more of an opportunity to get my thoughts in order about this bill—515 clauses plus a transitional provision schedule—rather than a 4½-hour briefing over Wednesday and Thursday and a 330-page email at 10 to five on Friday, which then necessitated my spending an entire weekend working on it, I would not need to analyse each clause in this way so that I am sure that, as we progress this bill and vote on its second reading, we are not putting ourselves in a situation into which we do not want to put ourselves. I apologise to the house if it is tiresome. It need not have been so tiresome, but it is an issue of the Attorney's own making that it is necessary to ponder the issues that arise from this approach to a complex piece of legislation which will have far-reaching effects for a long time into the future in terms of the way my profession—one in which I was proud to engage—was practised up until now.

I do not intend to actually go through every clause in any event, but the subsequent clauses basically have some requirements about how foreign lawyers are bound by the same compliance rules in terms of advertising and any provisions which might affect them relating to trust accounts.

In fact, on the issue of professional indemnity insurance, it specifically provides that an Australian-registered foreign lawyer must at all times, while practising foreign law in this jurisdiction, comply with one of the following. They must have professional indemnity insurance that conforms to the requirements applicable to Australian legal practitioners in this jurisdiction or, if they do not have that, they must have professional indemnity insurance that covers the practice of foreign law in this jurisdiction and, if the insurance is for less than $1.5 million per claim inclusive of defence costs, they must provide a disclosure statement to each client disclosing that level of cover. If they do not achieve either of those things, they must provide a disclosure statement to each client stating that they do not have complying professional indemnity insurance. So there are some specific provisions, although generally it is the case that foreign lawyers have to be compliant with our rules and ethical obligations.

You may recall that yesterday I was talking about these odd little sections that appear through the earlier part of the bill regarding when you become an officer of the Supreme Court. Interestingly, when we get to clause 142 there is a specific provision stating: 'A locally registered foreign lawyer is not an officer of the Supreme Court.' When I read that I wondered whether that meant the officer does not have the same obligation to a court that those of us who practise the law have always understood—that is, that the obligation to the court is your first and primary responsibility. I accept that the earlier provision says that the foreign lawyer will not be appearing in our courts, as such, and will be restricted to tribunals and arbitrations and work of that nature. Nevertheless, my understanding of the ethical obligation on lawyers practising in this state is that that same obligation in respect of placing your duty as an officer of the court first and above all other obligations would, in practice, apply just as readily if you were appearing before a workers compensation tribunal or an industrial tribunal of some sort as it would if you were actually appearing in the Supreme, District or Magistrates Court. So I am a little puzzled regarding the intended effect of clause 142 and whether or not my interpretation of it is correct—that people coming from overseas practising foreign law in this jurisdiction do not have the same ethical obligations, notwithstanding other provisions about that.

Division 4 then goes on at some length (it seems to me almost too long, going from clause 143 through to at least clause 148, and possibly further) in regard to making an application for registration as a foreign lawyer, and all the details about how that application is to be processed by the Law Society. So (and as I said) there is a difference there anyway because it is the Law Society rather than the Supreme Court that has the authority to register or not. However, it is

a very lengthy provision that does not seem to achieve a great deal other than saying that the society has the right to make inquiries, to require people to provide documentation and, if they incur costs in obtaining information by having to make contact overseas to obtain copies of documentation and the like, then those costs can be charged to the applicant, and so on. Like the registration that applies to all other Australian legal practitioners getting a practising certificate in this jurisdiction, their registration will basically go for a financial year. That is all fairly straightforward, yet it is quite lengthy in the way it is worded—indeed, it goes on through division 6 with the amendment, suspension or cancellation of local registration.

