

HOUSE OF ASSEMBLY**Tuesday 29 April 2008**

The SPEAKER (Hon. J.J. Snelling) took the chair at 11:00 and read prayers.

LEGAL PROFESSION BILL

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (11:02): I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

ROAD TRAFFIC (HEAVY VEHICLE DRIVER FATIGUE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 April 2008. Page 2737.)

Dr McFETRIDGE (Morphett) (11:02): I indicate that I will be the lead speaker on this bill; however, first, I seek a point of clarification. Mr Speaker, is it normal procedure for government to announce that laws will come into effect before they have come into the parliament? I have been given a copy of a Department for Transport, Energy and Infrastructure newsletter, dated February 2008, which states, 'The new heavy vehicle driver fatigue laws will commence on 29 September 2008.' A letter has also been sent to operators, dated 15 April, which states, 'Dear operator, new heavy vehicle driver fatigue laws will commence on 29 September 2008.' I am very concerned about the attitude of the government when it issues this sort of notification when the legislation has not proceeded through this place.

The SPEAKER: I would have to have a close look at the matter, but my initial response is that there is nothing really I can do about it. What the minister chooses to put out by way of publicity, press releases or anything like that I have no jurisdiction over. If the minister is pre-empting a decision of the parliament, he is doing so at his own risk. If the parliament does not give passage to the legislation, the minister will be the one looking rather foolish. At first glance, it is not something I have jurisdiction over. The member for Morphett.

The Hon. P.F. CONLON: I am not aware of what was put out.

Mr WILLIAMS: On a point of order—

The Hon. P.F. Conlon: What's your point of order, goose?

Mr WILLIAMS: The shadow minister has the call—that is the point of order.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: He has. He was given the call and asked for a point of clarification.

The SPEAKER: Order! I am on my feet and both members will take their seats. The minister can respond in the course of a speech and, if there is something to add that might be of help to me, he can come up to the chair. We will leave it at that, otherwise we will be here all day. That is all I want to say before proceeding with the bill. That is what I have to say initially. If there is something else the member for Morphett wants to raise with me, he can. The member for Morphett.

Dr McFETRIDGE: I am the lead speaker on this matter. However, a number of my colleagues will be speaking on the bill and the opposition accepts the thrust of this legislation and it brings us into line with national legislation. However, a number of members have concerns about several issues they will raise in their second reading contribution and there will be questions for the minister in committee. If the questions are not answered satisfactorily, we may amend the bill in another place, so I give the minister fair notice of that. I will not hold up the house long with my contribution as other members wish to raise particular points.

This bill was introduced on 9 April. It is interesting that the first brochure put out by the department was back in February, saying that these laws were coming into effect on 29 September. I find that an arrogant attitude. This place is still part of the democratic process and as such it should be given the respect that it deserves and not just be treated as a place for government policy and legislation to be rubber stamped.

The implementation of the model heavy vehicle driver fatigue legislation will provide a three-tiered approach to the management of fatigue of drivers of regulated heavy vehicles. Regulated heavy vehicles are trucks with a gross vehicle mass exceeding 12 tonnes, and buses seating more than 12 adults, including the driver. Operators can choose standard hours, as set in the legislation, which allows a maximum of 12 hours work time in 24 hours, with minimum rest periods required within set intervals, or choose between basic fatigue management and advanced fatigue management that allows for progressively increased flexibility of work and rest hours for operators with systems and practices to safely manage the risk of driver fatigue. In accordance with fatigue management standards and business rules, there will also be new provision for bus operators and two-up driver teams, developed in conjunction with fatigue experts, which will enable them to meet fatigue management and productivity requirements.

In his second reading explanation, the minister pointed out some of the reasoning behind introducing this legislation, and that is that demands are put on heavy vehicle drivers by some customers, and he said:

The demands and actions of customers and other off-road parties may influence the behaviour of heavy vehicle drivers.

We have all heard anecdotal evidence of large companies putting extraordinary pressure on their drivers to meet deadlines that are hardly able to be met within the law and so put drivers' lives at risk. Once a driver steps into a bus or truck that is his workplace and workplace safety for all of us is paramount. Yesterday I went to the memorial service for people who had died in their workplaces and it was a moving ceremony. It reinforced to me and to other members there the need to make sure we are keeping workers safe in their workplaces, and by introducing this sort of legislation to ensure they are properly rested and can do their job safely, and so that, as was pointed out by the minister in his speech, the estimated \$300 million a year damage caused as a result of truck accidents, both fatalities and major crashes, hopefully will be eliminated. It is a vital piece of legislation and essential that we get it right as a number of issues have been raised with the opposition, and certainly my colleagues will raise issues as well.

We have spoken to the South Australian Road Transport Association about this legislation, and the association gave it qualified support. However, it raised some issues about the funding for adequate rest stops around the place. I do not know how accurate the statement made by the association was, but I have great faith in the information that I received from it. The association said that, at the current funding levels, it would take some 400 years to provide the 22,000 rest stops that will be required around Australia.

I would like to know what the South Australian government will do to ensure that there are enough properly equipped rest places where trucks can stop so that the drivers can live up to the obligations that are enshrined in this legislation. It is important that we realise that the trucks cannot just pull over on the side of the road; that is illegal. It is very important that the drivers have a proper rest stop and are able to have a good break.

Some transport owners to whom I have spoken were a little concerned about some of the detail in the bill that was used to describe 'work'. The brochure that was distributed in February by the Department for Transport, Energy and Infrastructure defines 'work' under the new HVDF laws—

The Hon. P.F. Conlon interjecting:

Dr McFETRIDGE: It was 1 February 2008.

The Hon. P.F. Conlon interjecting:

Dr McFETRIDGE: Fatigue date; the Department for Transport, Energy and Infrastructure. The brochure states that, under the new heavy vehicle driver fatigue laws, 'work' includes all driving and any other tasks related to the operation of a bus or heavy vehicle—for example, loading/unloading, refuelling, supervising, and so on. It is important that we work out whether lining up in a queue at the silos will be a part of rest or a part of work, or what it will be.

It is a concern because, in many cases, truck drivers are farm owners and are under the pump at the moment because of the drought and interest rate rises, and this legislation is now placing more obligations upon them. We need to make sure that there are no areas where an overzealous inspector or police officer can ping these people for unwittingly going about their job because of some new legislation. We know that ignorance is no excuse, but it is very important to make sure that we get this legislation right.

I will ask my colleagues to continue raising their particular issues. Some of them have far more experience than do I. I have a heavy truck driver's licence, but that is limited to driving some school buses and a few CFS fire appliances. I have never driven large road trains or semitrailers, or anything like that, and I realise that that could be quite different. I will leave it to my colleagues who have experience in that area to put some further points of view.

Mr WILLIAMS (MacKillop) (11:13): There are several matters that concern me about this legislation. I hope that the member for Enfield will speak on this matter, because he is one of the members who rails against legislation being foisted upon this parliament through COAG meetings and meetings of ministerial councils, and so on, in other places. This parliament, to a large extent, has given up its powers to make law in this state. I happen to dislike that, and I do not think that we should encourage it.

I also dislike the practice of passing legislation that gives head powers to make regulations, particularly when we do not know what is contemplated by a regulation, and when the regulation could be made very readily. I accept that regulations are a disallowable instrument but, by and large, it is quite difficult for a regulation to be disallowed by either house of the parliament. A regulation never receives the sort of scrutiny on the floor of the house as does legislation. The parliament does not have the opportunity to examine a regulation clause by clause and, if a regulation is disallowed, you cannot disallow one clause; the whole lot must be disallowed.

So, for a number of reasons, I have always held the view that I think it is bad legislation when we give governments head powers to make regulations, because too many times I have seen regulations being promulgated which were not contemplated by the parliament and which were not even contemplated by the original legislation. Having said that, I have some issues with the way that this bill is framed. I remind the house about the process of coming through the ministerial councils, and I hope the member for Enfield is listening and will comment on that.

Regarding driving hours, the lead speaker for the opposition made out a very good point. I drive regularly on the Dukes Highway at least between Keith and Tailem Bend and also all the way to Adelaide, in fact. One Monday night going back a couple of years ago—and I imagine that the traffic has become even heavier—on that road between Keith and Tailem Bend, I passed a heavy transport (a semitrailer, or a B-double) going in the opposite direction every minute. That is a little under a two-hour drive; an hour and a half or something.

That gives an idea of the number of trucks that are on that road, and I can only assume there were the same number of trucks travelling in the same direction as I. The lead speaker made the very good point that we just do not have the facilities to allow those trucks to pull off the road and take their rest breaks when necessary. All the facilities that are along that road—or virtually all; there are a couple of places where they can pull off, but the vast majority of the facilities along that road—are provided by private enterprise at fuel stops or roadhouses.

This is one thing that I think that governments right across Australia have to come to terms with and have to do something about it. It is one thing to come in here and say, 'We're going to clamp down, we're going to make trucks stop every few hours,' or whatever, and set regulations of how long they can drive for, but it makes it very difficult for the drivers to do the right thing if we do not provide the facilities to allow them to go about their job in a safe way.

We say that the truck is the operator's workplace. In reality it is the roadway that is the truck driver's workplace, and I would contend that in many cases the roadway is unsafe because we do not have those types of facilities. Some of our roads are downright dangerous just because of the road. I cite the case of the Riddoch Highway going the other way from Keith down to Naracoorte: the road on a dark winter's night, when it is pelting with rain, is quite a challenge to drive up and down, with trucks coming at you and quite poor visibility.

I can assure the house there are not too many passing lanes, and there are not too many parking bays on that particular road to allow trucks to pull off and, as I say, there are very few passing lanes to allow other vehicles that have a higher speed limit to be able to overtake trucks. It is the hallmark of this government that it has tackled almost every issue that comes before it by changing legislation. The reality is that quite often—in most cases, I would argue—you actually have to change more than just the regulation to achieve the outcomes and the ends that you may wish to achieve.

One of the things that this government has seriously failed at is to upgrade our roads, and to upgrade our road networks, particularly those roads upon which we have long haul activity. Quite a bit of money has been spent on the federal roads, but on state roads such as the Riddoch Highway there has been a real paucity of money spent on that particular road, and we are going to

see an absolute explosion in the southern end of that road between Penola and Mount Gambier over the next few years as we have a huge increase in the amount of timber harvest occurring in that area. Yet there are no plans to do anything; no plans to upgrade the road, which will put more stress on truck operators.

I was talking to one truck driver carting chips in and out of Portland, a while back in Mount Gambier. He called me over and wanted to have a chat with me, and I was talking about the way he operated. He said he starts at about 3 or 4 o'clock in the morning to get most of his work out of the way before the regular daytime traffic starts on the road because he said it was so dangerous to mix heavy vehicles on that road from Mount Gambier down to Portland with the normal everyday traffic, particularly cars. So, there are those sorts of issues that do not seem to be addressed, yet the government is always quite eager to get in here and change the legislation. So, I have some issues with that.

Also, the lead speaker touched on the point of operators in the farming sector who cart grain to silos. Getting the harvest to silos has long been a vexed issue when everyone in the district has the harvester in the paddock trying to keep the grain away from the harvester and deliver it to the silos. There is always a bottleneck. There could be serious adverse effects on the farming community and the state's economy if we have regulations which impact on that and go too far. So, there is an issue there. I would like to know from the minister whether the exemption will continue for heavy vehicle operators operating within a particular distance from their home—and I am not sure whether it is 80 kilometres or 100 kilometres. I thought it was 80 and one of my colleagues suggested it is 100.

Mr Venning: It's 80 kilometres.

Mr WILLIAMS: It is 80. That is one of the significant issues that I have, and it will alleviate much of the concern I have with regard to the delivery of grain from farms, because that will exempt most farmers from those issues. It seems that now everything they do will be counted as driving time. If they are sitting in a queue at the silo or if they are sitting out in the paddock with the auger filling the truck and waiting for half an hour, that will be counted as driving time, and the reality is that they will have very little time left to actually drive the truck. So, I sincerely hope that exemption will continue. That completes my remarks.

The Hon. G.M. GUNN (Stuart) (11:22): I have some concerns about this bill. I think it is unfortunate that it does not appear that most of the government backbenchers have even taken the trouble to read it. I would have thought the member for Giles should apply herself to this.

Ms Breuer: I wanted to, but you jumped up before me.

The Hon. G.M. GUNN: I would happily give way. The honourable member terrifies me when she points her finger at me. I am a timid character, and I would have willingly given way to the honourable member if it has in any way reflected on her. But I do not know whether—

Ms Breuer interjecting:

The Hon. G.M. GUNN: The honourable member protests too much.

The Hon. P.F. Conlon: When did you start quoting Shakespeare?

The Hon. G.M. GUNN: My knowledge of the arts would be just below the minister's.

The Hon. P.F. Conlon: You have some hidden interests.

Mr Pengilly: He is interested in the arts, Patrick.

The Hon. G.M. GUNN: Yes, spending too much money on them.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Only so you could go. I did you a good turn. Let me come back to the nuts and bolts of this so-called enlightened piece of legislation. There is a number of questions that need to be answered, and let me make one or two things very clear: when bureaucrats get their own way and act unreasonably, other unreasonable acts will be taken. I want to put it so there will be no misunderstanding.

This year I will make it my particular interest to go to the silos with my camera and notebook; and, if my constituents and others are getting harassed by these inspectors, there will be more questions on the *Notice Paper* and the local television station will get the treatment, because we have had some experience. We know the disgraceful behaviour of a police officer at Gawler

attacking the carting of export hay. That was an absolute outrage. What was worse was that, when the constituent complained (which is his right in a democracy), the word came back that this particular copper said, 'I'll throw the book at him next time.' That is well and good if they want to play that game, but I have another example.

The other day, a constituent of mine was booked for using a mobile phone—and this is an example of the attitude of these people. He does not own a mobile phone and has never used one. He would not know how. He is over 70 years of age. He and the deputy mayor came to see me, and I complained most vigorously. I have not finished with it yet. When the approach was made to the bloke concerned, the copper took real exception. Well, okay; if that is what they want, that is what they are going to get. There is a line in the sand and, when bureaucrats step over it, they hit the wrong button. It happened in the UK with these sorts of laws, and it is going to happen here.

The questions I want the minister to answer are very simple. Does the previous 80 km/h rule apply for the carrying of log books from the base? That was an amendment that was made against the wishes of the bureaucrats. It was Norm Petersen who told Frank Blevins, 'Put it in or you will use the cause.' So, he had to agree to it, and the parliament exercised its proper jurisdiction.

This particular circular of February 2008, to which my colleague referred, is a bit arrogant in stating what will happen. How do you know whether the legislation will get through the parliament by September? I would say that, if we do not get some real assurances, this thing is going to get some treatment upstairs.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: The question is: does the 80 km/h rule still apply?

The Hon. P.F. Conlon: I never take you for granted.

The Hon. G.M. GUNN: I always stick to my word. I may not know much, but I do know a bit about driving trucks; I have a heavy vehicle licence. Some of the people advising the minister could not drive a nail into a pound of butter. I bet they could not back a two-wheel trailer behind a truck, but they are advising—

Ms Breuer interjecting:

The Hon. G.M. GUNN: Why doesn't the honourable member listen? I may not know a lot of things, but I do know a bit about driving trucks and those sorts of thing. I have had a little experience; I really have. Whether or not the honourable likes it, I have been in the real world. I do know what it is like to get a bit of dirt, dust and mud on me, and I have had some experience in these matters.

All I am trying to do is have some common sense applied. I ask the minister whether he can give an assurance that these laws we are considering will not apply to people carting grain from their paddock down to the local silo. I want to know whether that is the case because, otherwise, it will make it impossible. I want to know how many farmers the bureaucrats have talked to about this matter. This notorious document we have in our hands states:

Under the new HDF laws, work includes all driving and any other task related to the operation of a bus or heavy vehicle; for example, loading, unloading, refuelling and supervising.

So, that means that, when you are sitting in the line at the silo for an hour and a half, that is included. You will put people out of business. It is hard enough to get employees now because the mining industry is sucking them up. You will put the average cocky out of business if you enforce these laws. This is a nonsense of the highest order. It is obvious that the people who drew up these laws really do not have any experience in the real world. So, that is the second question.

The next question is: is there an exemption or some flexibility in relation to the carrying of livestock? We had a fight last time. The owner/operators—the small people—have been duded by that group that Shearer represents. I have absolutely no time for him whatsoever, and you can tell him that. I have told him, and I would tell him again to his face. When I spoke to the carriers—I actually go to the trouble of talking to the truckies at the roadhouses; I actually know a fair few of them—and they tell me that there is not enough flexibility in this.

They were not arguing about the maximum of 72 hours a week, but they said that there needed to be a bit more flexibility and common sense applied. No-one wants to be stuck on the road 100 kilometres from Port Augusta or Coober Pedy, because there is not much out there; it is

not a very pleasant spot. The point that has been made in relation to passing lanes on Highway 1 is that it is one of the best things that has happened.

I have had carriers approach me about rest stops. There are a couple on the way to Coober Pedy, as there need to be, but they have to be properly constructed; the truck drivers do not want to pull their vehicle off the road and go down to the axle.

At the end of the day, it always amazes me why people want to make life as difficult as they can. Why do they want to put in place unnecessary bureaucratic procedures? Why not let people fairly and reasonably get on with their lives and do a good job? Why do we want people looking over our shoulder? One of my constituents said to me a couple of years ago at Cadell, 'Every time I see a blue numberplate come in my driveway, I know they're not there to help me', and on this occasion he was absolutely right. This bloke was up on his gantry with his air-operated secateurs, and he said to the inspector, 'I'm pretty good with these, and if you don't get out of my way, you'll find out all about them.' The bloke was wise and he left. I thought that was good, because every time someone in a blue numberplated car came around, they were only there to harass or hinder or to put their hands in your pocket—Sir Humphrey Appleby, one, two and three.

An honourable member interjecting:

The Hon. G.M. GUNN: Well, it's true; I spend most of my time arguing with these people. I note that some of them are not keen on me but, at the end of the day, I must have done something right: my constituents have sent me here 12 times, and I could come back again if I wanted to.

The Hon. P.F. Conlon: We like you, Graham.

The Hon. G.M. GUNN: Minister, I want some answers. If the minister can give us some answers, it will shorten the process here, otherwise we will have a bit of a box-on about this. The transport industry carries the country. The country cannot operate without a well-organised, efficient, productive and profitable transport industry. If we put unreasonable, unfair and unnecessary impediments in its way, it will just put up the costs.

We now have a federal government talking about grocery prices. If unnecessary impediments are put in place, the further people live out of Adelaide, the more they will have to pay to comply with these foolish requirements, as some of them are. It is just like the suggestion that has been floated in the newspaper: that people should carry their driver's licence with them all the time. There is only one thing I will say about that—and there are two or three other issues: it will be an issue at the next election—make no mistake about that—and we will make sure that everyone who is affected is fully aware of it and of what the consequences will be. Sir Humphrey can sit in his isolated office, 10 or 12 storeys above, but we will make sure that those people in the field who have to put up with it know, and they will react accordingly.

In conclusion, I indicate that I will raise a number of these issues in the committee stage, but a number of questions need to be answered before we proceed to committee, otherwise we will have to attempt to change it, either here or in another place. At the end of the day, people—particularly small operators—are the ones who have the most difficulty dealing with these issues. They do not have the time to go through and comply with any more red-tape bureaucracy. They are trying to make a living, and many people in the rural sector are facing very severe economic stress. Hopefully, with the benign influence of the good Lord, the land will receive plenty of rain so that we can have some reasonable crops this year, and so that people can get a return.

The last thing people want when they are trying to get their crops into the silo is to be harassed by some of these unrealistic people who drive around in cars with red and white checks on the side. I always take a particular interest in where they are sitting, and I will have my notebook out. Where they have not hidden off the side of the road, I will take down the numbers, and we will have some questions on notice. I have done this before, and it is interesting that you often get a telephone call from someone asking, 'What have we done to upset you?' I have said, 'You've done plenty. If you want it to stop, play the game sensibly.'

So, minister, I am looking forward to your response. There are fundamental issues in relation to this matter, and we need to have some flexibility and common sense. I mentioned that carting stock is terribly important, particularly in the hot weather. The foolishness of the previous legislation in giving those people power to turn back trucks was just absolutely stupid in the highest order.

The Hon. P.F. Conlon: It's more flexible than the old legislation.

The Hon. G.M. GUNN: Yes; but, you have not said anything in here in relation to farmers, because this is all based on carrying log books. There was an amendment in the legislation in the past that you did not have to carry them with 80 kilometres. If that applies, I am happy; otherwise, I am very unhappy and I will be as difficult as I possibly can for the next two years.

The Hon. P.F. Conlon: That is very difficult.

The Hon. G.M. GUNN: I will be.

The SPEAKER: Order!

Ms BREUER (Giles) (11:35): I applaud the member for Stuart for his defence and support of his constituents, but, of course, this legislation is about a much bigger picture. It is across Australia; it is not about localised issues, which I know the member for Stuart always brings back. As I said, I applaud him to doing that, but, in this case, we do need to look at the bigger picture. I rise today because I want to pay tribute to truck drivers of Australia. A great majority of them are heavy industry operators.

As members are aware, I have the biggest electorate in the state—bigger than the member for Stuart's electorate—and I travel over some 100,000 kilometres in a year on the roads, in particular in the outback and between here and Whyalla. The great majority of truck drivers do an excellent job. They are responsible, they are courteous at all times, and I think that, in many ways, they make our roads safer because of that. I certainly feel a lot safer on the roads knowing that truck drivers are around, particularly in some of the more remote areas of the state. You know that there are truck drivers, who, if you get into trouble, will stop and help you.

One particular case I was thinking about before was the Falconio case when Joanne Lees was bound and hid all night. It was actually a truck driver who rescued her, and she felt safe with him. They do an excellent job out there. As far as road rules go, they observe them at all times and really set a good example for other drivers. I cannot say the same about other drivers out there. We have some major problems, particularly with tourists out on those roads.

Late yesterday afternoon I came down from Whyalla, and I stopped off at Port Augusta at a very popular truck stop. I have learned to go to servos where there are lots of trucks, because you know the food and service will always be good—they tend to congregate in those areas. I was listening to one guy saying that I would see him in a few days because he was going to Brisbane that day. And I thought, gosh, I am just going to Adelaide! What an incredible drive that fellow has ahead of him. They drive for hours and hours and for hundreds of thousands of kilometres, and they do an excellent job.

I am a little bit concerned at what seems to be an even bigger increase in the number of trucks on the roads, despite the Adelaide to Darwin rail and despite the increase in the number of trains that we see out there—huge freight trains that are travelling north. We still seem to be increasing the number of trucks. This concerns me to some extent, purely from an environmental issue. There must be some more environmentally friendly way that we can get the huge amounts of freight around the country. I think that both state and federal governments should be looking at that issue in the future. Is there some other way that we can do it? However, I do not want to take away from the truck drivers' income and livelihood, but it does concern me that, as our population increases in Australia, we will require more and more trucks on these roads.