I will just finish my comments, Madam Deputy Speaker (and I am pleased to see that you are in the chair and understanding what is going on far better than I am). I was talking about the quite extensive provisions relating to the registration and to the ability to suspend, amend and cancel foreign lawyers' registration. It seems to me that these are capable of a somewhat briefer description—especially when you look at division 6, which deals with all that, and then division 7, which deals with special powers in relation to local registration and the effect of 'show cause' events relating to foreign lawyers practising here. These seem to repeat earlier provisions in the legislation.

I will not take up any more of the house's time at present, because I am advised that I will have the opportunity to conclude my remarks on this extensive bill. Indeed, if I am able to conclude those remarks in a couple of weeks I may be able to do that much more quickly than I have been able to date. We will then be able to move promptly into committee because, and as I have indicated, we will be proposing some amendments to the legislation at that time. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Mrs REDMOND: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

ELECTION OF SENATORS (CLOSE OF ROLLS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 904.)

The Hon. M.J. ATKINSON (Attorney-General): I had hoped that the member for Mitchell would have been able to conclude his remarks on the bill before us, but, alas, we shall have to proceed nevertheless. Mr Speaker, I just wish to say that the member for Bragg's remarks in support of this bill were nauseating. This bill is necessitated by a Liberal Party attempt to rort the electoral system and to disenfranchise between 40 000 and 50 000 South Australians. The Senate is the state's house. The Governor of this state issues the writ for the Senate election. Since 1903, South Australians have had seven days to enrol to vote for Senate elections. The reason the Liberal Party wants to overcome the Election of Senators Act is that it wants to disenfranchise young people, particularly 18, 19 and 20 year olds who are enrolling for the first time, because it has polling research that shows overwhelmingly that they do not vote for the Liberal Party.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: The Liberal Party also wants to disenfranchise new citizens from Sudan, Ethiopia, Vietnam, Sierra Leone and Liberia because it calculates—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —that newly arrived people from these countries may not vote Liberal in sufficient proportions to be allowed to vote.

An honourable member: They have to be citizens.

The Hon. M.J. ATKINSON: Yes, of course, they have to be citizens, but people from—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: People from those countries become citizens in the minimum period, and the Liberal Party wants to structure the electoral rules so that they have no notice of the election and are required to enrol by 8 p.m. the day the Prime Minister calls the election or they will be unable to vote.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: Madam Deputy Speaker, the member for Frome just referred to me as a goose. I would ask him to withdraw.

Mr Venning: It's totally out of character.

The DEPUTY SPEAKER: It is out of character for the member for Frome, and I am sure that he will apologise and withdraw it immediately.

The Hon. R.G. KERIN: I did not mean to call him a goose: it is just that he is talking like one.

The DEPUTY SPEAKER: Apology accepted.

The Hon. M.J. ATKINSON: Was that an apology?

The DEPUTY SPEAKER: Yes. On this occasion, that was an apology.

The Hon. M.J. ATKINSON: Also the federal Liberal Party has used its temporary aberrational majority in the Senate to reduce from seven days to three days the period during which people who have shifted residence since the last election and people who are already on the roll to three days the period during which they have to correct their enrolment. This will cause no end of confusion to the staff of the Australian Electoral Commission. It is nothing more than an attempted coup: an attempt to rort the electoral system for their own advantage. I would welcome with a light heart the holding of a High Court hearing to compare the validity of the South Australian Election of Senators Act with the new provisions of the commonwealth Electoral Act. I am confident that even the commonwealth-appointed High Court judges could see that the Election of Senators Act is a valid state law and should prevail. I am pleased to see that the member for Mitchell is here, and perhaps he can participate in the committee stage and third reading of this bill.

I would be very interested to see 40 000 to 50 000 South Australians going to the polls at the next federal election and being told that, although they could vote for the Australian Senate in South Australia—the election of Senators from South Australia—they would be unable to vote for the House of Representatives. The reason they would not be able to vote is the Liberal Party. The Liberal Party chose to disenfranchise those 40 000 to 50 000 people by changing the time-honoured consensus and agreement on fairness in our electoral law. If the bill passes, then those people will be unable to vote both for the House of Representatives and the Senate. Make no mistake who disenfranchised them! It was the Liberal Party because it thought there was some advantage in it.