I believe that occupational health and safety are very important issues for drivers. I know that, having driven so many long kilometres, fatigue is a real issue for drivers, and also, I think, particularly for truck drivers, there is the issue of isolation. If they are driving along in their trucks on their own between, for example, Port Augusta and Brisbane (as this fellow I was talking about was doing this week), it is a long way to go on your own. We really do need to take very close account of occupational health and safety issues for these drivers. It does not matter how well rested they are, if you are driving 500 or 600 kilometres in a day, it is a long way to go, and you can get very tired and lose concentration.

One of the things that I have tended to do on some of my outback trips in recent times, having recently bought a UHF radio for its safety features, is listen in to the truck drivers from around the place. Some of the conversations are actually quite incredible and quite amusing.

The Hon. G.M. Gunn: You do that for other reasons.

Ms BREUER: Well, it's very amusing. Sometimes I get a little bit tired of ABC Radio which we listen to, of course. Sometimes even Peter Goers, who is a wonderful character and very well-

loved in the outback, gets a bit much, so I put on the UHF radio. Some of the conversations are extremely interesting, and some of the language is particularly flowery.

It does help them if they are able to talk to colleagues around the place on the radio; that does reduce some of the isolation and the boredom that they may get on those long trips. Animals in our outback regions continue to be a problem. Anybody who believes that there is a scarcity of kangaroos needs to make a trip in the outback and they will find out that really there are—

Members interjecting:

Ms BREUER: I cannot get terribly sentimental about kangaroos and the fact that they are culled because they are an ongoing issue for me. I tend not to see a kangaroo: I see an obstacle and a danger. Slow vehicles are an ongoing concern for me on outback roads, and this is where I think truck drivers are particularly good. I do not believe, as the member for Stuart does, that we should increase our speed limits on outback roads—I think that would be irresponsible—but I do believe that slow drivers are a major cause of accidents. The weekend tourists who head out there and the blue-rinse set who travel all over Australia crawl along the roads. People get stuck behind them, and they get angry and take silly risks passing those drivers. I think that, while we should not increase our speed limits, we should impose a minimum speed limit on some of these roads because it really is quite dangerous.

The other issue, which I noticed yesterday coming down from Whyalla in very overcast conditions, was the use of headlights, and I keep pushing this issue. I believe that we should make it compulsory for people to put on their headlights as soon as they leave town, whatever the weather conditions. It does not matter whether it is a bright, sunny day or an overcast day—people should have their headlights on at all times. I notice that truck drivers now do tend to put their lights on, and I think that that is a really important example for other drivers out there as well.

There is not an issue with headlights dazzling you. If somebody's headlights dazzle you, there is a problem with those headlights but, in the main, they do not. You can see cars in the distance. A couple of times yesterday, I noticed a truck coming towards us with a car in front of it, and it was very difficult to see that car because it did not have its headlights on. The trucks do have them on, and you have absolutely no doubt about what is coming towards you. You know that it is not a big tree in the road ahead or some other obstacle—it is a vehicle of some sort. I think that truck drivers do a particularly good job at putting their lights on in all weather conditions, and that is very important when you are driving on outback and long-distance roads.

I rise to support this legislation because I think that it is very important but also to pay tribute to what I see as a very responsible industry in the main. Our truck drivers do an excellent job, and I think that we should support them with this legislation.

Mr VENNING (Schubert) (11:43): We, on this side of the house, absolutely agree that our roads need to be as safe as they can be. Fatigue, without a doubt, is a problem, not only for trucks but also for cars. I believe that fatigue is one of the most underestimated factors in relation to our ever-increasing road toll. We can never do too much to remind drivers to take a break, particularly car drivers.

Australia is said to ride on the sheep's back. I agree, but I want to add that it also rides on the back of a truck, because it is a huge country and moving equipment, supplies and food from state to state and from the city to the regions is all done by truck. It is certainly very important that, when we discuss legislation like this, we take every opportunity to get it right.

What really pricks my conscience is that this legislation refers to a mass exceeding 12 tonnes, which means that almost all farm trucks will be included in this legislation. Farmers were exempt before, as has been said, with the 80 kilometre exemption zone for a farmer from his or her base.

I am questioning the minister as to whether that 80-kilometre zone is still there, because it does give protection for farmers in that they can operate within it, without having to worry about matters like this. I will ask the minister: particularly during seeding time, will the farmer have to log in the logbook every time he moves the truck? I got caught many years ago when I was farming, before I came here.

Members interjecting:

Mr VENNING: I do have my licence back, if members are going to ask that question—I got it back three weeks ago. I had an incident where I crossed the road with a tractor, a farm vehicle—

this was before they were registrable. A patrol car was hiding behind the bushes. It must have sat there for some time waiting for me to come out of the gateway. It was hidden. The policeman came out and he went over everything, including the chains. I did not have the implement chained to the tractor, so he did find no safety chains, because I did not know they were required.

However, every now and again you get a very conscientious young constable who wants to prove a point and will go to a fair bit of trouble. He could see I was doing the headlands and finishing in the paddock. He knew I was going to be coming out of the gate within the next half an hour or so and he waited there. That sort of thing can happen with issues like this.

I am very concerned about this, and I hope the minister is going to be able to tell us: is the onus going to be on the farmer (when he is picked up by Mr Conscientious Constable) to prove that, although he has been at work for 12 hours, he has not been driving his truck the whole time? It might have been five minutes here and 10 minutes there; he moved the truck out of the paddock; he changed paddocks; he went home for more seed, and that adds up to 4½ hours. Is that what he is going to have to do? Otherwise, the 80 kilometres zone would—

The Hon. P.F. Conlon: It's 100 k.

Mr VENNING: The 100 kilometres is still there. Again, thank you, minister; it is on the record that the 100 kilometres limit is still there.

The Hon. P.F. Conlon: I will explain it in a moment.

Mr VENNING: I am very pleased, because it is a thing that concerns me. That is what we wanted to hear. Farmers, as I said, will spend very long hours, particularly at seeding and harvest time, as I think the member for Stuart said, sitting in the queue at the silos. Some farmers are working 14 or 15 hours a day, but they are sitting at the silos for a lot of that time. This legislation does discuss the matter. Also, vehicles parked on the side of the road come under this legislation. Hopefully, that will be clarified.

Let us be honest: farmers work long hours because they have to. As the member for Stuart said, this seeding is going to be critical, because we have never had such a shortage of farm labour as we are seeing right now. Even at our own farm we are desperate. It was only pure luck that yesterday a lad drove in off the road, an Englishman from Yorkshire, and asked, 'Any chance of getting some work?' He was instantly grabbed, and my son took him around the farm and we now have a Yorkshireman on the staff, at least for the seeding. It is extremely difficult to get staff, so farmers are going to be pushing the hours to cover for the lack of staff, and they do get tired.

I understand that farmers do drive up and down the road with their seeding equipment and they have to abide by the law; they cannot be driving it when they are tired out of their mind, particularly if somebody gets hurt. We have had accidents on the road with farm machinery, and that is very regrettable, so we have to do the right thing. However, we have to make sure that the legislation is there to enable farmers to do the right thing at all times.

I want to continue the debate in relation to the fines. When I pick up the bill I see that, on page 4, part 3AA, 110AA—Fatigue provides:

(3) The regulations under this section may—

(a) make provision for periods spent by drivers of regulated heavy vehicles driving—

and it goes on. All this is by regulation, you understand. In other words, the minister can change any of this at any time he or she wishes. It continues under (3) to provide:

(e) prescribe and provide for the payment of fees in respect of specified matters.

In other words, the minister can charge what he/she likes for whatever he/she likes. Section 110AA(3)(d) states 'make provisions of a savings or transitional nature'. Paragraphs (e) and (f) are the key ones, as follows:

(e) prescribe penalties, not exceeding \$50,000, for offences against the regulations; and

(f) fix expiation fees, not exceeding \$750, for alleged offences against the regulations.

These are very open-ended clauses that will all come under regulations. I think it is very dangerous for things like this not only to be setting amounts but also to be setting the conditions as well. It is all by regulation.

I, too, was quite concerned to see this fatigue update document that was circulated and, hopefully, the minister will tell us about this. I doubt whether the minister knew about this. This circular has already gone out saying that the legislation will come into effect on 29 September

2008. I believe that is arrogant in the extreme, Mr Speaker. I am conscious of your ruling a few minutes ago that the minister can do this. Yes, of course he can because he knows he has the numbers. He can do this. It is arrogant in the extreme; it is in contempt of parliament.

The Hon. P.F. Conlon interjecting:

Mr VENNING: Well, there it is. I have it in front of me; I am holding it and reading it. It is in contempt of parliament. I hope that the minister did not know about it. I do not expect ministers to know everything that their department does. Yes, they have the numbers in this place, but what about the other place? I will be interested to hear what the minister's comments are about this.

Also, the following question, which the member for Stuart mentioned, needs to be addressed quite clearly: is there flexibility in relation to livestock carriers? You cannot just stand a truck on the side of the road when it is full of livestock. They jam them in pretty tight, which is the best way to handle them, and they get them to the market quickly. Hopefully, there will be an exemption for livestock carriers or at least a clause that will make it more workable for them. All this comes under the minister's power to change these aspects at any time. I am very concerned about that.

I also question whether this will become another revenue raiser for the government because it seems to be upping the fines pretty heavily. I remind the house that, whether or not it was a wise move, when in government, I brought in registration for farm vehicles. Many times I have regretted that because it is issues like this now that place extra focus on farmers because these vehicles are registered. There has always been some conjecture about which should be registered and which should not be registered, but that is in the next bill that is coming before the house in a few minutes, so we will deal with that then.

I question whether the member for Chaffey will get involved in this debate. She has many constituents who would be as much affected by this as do I. As a member of cabinet (a country member at that) I would have thought she would have been here in this house expressing a point of view on behalf of her constituents. After all, whether you are a shadow minister or a minister, your constituents should always come first, but in this instance she has been silent—we have not heard a sound from her—as has the National Party regarding the current national debate on the single desk for wheat.

The National Party in South Australia has been silent but not so the federal National Party which has been very strong—and I support it for that. I ask the member for Chaffey, if she is listening, to come down and have a say, because she would have a lot of constituents, particularly irrigators and broad acre farmers, who are having a tough time of it. We have had rain and a lot of them will be seeding right now, and they do not need to have this over their heads.

We need to have a framework to enable our trucking industry to provide a safe, efficient and affordable service to all Australians, and we need to be able to provide a service where the trucking companies can make money. I am not worried about their being sued or, subject to the law, being put out of business, because we know what the law is today. We need to legislate for better rigs. I have always said that, under legislation, we have done some stupid things in our time and one of them was that we allowed super-dogs on the road. I believe that the things should never—

The Hon. K.O. Foley: What's a super-dog?

Mr VENNING: A super-dog is a three-axled trailer. When you drive down the road, you know what is in front of you because you can see the super-dog swaying all over the road. It has two axles at the back and one at the front. It is nonsense. It is geometrically wrong and it should never have been allowed. We should have encouraged quad-dogs, which are four-axled trailers with two axles at the front and two at the back, making them symmetrical and geometrically correct. They sit on the road square behind the truck. Why have we not legislated against those? It is too late now, because the law has been enacted; because of the carrying capacity of some trucks, the super-dog is allowed, but the quad-dog is not.

An honourable member interjecting:

Mr VENNING: The quad-dog—four. These are industry terms—jargon—not mine; I think the minister knows what I am talking about. These are things that we can get wrong in legislation, and we send the wrong messages out. Indeed, I would never own a super-dog—that is, a three-axle trailer.

An honourable member interjecting:

Mr VENNING: A super is a three-axle trailer, and a quad is a four-axle.

The Hon. P.F. Conlon interjecting:

Mr VENNING: You had a dog and you shot him, well, that's about—

An honourable member interjecting:

Mr VENNING: He got run over—sad. However, I say again, I will await the minister's response to these matters because I think he does understand. I commend the minister for what he has done at Outer Harbor and for farmers; we are generally pretty pleased, if only we could get it finished and get the bridges working. However, I thank this minister for his openness and involvement, because I have been able to get information and have also been able to go on site. Again, I thank the minister for that. I say once more: Australia does ride on the sheep's back, but it also rides on the back of a truck.

The Hon. S.W. KEY (Ashford) (11:57): I would like to speak in favour of this very important legislation. Although I do not have the geometric or engineering expertise of the member for Schubert in this area I do have some experience—having worked for the Transport Workers Union for many years in their workers compensation and health and safety areas—that allows me to comment on issues concerning drivers of heavy vehicles. In fact, I think it was in about 1993 that I was involved in commissioning a project (with the assistance of WorkCover and Adelaide University, under the leadership of now Professor Drew Dawson) that looked at driver fatigue, because we had a number of members—particularly in the long-distance driving area—who were involved in crashes or who unfortunately suffered very severe health penalties because of, in many cases, taking substances to keep themselves awake. This was done with the full knowledge of their employer; it was part of the culture in the long-distance driving area, and probably still is to a certain extent.

Although that category of driver is not necessarily covered by this legislation, one of the big areas of driver fatigue involved bus drivers, who have responsibility for taking their cargo—that is, people—from one place to another. I recall many issues affecting drivers, particularly those who had the responsibility of driving between Adelaide and Darwin, and the need for changeovers that quite often did not happen (the spare driver was not put in place) and the real difficulties of not getting proper rest times or meal breaks in that area.

A number of long-distance and heavy vehicle drivers are owner-operators and, to a certain extent (and certainly we found that in our project), they were the worst offenders. Whereas there are a number of multinational and national companies that do long-distance driving, and the employers in those organisations need to take responsibility, in many instances the owner-drivers need to take responsibility for themselves.

We live in a culture where everything has sped up. Those of us who are old enough to remember the pre-fax days will recall how things were ordered by telephone or mail and, having worked in the dispatch department of Harris Scarfe Industrial, I remember the orders coming in by phone and letter to get goods and services out to country areas. Even in my time—and this is going back quite a way—in the mid-70s, the culture was that you would communicate by radio, and there would be quite a long lead time (particularly with some of the remoter areas) for people to receive the goods.

I must say that, in returning to the industry in the early nineties as a staffer at the Transport Workers Union, it was interesting to see how things had changed: people could now order by computer, obviously they still ordered by telephone and used fax machines and other ways of ordering their goods, but the change was that everything needed to be there yesterday. I think all of us in this modern age are guilty of expecting things to arrive almost immediately. It is a pity that the Tardis from *Dr Who* has not been employed, because most of us have that expectation of wanting goods and services immediately. The quick fix, quite often, is to use the poor driver, who has to get those goods (or whatever) to the customer, and who has to be involved in long-distance driving to do that.

The other issue for drivers involved the waiting time. The member for Schubert has mentioned the issue of cabotage and the problem of waiting that has happened with loading and unloading, particularly in the port area. The issue of fatigue goes into a whole lot of other areas as well, including the design of vehicles. As I said, I do not have the expertise that the member for Schubert has in the area of what he called geometrics, but I do remember issues concerning

design, particularly with truck drivers and bad backs, and also truck drivers having very difficult sleep patterns because of the expectations that were put on them.

I also would like to pay tribute to truck drivers. Their knowledge of the road and how to get goods transported in a safe and efficient way is certainly commendable, as is also their having knowledge of the cargo. I mentioned bus drivers and their cargo (being people), but I must also say—having spent some time working with the livestock carriers—that the knowledge they must have of the livestock they are carrying is commendable, as also is the knowledge needed by drivers of vehicles carrying dangerous goods, particularly the drivers who cart flammable goods. The issue of their fatigue is extremely important. I commend the government for—all these years later—finally taking these issues on in a serious way.

Mr PEDERICK (Hammond) (12:02): I rise to make a few comments on this legislation. First, I would like to read a letter, which I believe the minister was not aware of, that went out from his department three weeks ago regarding the introduction of the new fees under this scheme. It states:

Proposed introduction of mass management and maintenance management fees. As a currently accredited member of the National Heavy Vehicle Accreditation Scheme (NHVAS) in either mass management and/or maintenance management, we are writing to advise you of the proposed introduction of fees to administer these modules.

From 1 July 2008, operators will be charged \$80 per module and \$25 per vehicle (upon nomination in mass and/or maintenance). The same fees will be charged to process the renewal of an operator's nomination, at the expiration of each two-year accreditation period.

An honourable member interjecting:

Mr PEDERICK: Yes; read *Hansard*. Continuing:

The Department for Transport, Energy and Infrastructure has administered the NHVAS mass management and maintenance management modules without fee, since their introduction in 2000. The new fees will partially recover the costs of administering the scheme in South Australia and are broadly consistent with those charged in other states.

There are many advantages to participating in accreditation for both the heavy vehicle industry and other road users. Austroads' research on the safety benefits of accreditation indicates that participation in accreditation modules not only improves business profitability but also increases substantially the safety of the operator's fleet. Vehicles in NHVAS modules are less likely to be involved in a crash compared to vehicles of non-accredited operators.

Membership in the mass management and maintenance management module of NHVAS helps members manage their business more efficiently and experience less down time associated with breakdowns and annual inspections as a result of documented procedures, ensuring vehicles are regularly maintained.

In addition to the commercial and safety benefits of accreditation, membership in the mass management and maintenance management modules of NHVAS will continue to qualify operators for regulatory concessions in South Australia. This includes enabling members to operate at higher mass limits on approved routes in South Australia. To improve service delivery to the heavy vehicle transport industry DTEI will make a number of significant changes to the application processes and systems that manage the NHVAS modules. These changes are expected to be delivered over the 2008 and 2009 financial years with the new systems fully operational by June 2009.

Membership of NHVAS is not compulsory. The decision to enter into or remain in the scheme will be at the operator's discretion, allowing you to measure the cost of entry against the benefits gained from membership. The fee structure will automatically scale its impact to the size of each operation. As an operator you are required to do very little in regards to the introduction of the fees [apart from pay them]. If currently in mass and/or maintenance the fees will be applied on application for either module from the expiry date of your current accreditation period.

For example, if your mass management accreditation period expires in June 2009 a fee of \$80 plus \$25 for each nominated vehicle will apply to process re-accreditation on expiry. If you are also in the maintenance management module and the expiry date is August 2009 an \$80 application fee will apply at that time, as well as a \$25 fee for any additional vehicles that have not already been nominated and paid for in the mass management module. For new entrants to NHVAS the fee will be applied on processing an application to enter either mass management and maintenance management or both modules, with an \$80 application fee for each module and a \$25 fee for each vehicle whether nominated in mass, maintenance or both.

An important issue that operators may wish to consider at this time is their alignment of the mass management and maintenance management modules. If an operator is in both mass management and maintenance management modules they may wish to take this opportunity to consider aligning the expiry dates of both modules before re-accreditation. This can be done by simply advising DTEI in writing that you wish to align the expiry date of the modules and this will provide the benefit of a common expiry date for your fleet and reduced administrative burden for both you and the DTEI Heavy Vehicle Accreditation and Audit Team.

The letter continues, and this is the crunch:

To enable the fees for administering NHVAS to be introduced in South Australia a new law is to be put before the South Australian parliament shortly. Regulations regarding the fee structure are presently being drafted and will be subject to cabinet and parliamentary processes and approvals. Once the legislation comes into operation it will be made available online. Information about the NHVAS can be accessed from the National Transport Commission's website...or specific information about operation of the scheme in South Australia is available from the DTEI website...

The letter is signed, 'Yours sincerely, Brian Hemming, Director, Transport Safety Regulation', and is dated 7 April 2008. Sending letters such as this to transport operators long before the matter is even debated, let alone knowing whether or not the legislation and regulations will be approved, demonstrates the complete arrogance of this government. It is just outrageous.

These are just more fees that operators will need to pay. One heavy operator who operates 10 prime movers already pays about \$80,000 a year in registration costs just for prime movers and trailers and believes that any extra fees are just another tax burden on them. What I will comment upon is the surprising flexibility in the proposed legislation with respect to the three-tiered approach. That does give operators some flexibility—whether they work on standard hours, that is, a 12 hour break in a 24-hour period or they go into basic fatigue management or advanced fatigue management schemes.

As a rural member, I am certainly concerned how will it apply to operators in grain silo line-ups, because I know from experience that, you can arrive at a line-up at 3am or 4am and not be unloaded until to midday. How will that time in the silo line be classified? We do not need any impediment to our rural producers in these tough times, with drought impeding most of the country since 2002. I am also concerned that livestock transport operators receive the appropriate exemptions so that they can continue transporting livestock safely and in an appropriate manner.

I live on the Melbourne to Adelaide route and I am well aware of what goes wrong, whether it is truck drivers or people driving passenger vehicles going to sleep. I have witnessed the impact of a sports car going under the tandem axles of a bogey-drive flat-top truck: it is very tragic to see the results. In relation to that specific case, it was thought that obviously the driver had fallen asleep. I have also seen the result of where it seems apparent that suicides have occurred when people have decided to drive into the front of heavy vehicles, without any thought for the driver of that vehicle and the nightmares that he may have in ensuing years over what happened that day when his truck lit up because someone decided to end their life.

I have also seen the foolishness of some truck drivers. Thousands of trucks travel the Melbourne to Adelaide route in both directions every day and 99.99 per cent of them do the right thing, but I have seen the result of truck drivers falling asleep at the wheel and waking up in a paddock hundreds of metres off the road. I have also witnessed the results of when a truck driver goes to sleep and slams into a B-double, and incinerates the whole truck, driver and all—very tragic.

I think this legislation is commendable. We do need fatigue management, but it does need to be the right management. The right operators need to be able to have exemptions to make it work practically, especially in rural areas. In closing, I refer to remarks made by the member for Giles about the Adelaide to Darwin rail line. National carriers were contracted to that line from the start. They became sick and tired of goods being damaged because parts of the track were uneven and subsequently they have bought fleets of trucks. That is part of the answer for what happened.

There is no point getting goods to the other end when you cannot even read the labels on a tin of fruit because they had been rattled off—and I am not talking about one of Allan Scott's companies.

The Hon. P.F. Conlon interjecting:

Mr PEDERICK: He might own it, who knows? As I said previously, I do commend the bill. Hopefully, it does control management. We have to put the right structures in place, but we also need to have flexibility for people who need the exemptions and we also need better facilities for people using the roads. There are good truck parks on both sides of the freeway, but they do not have toilet or bathroom facilities for drivers. I think it would be very appropriate for these facilities to be built.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:13): I thank members opposite for their contributions. I will say a couple of things initially, given the pretended chagrin of the lead speaker for the opposition about a pamphlet being circulated. First, I do not believe that our bureaucrats should put out pamphlets saying that something will commence on 29 September prior to parliament dealing with it. In

defence of them I will say—and I have another little surprise for the lead speaker later—that that was the view of the National Transport Commission and the industry groups which have discussed this with the National Transport Commission.

This is a matter that has been agreed basically by everyone except, possibly, the opposition here. As a surprise to the lead speaker, it is my understanding that, even if they do vote against something sensible, it will commence on 29 September. They are right. Even though I do not think they should have put it in those terms, it will commence on 29 September: it is just that we will not be in it.

So, just before we beat our chest too much about taking the parliament for granted, it is correct that there will be a national fatigue management scheme on 29 September, but if you people do not support it South Australia will not be in it, and I think that that would be very regrettable.

It was astonishing (although not really astonishing but regrettably predictable) that the entire contribution of the lead speaker for the opposition was to make that point and say that they reserve the right to amend the bill upstairs, but they did not tell us what the problems were. Did people hear the speech of the lead speaker for the opposition? He did not tell us what the issues were he might amend, just that he might seek to amend it—and I think that pretty much sums up his contribution.

Dr McFetridge interjecting:

The Hon. P.F. CONLON: I am quite happy to go back to *Hansard* and see what you said. What I will say is this: I take very seriously, however, the contribution of the member for Stuart, the member for Schubert and the member for Hammond. So that people understand the position I take as minister, I say this: the road freight industry is absolutely central to our wealth creation in this state. The logistics chain is a huge amount of gross domestic product. The things we do in this state are underpinned by the movement of freight. Almost every area of our wealth creation has road freight at its heart in making it possible.

For that reason, I assure the member for Stuart that my approach as a minister in this portfolio has been to make sure that, as far as we can, our regulatory impost on industry is only what is necessary and that we have a culture in the department of being in the same game as industry. One of the things we have done, which has been very successful and about which members of the industry have written to me, was to establish a heavy vehicle forum. It meets about every three months, and members of the industry sit down to discuss issues with our senior people in the department and with regulatory people with a view (and, in my mind, this was the reason it was set up) to making sure that our regulation supports industry and does not punish it unnecessarily.

One of the things I would like to do today is invite the member for Stuart to the next forum to raise some of the matters he talked about, as he knows that I have some sympathy with a few of those. I will run through some of the issues raised by the opposition, particularly policing. The member knows that it was my personal view in the introduction of the chain of responsibility legislation that policing should be flexible and not punish people for inadvertent mistakes or for not being as familiar as they should. We have tried to do that.

I am quite happy for the member for Stuart to talk to our people. He has been here for a very long time, and I think there have been very significant changes. I think that people have done a very good job for a long time, but the culture is slightly different and he should talk to them.

I assure the member for Stuart that, as he well knows, in terms of our people, we have an influence but, as minister, I do not interfere with the job the Chief Executive does. I also assure him that, in terms of policing, that influence is much less. None of us ministers tells the police how to do their job, and the member would know that.

The Hon. G.M. Gunn interjecting:

The Hon. P.F. CONLON: I must point out that it is probably safer for you to have a discussion with them than it is for me. I think that I might be in a lot of trouble if I were to suggest to them how they do that.

I say two things to the member for Schubert: first, I do not want to invite the whole caucus to the forum, but it would be good if he came along and perhaps brought some of the views of his rural constituents about truck driving. I think that it is a good forum and that it does a good job. I

have to tell you that there are a lot of people there who never voted for us before. A few of your mates out your way never voted for us, but they like the forum.

In terms of some of the questions asked, two primary issues are raised in relation to exemptions. I think that the member for MacKillop's great opposition to these national schemes is a little amusing, given that this is the next step in a national scheme—not a fully national scheme but one created in 1999 by the previous government. I am not criticising it because it was a good idea to do it.

An honourable member interjecting:

The Hon. P.F. CONLON: It doesn't make it right, but it is rather funny that you are criticising it, although you may still have been an Independent in 1999. We call you the unsuccessful Independent—the other two have done much better. If you talk to the industry, it wants a consistent approach across state borders—it has been a desire for a long time. I know that the member for Stuart does not believe the industry represents all views, and it probably does not, but this has come from all jurisdictions that deal with major industry representatives coming up with a scheme that they believe is the best one they can achieve.

Some concerns have been raised about it. Can I deal, first, with the issue of exemptions. It is intended that the exemptions under the existing legislation will continue for three years or until another exemption is made. If you look at it, you will find, as I think the member for Hammond pointed out, that there is more flexibility in the current regime than in the past one. So it may be that the exemptions for livestock users do not need to be in the same terms as the previous one, but they will be continued for a term of three years or until new exemptions are made. That is roughly right. In terms of the 100 kilometre boundary, while they will not be exactly the same, there will be very similar provisions, that is, if you are within 100 kilometres of your farm you will have a much lesser regime than that imposed in terms of documentation and recording.

I ask members to take me at my word: I believe regulation should be as easy as possible to live with because the road freight industry is so important to us. We have just set up an interdepartmental group to look at licensing and the provision of truck drivers because we need these people. As the member for Schubert has pointed out, it is difficult to find a labourer these days. Well, try to find good truck drivers also. We are very conscious of that.

In between the houses the officers who can answer your questions in much more detail than I can will be made available to you and you can go through all of that with them. At the end of the day I ask the house to accept that national legislation does have benefit for industry, but it must be something on which everyone has agreed—and I point out that it has the support of the bulk of the industry and unions associated with it.

We will put \$10 million into the budget over four years for rest stops. I understand there is some action from the commonwealth, but I cannot say what that is off the top of my head. It is shaped like a lot of other legislation and has reasonable steps defences. There is an element of defence: you cannot stop at a rest stop if you do not have one. That is an obligation on us, and we are spending \$10 million over the next four years on that aspect.

I struggle to understand the issue the member for Hammond has raised. We have these accreditation systems at present. For seven or eight years other states have charged fees on a cost recovery basis. This is an entirely voluntary scheme and people will only enter into it if they believe there is a benefit in it. We will have ongoing discussions with industry about whether there should be more benefits out of accreditation. I think that is something that is worthwhile with a national body. It is a national approach and we are only doing what I think other states have done for seven or eight years. And we are probably not even recovering all our costs, because that is what those people do to me all the time.

In terms of the matters that have been raised, a different set of provisions will remain with respect to the 100 kilometres; they will be similar, but not identical. We will try to obtain the details of that. The member for Stuart probably understands more about it than I do. I would like the member to come along to the next one of the heavy vehicle forums, because an awful lot of people come from out his way.

With respect to the exemptions, I think the provision holds them over for livestock handlers, and so on, for three years, until new exemptions are made, and there might be some other aspect of it. However, it is intended that the new flexibility means that the exemptions will not have to be the same as they were in the past. I will give my personal undertaking that, while I remain the

minister, I will continue to believe that regulation should be there to protect safety and also to ensure that burdens are not imposed on industry that should not be imposed.

People have to remember (and people on my side of the house as well, because we are intimately in touch with it) that there are a number of pressures on the cost of road freight. Over the last 20 years the road freight industry has consistently passed on its efficiencies to users. With respect to the costs of moving freight by road, in real terms there has been a steady decline, and those benefits have been passed on. We face pressures, in terms of fuel and availability of people.

So, my perspective is that the regulatory system should not impose any more burden on that environment than it has to because, if South Australia is to realise all its economic opportunities in the future, it will do so with the best regulated and best possible road freight industry that we can have. I commend the bill to the house.

Bill read a second time.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:27): I move:

That this bill be now read a third time.

Dr McFETRIDGE (Morphett) (12:27): The minister's explanations were quite satisfactory for my colleagues. We take the minister at his word, and we assume that there will be full and frank discussions between houses. I look forward to the bill's progressing through both houses. I commend the bill to the house.

The Hon. G.M. GUNN (Stuart) (12:27): I am happy with the explanation of the minister, and I look forward to the discussions. I accept the minister's invitation to attend one of the forums. My only desire is to see a practical and sensible operation where everyone can get on with their business. As the minister rightly pointed out, Australia and South Australia need a good, effective, well run and profitable road transport system. The country cannot operate without it. There is a different set of criteria for smaller operators—farmers and pastoralists and those sorts of people. It is a completely different arrangement for those people. We are now getting B-triple trucks on the roads, and the trucks are getting better—and, like the member for Giles, I do listen to channel 40, for a number of reasons.

Mr VENNING (Schubert) (12:28): I thank the minister for answering the questions. I also trust the minister. I do not trust all of them, but I trust this one, even though he is rough and tough: he is a man of his word. It will be interesting to see what happens between now and when the bill reaches the other house but, at this stage, I am generally happy.

Bill read a third time and passed.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

Adjourned debate on second reading.

(Continued from 9 April 2008. Page 2734.)

Dr McFETRIDGE (Morphett) (12:30): This bill makes some significant changes to a number of pieces of legislation, including the Motor Vehicles Act 1959, the Road Traffic Act 1961, the Passenger Transport Act 1994, and the Harbours and Navigation Act 1993. While the opposition generally supports the legislation, there will be some questions that will require some answers. I hope that, as in the case of the measure with which we have just dealt, those answers will be quite clear and able to calm the concerns of some of my colleagues, who will be raising issues with this bill in just the same way as they raised issues with the previous one.

The main tenet of this bill is to increase significantly the penalties for a number of offences, and this bill will increase the maximum penalty for driving an unregistered vehicle from \$750, or twice the amount of the prescribed registration fee for 12 months, whichever is the higher, to \$2,500.

The bill also increases the penalty for driving or leaving standing on a road an unregistered vehicle from \$750 to \$2,500, with an expiation fee of \$250. Minister, if you could during your reply to the second reading let us know how much expiation fees have increased over the last few years, that would be most helpful.

The Hon. P.F. Conlon interjecting:

Dr McFETRIDGE: How much they have increased over the last few years. The bill also increases the penalty for driving or leaving standing on the road without registration an uninsured vehicle, from \$2,500 to \$5,000 with an expiation fee of \$500, and that will be prescribed by regulation. A person whose vehicle is detected on a road without registration and insurance will be liable to the penalty for both offences.

In addition, all road traffic cameras such as speed, red light and Safe-T-Cam cameras (currently used to detect heavy vehicle driving hours offences) are to be used to detect and enforce unregistered and/or uninsured offences, and automatic numberplate recognition technology will be used. Numberplate offences will also be increased to a maximum penalty of \$5,000, with an expiation fee of \$500.

The bill increases the maximum penalty for a seller failing to notify the registrar of the disposal of a vehicle, and the proposed fee will be \$1,250 with an expiation fee of \$160, and it increases the maximum penalty applying to the purchaser of a vehicle who fails to notify the registrar. The penalty for failing to notify the registrar of a change of address also increases from \$250 to \$1,250. There are some concerns there about the little old lady who forgets to do this. Are there going to be some concessions or any flexibility there? An expiation fee of \$210 for offences of contravening a condition of driver accreditation will be in place, and this can be used if, for example, a taxi driver fails to display an identification card.

Further, the bill introduces an expiation fee of \$315 for drivers who do not hold appropriate accreditation and an expiation fee of \$210 for persons who contravene a code of practice to be observed by approved vehicle inspectors. Introducing expiation fees for particular offences will provide an alternative to prosecution and practically act as a more effective deterrent due to the immediacy of the sanction.

The government argues that the increases in penalties are designed to counteract the perceived financial benefit of not paying the registration and insurance fees, and allows the courts to impose penalties that equate to the amount of registration and insurance avoided. The large number of people who drive an unregistered and/or uninsured vehicle and appear before the courts has increased significantly. In his second reading explanation the minister stated that in 2000-01 the figure was 14,517 and in 2005-06 it had increased to over 19,000, a clearly unacceptable figure (as was even the 2001 figure).

The government has stated that it is concerned at the loss of revenue as a result of these people not paying. The opposition is not only concerned about the loss of revenue but also the fact that these people are flouting the law with apparent disregard—not impunity—for other road users, so the significant increase in penalties is strongly supported. The Safety-T-Cam with automated numberplate recognition technology will enable a reduction in the issue time of expiation notices from seven days to three to four days with the rollout of digital cameras. The opposition will watch this carefully because, the way the TRUMPS system has been working, there may be some issues with the efficacy of this move.

Automated numberplate recognition will allow the government to automatically detect when motor registration has been paid late and impose penalties on potentially more than 19,000 motorists. There are some concerns by members on this side about clause 17, which amends clause 45A of the Road Traffic Act concerning excessive speeds and also removes the expiation provision from the act, enabling it to be fixed by regulation. The RAA is supportive of these changes but does not support the maximum penalty being \$5,000 for having an unregistered and uninsured vehicle standing on the road. The RAA thinks it should stay at \$2,500.

I have compared other states and jurisdictions and there seems to be no consistency between jurisdictions, which makes it difficult to compare penalty levels. However, the move by the government is one that the opposition generally supports but there are questions that some of my colleagues will raise in their second reading contributions and put to the minister.

Mr WILLIAMS (MacKillop) (12:36): I could make identical comments to those I made when speaking to the previous bill, and I certainly will repeat my comments with regard to clause 27 of this bill which will amend section 45A to remove the expiation provision and enable the expiation fee to be fixed by regulations. Again, I repeat my comments about regulations. I think this parliament should take a very dim view of legislation constantly coming before it which gives these powers to ministers/bureaucrats via regulations. I believe we will get from this speeding fine changes made by regulation rather than being debated on their merits in this parliament.

I do not think there are too many people in the community who believe that speed cameras, radar guns, etc., are out there solely for the purpose of road safety. If you took a survey, I

think just about everyone—it would be in the high 80s, if not 90 per cent of people in the community—would genuinely believe, and with very good reason, that these mechanisms are designed to raise revenue rather than have an impact on road trauma. In fact, in the second reading contribution of the minister to the previous bill, he acknowledged that 52 per cent of insurance claims are caused by fatigue, not speed, yet you keep hearing the pronouncements (not just from this government but also governments in every state and jurisdiction of this country, of every political colour) that the number one issue in road trauma is speed. I am yet to be convinced of that. In fact, I am nowhere near convinced of it. I always thought the number one issue with regard to road trauma is fatigue and inattention.

I have argued and debated with at least three ministers now in this government over the reduction in the open speed limit on the road between Meningie and Salt Creek from 110 to 100 km/h. We have since seen the road shoulders widened and sealed, yet the speed limit remains at 100 km/h. Through FOI I have got documents containing advice within the department that the speed should not be reduced unless the section of road was significantly different from the section of road at each end of it, and arguing on that criteria that that road should not have a different speed limit to other sections of the Princes Highway along the Coorong. So, on that particular road, we have this fixation about speed.

I was talking to the chairman of one of the local councils down there over the weekend, and he said that his council accessed documents through FOI that suggested that the biggest cause of accidents on that piece of road is wildlife, such as kangaroos. If anyone wants to go down to the car park and inspect my car, they will see what happens when a kangaroo jumps on the bonnet of your car; it is a pretty ugly sight. A lot of people—

The Hon. G.M. Gunn interjecting:

Mr WILLIAMS: Come down my way, Gunnie.

The Hon. G.M. Gunn interjecting:

Mr WILLIAMS: That may be so—particularly people who are not used to driving on country roads, particularly at night, who are not aware of the dangers caused by wildlife. I can understand that wildlife jumping out in front of cars causes accidents. I did hit the brakes heavily on Sunday evening, when I was driving up to the Coorong, when a deer with a large set of antlers was standing right on the edge of the road.

The Hon. P.F. Conlon: They should go and pick them all up; they have no reason to be there.

Mr WILLIAMS: Yes, they have no reason to be there. I could debate that issue, too, with the minister at length in this chamber. I do have a problem with this fixation on speed, and I repeat that I do have a problem with our use of regulation-making powers, particularly in this sort of instance. I do not think the parliament for many years has had a decent debate on the contribution made by speed versus other factors to road trauma, and I do not think we have had a decent debate in this place for a long time about the other various factors. I do not think the government for a long time has been responsible in this regard.

I spoke earlier about road conditions, particularly in relation to the closeness of vegetation to the road verge in a number of places—and along the Coorong is a case in point. The biggest cause of accidents there is recognised as being wildlife, yet the native vegetation, most of which is boobialla (coastal wattle), is spreading rapidly. It is questionable whether boobialla is native to this country or, indeed, to South Australia. A lot of people argue that it is an introduced species and that it possibly came from South Africa. That may be the case, because it has spread rapidly. If it were the case that it is a native species to that area, I would think that it would have been endemic many years ago, but it is spreading and it is right up to the edge of the road. I have written letters to various ministers over the years asking them to have it trimmed back.

At the moment, it is not too bad; I still believe it is too close. Sometimes, when I am driving up there, the next thing I see is a red or white light on the white post on the side of the road and, all of a sudden, wildlife appear out from amongst the bush. That is how close the scrub is to the road in that area, and I am sure there are other roads in the state that are just as bad.

The point I want to make is in relation to the over-emphasis of speed and the use of regulating powers to change the fines imposed. Another point that I was interested to note when I read the minister's second reading explanation on this, and I think it is clause 28—

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: I am going to talk to the minister about that particular point when we discuss the national gas bill, so he had better read that one.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: Okay; I accept that. I was interested to note that clause 28, I think it is, will enable the offence of driving an unregistered vehicle to be detected by a particular camera that has been installed to detect trucks and the driving speed of truck drivers; so it includes numberplate recognition technology. The bill will recognise that there will be a continuing offence for someone who is detected twice within seven days, I think it is. Only one offence will be recorded, which will give time for notification of the offence to be sent out to the person to give them time to remedy the offence of driving an unregistered vehicle.

I think that is reasonably sensible. I do not have a problem with that, but my question to the minister is: why do we have a continuing offence of driving an unregistered vehicle, yet we do not recognise a continuing offence of somebody doing 10 km/h over the speed limit getting pinged by a speed camera and, five kilometres down the road, getting pinged by another speed camera? I would argue that that may be a continuing offence: they did not necessarily slow down below the speed limit between the two points of detection.

I will give an example of out in the country. This goes back about 18 months or two years, again, down on the Coorong. I was attending an event at the Salt Creek Primary School on a Sunday afternoon and, as I approached Policeman's Point—which, again, is on this piece of road where the speed limit has been reduced from 110 to 100 for, in my opinion, no particular reason—I saw a car with, obviously, a speed detection camera in the front window. I thought: fair enough; Sunday afternoon; catch the poor Sunday drivers out here in the middle of nowhere causing nobody any trouble, and we will raise a bit more revenue. There was another speed detection camera within 10 kilometres, doing the exact same thing.

I would argue that somebody driving down that road could inadvertently stray over the speed limit by 10 km/h and, in fact, drive at a speed they would more than likely think they were legally able to drive at, because it is the Princes Highway (Highway 1) between Adelaide and Melbourne, and they could get pinged for two offences. This legislation is a bit of a revelation to me, because it actually recognises a continuing offence. So, actually only one offence was committed and it therefore recognises that you should be charged only with that offence or forced to either expiate that offence or challenge the offence in court once rather than twice, three times or whatever.

The Hon. P.F. Conlon: For how long?

Mr WILLIAMS: Well, I would like it at 12 months, if we are in the process of negotiation. I would have thought that it should not be an issue if we did not place speed cameras within a short distance of each other, particularly out on an open country road, but also within the metropolitan area. If a speed camera were placed, say, down on Torrens Road and another one is placed 400 metres up the road, particularly if there are no traffic lights on that section of road, I would have thought there would be no way that you could convince the punters that this was about road safety and not about revenue raising.

I make the same claim about Highway 1, the Princes Highway, down in my electorate where the speed limit has been reduced over about a 50 kilometre stretch. I think it insults the intelligence of the population to say that we have speed detection devices out there supposedly to reduce road trauma when we put them on a section of road like that.

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: I didn't get caught on that particular day actually, minister. As I recall, a very generous driver coming towards me flashed his lights and I thought 'Hello'. I admit that I thought at the time that it was way over the top to put two speed cameras within a 10 minute drive, and probably only five minutes apart on the highway. I am pleased to see that the government is starting to recognise that a continuing offence might last for more than five minutes, or for around five to 10 minutes. I hope to see more legislation come before the house to correct what I see as a glaring anomaly.

The Hon. G.M. GUNN (Stuart) (12:50): I have a very brief contribution to make in relation to the registration of agricultural equipment and implements. Section 12 of the Motor Vehicles Act provides clear exemptions in relation to a certain amount of equipment. My concern in relation to

this matter is that the officers who are going to implement this, particularly the police, have a clear understanding of what is an agricultural implement, because I think there is a lack of knowledge. In their enthusiasm to comply with the 70 vehicles that they are supposed to stop every day of every week, they are pinging people.

I very pleased that this happened to my farming business because we knew our rights, and the copper did not, and the bureaucrats did not. I will give you an example. There is such a thing as a crutching cradle, which is on a trailer, which you tow between farm and farm, and which runs sheep up to crutch. It has no other purpose. An employee of my establishment was towing it down the road, and got stopped by an enthusiastic copper, who said that it was unregistered, and he was told that it did not have to be registered. When my son got back, he spoke to the copper. The bloke obviously had a very limited understanding of the law. He did not understand that I actually knew what section 12 provided—and it was pointed out to him. We invited him to go to court. We made it very clear that he would have a QC to deal with and that we would go in for costs and other things.

It was fortunate that they tried to do this, because I actually knew our rights and what the law is. If this had been my neighbour, they would not have known, and they would probably have pleaded guilty and paid up. I want a clear undertaking from the minister as he is increasing the fees that the people who are enforcing these regulations and provisions actually understand what the law states. This character did not; this character had no idea. He could not even read section 12. He could not even understand when he contacted the department of transport out here at—

The Hon. P.F. Conlon: Northfield.

The Hon. G.M. GUNN: Yes, Northfield—what he was told. When I spoke to the lady out there, she said to me, 'You're absolutely right in your interpretation, Mr Gunn, I had a policeman ring up', and I said, 'Yes; and he didn't understand what he was telling you.' So, she let the cat right out of the bag; the ferret got out of the cage there properly. I raise the example today for other people. He did not know what a crutching cradle was. There are other things such as towing header combs down the road. Fuel tankers—

An honourable member interjecting:

The Hon. G.M. GUNN: No, that's a clear—

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: I can take it. I am normally a man of few words when I get on my feet. Things that are contestable would-be tractor pack welders on wheels, small fuel tankers and, probably, comb trailers.

An honourable member: Fuel bins?

The Hon. G.M. GUNN: No—

An honourable member: How about a bin full of molasses.

The Hon. G.M. GUNN: No, I haven't got a sweet tooth. You give that to cattle, and I don't know anything about cattle. They make other products out of sugar that they tell me are not bad. The member for Newland would understand what that product is—it is made at Bundaberg.

I want an assurance from the minister that there will be a proper understanding. You have these people, some of them do not have a lot to do and do not understand how to read the acts, which this parliament sometimes wisely and sometimes unwisely passes. All that does is get people right offside and annoy them.

Unfortunately, there are a few people who have access to the act of parliament. The average person has never read an act of parliament. I, for my sins over a long time, have, and take an interest in this. One of my employees, a former member of this place and a former senior police officer, very clearly understands them, but very few people are in that position. There is no doubt that there is an obsession by certain elements of the police to issue as many on-the-spot fines as possible and to make life as difficult as possible.

I can give you a couple more examples. My outlook on life is that if you treat people reasonably, they act reasonably. If they want to act unreasonably towards my constituents, then I will respond for them; I will play the game.

If they hide police vehicles on the road and I see them, I will take the number every time and we will have a question on notice, and I can put more than one about. And so I will play that

game. Clause 12 is the explanation, and it is very important because the penalties are increased and therefore there needs to be an understanding of what the law actually states.

The law is very good and does provide these sensible exemptions for people going about their business, but there needs to be an understanding and that is why I gave the example because it happened to me.