Now, the member for Bragg says that I should ring the Victorian Attorney-General and tell him to introduce similar legislation and get it through both houses of the Victorian parliament. What an inane remark! That is not the relationship that ministers in different jurisdictions have. I am not here to do that particular phase of the dirty work of the Liberal Party. The Victorian Attorney-General Mr Hulls will make his own decision and the Victorian parliamentary Labor Party will make its own decision. If they advise their Governor to issue the writs in accordance with Victorian state law and they are taken to the High Court by the Australian Electoral Commission at the instigation of John Howard and the federal Liberal government, then so be it. I imagine that Mr Hulls, being a lifelong Geelong supporter, has his mind on Saturday's grand final; and I imagine he has his mind on the Cats winning their first premiership since 1963. I fondly remember Dougy Wade and the Geelong team winning in 1963—

Mrs GERAGHTY: I have a point of order, Madam Deputy Speaker. I ask that you ask the very unpatriotic Attorney-General to come back to the bill.

The DEPUTY SPEAKER: Attorney-General, you will address your remarks to the bill.

The Hon. M.J. ATKINSON: I am chastened, Madam Deputy Speaker, and there I will conclude my remarks.

The house divided on the second reading:

The DEPUTY SPEAKER: There being only one no, a tally is not required. I declare that the question passes in the affirmative.

Second reading thus carried.

The Hon. M.J. ATKINSON (Attorney-General): I move:

That this bill be now read a third time.

Ms CHAPMAN (Deputy Leader of the Opposition): I thank the Attorney-General for his oration in what appeared to be blatant opposition to his own bill. In fact, I thought he had reinvented himself in the member for Mitchell in some chameleon transfer. There are two things he failed to do in response. First, he failed to explain why it took his government nearly 12 months to bring this bill into parliament when all other jurisdictions around the country had dealt with it. Victoria put it in December and debated it last week, but every other jurisdiction has dealt with this matter except, of course, South Australia. Second, he failed to explain why suddenly he needs to rush this in, in answer specifically to the member for Mitchell's question, that is, if the Australian Labor Party considers the legislation is so fraudulent and unacceptable as a commonwealth act, why on earth did the government bring it to the parliament? I have a pretty good idea, Attorney. I will not share it with the house today, but I have a pretty good idea. It would be typical of this government to decide that it would be to its advantage to put through this legislation at this time, and it is a matter which I might have something to say about subsequent to the federal election.

Nevertheless, we have indicated our position on this legislation. I am disappointed that the Attorney should masquerade with this pretence of all the reasons it should not be accepted and then introduce the bill himself, without being honest with this parliament as to why he has introduced it at this late time and not given any explanation for his failure to advance this information to any of the stakeholders. It could be because he is just completely slack, or he simply fails to deal with it, but I suspect not. I suspect it is deliberate by the Attorney. I look forward to the swift passage of this bill.

Mr HANNA (Mitchell): Since I spoke during the second reading stage of this bill, my further investigations have not revealed much as to the motive of the Labor Party in bringing in this bill. On the face of it, it would seem to do a disservice to the Labor Party because it will disenfranchise a lot of young people, new citizens and so on, because there is no doubt that over 400 000 Australians will be disenfranchised as a result of the passage of this legislation in the state parliament, following the commonwealth's legislation having been passed through the parliament last year.

If I can fill in the blanks in what the Deputy Leader of the Opposition said, the only way in which the Labor Party might cynically gain from having brought this legislation into parliament today might be this: it would not want Mr Howard to have any impediment to calling an election this weekend because it knows that the federal Labor Party would win such a poll.

Bill read a third time and passed.

ADJOURNMENT

At 5.50 p.m. the house adjourned until Thursday 27 September at 10.30 a.m.