Mr VENNING (Schubert) (12:55): I am most concerned with legislation such as this, and I personally feel very vulnerable because it was I who introduced farm machines registration and I often wish I had not because it has made all farmers targets for this kind of legislation. I am very concerned about the huge increase in fines. There are also cases I have heard of where farmers are not aware that some of their machinery has to be registered, and the question is: will these farmers be fined \$2,500 or even up to \$5,000?

I am very concerned because, as the member for Stuart has just said, there is general confusion out there about what is farm machinery. Generally, the law provides that many of these farm machines are exempt if they are towed behind a tractor that is farm-registered. There is a great array of things, especially towed trailers, header comb trailers, fuel tankers, bins, super-spreaders and wheeled post-hole diggers, that can attract the ire of the police.

We have fuel tankers, and I have said to the people who work on the farm, 'It doesn't have to be registered, but you make sure it's got mudguards and blinkers, and they must work.' Every year, we get pulled over and they look at this thing and we have never been pinged, but I am concerned about these huge increases in penalty.

There is some confusion among farmers and, as the member Stuart just said, among the law enforcement officers themselves. They get all excited when they see the vehicle going along and there is no numberplate on it. The lights go on and they almost break into a sweat. They pull you over, and it is all very embarrassing; they throw the rule book at you.

I have concern also regarding the increase in fines that this amendment bill seeks to implement with regard to a person failing to notify their change of address. This bill proposes that the fine be increased from \$250 to \$1,250. That is a huge increase. The question that I raise with the minister is: how can the authorities prove that a person has not notified the registrar? Does the registrar have the power to say that someone has failed to notify them? What if a form is incorrectly filed or lost? What chance does someone have if they have done the right thing and yet the registrar says they never received the notification of change of address? I think that this is a massive fine to expect someone to pay when there is a somewhat grey area regarding where the onus of proof lies.

Does the onus rest with the citizen or with the department? I say that it should rest with the department. I cannot understand, as was the case with the previous bill, why this bill seeks to amend the expiation provisions from the act enabling them to be fixed by regulation, that is, just with the minister. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

[Sitting suspended from 12:59 to 14:00]

STATUTES AMENDMENT (EVIDENCE AND PROCEDURE) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (PUBLIC ORDER OFFENCES) BILL

His Excellency the Governor assented to the bill.

STATUTE LAW REVISION BILL

His Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (RAPE AND SEXUAL OFFENCES) AMENDMENT BILL

His Excellency the Governor assented to the bill.

MANNUM FERRY

Mr VENNING (Schubert): Presented a petition signed by 714 residents of South Australia requesting the house to urge the government to take immediate action to upgrade the concrete ramps to the upstream ferry at Mannum.

INTEREST RATES

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: Today I have written to the Governor of the Reserve Bank (Mr Glenn Stevens) concerning any future increases in interest rates.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I heard a story that the opposition was going to be out on the street in their Speedos or something on a tram—that beggars belief. I think there were two other opposition leaders interstate in New South Wales and Victoria who did the Speedo thing.

Today I have written to the Governor of the Reserve Bank, Mr Glenn Stevens, concerning any future increases in interest rates. The Reserve Bank Board meets next Tuesday 6 May and will decide whether to hold rates steady or increase them. The bank board targets an inflation rate of between 2 and 3 per cent. The CPI for the year to March announced last week was 4.2 per cent. Many commentators now expect the bank to raise rates from the present 7.25 per cent. Of course, people are aware of the collateral damage caused when the banks go even further, including in recent days much further, in hiking up their own interest rates.

Let me say at the outset that I admire the job the Reserve Bank has done in recent years and I am aware of the difficulties it faces at this time, but I have written to Glenn Stevens urging the bank not to put up rates next Tuesday and to take time to assess carefully conditions as they emerge. This is critical for maintaining jobs and economic growth. It is critical to all sectors of our economy, but particularly to our farmers in South Australia who are still in the grips of the worst drought ever recorded.

It is crucial that housing affordability be improved. As a nation, we cannot afford to increase the ranks of the many young people and low to middle income earners who have already been priced out of owning their own home by past interest rate rises. We know that, with official rates at 7.25 per cent, most house loans and mortgages are at considerably higher levels.

The latest headline 'CPI inflation rate of 4.2 per cent' has, in the view of many pundits, increased the likelihood of a further interest rate rise in the near future. But there are good grounds for waiting to see what has been the impact of previous successive rate rises and to see whether the factors causing the rise in inflation will be short or long lived. Clearly, the latest inflation figure for the year to March takes Australia above the bank's 2 to 3 per cent target range, but the Reserve Bank has the ability to be flexible and should be patient.

In my letter to Mr Stevens, I pointed out that our current inflation woes are the result of relative price shocks in areas such as food, petrol and energy and the rental market but, in terms of petrol and food, much of it is imported. I also pointed out that Australia is not alone in having an inflation problem. Almost all countries are experiencing inflation above the targets of their various central banks.

I pointed out that we do not know for certain the future course of food and oil prices. We have had some significant price rises in these areas but we need to look ahead, not just through the rear vision mirror. A rise in food or oil prices does not constitute a continuous process of inflation unless they rise continuously or if they spill over into a wage price spiral.

I am also concerned about the potential for an over-shooting on interest rates that could damage Australia's strong economic and jobs growth, further harm our rural sector and place home ownership beyond the reach of many more young Australians. We are all aware over the decades of promised soft landings becoming very hard ones because of over-corrections. That must not be allowed to happen now. So, I am simply asking the Reserve Bank of Australia to put a finger on the

pause button to see the impact of previous rate rises before doing something that might just over-correct and cause a hard landing.

This is why I urged that the bank definitely refrain from any interest rate rise next Tuesday and why I urged the bank to be patient. The bank's charter allows it the flexibility to live with inflation for a period during which inflation can be brought under control without longer-term damage to economic growth and housing affordability.

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

Regulations under the following Acts—
Southern State Superannuation—Charge Percentage
Superannuation—Salary Components

By the Minister for Transport (Hon. P.F. Conlon)—

Architects Board of South Australia—Report 2007
Proposal to Construct an Ambulance Station and Associated Works—Regency Road,
Prospect—Report to Parliament
Regulations under the following Acts—
Development—Swimming Pool Safety
Fees Regulations—Proof of Age Card

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

Death in Custody—Actions taken following the Coronial Inquiry into:
Arthur Charles Smith
Robert Allen Johnson
Rules—
Magistrates Court—
Clamping, Impounding and Forfeiture of Vehicles
Consent Judgment
Supreme Court—Remuneration of Administrator

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

Central Northern Adelaide Health Service—Report 2006-07
Harms associated with the practice of hypnosis and the possibility of developing a code of
conduct for registered and unregistered health practitioners report
Institute of Medical and Veterinary Science—Report 2006-07
Regulations under the following Acts—
Health Care—Health Performance Council
Tobacco Products Regulation—Confectionary Flavoured Cigarettes

By the Minister for Industrial Relations (Hon. M.J. Wright)—

Regulations under the following Act—
Fire and Emergency Services—Prescribed Offences

By the Minister for Families and Communities (Hon. J.W. Weatherill)—

Economic and Finance committee's 64th Report on Consumer Credit and Investment
Schemes—Ministerial Response to Recommendation 9

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

Regulations under the following Act—
Genetically Modified Crops Management—Prohibition

By the Minister for Employment, Training and Further Education (Hon. P. Caica)—

Training and Skills Commission—Report 2007

By the Minister for Gambling (Hon. P. Caica)—

Regulations under the following Act—
Lottery and Gaming—General

QUESTION TIME

INTEREST RATES

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:12): My question is to the Premier. Can the Premier reveal the extent of the success he expects in writing to the governors of the Reserve Bank asking that they resist raising interest rates? Why does the Premier believe he can exert political pressure on a body that he claimed in this house was truly independent?

The Premier told the house in November 2006 that he had written to the Reserve Bank. Since that time there have been five interest rate rises. The Premier announced in February 2005 that he had written to the Reserve Bank to urge against interest rate rises. Well, guess what? Since that date there have been eight interest rate rises. The Premier told the house in February last year that the Reserve Bank was a model of independence that he wanted replicated in his model for an independent Murray-Darling commission. When questioned about the impact of his letters to the Reserve Bank, the Premier proudly boasted: 'Yes, we did write to them, and they ignored our position.' 'They must be fairly independent,' he said.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:14): That is the difference, because members opposite supported those interest rate rises under the Howard government. That is the difference. The opposition does not give a damn about homeowners, it does not give a damn about those who have housing affordability problems, and that is the difference between us.

I believe it is the responsible thing for the Premier of South Australia to do, to let people at the highest level in the Reserve Bank know what another round of interest rate rises would do to the economy of this state and to homeowners in this state. The fact that you constantly defended interest rate rises under John Howard shows the difference.

NATIONAL 2020 SUMMIT

Ms FOX (Bright) (14:15): Will the Premier inform the house about his involvement in the National 2020 Summit held in Canberra on 19 and 20 April?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:15): In 1983, 25 years ago, I attended prime minister Bob Hawke's National Economic Summit as an adviser. The summit, held at the federal parliament building, was treated at the time with scepticism by many onlookers, but it is now seen as an event which ushered in an unprecedented decade of economic reform and industrial peace.

We remember that summit. People said that it would be a waste of time. It went for about four days and, from memory, there were about 140 participants. We saw coming from that summit, of course, the prices and income accord, the wages agreement, and also the prices surveillance authority. We saw the building of relationships between the leaders of business and indeed the leaders of the unions after years of discord under the Fraser government.

Union and business leaders were brought together after that era of turmoil and discovered that they could talk to each other. Of course, the outcome was the policy blueprint which saw unions pledge to curb wage demands in exchange for broader social and economic reform and dividends through Medicare, etc. The great advantage of that summit, and the 2020 Summit that I attended 10 days ago, was that it put decision making beyond party politics.

It put the nation's interest first. It brought together people from all walks of life and professions and gave them the opportunity to say where they want our nation to be and how we will get there. This year, the 2020 Summit created an opportunity for bold and brave ideas for Australia's future. The summit was held over two days and had 10 key policy areas or streams: a productivity agenda; the Australian economy; sustainability and climate change; water; rural Australia; health, communities and families; indigenous Australia; creative Australia; Australian governance; and security and prosperity.

In the time available, I was able to attend probably eight or 10 of the 10 group sessions, including a number of subgroups, in areas in which South Australia had the greatest clear interest. This is an important opportunity for me to inform national decision-makers and opinion-makers, business and community leaders on what issues are important to the people of South Australia and to listen to the ideas of others that could be relevant to our state. In the rural Australia group, chaired by Tim Fischer, I recommended a complete reform of the country's Exceptional Circumstances Drought Assistance Scheme to reduce the red tape holding up the assistance our farmers need.

In health, communities and families, I proposed a national universal home visiting scheme for all newborn babies. South Australia has one of the very best schemes in the country. Our Every Chance for Every Child program provides an offer of a home visit by a child health nurse to every newborn. The nurse provides a child health assessment, education and parenting information and support, and referrals and connections to other family support services can then be made. I was delighted that well-known Australian of the Year, Dr Fiona Stanley, approached me and congratulated South Australia for our commitment in the area of early childhood.

In the sustainability and climate change stream, I challenged all levels of business and government to match the South Australian government's commitment to purchase 20 per cent of our electricity needs from renewable energy, and this was a chance for a simple but tangible response to climate change: the importance of setting targets. We have a plan—our vision of the future—but we have hard measurable targets that are independently evaluated in terms of progress.

I also reinforced South Australia's position on the River Murray and argued that a substantial slice of the \$10 billion River Murray rescue package be dedicated to a fund to buy back water licences from irrigators to deal with the over-allocation of licences. I also advised delegates of the perilous situation facing the Lower Lakes.

I am delighted that, today, the federal Minister for Climate Change and Water (Senator Penny Wong) has announced that a \$12.9 billion water investment program, Water for the Future, will be established in this year's federal budget. I am particularly delighted that part of that program will include more than \$3 billion to be spent on buying back water allocations in the Murray-Darling Basin to address overallocation.

I also recommended in one of the groups on sustainability that the nation adopt South Australia's 30 year old container deposit legislation and, of course, I also publicly proposed that the nation ban plastic bags in the way that we will, and this was supported by many of the people whom I met.

South Australia's Social Inclusion Unit, headed by Monsignor David Cappelletti, was also a stand-out South Australian initiative, which has captured the attention of many of the delegates, including Prime Minister Kevin Rudd. The Prime Minister spent time talking with Monsignor Cappelletti and myself on the work undertaken on areas such as homelessness, school retention and mental health.

The 2020 Summit was a brave and bold initiative. The Prime Minister deserves our congratulations and respect for inviting 1,000 delegates to provide direction and ideas for the future of Australia. While some of these ideas may not prove practicable or affordable, many others will help guide governments and policy makers generally. It is an ambitious start, it is a call to arms for all Australians to have a say in our future. I spoke about the River Murray at that summit. Did the Leader of the Opposition mention the River Murray during his address to delegates? I ask you. We hear all the lip service, but—

Mr Hamilton-Smith: We weren't allowed to speak to them.

The Hon. M.D. RANN: He says he was gagged, he wasn't allowed to speak. Well, I did not hear him once mention the River Murray, nor did I hear him mention rural Australia, which again shows how phoney he is in his concerns on these issues.

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: He who dares wins.

DISABILITY FUNDING

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:22): My question is to the Premier. Why did he give his personal approval to cabinet's decision to charge the most vulnerable

in our society for the privilege of using essential disability equipment supplied by the state? Last week, the Minister for Disability Services, on behalf of the Premier and his government, announced a major backflip on radio when he reversed the Labor cabinet's policy decision to charge for essential medical equipment currently provided to people with disabilities.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:23): It just shows you how incredibly shallow the Leader of the Opposition is because it was in last year's budget papers and reported in the media last year, and I cannot remember a squeak from the Leader of the Opposition. Not only did he not speak about the River Murray at the summit—I don't know what he was doing—but also, of course, he did not speak up on this. Sometimes you have to admit you are wrong to do what is right, and that is exactly what we did: we put the interests of people with disabilities ahead of political embarrassment. We did the right thing.

HEALTHDIRECT

Mr PICCOLO (Light) (14:24): My question is to the Minister for Health. Will the minister advise the house how effective the introduction of the HealthDirect call centre has been in helping South Australian's with their medical inquiries?

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:24): I thank the member for his question: I acknowledge his very strong interest in health issues. The joint state and commonwealth funded HealthDirect call centre provides South Australians with access to high quality health advice and information 24 hours a day, 365 days a year, over the telephone. Since it was publicly launched in this state on 30 January this year, the call centre has received nearly 30,000 calls and we anticipate that, over time, the centre will build up to about 180,000 calls annually.

I am advised that calls are answered, on average, within 18 seconds, and an average call lasts for eight minutes. For the benefit of members, the number to call HealthDirect Australia is 1800 022 222, and callers are able to speak to an experienced registered nurse to discuss their illness or condition, or the condition or illness of a member of their family, and receive advice. This is providing great comfort and reassurance to many South Australians, particularly those in remote areas.

The HealthDirect call centre also allows people to determine whether they should go straight to hospital or a GP, or whether their illness or condition could be managed by a GP the following day or, indeed, whether they can manage it themselves. Phone calls to emergency departments seeking health advice have decreased significantly as a result of the public launch of HealthDirect. If it did nothing else, this will be one of the great things, because emergency departments receive many phone calls on a daily basis and, of course, while they are answering the phone they are not dealing with the people who are in the emergency department.

Furthermore, 40 per cent of callers expected that they would have to seek urgent care. However, following contact with the call centre, only 20 per cent of callers are advised to seek urgent care. So, this obviously helps to take pressure off our emergency departments. Only 3 per cent of all calls require an ambulance, and 14 per cent are advised to go to an emergency department. Overall, about 65 per cent of calls are for health triage and 35 per cent are for health information.

Redirecting non-urgent and routine visits away from emergency departments is a key principle of our health reform strategies. Treating people in emergency departments is expensive. The cost of an average ED attendance in metropolitan hospitals in the 2006-07 financial year, for example, was \$340. So, if we can reduce the number of people who have to go, of course, we reduce those costs. Aside from the costs of treating non-urgent patients in emergency departments, it is equally important to maintain capacity in EDs and to ensure that existing capacity is used for emergencies.

By providing free and easily accessible information, we hope to make it easier for people who typically do not manage their own health well to access health advice, which can lead to the early detection and treatment of medical problems. The HealthDirect call centre has received extremely positive feedback from our community. South Australians have praised the quality of service received and have been comforted by speaking with a registered nurse.

FAMILIES AND COMMUNITIES DEPARTMENT

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:27): My question is to the Minister for Disability. How much will it cost to fund the new position of deputy chief executive of the Department for Families and Communities, and can the minister assure the house that none of the savings measures in the 2006-07 budget will be used to fund the position?

Last week, the minister's department wrote to people with a disability, advising them that they would be charged for the use of basic disability equipment. The minister said that this measure would save \$200,000. At the end of last week, the minister's department advertised for a new second deputy chief executive, with responsibility for disability services, at an estimated salary of over \$200,000. The government has claimed that the department's savings measures would be reinvested directly into supported accommodation and respite care.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (14:28): None of the changes in relation to the executive positions will be funded out of disability services funding. They will be made from other overhead savings within the department. That is absolutely clear.

ANZAC DAY

Ms PORTOLESI (Hartley) (14:28): Can the Minister for Multicultural Affairs inform the house about his attendance at the ANZAC Day dawn service at Gallipoli last Friday and its relevance to South Australia?

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (14:30): I did have the privilege at being at Anzac Cove for the dawn service last Friday morning. It was a moving event attended by thousands of Australians, and I was certainly pleased to be there. I must acknowledge the courtesy and hospitality extended to me and all Australians who attended the service, including the member for Norwood and the Hon. Dennis Hood. The location means that the preparations are challenging and the efforts made by our Turkish hosts and members of the Australian Embassy were exceptional.

Attendance at the dawn service on the Gallipoli Peninsula was very large indeed, and I think this was because 2008 was the 90th anniversary of the end of the First World War. The Great War was known as the war to end all wars, but, sadly, that was not so. Although many later battles on the Western Front in Europe were more savage and accounted for many more Australian casualties, the Gallipoli campaign has been burnt into the consciousness of Australians. For Australia, it is considered to mark the birth of our national consciousness as the first time that we entered a conflict with all the Australian colonies united together as Australian armed forces. In my opinion, it is our most significant national day of commemoration.

What impressed me most about the ceremony at Gallipoli were the numbers of young people and the genuine interest and respect that they paid to those who lost their life. Indeed, it is truly a pilgrimage because the young people travel from Istanbul for four or five hours to the Gallipoli Peninsula. They then camp out overnight in what is at that time of the year a cold and windy location. After the dawn service, they begin the trek up the mountainside to Lone Pine for the specifically Australian commemoration and then they trek onwards and upwards past the Turkish commemoration to the New Zealand commemoration at Chunuk Bair, the highest point that the ANZAC forces reached during the campaign.

One of the plays that pupils were required to read in my time at school and university was Alan Seymour's *One Day of the Year*. I think the message of *One Day of the Year* was that the ANZAC commemoration, in Alan Seymour's view, was becoming a shambles as the diggers aged and there were fewer of them, and that somehow the ANZAC commemoration would fade out. That was clearly the message of Alan Seymour's play.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: The member for Heysen confirms that that was happening as the baby boomer generation, whose fathers fought in the Second World War, came to positions of authority in our society as they marched through the institutions. But the following generation decided that it was very interested in what their grandfathers and great-grandfathers did, and it is the generation after the baby boomers that revived ANZAC Day—and it is a very lovely thing to have happened—and it is that generation that is now attending at the Gallipoli Peninsula.

As I stood at Anzac Cove at dawn, I could not help but recall a similar sense of respect and remembrance that I saw displayed by our own young South Australians. I refer to the ANZAC eve youth vigils that occur around Adelaide each year. I went to the first ANZAC Eve Youth Vigil held at the state national War Memorial on North Terrace in 2000 and, since then, these vigils have been established at other locations in the suburbs. They involve hundreds of young South Australians from a wide variety of youth and community groups gathering to remember those who died in the service of our nation. Our young people stand guard around the state national War Memorial for 12 hours before the dawn service.

They change guard every half hour, and look most impressive in their different uniforms. I have seen representatives from the Australian Army Cadets, Guides SA, SA Police Rangers, Scouts Australia, St John Ambulance, the Legion of Frontiersmen, Surf Life Saving South Australia, Australian Air Force Cadets, Australian Navy Cadets, and the Boys and Girls Brigades of South Australia. Indeed, my own father left the Boys Brigade in Ireland in 1941 to join the Royal Navy. This represents 13 different youth groups, and I do not recall that number ever parading before together. Such is the power of ANZAC.

Other than the main vigil at the War Memorial in the city, we had vigils at Morphett Vale and Blackwood, and I think there might even be one held at Tennant Creek. I understand that this year for the first time there was a youth vigil at Marion, and I congratulate those young people who volunteered to conduct it.

What I find fascinating about our vigils is the wisdom shown by our young people. I know they were the first to invite the Turkish community to join in a ceremony of remembrance in South Australia. I am also impressed at the multicultural flavour. There is no monopoly on remembrance, and I recall last year that the youth who planned these vigils invited representatives from a range of countries to join them. I saw representatives from Greece, Holland, Malta, Poland, Ireland, Italy, Scotland, Serbia and the United States of America, all of them in national dress and joined together in a common desire to remember.

Last year, I am told, they were joined by the representatives of our Cook Island, Filipino, Somali and Ukrainian communities. It is splendid to see the young of our society remembering in this way, and I am sure that I acknowledged by my presence on the Gallipoli Peninsula this new generation.

SALVATION ARMY ALCOHOL STABILISATION PROGRAM

Mrs REDMOND (Heysen) (14:37): My question is to the Minister for Disability. Why has the minister again refused funding for the Salvation Army Alcohol Stabilisation Program? The Premier, Mr Rann, and minister Weatherill clashed with the Salvation Army after axing \$750,000 in funding for the unit last year. The unit was due to close on 30 November 2007 but a benefactor donated \$800,000, allowing it to remain open for another year.

The opposition has been advised that the Salvation Army approached the government about a month ago asking whether funding could be allocated in this year's budget. The request was rejected. The unit assists about 100 homeless alcoholics a year on its residential program.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (14:37): I thank the honourable member for her question. This was well traversed at the time when the decision was made, and the reason actually was contained within the question: they went off and sought alternative funding and secured it.

Members interjecting:

The Hon. J.W. WEATHERILL: I will take you through the process, the long process, that we undertook with the Salvation Army, if you want to hear it again.

Mrs Redmond interjecting:

The Hon. J.W. WEATHERILL: Every single cent of the money from the Salvation Army was redirected into inner city services to help some of most vulnerable people, that is, Aboriginal people, in the inner city. Indeed, just this week I was touring the Parklands, Parklands 23, where a number of the community, not just Aboriginal people—but certainly Aboriginal people are unfortunately camping in our Parklands and sleeping rough in and around our city. This is the

critical need that we were seeking to respond to—people sleeping rough, Aboriginal people who were the target of that program.

If I can just remind members opposite how this all came about. Remember we had that anxiety attack by the former premier, Mr Olsen, when he decided he wanted to clear all the Aboriginal people out of Victoria Square and, of course, they were driven off into the Parklands. One of his responses, without any real consultation with the sector, was to give a wad of money to the Salvation Army, and that money was intended to be for a stabilisation unit. I see the honourable member, the former minister, who had a lot of difficulty in trying to make sense of that policy by the former government. It decided to do this without talking to the nearby residents and so it ran into enormous planning problems. Finally, this unit got up and running. We gave it a very good opportunity to run but, sadly, it did not achieve its objectives. We undertook an independent review and reached a conclusion that it was not reaching its objectives.

We told that to the Salvation Army. We asked whether they could change the service model. They said they would not change it because it was their service model. It was meeting a statewide need. We did give it money on the basis that it was meant to meet a specific need for inner city homelessness. There were also issues about the way in which it was collaborating with other inner city agencies. However, we are past that now. The relationship with the Salvos has been put back on a good footing. I am sure they would like the money restored but we made it very clear at the time what our position was on that.

There are always going to be hard decisions taken in this area of human services. The need is absolutely massive. However, those opposite do have a little bit of explaining to do. They do not advocate for the means to allow us to expand services to vulnerable people. They talk about tax cuts and stadiums instead of hospitals. They talk about tax cuts instead of disability services. That is the nature of those opposite. This faux outrage about vulnerable people—none of this is generated by them. They watched the news one night and saw the government had made a mistake, was owning up to a mistake, and they decided to take a tow on the back of it. It is faux outrage. Do not be persuaded for a moment that they care about this stuff.

TRAVEL SCAM

Mr KENYON (Newland) (14:42): Will the Minister for Consumer Affairs advise the house about a foreign-based travel scam that has recently emerged, with a number of South Australians reporting substantial unauthorised amounts being debited from their credit card accounts?

The Hon. J.M. RANKINE (Wright—Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Volunteers, Minister for Consumer Affairs, Minister Assisting in Early Childhood Development) (14:42): It has been brought to my attention that a travel scam is again doing the rounds here in South Australia, where some overseas-based fraudsters are enticing people into handing over their money for a dream holiday to the Caribbean—a holiday that clearly does not exist. Numerous people, living in both rural regions and metropolitan Adelaide, have contacted Consumer Affairs. Some are seeking advice about whether the travel offer is legitimate; others have reported that credit cards have been debited with unauthorised amounts.

It would appear that these people have been seduced into surrendering hundreds of dollars on the promise of a discounted getaway to the Bahamas or Florida. In one case the victim's credit card was debited by nearly \$900. The call begins with a recorded message about a holiday offer and instructs the person to press 9 for further information. People are then transferred to a telemarketer who persuades them to pay around 20 per cent of the holiday's purported total value.

People need to stop and think very carefully before responding to any offers over the phone. While an out-of-the-blue phone call may catch you off-guard and the offer might sound inviting, it is important to consider the possible dangers or consequences of any offer before agreeing to it. If you give your bank, credit card or personal details to someone operating a scam then you may soon find unauthorised transactions appearing on your credit card, or that the funds in your bank account just disappear. If that happens people should contact their financial institution immediately to arrange a charge back.

I am also advised that the Office of Consumer and Business Affairs is liaising with US authorities about this particular issue. Obviously, people can register on the Do Not Call Register, which will cut down the number of unwanted calls. However, it will not stop scammers from calling. Should people have concerns about a suspicious call or suspected phone scam, they are encouraged to contact the Office of Consumer and Business Affairs.

LEGAL AID FUNDING

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:44): Is the Attorney-General aware that an application for legal aid has been refused based on the fact that the applicant is entitled to \$350,000 owed to her by the Department for Families and Communities, but it has still refused to pay her?

On 20 November 2007, judgment was granted in favour of Ann Dalton by the Workers Compensation Tribunal against the Department for Families and Communities and their application for a stay of that order was refused. The department was ordered to pay (including legal costs) \$204,428.26 and a further \$150,000 as agreed. Ms Dalton's application for legal aid on another matter has been rejected because of this entitlement but the department has not yet paid her, notwithstanding the court order and Crown Solicitor's advice. We have been advised that the Crown Solicitor's Office has contacted them again this morning to inquire whether the department has paid.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (14:46): If the facts are as the member for Bragg states, then I, too, am concerned, and I will certainly get a report about it and bring it back to the house as swiftly as possible. Having said that, I point out that the member for Bragg is the member of whom Channel 9 said, 'How did that member get it so wrong?'

OLYMPIC GAMES

Ms CICCARELLO (Norwood) (14:46): My question is to the Minister for Recreation, Sport and Racing. How are South Australian athletes progressing towards selection for the 2008 Beijing Olympic Games?

The Hon. M.J. WRIGHT (Lee—Minister for Industrial Relations, Minister for Finance, Minister for Government Enterprises, Minister for Recreation, Sport and Racing) (14:46): I thank the member for Norwood for her question. South Australia can expect to have a strong contingent of athletes competing in the 2008 Beijing Olympic Games. The games are a key focus and priority for the South Australian Sports Institute, with 47 SASI athletes currently in Australian shadow teams for the Olympic and Paralympic Games. Twelve SASI athletes have already qualified for Beijing in their own right, but they are awaiting official selection from the Australian Olympic Committee which will finalise and announce the team in July.

During 2007, in preparation for the games, SASI had 39 athletes selected to senior national teams and more than 80 athletes selected to junior national teams and squads. The South Australian Olympic Council has also been very supportive and it is currently organising the 2008 Premier's Games Appeal Dinner. This event is an important fundraiser for our athletes, and it includes a lot of support from the corporate sector, with funds raised supporting the athletes before, during and after the games. The Premier's Games Appeal Dinner will be held at the Adelaide Entertainment Centre on 1 August, exactly one week before the Beijing Olympics opening ceremony.

With Beijing only a few months away, it is important to acknowledge the role that the South Australian Sports Institute plays in developing our current and future world-class athletes. From South Australia's comparatively smaller population base, SASI's output of elite achievers is something of which we can all be proud. With its world-class programs, coaching and support services, SASI is doing a wonderful job in producing our sporting champions of today and tomorrow. I wish each of the athletes selected for the games every success.

TRAM PASSENGERS

Dr McFETRIDGE (Morphett) (14:48): Can the Minister for Transport advise what the dress code is for tram passengers and will tram passengers be instructed to observe the code? Since September last year, the minister has blamed drivers in cases where trams and trains have derailed. At the weekend, he again blamed TransAdelaide staff for the Friday night derailment on the Belair line. Today, the opposition has been advised that it was not the minister's spokesperson but the minister himself who accused passengers, who fainted while travelling on the tram, for being overdressed. No shirt, no shoes, no travelling blues!

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:49): It is noticeable—

Members interjecting:

The Hon. P.F. CONLON: I would like to do this quietly. It is noticeable that the question was not asked by the Leader of the Opposition, who I am told today went out on a tram with a young woman—

Members interjecting:

The Hon. P.F. CONLON: It was him. I see; it was the member for Morphett with a young woman, who was not his wife, who was most unusually dressed, which I found surprising and even more surprising that he invited the media to come and see such a thing. Can I make it plain to the member for Morphett (and maybe I will deal with his comment about dress code) that yesterday I was in Melbourne. I was doing work in Melbourne—don't you worry—and they contacted me because someone fainted on a tram. I can assure the house that people have fainted on public transport before, including when the opposition was in charge of it. One of the ways to make sure that someone fainting on a tram gets some attention is if they faint when they are sitting next to a journalist—and that occurred. In fact, in October last year (without a question from the other side) four people fainted in the space of one month on Gawler lines, for a number of different reasons. I was asked for my response, and I said, 'Well, since I am in Melbourne I don't know what happened; why don't you tell them what TransAdelaide thinks happened.'

I note today that the member for Morphett has been running around and saying that I should resign. According to the member for Morphett I should have also resigned on the weekend, because they isolated the wrong switch down at the depot.

An honourable member interjecting:

The Hon. P.F. CONLON: How does it work? The member is asking me how it works. Fortunately, I have some assistance from the member for Morphett about how the switches work, because he told me what should have happened. He said (and, don't forget, this is on media, so he picked out his best grab):

What we've got here is a fast done repair.

Wrong, it wasn't a repair at all; they isolated the wrong switch. But here's how it should work—

The signalling system should have been working and stopped the train or the switch should have been working and stopped the train, or not derail the train.

Now, if anyone can find a meaning in that sentence they are a better person than me, so forgive me if I do not take advice from the member for Morphett on how the switching system should work.

What occurred on the weekend—which he talked about in his explanation and for which I should also apparently resign—was, from memory, that before commencing replacement of some switches people were supposed to isolate switch 66A and 68A. However, in addition, they also isolated switch 67A, which they should not have done. The outcome of that, if I might bore the house with this, was that—

An honourable member interjecting:

The Hon. P.F. CONLON: They did that on a Wednesday; they do this for safety reasons in order to replace the switches. What it means is that when two trains are sent over those switches one after the other, within three minutes of each other, there are likely to be difficulties with the second train. Now, this does not happen in the ordinary course of events but, unfortunately, it does happen when there is a public holiday schedule—which is what occurred with the last train from Belair.

What should have happened, of course, is that switch 67A should not have been isolated. Now, apparently that is me blaming public servants, when I myself should have resigned over it. I would like to say that when switch 66A caused a very minor problem (I do not think it would have been reported in any other jurisdiction), I was actually watching the great South Australian centre half forward from Fremantle, Pavlich, hit the post with a kick in the dying moments of the game—and I would just like to indicate to the member for Morphett that I am not going to resign just because he hit the post, either.

What I said from Melbourne was that TransAdelaide should tell them what it thought happened, and what TransAdelaide said was that, because in the month of April there had been no complaints about ventilation or air conditioning and there had been eight complaints in the month of March (if you remember, Mr Speaker, we had a South Australian record heatwave during March), they could only conclude that people rugged up for the extremely cold weather—and I can tell members that it was very cold in Melbourne—and TransAdelaide thought that perhaps people got

hot because they were all rugged up in the trams. I actually think that is rather unremarkable. I would like to make the issue plain. One of the issues—

An honourable member: You bought the wrong tram.

The Hon. P.F. CONLON: No, that is not it. Let me tell you what the issue is; it is something they—

Members interjecting:

The Hon. P.F. CONLON: Bought the wrong tram, and I should apparently resign for that too. I bought the wrong trams and I should resign for that.

What has occurred since our outstandingly successful tram extension—which the Leader of the Opposition said we should not do; he said it was a tram extension to nowhere, no-one would ride it and it was no good—is that patronage has increased by—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: And he is wrong about that. What has happened is that patronage has increased by at least 15 per cent on the trams.

Members interjecting:

The SPEAKER: Order! The house will come to order! The Minister for Transport.

The Hon. P.F. CONLON: If we had extended the tramline and there had been no increase in patronage, of course we would have made a mistake and the Leader of the Opposition would have been correct. The bottom line is—

Mr Williams interjecting:

The SPEAKER: I warn the member for MacKillop.

The Hon. P.F. CONLON: What has happened is that those who criticised the tram extension—not *The Advertiser* but a whole load of them—have changed their tune. I note that one of them, Matthew Abraham, was honest enough, after criticising the tram extension, to say that it was the best thing that had happened to the city in 150 years. I thought even I would be hard-pressed to make that claim, but I am quite happy to repeat it: the best thing that has happened in 150 years. Can I humbly say that, if we had been here for 300 years, it probably would have been the best thing that happened in 300 years. Rex Jory, who initially opposed it, had the good grace to say, 'We were wrong. It is a success.' All the others—

The Hon. K.O. Foley interjecting:

The Hon. P.F. CONLON: And it was Mike Rann's idea. I do remember him referring to them as Pat's trams in parliament a while ago, but I am quite happy to say that all along it was Mike Rann's idea. The tram extension has been an outstanding success. It does present us with pressures on patronage, particularly on two tram rides in the morning, and we acknowledge that, but it is not helped by people making up ridiculous stories.

If you listened to the member for Morphett, not only were they the wrong trams, but you could catch Legionnaires' disease if you rode on them—complete utter invention! We hear that the airconditioning is no good, except that there were no complaints about it in the month of April. If you listen to the member for Morphett, you are likely to be kidnapped and taken off for some sort of alien probe if you ride these trams. The man is pathetic and ridiculous. I am not going to resign if someone faints on public transport.

I am reliably informed by my colleague the Minister for Education who is a doctor, that fainting is actually the body's defence mechanism against a number of ills. That is why four people fainted in the month of October on trains, for example, including two people who fainted on empty trains. It is regrettable that they fainted on empty trains, but they did. That is what happened. People fainted on buses and trains when you ran them.

I will say this: I am very frightened by the spectre of something and it had me concerned when we saw the member of Morphett out with a scantily-clad person. I do hope that person was a volunteer. What I do know is that we have seen opposition leaders in New South Wales and then in Victoria coming out of the surf in their budgie snugglers, and I do not want to see that here. I do not want to see the Leader of the Opposition in his budgie snugglers.

An honourable member: Smugglers.

The Hon. P.F. CONLON: Budgie smugglers. We do have dress standards on our trams and, above all, the dress standard we have is that we do not want to see a member of the opposition in their bathers or underwear under any circumstances at all.

TAXATION

Mr GRIFFITHS (Goyder) (14:59): Does the Treasurer agree with Prime Minister Rudd's comments that it is time for a comprehensive review of the tax system? On 21 April, the Prime Minister told ABC television, 'It is actually time we looked at the root and branch reform of the Australian taxation system.' In response to the state Liberal's tax discussion paper, released two weeks ago, the Treasurer said that tax reform was not on the state government's agenda.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:00): Yes, I do agree with the Prime Minister. The—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: It is actually, yes. The opposition are more than entitled, as an opposition should be, to consider their own taxation policy going into the next election. I hope they do a better job than the Hon. Rob Lucas, who I referred to often as a very lazy shadow treasurer, that is probably why he was dumped by the leader, whose tax policy at the last election was to say, 'We'll have a land tax cut. It will be tens of millions, but we can't tell you who's going to get it, what tax is going to be cut and what rates are going to be changed until we win office, because only then can we have a crack at it.' I can understand why the Leader of the Opposition sacked Rob Lucas, because that was about as lazy a job as I have ever seen by a member of parliament.

I am more than happy for the leader to have his tax summit and to try to work out how he can rejig state taxes. We have been doing that ourselves for six years and we may or may not do it into the future, because we have substantially cut state taxes from payroll tax, bringing our rate in the dollar down to that of Victoria from 1 July this year. From 1 July this year we have cut land tax, we have cut a whole range of taxes in accordance with the intergovernmental agreement, and we have improved the first home owner's grant. But as the leader I hope would recall (and if he should ever see government would be presented with the reality), that the demand for service delivery in this state far exceeds our capacity to deliver it. That is a fact.

An honourable member interjecting:

The Hon. K.O. FOLEY: He says, 'Oh God.'

Members interjecting:

The Hon. K.O. FOLEY: Coming from a bloke who put his business into involuntary administration. He wants to talk about ability; a bloke who had his company put into involuntary administration. You want to talk about ability? You want to talk about ability? All right. We'll talk about your ability. You stick your head above the trenches any time.

Members interjecting:

The SPEAKER: Order!

An honourable member interjecting:

The Hon. K.O. FOLEY: I was actually reminded by a Liberal the other day to raise it. A Liberal in the corridor said, 'Why don't you get stuck into Pisoni and remind everyone that he put his business into involuntary administration?' But you'll remain nameless, who it was.

Members interjecting:

The SPEAKER: Order, the member for Schubert! I ask the Deputy Premier to return to the substance of the question.

The Hon. K.O. FOLEY: The critical issue is what is commonly referred to as vertical fiscal imbalance. Do you know what that is, member for MacKillop?

Members interjecting:

The Hon. K.O. FOLEY: I know Greg Kelton understands it. He was around when it was invented.

The Hon. P.F. Conlon: Kevin, does it make you faint?

The Hon. K.O. FOLEY: No, it doesn't make you faint. This issue has been put on the table by state treasurers for as long I have been attending state treasurers' conferences. I am the second longest serving state treasurer, I might add, in Australia right now, and how time passes very quickly.

Vertical fiscal imbalance is this: the state governments of Australia are the service deliverers of all tiers of government. We are the tier of government that has responsibility for family and community services, for disability, for education, for policing, for hospitals, for environmental practices and regulation, and the list goes on. The commonwealth, in various degrees of capacity, provides us with funding. The truth is that it is not sufficient for us to maintain services and improve, with the demand that we have. Take, for example, health. We have health inflation raging, I think, between 8 to 10 per cent, year-on-year compounding inflation—

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: We have 8 to 10 per cent health inflation, when—

Mr Williams interjecting:

The SPEAKER: I have already warned the member for MacKillop once.

The Hon. K.O. FOLEY: We have been saying to the commonwealth that, at some point, there has to be the issue of vertical fiscal imbalance; that is, that the commonwealth collects the majority of taxation revenue in this nation and the states have the major responsibility for the service delivery. If one wants to see that vertical fiscal imbalance better illustrated, one should have a look at the size of the national surplus when the budget is handed down in May.

Some reports are that the surplus could be as high as \$20 billion. That is \$20 billion worth of revenue, largely from income tax and company profits that are captured by the commonwealth, whereas state governments are investing and borrowing for infrastructure at an equivalent amount, and we have unmet demand in disabilities, families and communities and health right across the spectrum, right around the nation.

The Hon. P.F. Conlon: Transport.

The Hon. K.O. FOLEY: And transport. We have been saying to the commonwealth and state treasurers (and we were talking about this with Peter Costello) that, at some point, notwithstanding the GST revenue that has been made available for the state, there is an imbalance in who collects the majority of taxation revenue and who has the majority responsibility for delivering the service.

I support a wholesale root and branch look at how we do that because, with all due respect to the Leader of the Opposition (and I am not belittling his summit; good luck to him, that is not necessarily a bad thing to do), I say to him that he will be tinkering at the edges—he will be mixing the pie—unless, of course, he is going to introduce a new tax or cut services or run deficits. If you want to cut the quantum of state-based own source revenue, you have to identify which service you will cut, which debt you will increase or, indeed, which new tax or charge you will apply. There is no other answer.

At the end of the day, that is tinkering at the edges. The real issue is: how do we, as a society, receive enough money at a state level to continue to improve our services? The only way in which we will do that is to get a national government to share more of the national wealth with the states for us to deliver better services.

VICTORIA PARK REDEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:07): My question is to the Minister for the City of Adelaide. Does the minister, now that she has special dispensation from the Premier as the Minister for the City of Adelaide, support the construction of a large temporary grandstand proposed by the Treasurer in Victoria Park for 11 months of the year for one event?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:08): Breaking news! I have breaking news here somewhere.

An honourable member interjecting:

The Hon. K.O. FOLEY: I can't, because you want the whole docket. I will just check that I have the right one.

Mr Williams: Would you like us to come back in 10 minutes?

The Hon. K.O. FOLEY: Possibly, that could help. Just stand by, please. Here we are. I am under so much pressure during question time, I can do two bags of dockets, read the *Financial Review* and talk to my mates next to me! I am happy to table whatever is in this docket, because it is interesting stuff. I have a letter from Mr Jim Daly, of Adelaide Parklands Preservation Association Inc. and Adelaide city councillor fame, dated 27 March 2008, which I understand was just after they were briefed on the 11-month period. He writes, as follows:

Re: Declaration of Prescribed Works Period and Specified Area for the Clipsal 500 Adelaide Infrastructure Upgrade.

This is to me. 'Dear Mr Foley'—doesn't say 'Kevin', but never mind.

An honourable member: Who wrote it?

The Hon. K.O. FOLEY: Jim Daly. He writes:

I refer to the proposal that a new Prescribed Works Period for Park 16, Victoria Park, for the purposes of undertaking an upgrade of the Clipsal 500 infrastructure commencing on 30 April 2008 and conclude 15 May 2009.

At that point you would think that the next paragraph would go, 'Shock, horror, don't do it for 11 months.' Hello, it is not. He says:

Whilst APPA [that is, the Adelaide Parklands Preservation Association Inc.] is pleased that it is now proposed to erect a demountable pit building in lieu of the originally proposed permanent structure we are concerned—

and I thought at that point that it will be 11 months that this thing is going to be up for—no—

that it is intended to maintain and utilise the existing on-site administration huts as the works management offices during the above Prescribed Works Period.

He is worried about some huts. He further states:

It is considered both inappropriate and inefficient to retain these site administration huts in their current location remote from where the construction activity will be occurring. With the SAJC's decision to vacate Victoria Park surely these buildings could be relocated to the north-eastern area of the park where road access, power, water and sewage facilities would be readily available? Alternatively the demolition program for the SAJC buildings may allow for one of these vacated buildings to be available for use as works management offices during the period. It is therefore requested—

and I thought at this point maybe he is going to request that we don't do it for 11 months—no. He says:

It is therefore requested that consideration be given to removing the existing site administration buildings from their current inappropriate location.

APPA is also concerned that the proposed infrastructure works will restrict public access and other events and supporting activities in Victoria Park during the extended Prescribed Works Period. Also of concern is the effect on existing trees and grasses.

Your early response to the above concerns would be appreciated.

Nowhere does he say, 'Shock, horror' about 11 months. Nowhere does he say, 'Don't do it.' Nowhere does he say, 'We want you to redesign it.' Who was on telly yesterday? Jim Daly was on telly, from memory. I can only guess, I cannot recall exactly, but I think he was concerned—and shock, horror—about the 11 months. So was that councillor, the one named Anne Moran. She was also briefed. The 11-month period has not been argued against by the Adelaide Parklands Preservation Society.

They are arguing about where a few huts are, where we might get a bit of access and where there might be some trees that are ruffled, but nowhere do they say, 'Don't do it', because they have had it explained to them that this is necessary. Why is it necessary in the first year? We have to do new foundations, new concrete pads, new sewerage, new water, new electrics and new plumbing, and for certification of the structure, bearing in mind this particular type of infrastructure

has not been built, a new configuration, they need more time to erect it to get it right. We are putting in place the largest—wait for it, world first—shaded canopy. At 400 metres long, it will be the largest shaded canopy over a grandstand anywhere in the world. Do you know what they reckon we had better do? We had better put it up and make sure it works before the race—

Ms Chapman: That is what they used to say about the Le Cornu's building—the longest curved window in the southern hemisphere!

The Hon. K.O. FOLEY: No, Vickie, I am not as old as you, sorry. We have to put it up, so that we can get it all certified that it works. The last thing I want to do is to see this thing go up and—

Mr Hamilton-Smith: Fall down on you.

The Hon. K.O. FOLEY: That is true; that would probably be the last thing I would ever do in this job. But we have to put it up before Christmas to get it certified.

Can I say, as I said yesterday, and as the Premier said before, sometimes you have got to admit that you're wrong and do what's right. And you know what? I was wrong. I reckon I was wrong. Because the new structure we have now is better than what we would have had under the compromise of a permanent structure. What we have now is 25,000 South Australians who will not get sunburnt. That matters to this government now. They will have shade, and our sponsors will have better facilities, and it will be a better structure. So what happened by being forced back to the drawing board, as I said in a press conference yesterday, was that we let our creative juices flow. And I was brought into the mix. They even asked my opinion. They brought me around the table, and they said to me—

Members interjecting:

The Hon. K.O. FOLEY: No, seriously, I remember Roger Cook saying 'Minister, we might be able to cover all the grandstands, but the only problem is it's never been done anywhere in the world,' and I said, 'Let's be world leading,' and we've done it. So I am pretty happy with it. I am sure the minister is delighted with it.

Members interjecting:

The Hon. K.O. FOLEY: Jim Daly's happy with it. And, Mr Speaker, good government is about admitting when you're wrong to do what's right. I hereby table the document.

PAXTON REPORT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:17): My question is to the Minister for Health. Will the minister now release the 700-page Paxton report, for which the government paid nearly \$1 million? On 12 February 2008 I asked the minister to release the Paxton report. On 1 April 2008 the minister tabled a report of Paxton Consultancy dated 25 February 2008, being a summary of the recommendations made.

On 2 April 2008 I asked the minister to release the rest of the Paxton report, including accompanying documents. The minister said that he would look into the matter, but asserted that the report that he had tabled was the one he had taken to cabinet. The opposition is informed that the full 700-page report is still in the Department of Health.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:17): I tabled the report that was given to me. It was taken to cabinet. There are background materials. I am happy to have those looked at to see whether there is anything in there that might be of assistance to the deputy leader.

CIGARETTE SALES

Mr PISONI (Unley) (15:18): My question is to the Minister for Health. Does the minister support the policy of his colleague and former health minister, the member for Little Para, that the use of children to catch retailers selling cigarettes to age smokers is entrapment, completely wrong, and inappropriate?

Last week a city shop owner was fined for selling cigarettes to an underage smoker, who it turned out was working undercover for the Rann government. The practice of using children was started in 1999 as a pilot program, with young volunteers receiving training, support and \$50 gift vouchers to play the role of an underage smoker looking to buy cigarettes. However, where the retailer was found to breach the laws, he or she was cautioned. No fine was issued.

On 1 June 1999 the then shadow health minister, Lea Stevens, told the media that it was a case of inappropriate use of children and entrapped the retailer. Last week the health department confirmed that the practice continues, but that the government is issuing fines, instead of a caution—which has turned this from an education tool into a revenue-raising exercise.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:19): Oh, thank you so much for this question. Thank you so much, member for Unley, for putting this question to me. Firstly, just to correct the record: the Minister for Mental Health and Substance Abuse is the responsible minister, not me, but I am delighted as the minister representing her in this place to take this question for her.

Let me explain the clear difference between this side of the house and the other side, between the Minister for Health and the shadow minister for education. We are implacably opposed to deli owners or any other small business person selling cigarettes to children. Got that? We are opposed to selling cigarettes to children and we are prepared to take action to ping those grubs who do so sell cigarettes. The difference is that the member for Unley is defending the right of a deli owner to sell cigarettes to children. That is what this is about. The member for Unley is standing up for the rights of a deli owner to sell cigarettes to underage children. That is what all this is about. Strip away the rhetoric, strip away everything else—it is about the member for Unley defending the right of deli owners to sell cigarettes to children.

I say, 'Shame on you, member for Unley; shame on you.' I say to the member for Unley that it is clear that the majority of your own side do not support you. They know how foolish you are being in relation to this matter. I also make the point that there is no other way we can know whether or not delis are behaving in the right way other than by using underage people to go into the shops to buy cigarettes. This policy was introduced by a former minister for health, the Hon. Dean Brown, in 2001.

DEFENCE AND ADVANCED MANUFACTURING INDUSTRIES

Mr BIGNELL (Mawson) (15:21): My question is to the Minister for Science and Information Economy: how is the government encouraging innovation and creativity in South Australia's defence and advanced manufacturing industries?

The Hon. P. CAICA (Colton—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Gambling) (15:21): I thank the member for Mawson for his question and, of course, he is fully aware (because of his connections with the wine industry) that science, technology and innovation play a fundamental role in our rapidly evolving and expanding economy. I intend to elaborate beyond the wine industry and I know he is interested in that, as well.

The government funds several major science and research programs that encourage innovation and creativity in key industries such as defence and advanced manufacturing. The Premier's Science and Research Fund is one such program, and our total commitment of nearly \$15 million to the PSRF has provided substantial and ongoing benefits to our state by boosting our scientific knowledge and capabilities. Five projects specifically focusing on defence and advanced manufacturing were funded through the fund last year. This funding will help South Australian-based researchers in such areas as fibre lasers and networking, surface engineering, medical devices and communication systems for the defence industry.

Previous Premier's Science and Research Fund projects also contribute to our key industries, such as the UniSA's facility which investigates advanced manufacturing methods for conducting polymers, along with the University of Adelaide's world-class wind tunnel, which will provide a competitive edge to local industry and researchers in the defence, aerospace, wind turbine and wind engineering sectors.

These projects are enormously beneficial to our state because they help develop SA-owned intellectual property, they provide potential for local investment in new facilities for the manufacture and export of high value-added products and they help to underpin sustained growth in our key strategic industries. Members would also be aware of the government's \$22 million commitment to the NCRIS program which supports nine South Australian-based projects and provides world-class science infrastructure to our researchers. There are two projects—the microfluidics and nanofabrication facility and the SA regional facility for microscopy and microanalysis—which have specific applications for the defence and advanced manufacturing industries.

The government's significant contribution to the Cooperative Research Centre Program is also providing ongoing benefits to South Australia. Both the auto CRC and the rail CRC have a South Australian involvement, a direct link with our advanced manufacturing industries. These two CRCs will receive \$700,000 over seven years from the state government. Both exist to deliver substantial benefits to the automotive and rail industries. The government is also co-funding the Australian Minerals Science Research Institute.

Mr Kenyon: It is a great initiative.

The Hon. P. CAICA: It is. Our contribution of \$2.5 million will be invested in the Mawson Lakes facilities and equipment. The AMSRI has the potential to boost research capabilities and to address environmental issues such as water and energy resources.

The government has also contributed \$8 million to the establishment of the integrated research centre at the Mawson Institute of Advanced Manufacturing, which will bring together the allied research institutions. Of these three allied research institutions, which cover the areas of science, engineering and advanced computing, the internationally renowned Ian Wark Research Institute is the leading element, and it was the prime justification for securing this level of funding. The Wark Institute is a flagship for scientific research and development in South Australia, especially in the areas of advanced manufacturing materials, surface science, minerals processing and nanotechnology.

I could go on and on about science and research and the state's substantial commitment to these and other scientific programs, but I will finish by saying that it is these programs that drive the creation of tremendous career opportunities for all South Australians across our very vibrant and expanding sectors.

POLICE HANDGUNS

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:26): I lay on the table a copy of a ministerial statement relating to semi-automatic handguns made earlier today in another place by my colleague the Minister for Police.

MAKK AND McLEAY NURSING HOME

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:26): I lay on the table a copy of a ministerial statement relating to the Makk and McLeay Nursing Home made earlier today in another place by my colleague the Minister for Mental Health and Substance Abuse.

GRIEVANCE DEBATE

MANNUM FERRY

Mr VENNING (Schubert) (15:27): Further to my presentation of a petition today in this house, I inform members that two weeks ago I met a group of concerned residents from Mannum. I have to say that they were fed up with the inaction of the Rann Labor government in regard to fixing the concrete ramps on the upstream ferry service which was closed in December because of the falling river level.

I have raised this issue numerous times in this house, as have my colleagues, particularly the member for Hammond. Still Premier Rann and his team refuse to fix the ramps, and the ferry service remains closed. The people of Mannum have taken the matter into their own hands, with local businessman, Mr Tony Eversham, organising a petition urging the state government to take immediate action to upgrade the concrete ramp of the upstream ferry at Mannum enabling it to operate again.

The petition, which was officially tabled in this house today, attracted over 700 signatures from local residents, and this is testament to how strongly the residents of Mannum feel about this issue. Mannum residents are concerned about the many aspects of being reliant upon one ferry, including issues of safety. What if there is an emergency and there is a 45-minute wait at the ferry? Financial losses are being experienced by businesses since it closed in December. Local businesses have reported a 15 per cent downturn in their takings. Many locals are simply fed up with the great inconvenience and feel that they are being treated as second-class citizens by the state government and are being totally ignored.

The safety of residents is paramount and should be the government's number one priority, yet sadly it is not. Recently, the people of Mannum have been left stranded without a ferry at all. Twice there has been no ferry during the same week due to the suspension of the remaining downstream operating ferry for emergency repairs and routine maintenance work. I was informed that, on Monday 7 April, the downstream ferry service was temporarily suspended from 8 o'clock until 9.30pm (1½ hours) for regular maintenance. That means no ferry. This caused problems for many, particularly for those working in the hospitality and service industries who finished work in the evening and then had to make their way home to the other side of the river.

Worse still, on Friday 11 April between 1.10pm and 3.10pm, the downstream ferry was closed—this time, for emergency repairs to be carried out. In other words, there was no warning. For over two hours nobody could cross the river unless they did a 70 km round trip. Thank goodness there was not an emergency. It is 35 kilometres to the nearest bridge. The local school dismissed students at 2.30pm that day and parents could not cross the river to pick up their children. They were left stranded. Parents, who had no forewarning of the closure, were left wondering how they would reach their children, and both students and parents were stressed. No-one can expect people to travel the 70 km round trip to Murray Bridge to cross the river. It is just ridiculous.

The situation has been made worse by weight restrictions put on the other ferries, especially those at Swan Reach, thus forcing more trucks onto this one operating ferry without the weight restrictions at Mannum. I received from the then acting Minister for Transport (Hon. Paul Caica) the following response to a request I made in February to have the concrete ramps of the closed ferry extended:

The department does not have any plans to extend the concrete ramps on the Mannum upstream ferry crossing at this time. I am advised that this would be a significant project, estimated to cost in excess of \$500,000.

I question that amount; I think \$300,000 is a more realistic figure. He continued:

In addition, the works may take up to six months to complete and would require extensive design work and dredging of the river, as well as native title clearances.

It goes on and on; every excuse imaginable.

This state government is currently flush with money. It has more money than any other state government has ever had and has supposedly commenced a huge infrastructure program. One must ask why it cannot find the \$300,000 to \$500,000 to fix the concrete ramp for the upstream ferry at Mannum to make it operational. Considering this state government managed to find \$100,000 out of revenue last year to fund a welcome party to open the tramline extension to nowhere, \$500,000 seems only a little money to find. I implore the government to appropriate some funds in the next budget to carry out this work on the upstream Mannum ferry. It needs to get its priorities right and forget the politics.

I congratulate all those who worked to get these signatures, and I pledge to the people of Mannum that I will do all I can to encourage the government to do the work—even if it asked local government to do it, because I am sure the Mid Murray Council would do it for a fraction of the cost. It is not fair that these people have this gross inconvenience. I notice that we will be debating a transport bill, and I will be raising this again, because it is grossly unfair that these people pay a huge price like this. We take access for granted; all these people are asking for is a fair go.

POLOMKA, MR G.

Ms SIMMONS (Morialta) (15:32): I would like to speak today about one of my constituents, George Polomka of Athelstone. This year George celebrates 60 years of outstanding service in the Country Fire Service, and I was pleased to attend a gathering at the Athelstone CFS during April. This was also attended by the Premier, the Minister for Emergency Services (Carmel Zollo), the CFS Chief Officer (Euan Ferguson), the President of the Mount Lofty branch of the CFS Volunteers Association (Roger Flavell), the Athelstone CFS Captain (Eero Haatainen), the Jamestown CFS Captain (Tim Cooper), and many other CFS officials and members, as well as George's family, especially his wife Eileen, who herself celebrates 33 years of CFS service this year.

George became a foundation member of the Jamestown CFS brigade in 1948 (in those days it was known as the Emergency Fire Service), and went on to become the first volunteer regional officer in region 4, the biggest CFS region in the state, which stretched across nearly 700,000 kilometres from Burra to the borders with New South Wales and the Northern Territory. George was instrumental in raising money to build a new fire station in Jamestown in the 1960s,

and, following the devastating Ash Wednesday bushfires in 1983, he played a key role in the development and design of new fire appliances with improved safety features. However, George is best known perhaps for his commitment to training his fellow CFS volunteers. At the function we heard of one particular training camp where the volunteers were suddenly woken from a deep sleep in the dead of night by George's bellow, as he demanded that they haul a 64-millimetre hose across the dormitory roof as part of an impromptu drill.

It is significant that when George and Eileen moved from Jamestown to Athelstone in the 1980s they bought a house just across the road from the Athelstone CFS station. This was George's way of keeping a keen eye on his new brigade, and he took on the role of unofficial groundsman. Should a fire call arise, George is the first there to turn on the lights, bring up the doors and get ready to man the radio.

His fellow officers recognise that another of George's strengths is that he always has the brigade in his thoughts, and should an opportunity arise he makes sure that the brigade takes that opportunity to advance itself. Coming to Athelstone in his retirement, and already in his 60s, he has contributed enormously to this brigade and fulfilled numerous roles, including administration officer, equipment officer, communications officer, driving instructor, cadet coordinator, and, at group level, he is the assistant administration officer.

Over six decades, George Polomka has epitomised the true ethos of our wonderful CFS volunteers who are prepared to risk their lives for our benefit. I believe that the selflessness demonstrated by the CFS generates the sort of spirit that builds communities like Athelstone and Morialta and binds them together.

It is this sort of commitment, energy and generosity of spirit that inspires our communities and makes me very proud to live in this area. On behalf of this house, I add my sincere congratulations and thanks to George Polomka for all his help and support for our wonderful CFS volunteers over the last 60 years.

NATURAL RESOURCES MANAGEMENT

Mr PENGILLY (Finniss) (15:35): In the short time available to me this afternoon, I want to once again raise the issue of natural resources management in South Australia, some concerns and some explicit examples of where I think minister Gago has again lost the plot.

The main concern which is coming to me from my fellow members in this house is that we have put these boards into place and all we have done for the last couple of years is to try to invent or reinvent plans and create, in some cases, administrations of a considerable size. I turn to the Kangaroo Island Board which I mentioned in here just recently. I have some concerns about one of the outcomes from this board. It has been talking about a plan for a fair while. The Soils Board had a plan, the old Kangaroo Island Natural Resources Board had a plan—surely all these could have been dusted off and we could have got on with the job. That is one of my concerns.

Another concern that I have with these boards—to be more explicit, across the state—is how they are appointed. Under the act, they are appointed by the minister. I think this is an abject failure. I do not think that it is working. I think that it removes the local input into creating boards for local communities, and I believe that we will have to revisit this legislation and put in place provisions for a publicly-elected board in the case of natural resources boards around South Australia.

I do not believe that this appointment process is working properly. I am most disappointed with the actions of the minister and the way she has approached the Kangaroo Island board. I have been on a couple of government boards over the years, and anyone who knows anything about it knows how they are appointed. The fact is that the minister talks to the presiding member, and the presiding member says whom they want or do not want on there, and they are gazetted—end of story.

It runs through government; that is the way it works. I find that the current situation is not tenable and I think it is failing communities. For the sake of the house I point out that local communities across South Australia are actually paying a levy attached to their rate notice which is collected by local government. So they are being levied, yet they have no input whatsoever into these boards that are controlling their districts.

The boards rely on federal funding, state government funding and local funding through the ratepaying public. Anyone can put their name forward by a process of elimination (as I mentioned

earlier) to go on there, but in effect, despite the fact that they are paying out hundreds of thousands of dollars across South Australia, they have no say, and I think that is wrong.

What has happened more particularly with the Kangaroo Island board I think has been an abject disgrace. Mr Rodney Bell, a former member of the Advisory Board of Agriculture, a citizen of some distinction on Kangaroo Island, highly regarded and highly respected, was dumped from the board because he chose to speak out at a hearing of the Natural Resources Committee on Kangaroo Island. He was not invited to attend by the presiding member of the board at that time, but he got wind of it and went along and had a few words to say. He spoke up on a few issues and was conveniently removed from the board, and I do not think that that is in our best interests.

Then lo and behold we were told in the *Stock Journal* last week that the NRM board now comprises six farmers or former farmers. I have had a look at it and I can make 4½ out of it (I don't know how they get six), but I am really concerned. The minister has put in a letter supporting the presiding member. The presiding member is a dead dog walking on Kangaroo Island, I am afraid. She is a dead dog walking. She does not have the respect of the local community anymore and I think there is a great sadness about that, and the board is in desperate trouble. It has no respect, no integrity, and this thing is just dead in the water to all intents and purposes.

I ask that the parliament look at this process when it comes up and that we revisit the legislation and look at electing these NRM boards from communities, getting some local input into them, rather than set-ups by ministers such as occurred on Kangaroo Island.

Time expired.

ANZAC DAY

Mr BIGNELL (Mawson) (15:40): I rise today to talk about ANZAC Day celebrations, not just here in our own communities, but in other parts of the world. Last Thursday night, Madam Deputy Speaker, you were present at the Morphett Vale war memorial for the youth vigil which occurs on ANZAC eve each year, along with me and our federal colleague, Amanda Rishworth, who spoke very well at the service. I know that, madam, you have been very involved in the formation of that group of CFS cadets, police cadets and other youth from around our local southern community, who do such a wonderful job keeping guard over the war memorial for the 12 hours before the dawn service. Once again, it was a very good service last Thursday night, ANZAC eve, and I commend all those who were involved in it, especially the local RSLs who put their support behind it. I think it is a fantastic night to see the youth of our area come together with the veterans of our region to thank those who have gone before us in past generations to serve our country in some of the most inhospitable parts of the world and put their lives on the line for future generations.

On ANZAC morning, like so many members in this place who attended dawn services, I was at the McLaren Vale dawn service, which has grown so much over recent years. I know from talking to other members of this place that in recent years everyone has seen huge growth in attendances at their local dawn services. At McLaren Vale we had well over 1,000 there on Friday morning. I spoke to someone who was at the nearby Willunga dawn service and they said there were more than 500 people, so it is a really wonderful thing to do. I think in our national calendar that ANZAC Day is the most important day of the year for us to remember who we are as a nation.

As someone who has been to Gallipoli, I feel I have never been in a more Australian place and yet it is on the other side of the world, but when you stand there you think of those young men who lost their lives, and they really were lambs to the slaughter so far from home. Last October I was in Beersheba in Israel. Of course, that was the scene of the last great cavalry charge in history, and it was Australian soldiers who did the unthinkable. There was absolutely no way the plan was ever going to come off. They needed to belt across the desert on their horses and get to some wells, which were the only source of water in the region. If they got there, they would be able to maintain for several months their campaign against the Turks and the German forces.

No-one believed it was possible, including the enemy, so it took them by surprise when Australian soldiers on horseback started galloping towards them and here were these troops in the trenches and the Australian horses were coming towards them at such a fast rate and so unexpectedly that the Turkish soldiers could not even reset the sights on their guns, so the bullets went straight over the heads of the Australians.

We have seen a lot in recent days of services around the world on the Western Front at the Somme, through Belgium, France and, of course, at Gallipoli, but at Beersheba just a few hours ago the Governor-General, seven war veterans and 35 army personnel were present for the

dedication of the Park of the Australian Soldier. They unveiled a memorial commemorating the charge of the Australian Light Horse at Beersheba 90 years ago last October. When I was there, I was very disappointed to see the wells that everyone had fought so hard for 90 years ago in a state of absolute desecration almost for what is to us, as Australians, one of our most significant places in history.

They were full of plastic bags from a local market around the area. So, I wrote to the new federal Minister for Veterans' Affairs, Alan Griffin, and he got straight onto our ambassador in Israel, who then contacted the Beersheba municipality. They also agreed that it was not acceptable, and have cleaned up the site and removed all the plastic bags. They will continually monitor it and make sure that these plastic bags do not blow in there from the local markets. So, I think that my trip there with the Young Australian of the Year, Tania Major, was timely, in that it picked up on this fact and we got things cleaned up.

I also want to thank Richard Pratt, one of the great philanthropists in Australian history, who provided the money for this fantastic memorial in Beersheba, for his ongoing support of the relationship between Israel and Australia. I think it is a good thing. Israel was not even established 90 years ago: it was established 60 years ago this year, and for the Israelis to take up this cause is commendable.

Time expired.

HOUSING TRUST SURVEY LINES

Mr HANNA (Mitchell) (15:46): Today I want to raise an issue with respect to a couple of suburbs that I look after, particularly Sturt and Seacombe Gardens. Most people know that they were Housing Trust suburbs, and many homes were built by the trust in the 1950s and 1960s. One of the problems that has arisen is that the areas were surveyed but, when the homes came to be built, the Housing Trust paid scant regard to the survey lines. So, fencing was erected without due regard to the legal title of the properties. At the time, it did not really matter, because on a particular block all the houses would be Housing Trust properties. They were all public tenants and, whether they were the recipients of welfare or people on low wages, they were able to get a roof over their head.

Of course, the communities have changed, and government policy towards the Housing Trust has changed. It is gradually being run down, and we are still losing hundreds, if not thousands, of housing opportunities a year for people who are less well off. The problem has arisen that, when purchasers of what were Housing Trust properties come to make changes to their land, they find that the fencing and the longstanding use of properties does not coincide with legal title. This has produced a couple of particularly traumatic events for constituents of mine.

I remember visiting a property about two or three years ago, where a young single mum had woken up to the sound of jackhammers dismantling her cement driveway. She rushed out to the builders and said, 'What are you doing? This is my driveway,' and they said, 'The developers bought the Housing Trust site next door. We have checked the survey lines. They go over a metre into your driveway, and we are now demolishing this so we can put up a new fence and get on with building these townhouses.' This woman was tremendously distraught. Legally, there was practically nothing that she could do.

Another problem has just arisen where, similarly, a developer has bought some places on Diagonal Road and simply moved in and demolished a fence, a shed and quite a bit of property on John's place (I will refer to the couple by the name of one of the constituents). John was absolutely shocked that the developer had come in and caused all this property damage. It was pointed out to John that, technically, this all occurred on the property next door, even though his fence had been there for a long time, because his father had purchased the property, I believe, from the Housing Trust.

The claim that we put in to the Housing Trust came back with a fairly quick response from SAICORP, the insurance company covering government assets, denying all liability. The implication of the letter was that, whilst this had been done to John's place, if there was a similar overlap from John's place into his next door neighbour's place—which is Bob's place on Diagonal Road—John could do the same to Bob, because that would be his legal title and he could do whatever he wanted on it, including demolishing the fence and his neighbour's property.

This lack of responsibility on behalf of the Housing Trust in the 1950s, when fences and houses were put up regardless of legal title, is now leading to horrific neighbour disputes where people are threatening each other with demolition and, in fact, demolition of people's fences and

sheds is taking place lawfully, apparently. I think there is a good reason for a number of these residents to make a claim against the Housing Trust, and even if the Housing Trust is on good legal grounds for washing its hands of it, there is a real moral responsibility, and I would like to see the government act on this. I will gather the facts and put them before the Minister for Housing, and let us see whether we can come up with some sort of resolution of these disputes which is fair, bearing in mind people have been acting on perceptions of ownership which have gone back for many years.

Time expired.

BEULAH PARK FIRE STATION

Ms CICCARELLO (Norwood) (15:51): Earlier this month I was delighted to be present at the opening of the new \$3.9 million fire station at Beulah Park. All the more so, because it is a project about which I felt passionately and for which I lobbied hard. The old Norwood fire station closed in 1988, during my time on the Norwood council. As a member of parliament, I can safely say that it is always gratifying to see a project that I really believe in get the green light and come to fruition—not to mention on time and on budget!

The new Beulah Park fire station is a modern facility that will serve the local community for many years to come, as did the old Norwood station located on The Parade. As children, we always gained much pleasure on Sunday mornings when the fire trucks would go out on their practice runs with their sirens blaring. The new station replaces the Glynde fire station which is over 40 years old and which is scheduled for closure in mid-2009. An additional fire station at Paradise is also scheduled for completion early next year at a cost of \$4.4 million. The Glynde station will remain open until the Paradise station is completed.

These two stations alone represent a commitment in excess of \$8 million—a solid commitment towards public safety and rebuilding our highly respected and valued fire service. This is great news for the north-eastern suburbs which will now have two new fire stations replacing one outdated one. Minister Zollo and I were most impressed when we inspected the Beulah Park fire station at its opening. It is certainly a state-of-the-art station and deserves its reputation as one of the best designed buildings of its type in Australia. In addition, but not surprisingly, it also houses the latest environmentally sustainable design features. These include: 71 solar panels on the roof; water recycling systems; solar hot water systems; irrigation of gardens from flushing of toilets within the station; and the use of environmentally sustainable building materials.

I have given speeches in this place before about this government's commitment to the environment, and therefore I am pleased that the Beulah Park fire station encompasses the best of what we have achieved since we came to office. The Rann government is equally committed to upgrading and replacing fire stations throughout South Australia. New stations have already been opened at Elizabeth, Golden Grove and Renmark. In addition to the new station being built at Paradise (which I mentioned earlier), new stations will also be built at Port Lincoln and Seaford.

Despite the opposition rumblings and media reports to the contrary, all these new fire stations will be adequately staffed. Recruitment of firefighters has been and remains a priority for this government. From 1 July this year, we will be providing funding for an extra 22 crew for the northern-eastern suburbs. Since 2002, we have funded 11 recruit courses (which is the equivalent of 194 new firefighters), with three of those courses taking place last year. I am pleased to note that further recruit courses are planned in the months to come.

Therefore, it was disappointing to see the shadow minister Stephen Wade claim in the media, following the Beulah Park station's opening, how badly the government was mismanaging the state's fire service, yet he never mentioned (not once) how the previous Liberal government had averaged less than one recruit course per year and some years failed to recruit any firefighters at all. He also never mentioned (not once) how the Rann government has increased the Metropolitan Fire Service operating budget by more than \$23 million since it came to office. It would be nice for the opposition sometime to look at our record, rather than publicly criticising just for criticism sake. They would realise that our commitment to the fire service cannot be questioned.

Our aim is to increase resources, not cut them. We intend to recruit firefighters, not make those whom we have work harder and longer. We are about upgrading and building new fire stations, not simply sitting back and hoping that the status quo will be good enough forever.

This government's commitment to making South Australians feel protected and safe within their communities is plain to see, and personally I am delighted that my electorate has gained the

benefits from this government's resolve, and I look forward to visiting the Beulah Park Fire Station again soon to see how they are all doing.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2909.)

Mr VENNING (Schubert) (15:55): As I was saying before seeking leave to continue my remarks, I cannot understand—as I said in relation to the previous bill—why this bill seeks to amend the expiation notice provisions, with them to be fixed by regulation. We on this side of the house would oppose that very strongly, on principle, always.

The Hon. P.F. Conlon interjecting:

Mr VENNING: No, they should not be. We are very much opposed to that. That is probably the most important clause that we oppose. I do not think it is right to put all the power with the minister in this case, and I think if any amendments need to be made to the act regarding expiations and level of fines the matter should be brought back to the parliament, because otherwise it gives the minister carte blanche to just ramp up all conditions and fines and nobody can do anything about it, apart from the house calling it back.

I am also concerned that those people who are not law breakers or criminals are going to be unfairly punished for something that they may have just overlooked. They should not be treated the same as a person who has deliberately never registered, and often never licensed. The two should be treated as quite different.

I am aware of a case where a gentleman was driving his wife's car. The wife received a registration notice for a Holden station wagon. It showed that the vehicle needed to be reregistered by the 26th of the month. The wife assumed that she had been sent a second renewal notice for her husband's Holden station wagon, as they had already registered his car, which was always due on the 26th. Thinking that a mistake had been made and that she had been sent a second notice after she had reregistered her husband's vehicle, the wife filed the notice and thought nothing more of it.

The wife's vehicle was a Holden Cruze, which, unbeknown to the couple, was classified as a Holden station wagon, and was also due for registration on the same date, the 26th. However, the couple were not aware of the coinciding registration dates, and classification of the wife's car, as the vehicle was new, and it was the first time they were required to register it.

A short while later the husband, whilst driving her car, was pulled over by the police for driving an unregistered vehicle. It was at that time five days out of registration. This man was a government employee and had never had a driving or any other offence to his name. He was made to attend court where he explained to the judge what had happened. The judge was apparently surprised that the case had come before the court and dismissed the charge, letting the man off without a caution.

So, this sort of thing happens. I am sure every member of the house could quote an issue similar to this. This person is known to me, quite close—but certainly not me, even though I am a felon when it comes to a driver's licence.

Ms Breuer: Well, you've got one!

Mr VENNING: I've got one; I have a licence. This is the sort of case I have been referring to, law abiding citizens who have made a genuine mistake. I think there should be different classifications for those who deliberately and repeatedly choose not to register their vehicle and still drive, compared to those who are genuine cases of overlooking the matter, such as the case I have referred to, or in cases where a renewal notice has not been received.

I know that the onus is on us to make sure we drive a registered vehicle, but how often do we look at the disk and actually read what it says on there? I have been in a position in my life of driving unregistered—not caught, but looking up there and thinking, 'My God, the vehicle is not registered,' and quickly heading for home. I am most concerned with this legislation because there are huge increases in fines. I have also heard of cases where farmers are not aware that some farm machinery has to be registered. Will they be fined \$2,500, as well? As I said, I introduced farm vehicle registration and I do not want see, as a repercussion of that, farmers—

The Hon. G.M. Gunn interjecting:

Mr VENNING: I did it because of the insurance liability they were facing. Now I think that every state in Australia has some type of vehicle registration for primary producers, even though the vehicles do not go near public roads and are used in paddocks. There are huge increases in penalties from \$2,500 to \$5,000. There is confusion amongst both farmers and law enforcement officers regarding farm equipment, especially towed trailers, headers, comb trailers, bins, etc., which has certainly caused a lot of angst.

Before I sit down, I want to commend to the minister, who is present in the house at the moment, the petition I delivered to the house today on the ferry at Mannum. I ask that he give it consideration. I notice that his Transport staff are here today. The minister knows that this is not a big job, even if they just cut the rollers off the ferry to get an extra foot. I am just giving the minister a little bit of advice. These people are very concerned, and I do not see it as a big job, particularly if one just cuts the rollers off the deck of the ferry. There is an extra foot instantly that can be gained because the water levels have fallen. I do not believe you can continue to do nothing on this issue. It was great that we had rain on the weekend, but I this situation could go on for two or three years and I think the people of Mannum deserve better. I look forward to the minister's response to the issues raised in relation to this bill.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (16:02): I will address some of the points made by the opposition. First, I am certain that the member for MacKillop was not serious about continuing offences of speeding and, therefore, I will not deal with it with much seriousness, except to say that I would like to know what the start and finish was; whether it was a day, an hour, a week or a month. Do you get pinged once and then get a free ride for the rest of the day or something like that? Obviously, that is not going to happen.

In terms of speeding and the points made by the member for MacKillop (that he does not believe speed is a major factor in accidents anymore) I make two points: one is that it is precisely because speed is heavily regulated that safety has improved in that regard. The reduction of the speed limit from 60 to 50, although widely criticised, has reduced the incidence of speeding. People talk about revenue raising but the truth is that that measure reduced the incidence of speeding. Anecdotally, I can say that, driving in the country now, as opposed to when I was young, if I set the cruise control at the speed limit, I am astonished how few cars overtake me now as compared to the old days. It might be different out in the wild west, out the member for Stuart's way, but I make the point that—

The Hon. G.M. Gunn interjecting:

The Hon. P.F. CONLON: The wild north, not west. I am referring to where he lives rather than where his seat is, but I should not.

The Hon. G.M. Gunn interjecting:

The Hon. P.F. CONLON: He certainly spent a lot of time in Port Augusta before the last election, we know that. He does spend a lot of time in his electorate and he is a great local member. We will be very glad to see him retire because it is very hard to win the seat from him—apart from the fact that we like him, as well.

I want to address some of other the points raised: first, the notion that, in principle, these expiations should not be set by regulation. The change is being made in this bill because this offence is the only one set by the act instead of by regulation because this was the offence of exceeding the speed limit by more than 45 km/h. It was so serious that it was believed a \$500 fine should be set. Prior to this time, I think the maximum fine that could be set by regulation under expiation notice was \$350 and that was not considered to be high enough. Now that a higher fine can be set by regulation it was considered that this fine should fall in line with all the other fines. I do not think setting expiation fines by regulation was an innovation of this government. I am not certain about that but I am pretty sure that it has been around for a much longer time than this government; this merely returns it to the ordinary practice, I would have said.

In regard to driving unregistered and uninsured, and the question about the increase in the expiation notice, I say in answer to the member for Morphet's question that, in terms of the increases in expiation fines, that has been done by CPI. I think the regulation has done that by CPI in recent years. That does not apply, of course, to driving unregistered and uninsured. Until this bill is passed it is not possible to expiate such an offence. In terms of some of those offences, in the act you can expiate around licence plates—not all of those are expiable; some of them being created—but the ones that are expiable have been increased by the ordinary CPI adjustment, or whatever it is (that ordinary adjustment annually) in recent years—to answer the questions.

What this bill does is increase the maximum penalty if you go to court. We have found that, if you do simple sums, the reward for avoiding registration costs can be as high as \$2,000. Just so that people understand it, the bulk of the cost is, of course, insurance. This is not about saving money for the government. This is about the fact that ordinary drivers who are paying third party insurance are carrying these bludgers. People who do not pay insurance are being carried under the scheme. We get advice from the CTP committee which tells us what is needed to keep the scheme solvent (or whatever the proper term is for an insurance scheme). People who do not pay are bludging on the driving public, not on the government. We believe the fines set in court are too low. I think the average fine is under \$300, and that is too low. We want to increase the maximum fine for those who do go to court as a signal to the courts that there should be a greater disincentive.

The points made by the member for Schubert are good ones and are addressed in this bill. It is going to allow the police to expiate minor offences that are pretty obviously inadvertence. I have been a lawyer and I have seen them in the Magistrates Court; people who have not realised that they were a few days over who are given a little fine and a two-day suspension on the days of their choosing. I do not know if it was lawful but I saw a magistrate suspend somebody until the end of the hearing.

So, by the time they had got out of there, they had served their licence suspension. That shows what a mockery it is if you make them all go to court. The bill does provide that some of these matters be expiated and that other serious cases should go to court and the court should levy a serious penalty for them. We make no apologies for the fact that cameras will now be used to detect these people because, as I said, they are bludging on decent people. I think that answers all the questions that I have been asked and, therefore, I commend the bill to the house.

Bill read a second time.

In committee.

Clause 1 passed.

Clause 2.

The Hon. G.M. GUNN: Before this bill is proclaimed, could the minister indicate or have an inquiry carried out regarding inspectors? Clauses in this bill deal with the powers of inspectors, and the minister indicated earlier that the government wanted to work with industry. For reasons best known to themselves, some of the minister's inspectors are now pinging the operators of B-doubles when they are coming into silos because they allege that the section of road between the road and the silo has not been gazetted. I have had a telephone call today—

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: You want to tell them; they have been pinged today. This is a well-known transport operator from Jamestown who rang me to ask what is going on. So, I told them that they were lucky they rang today because I would bring it to the minister's attention. We had the stupidity of that fool of an inspector (Burford) out at Ceduna some years ago when he nearly stopped the export of wheat. He did the same sort of thing. He drove past the operator every day for a month. People wonder why he has been named. One unreasonable act always generates another. I ask the minister: is there some bureaucratic hold-up? It is not in any way endangering safety because it has not gone into the *Government Gazette*. What does it actually matter at the end of the day? The product has to be shipped out. The operators are competent, good, organised people, so I just raise that with the minister.

The Hon. P.F. CONLON: I say to the member for Stuart that one of the pieces of work that we are doing at the moment nationally, led by South Australia, is looking at what we call blocks in the logistics chain. It is the case that on occasions, with the best of intentions, things like the last kilometre fall through either the infrastructure or regulatory gap. A lot of very good work has been done by the Livestock Carriers Association in identifying some of these areas. My view is that we want to proceed with some speed to fix them up. As I said, sometimes it is a little infrastructure thing—a very small thing—and at other times it is just a failure in the regulatory approach to proclaim all of it.

I do not know what the circumstances are, but my view would be that, if you have proclaimed a route to get to a silo, you should be able to get all the way to the silo and not miss the last kilometre. The truth is that these are complex things and they rely on the cooperation of lots of parties. As you know, a great deal is the responsibility of local government in these sorts of things.

So, these do occur. I would hope that in those circumstances the people enforcing the laws would enforce them with a degree of discretion. I do not know the particular circumstances but I will talk to the member for Stuart about it.

I can assure him that we in South Australia are leading some of the work on these sorts of things. We believe that there are too many of them, not just in South Australia but around Australia. I commend the Livestock Carriers Association for the work they have done which is being picked up by a number of the other freight industry people, and I believe that we will improve the situation. Some things will always fall through the net, and I would hope that we enforce our laws with a degree of understanding.

Clause passed.

Remaining clauses (3 to 33) and title passed.

Bill reported without amendment.

Bill read a third time and passed.

ADELAIDE FESTIVAL CENTRE TRUST (FINANCIAL RESTRUCTURE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 April 2008. Page 2587.)

Mrs REDMOND (Heysen) (16:16): I indicate to the house that I am the lead speaker (although, potentially, not the only speaker) on behalf of the opposition in relation to this bill. I also indicate with pleasure—for the minister, I am sure—that the opposition will support the bill. Hopefully this will assist its speedy passage through this place.

It is a great joy to me that I have, fairly recently, been made shadow minister for the arts, and this is the first bill I have had in that capacity. In fact, I think it was more of a joy to my children, a couple of whom are fairly heavily involved in the arts. One is a heavy metal band member, although with a classical background, and the other thoroughly enjoys musical theatre—and, indeed, would like to pursue a career in that area. In fact, it is a wonder both my house and I survived on Saturday night, because the local production of *Victor/Victoria* at the Stirling Community Theatre finished its season and the cast party was held at my place.

As far as I know that went all night (there were certainly some bodies lying around when I got up in the morning, and there were a few empty bottles), but everyone had a good time. I find, from my daughter's involvement in particular, that one of the great things about musical theatre is that it mixes people from a range of backgrounds and of a range of ages. In fact, musical theatre in Adelaide is largely amateur, and the quality of these amateur musicals is a great credit to the city.

I am a great believer in supporting theatres; indeed, I believe we would not be a true city without a good cultural backing. Of course, whilst the Labor side of parliament often tries to claim credit for our wonderful Festival Theatre it was actually Steele Hall who initiated that place, so I am pleased to be able to claim the credit, on behalf of this side of the house, for the development of the Festival Theatre in the first place. It is now some 36 or 37 years since that occurred, and the whole time I have lived in Adelaide I have enjoyed attending the Festival Theatre for numerous productions. It is a great venue.

However, we are here today to discuss the fact that we need to do a bit of financial restructuring for that facility, and I would like to thank those who came to my office to advise me on the reasons for the bill. In particular I would like to thank Greg Mackie for the advice he gave me about the background of this matter, which I will run through briefly. The original intention was that the Festival Theatre would own itself, that the Festival Theatre Trust would own its own land and buildings; however, that meant there was always a \$20 million debt on the construction. I have to say that \$20 million seems a small sum of money these days, but I was living in Sydney when they were building the Opera House there and I remember that at one stage that was only going to be \$10 million.

It is testament to how much things have increased in price, if we contemplate how much it would cost us these days to build that facility. When governments today are reluctant to invest in infrastructure I often think that if they had stopped during the Depression and had not built the Harbour Bridge and so on, we would not have so many of those wonderful structures. I love the Festival Theatre, I love the Sydney Opera House, I love a lot of those things that really are part of our whole cultural heritage.

However, we have this \$20 million debt and, during the 1990s, for some reason musicals were not doing too well. I have not yet researched that very thoroughly but, as it happens, I bought my daughter a wonderful book for her birthday this month, *A Chronicle of American Musical Theatre*, which goes through from its origins in the 1840s. It was the only copy of the book in Australia and I had to go to considerable effort to get it. I have not yet read it (it is a very thick book), but I will be interested to see if there is any indication in there regarding what happened world wide in terms of musical theatre.

In any event, the advice I received was that, because of the downturn in musicals in the 1990s, the Festival Centre Trust obtained a further loan from the government of about \$10 million to \$11 million, which it has had to service ever since. So, in spite of running fairly successfully over the past few years and in spite of running what would otherwise be a financially sound enterprise, the Adelaide Festival Centre Trust still has a debt of some \$28 million on its books. Last year the government announced its intention of forgiving that debt but, of course, there are also ongoing issues about how one maintains a building such as the Festival Theatre, which has now been heritage listed. I know that the (Don) Dunstan Playhouse (which, it seems to me, should really have been called the Steele Hall Playhouse) has just been refurbished at a cost of some \$8 million. It is perhaps still currently undergoing some refurbishment.

My limited knowledge of theatres indicates that because of their being (hopefully) successful and therefore putting more bums on seats, bums on seats equals seats wearing out which in turn equals the need to constantly refurbish and replace curtains, improve backdrops, check on acoustics and do all sorts of things, so that there is a constant need for maintenance. What has now occurred, as I understand it, is that the Festival Centre Trust has requested that overall responsibility for ownership be taken away from it and placed with Arts SA.

Arts SA manages a whole lot of other buildings around the state—72 in all, of which some 30 are heritage-listed—so it presumably has some experience and expertise in managing heritage-listed theatres and heritage-listed arts venues around the state. That all makes a fair bit of sense. There is, of course, a need to sort out who will do what, because obviously while Arts SA will take over the ownership and the overall control of the Festival Theatre, there is still the issue of day-to-day management. One would not want to have to contact Arts SA simply to change a light bulb or whatever has to be done on a minor scale. I understand that that will be dealt with via some sort of memorandum of understanding between the Festival Centre Trust and Arts SA.

It did occur to me, when I was considering this bill, that although the Minister Assisting the Premier in the Arts is present in the chamber today to deal with it, the Premier himself is technically the Minister for the Arts in this state, and it occurred to me that with his love of being involved in film (as he so often seems to be) maybe the only way he could actually get to tread the boards was to take over the ownership of the Festival Theatre, because he thus far (as far as I know) has not been invited to actually act on the stage of the Festival Theatre.

Ms Chapman: Thank goodness!

Mrs REDMOND: And we should all be thankful for small mercies! I know that it is said from time to time that politics is actually theatre for ugly people, and I am inclined to agree with that—I will include us all in that group. It did occur to me that there might have been some subversive motive on the part of the Premier in wanting to undertake the ownership of this building so that he could get a guernsey as an actor for some appearances at the Festival Theatre. In any event, as I understand it, the bill does not actually transfer the ownership, but it does allow for a proclamation that will have that effect.

I have indicated to the minister that I do not intend to go into committee on the issue, but there are a couple of questions that I would like him to address when he responds. The first is that, as far as I know, the government has given no guarantee to Arts SA that additional funding will be provided to Arts SA for what it will clearly need to undertake in relation to this building. I understand that the debt of the Festival Centre Trust is forgiven, but, once the building is actually transferred by proclamation into the ownership of Arts SA, I assume that will be its biggest and therefore most costly asset in terms of maintenance, and so I do seek from the government some sort of indication as to what provision there will be for managing the ongoing maintenance.

As I said, while the Don Dunstan Playhouse is currently undergoing its refurbishment, it is almost like the Sydney Harbour Bridge in the sense that there will need to be ongoing refurbishment through the range of theatres, and I seek to understand just how that will be managed. It would seem to me unfortunate, to say the least, if Arts SA were expected within its current budget constraints to manage the Festival Centre which will clearly be quite expensive.

I also wonder about other debts that other organisations might have. The SA Ambulance Service for some years had a debt, as did the CFS and the like. Does the government have a policy of forgiving the debts of statutory authorities generally? It strikes me as a little odd that the government has picked out the Festival Theatre as the object of its beneficence and allowed it to have its debt wiped out. Hopefully it will have a great effect, and the Festival Theatre will go on and have many years of success in running fantastic shows as it has to date and we will see a financial turnaround once it has knocked off that debt on its books. I am curious about whether the government has a program of forgiving all the debts of statutory authorities around the place.

I note that the new arrangements are intended to commence at the beginning of the new financial year, and I think that is only sensible if we can manage to get this bill through both houses and put that proclamation in place so that the transfer occurs well and truly in time for commencement on 1 July. With those few words, I indicate the opposition's support for the bill.

Mr GRIFFITHS (Goyder) (16:29): I also wish to speak briefly on this measure, and it is a pleasure to indicate my support for the bill also. As a young man growing up in a regional community, sadly my opportunity to be involved in the arts was quite minimal. I took more of a sporting line of things until my body started to give way and it was necessary to follow other pursuits, but in the last five years, in particular, I have enjoyed every opportunity that I have had to visit the Festival Theatre and the Festival Centre, and to enjoy performances there.

Indeed, I think it was only on Monday of last week when Minister Hill, as the Minister Assisting the Premier in the Arts, officially welcomed guests who were there for the Chinese spectacular, which was rather interesting. It certainly brought a lot of people together, many of whom were members of parliament, from both the Legislative Council and the House of Assembly, and we all had the opportunity to witness a production that highlighted much of China's history.

I support the member for Heysen's comments in relation to the efforts of Steele Hall in this regard. I was actually at a function at the Festival Centre, at which the Hon. Steele Hall was also present, and we spoke for probably about 10 minutes, during which he recounted to me the history of how the Festival Centre was established and some of his involvement in it. Certainly it was strongly evident to me that Steele Hall was very supportive of it and wanted to do everything that he possibly could to ensure that the structure that was built would service the needs of Adelaide and South Australia for many years to come.

There is no doubt that the Festival Centre is an iconic structure for Adelaide and for South Australia. I think—and I stand to be corrected on this—that previously the Adelaide Baths were located where the Adelaide Festival Centre is now. Having been born only in 1962, I have no first-hand knowledge of those things, but I would love to see some photos of the area and compare what it was with what it is now.

The Hon. J.D. Hill interjecting:

Mr GRIFFITHS: The minister indicates he will provide me with that, and I look forward to seeing it. It is an iconic building that stands there now and, even though I was brought up in a community where the arts were not pursued, I believe it is important that the Festival Centre be supported as much as possible.

One of the great pleasures for me as a member of parliament was in August of last year to have the opportunity to open the Balaklava Eisteddfod. It is very small in comparison, but over the course of three days it probably brings 1,000 people to Balaklava, involving about 100 volunteers and hundreds of performers. In opening that function, I said that the arts and music really define all that is good about the human species. There is no doubt that the Festival Centre provides a great opportunity not only for people to perform but also for those of us who cannot perform to go and witness the talents of these artists.

I commend the bill to members. From the briefing provided by the shadow minister on this matter, it is obvious that the financial responsibility will probably never be removed, unless there is a restructure in some way. It is hard to imagine that something like the Festival Centre could be built for \$20 million. I recognise that the Festival Centre Trust has invested enormous effort and a lot of dollars in maintaining the buildings to a good standard and ensuring that it is refurbished as and when necessary. While it was assumed that the structure would be profitable in its own right and able to repay that debt, it is a recognition I think of those of us in this place that the arts are an area where there is a social responsibility to ensure that financial support is provided and to acknowledge that the ability for an enterprise such as the Festival Centre to pay its own way may not always be there.

I will be interested to hear the answer from the minister to the shadow minister's question about the philosophy of the government on the restructuring of debt from statutory authorities. It is an important issue that the state faces and, as a person who has an interest in the finance of our great state, I am keen to hear what the government's position on it is. With those few words I support the bill and look forward to its swift passage. I look forward to the restructuring that will take place and to support from the South Australian Government for Arts SA in ensuring that in future this great facility remains as important to Adelaide and South Australia as it is now.

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (16:35): I thank both members for their contribution and for their indication of support for this bill. I think the fact that the opposition is supporting it in this strong way does indicate the relatively bipartisan support that the arts in general enjoy in our state—

Mrs Redmond interjecting:

The Hon. J.D. Hill: —certainly you and I, that's right—which I think is a very good thing. I think it also demonstrates that the Festival Centre did enjoy support from both sides of parliament, and we can be pleased that it is there and that it has been a success in our state since it was constructed and this legislation went through in 1971. I will attempt to answer the questions, particularly questions that the member asked, but she made a couple of other points that I refer to.

I am not too sure that the problem was that the Festival Centre chose to put on musicals at a time when musicals were no longer the flavour of the time. That may well have been part of the case, but I understand they lost money on one particular musical, *Show Boat*, which was a high-risk enterprise, I am told. It was probably reviving a musical from many years ago. An American musical just was no longer of interest to a contemporary Australian audience and, in addition, they invested a lot of money and lost it trying to establish a Madame Tussauds exhibition in South Australia which equally, I am advised, was not a great—

Mrs Redmond: There were no famous people.

The Hon. J.D. Hill: No, there were no famous people—no dummies around in South Australia. We are in the process of refurbishing the Dunstan Playhouse. There is still a little work that needs to be done on the seats, but the outside area, the foyer area, will also be refurbished. That could not be done, I understand, before the festival so it has been done in stages, and by the end of this year it should be completed and will look pretty good, I think. The difference in the playhouse now is fantastic. I do recall going to see a show there a year or two ago in an official capacity I think at the time and there was a gentleman, admittedly perhaps in the overweight or obese category, who went to sit down and fell through the seat onto the floor in the middle of a performance. So there was clearly a problem with those seats.

Mrs Redmond interjecting:

The Hon. J.D. Hill: No. I think the arrangements that the Festival Centre Trust has entered into with the government are very sensible, and I pay particular tribute to Barry Fitzpatrick, the new chair of the trust, who obviously has a very strong background in financial management and banking. He was able to convince the Treasurer as to the merits of making these arguments. It was really a debt on the books of the Festival Centre which was a dead weight around its neck. It was never going to be paid back, but there were repayment schedules in relation to the interest which were becoming more and more burdensome, and that has all been put to one side. There was no good benefit in the members of the Festival Centre Trust worrying about those issues, because it was really an administrative or accounting procedure. So, all that has been taken away. They have been given extra money to run programming so that they can get on with the job—and what they want to do, under the leadership of Douglas Gautier, is to be an arts-focused organisation, not just a hall for hire. They want to put on shows and create art in our community, and that is certainly the role that the government wants them to play.

In relation to the two questions that were asked, the responsibility for maintaining the building will now rest with Arts SA; that is, with the government of South Australia. However, I put it to the house that, whether it is held and owned by the trust or Arts SA, the responsibility is still with the government of South Australia. The decisions about how much money we put into maintenance of that building compared to other capital projects that we may have from time to time will be made during the normal budget process and, of course, they will have to compete.

However, in terms of day-to-day matters, currently I am advised that the AFCT spends about \$3.62 million per annum operating and maintaining the centre and Her Majesty's Theatre. Of

that amount, about \$1.14 million each year will in future be paid to the AFCT to recognise the maintenance services it will provide on behalf of the minister (that is the memorandum of understanding to which the member referred). The remaining funds—about \$2.1 million—will also be provided to the AFCT to cover costs incurred as occupier and operator of the building, such as electricity and cleaning, and about \$378,000 will be retained by Arts SA to cover landlord's expenses—for example, insurance—and to fund work related to management of the assets.

As occupier of the building, the AFCT will be charged a market value rental fee. While this will appear on the trust's financial statements as an expense, with an equivalent increase in the government's grant, this will in fact be a book entry to recognise the revenue and expenditure. No additional cash will be provided to the AFCT.

So, it is really a straightening up of financial arrangements or procedures that have been a burden on the Festival Centre, with no public benefit to anyone: it is straightening out those arrangements. From another point of view, any money that we spend on capital now will be able to be depreciated; it will be a capital expense. In the past, I think it was considered an operating expense. So, it just changes the way that money is spent. They will be competing for money out of a different bucket, which sometimes is a little easier.

The other matter raised was the government's policy about debts owed by statutory authorities to government. With respect to debts owed by statutory authorities to others, it is clear they are debts owed to others, but I am not too sure that there is a general government policy with respect to statutory authorities. I will have to ask the Treasurer. If I can obtain some advice in relation to that before this bill goes to the other place, I will certainly attempt to do so. However, my understanding (and this is not the Treasury position) is that it is examined on a case-by-case basis and, in this particular case, it just made no sense at all.

In relation to the health services, we are now in the process of getting rid of the statutory authorities and the boards, and so on, and they will all be brought into the health service. So, whatever debts individual entities have, they are debts that I guess the government has to deal with. In the past, particularly in health, as members would know, when health services have spent more on the provision of services than they were given in the budget those debts have been allowed to accumulate.

Once again, it is a book entry, it is a way of accounting for that amount, and from time to time those debts have been written off. I think that was a procedure that occurred under the former government, and I understand that it still occurs. There are ways in which, for whatever reason, treasuries deal with these matters to make their books balance and appropriately account for the matters that have to be accounted for, according to the appropriate accounting standards. I am not an expert on that, and I will certainly try to obtain advice.

Mrs Redmond interjecting:

The Hon. J.D. HILL: Absolutely, yes; that is right. I congratulate the member for Heysen on being appointed as shadow minister for the arts. I was never shadow minister, but I certainly enjoy being Minister Assisting the Premier in the Arts. I hope that she has a very long tenure in the position of shadow minister for the arts, and I look forward to seeing her around the place.

In conclusion, can I thank the officers of Arts SA and the Festival Theatre, who have worked on this arrangement. It looks like a simple piece of legislation, but behind it is an enormous amount of work, because part of the process of transferring items is to work out what items we own that ought to be transferred. That was a very thorough, demanding, time-consuming and lengthy piece of work, which took many officers a lot of time. I would like to thank those officers and, in particular, Janet Worth and Helen Richardson from Arts SA and, of course, Greg Mackie, and also parliamentary counsel, Richard Dennis.

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

STATUTES AMENDMENT AND REPEAL (INSTITUTE OF MEDICAL AND VETERINARY SCIENCE) BILL

Adjourned debate on second reading.

(Continued from 9 April 2008. Page 2741.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:44): The opposition opposes the bill. This bill was introduced on 8 April 2008, with an indication by the minister that he would like to see it pass through the parliament as expeditiously as possible (and I paraphrase for

this purpose) to identify that there be a new structure to establish the single pathology entity, SA Pathology, in South Australia, to be effective for the commencement of business as of 1 July 2008. Hence we are back here, effectively on the next day of sitting after the introduction of the bill.

I indicate that I appreciate the minister providing advisers promptly to facilitate a briefing on this matter and also providing some information to enable the opposition to consider the merits (or otherwise) of this bill. The government introduced this bill following the announcement by the Treasurer in his budget presentation in September 2006 that the government wanted to establish a single statewide public pathology service called SA Pathology. It claimed that there would be a \$2 million plus saving over two years with the amalgamation of three public pathology providers: the Institute of Medical and Veterinary Science, SouthPath at the Flinders Medical Centre and the Women's and Children's Hospital Division of Laboratory Medicine, which operates out of the Women's and Children's Hospital. In presenting the argument for the parliament to support the legislation necessary to establish this single statewide pathology service, they informed the parliament as follows:

The bill proposes the establishment of new governance arrangements for public policy services to ensure that these services can continue to respond to the increasing pressures on them into the future.

Whatever that means. I assume from that that there is some pressing demand in the future necessitating the establishment of this model. I will come back to that shortly.

However, it seems to the opposition that, in presenting a single statewide public pathology service, there would need to be some justification for doing that, whether it is cost savings or whether some other efficiency measure flows as a result. On the face of it, it is important for the parliament to consider whether the objective of the government in proceeding with this course has merit. If it does, it would deserve support. However, what we have found in our examination of the bill and the existing structures is that this bill is designed to do two things. First, to bring an income earning, asset rich entity under the power and control of the Department of Health.

This is Dr Sherbon's most recent acquisition. To me it is a little like the country of China deciding that it wants to take back Taiwan. Why? Because it is valuable, it is useful and they would like it under their control. This piece of legislation is designed to do just that; that is, to bring in an income earning, asset rich entity which is ripe for the taking. That is what this is all about. It is an easy way for the government to acquire a nearly \$100 million asset, if you take the past 12 months and any increase in the value of those assets. It is a very significant asset rich entity which is ripe for the taking.

The Institute of Medical and Veterinary Science is an iconic institution. It is one that has served this state well for some 70 years and it is ripe for the picking. It is entirely consistent with what the government has done to date; that is, under the pretence of having a streamlined governance and review, and new structures, it will provide us with this magnificently efficient provision of health services to meet all the demands of the future—the ageing population—and, frankly, all that waffle which sits behind the argument for this new structure. It is not that the statistics on the provision of further health care are unimportant, but not one of them is supported by this new structure providing a different or better service. I will return to the organisations that this new structure will absorb as a result of this legislation.

Let us examine the history and what happened in May 2006. This is a very important month: it is two months after the state election. It is two months after the Treasurer had announced to the people of South Australia that health was a very significant cost pressure on the finances of the state. In fact, a couple of months before that, in January 2006, he had introduced a very significant bail-out of financial support for the public hospitals. Seven weeks after the state election, he said that the whole state budget was under pressure and that he would need to seek advice on the budget from some guru from New South Wales and, as a result of the need to do that, he would be delaying the delivery of the budget until September 2006, which is exactly what he did. However, we know now that, in the same month (which, incidentally, is the same month we looked at the Institute of Medical and Veterinary Science act last time in this parliament) when we were in desperate financial circumstances, the government was making a decision (as the Premier has now told the parliament and as has been confirmed by the Minister for Health) to build a \$2 billion new hospital at the other end of North Terrace.

So, while the handing down of the entire state budget is put off from May to September 2006 because of health pressures, they are meeting secretly and deciding to build a \$2 billion hospital. That is the truth of it. And what little ripe pieces of asset are sitting out there that can help support that? Well, we have the Institute of Medical and Veterinary Science (and what a

little pearler that is), sitting there, with a significant income stream, with wholly-owned entities located next to it, and with a massive capacity to attract research funding, already having a big slice of the public hospital market and a 54 per cent slice of the general practice market out there in the private area.

This is an absolute pearler for the government to take over, and there is no problem about doing that. It does not have any shareholders; it is an institute that has been set up by statute. It has a board, but that is easily disposed of—you just get rid of it; that is what this bill will do. So, dispose of the board and get rid of the CEO—his time is up—and introduce the new structure; just slide it in and take over that asset. That is what this bill is all about.

At the very time the Treasurer was telling us that health costs are putting this state under a massive financial burden, the rest of the cabinet is working away at building a \$2 billion hospital. In that very same month, the government made the decision to have a single statewide pathology service and to reel in the Institute of Medical and Veterinary Science. That is the truth of what happened.

So, in September, when the budget was handed down, there was no announcement about the hospital, but there was an announcement that we were to have a single statewide pathology service. That was the opening chapter, and that is what was announced in the budget.

Interestingly, during the period in which this was going on up to the subsequent announcement of the Marjorie Jackson-Nelson Hospital in June 2007 (there was a secret gestation period from May 2006 to June 2007) the government was looking at what they were doing down in Tasmania and how they were progressing with the building of a hospital on a railway site outside Hobart. Then we had the June announcement when, despite this huge financial pressure the government is under, it decided that it would spend all this money on building a new hospital.

Then another unbelievable and extraordinary situation occurred when the government announced, consistent with a health care plan it announced the day before the June 2007 budget, it would cherry-pick the renal transplant unit out of the Queen Elizabeth Hospital. The government is not just going to build it into the new Marjorie Jackson-Nelson Hospital: it has so much money, according to the Treasurer, that it will rip it out of the Queen Elizabeth Hospital at that time and locate it in the Royal Adelaide Hospital. The government has so much money, why wouldn't it waste \$20 million on carving out a new service and a new facility in the existing Royal Adelaide Hospital, which it is going to bulldoze in a few years, to accommodate the Queen Elizabeth Hospital's renal transplant unit! How bizarre is that!

We had a treasurer screaming poverty and pressure as a result of the health budget and health costs and we had a health minister announcing a \$2 billion hospital, and we had the interim arrangement of transferring a renal transplant unit, at a massive multimillion dollar cost, just to locate it in temporary accommodation until the Marjorie Jackson-Nelson Hospital is built.

While all this was going on, they were looking around to see what else they could harvest, and the IMVS is a pearler—it is an absolute ripper! It is a \$100 million asset which the Treasurer has only to reach out and grab. How does he do that? He has to introduce legislation in this parliament that tells us that we have to repeal the Institute of Medical and Veterinary Science Act. The Treasurer cannot just grab it and take it over; he has to actually get rid of the act.

The opposition has been informed that, if this does not work, the government intends to exercise the power of control under the Public Corporations Act. That may not be necessary because the parliament, at least in this house, has the numbers to pass this bill. However, it will not be with the opposition's support. This is a damning indictment on the government's rip-roaring attempt to carve out and pull across assets, which are iconic institutions and which have served this state for generations, because the government wants the money and it will harvest and take whatever it can. This is the first of a series of assets it is going to take.

Today, I will not go into all the other assets or income streams the government can save or second in the country structure because that is another huge area. But, just in the metropolitan area, the government is going to sell off 42 per cent of Glenside Hospital—another little winner in the sense of being a capital asset. So, let us be under no illusion: South Australians will have to pay for this new hospital, and one of the ways we will pay is by sacrificing these iconic institutions that have served us so well.

I would be the first to support this bill if the government told us that there is a major crisis and that financial mismanagement is going on in the pathology industry in relation to the services available. We have three significant private pathology providers in South Australia, namely,

Abbotts, Clinpath and Gribbles. So, that might be one option. If there was a complete mess in relation to the management of the services that are in place to provide for our public hospital sector, you might go to the private sector and say, 'We will contract you guys to do it.' That is one option.

If it was such in such an appalling mess, one would have to wonder why it had been going on for so long. But, when we look at the books of account of these institutes and entities that currently provide this service, it is quite the reverse, particularly in the case of the IMVS. The other two maybe, but I will explain why the transparency of their financial information is so blurred that you cannot tell, anyway.

Let us assume, for the moment, that SouthPath and the Women's and Children's services are as efficient as the others. The truth is that the IMVS is an entity which has a stunning financial record. It would be hard to imagine how we could get a better service. The opposition is puzzled at how the government can justify the need to take this over as a statewide single entity, with the Department of Health to take control, and Dr Sherborn to take this little pearl into his oyster, when there is absolutely no financial basis to support it.

The Women's and Children's Hospital pathology service operates out of the Women's and Children's Hospital. For those who remember its history, the Adelaide Children's Hospital was, of course, another great icon with a history going back to the century before last. It has been a magnificent service for South Australia. Until the time of Dr Cornwall (who was the minister for health in the 1980s) the Queen Victoria Hospital was the principal public maternity hospital in South Australia.

A decision was made that the Queen Victoria Hospital and its own in-house pathology services (if I can describe it that way) would be relocated in an extension to the Adelaide Children's Hospital and the two hospitals would be amalgamated. There was some discussion at the time about whether the Queen Victoria Hospital would be transferred to the Royal Adelaide Hospital site but, in fact, that was not the option that the government of the day decided upon. So, the Queen Victoria Hospital with its pathology services was moved, and those services have continued to be provided in the amalgamated hospital that has operated on that site for the past 20 years or so.

The second significant entity is SouthPath, which provides pathology services to what is now called the Southern Adelaide Health Service and is based, essentially, at the Flinders Medical Centre. For those of you who remember the history of medicine in South Australia's public hospitals, when the Flinders Medical Centre was built in the 1970s I think it is fair to say that there was an enormous rivalry between the universities and the Royal Adelaide Hospital, which was the premier tertiary teaching hospital in South Australia and affiliated with the Institute of Medical and Veterinary Science and the University of Adelaide.

The Flinders University was established and there was a desire to build a new medical school and, in fact, a whole new hospital adjacent to it—the Flinders Medical Centre. A significant tertiary hospital was to be developed there, and that is exactly what happened. That hospital has quite a proud history not only in acute medicine and as a teaching hospital but, little known to me, it is quite well recognised in the area of research. However, it wanted to have its own pathology service. It was all part of the carving out of a new identity, all the politics of what happens with these things, and so it was developed.

Meanwhile, the Institute of Medical and Veterinary Science (which has provided pathology and other services to South Australia since 1938) continues to provide the overwhelming majority of pathology services to our public health and hospital sector and, as I have indicated, to the private medical sector and veterinary work, as well. They are the three entities.

With reference to the first one—the service operating out of the Women's and Children's Hospital—I asked the minister's advisers to provide me with the financial accounts of this entity to 30 June 2007. At the briefing I was advised that they did not have that information; that it was in the financial report of the Children, Youth and Women's Health Service, which is the regional body under which the Women's and Children's Hospital sits. That is interesting because, in the last two years that I have been the shadow minister for health, under freedom of information I have applied for the financial accounts of each of the entities that sit within these regional services and, after a big fight with the department and a ruling by the Ombudsman, we now get them—and I keep asking for them.

The reason they are available is because, even in public hospitals, there has to be some level of accountability of each department and of each entity within it. That information is provided

to the Department of Health, so I was shocked to hear the minister's advisers say, 'Well, we don't have this; it's actually all in the middle of this other report.' The minister provided me with the website address which contains the regional report (which he tabled today) on the Children's, Youth and Women's Health Service but, of course, you can guess that there is not one mention of the pathology service in the report. It is not identified anywhere in the whole report.

We do not know how efficient its operations are; we have no idea. How are we expected to identify whether this is a disaster or whether it is a very efficient service that currently supports this important public hospital? We do not have a clue, because that information is not available. So, in the Department of Health (with 800 people in Hindmarsh Square) nobody seems to know whether this is operating well or not. It is a complete mystery. I suppose when the minister tells us that it is operating nicely we just have to assume that it is. However, it is a relatively minor player.

Let us then consider the Southern Adelaide Health Service. This report has also been tabled as a regional report. It accommodates within it a number of entities, including the Flinders Medical Centre and SouthPath. Somewhere in here are the SouthPath figures. Where those figures are is another mystery; they are completely unidentified in this report. How can we know whether SouthPath is functioning well, or poorly, hopelessly, or is completely insolvent? We do not have a clue. So, we rely on the minister again, assuming he is keeping an eye on these things. Remember that he forwarded a letter to me last week incorporating certain information but just giving me a website and asserting that the information is in there somewhere. It is not in there, minister. The detail is not there and, if you do not know where it is in your own department, then God help us all when it comes to having to determine this legislation.

Let us assume that they are functioning okay, because there is no indication by the government that they are a mess. Let's go to the Institute of Medical and Veterinary Science. As an entity established under statute, it is required to provide an annual report to the minister who, in turn, is required to table a copy of that report in the parliament. The annual report ending 30 June 2007 was tabled today at my request and the minister kindly provided a copy of this to me last week. As annual reports do, it sets out all the good news first and then it sets out the financial accounts and identifies the highlights and so on for this entity.

I note from reading certain notations by the Auditor-General in this report that all seems to be in order; in fact, this report tells us that this is a stunning little entity. It has a massive income stream. When we come back to look at the calculations of how to expand the opportunity for income saving by the government in consolidating these services, it is expected that, in fact, a huge extra income stream is going to come in over the next two years which the government knows about and is going to pick up on. So, we know that is the little entity that is going so well and, of course, it is something that is worth bringing across.

I want to place on record briefly the development of the Institute of Medical and Veterinary Science because, before we crucify and cut down an iconic institution in this state, members should understand what we are getting rid of and what we are stripping off so that it can be taken into the government's clutches, leaving the carcass in the wind. Professor Brendon Kearney described how this institute has served South Australia. It is an institute in Adelaide, South Australia, which began in 1938 as a development from the Royal Adelaide Hospital laboratories largely because Sir Trent Champion de Crespigny, an eminent physician and medical superintendent of the Royal Adelaide Hospital and dean of medicine from 1929 to 1947, had a vision for an institute which combined laboratory services, teaching and research. In this respect, the IMVS differs from pure research institutes and has continued to emphasise integration of service, teaching and research in clinical medicine.

The steady development of the IMVS was interrupted in the late 1970s by a series of inquiries into management efficiency, services provided and internal policies, as well as a critical review of the care and control of animals used in scientific experiments. The result was a major redefinition of core services. The division of forensic pathology and the division of biology became the Forensic Science Centre and relocated elsewhere in Adelaide, and the division of veterinary pathology was transferred to the South Australian department of agriculture.

In July 1982, a new act with a new council defined and strengthened the relationships of the IMVS, the RAH and the University of Adelaide, allowing it to concentrate on mainstream areas of medical pathology and their application to research, teaching and service. In 1986, an integral report ('Review of Research') on the IMVS/RAH campus by professors David Penington and Gustav Fraenkel outlined a framework for the development of research. The integration of service, teaching and research with the outcome of high quality care provided by clinicians actively engaged in research was endorsed in the report, but they also suggested the creation of separate

basic science laboratories to support research and avoid disparate and duplicated facilities on the campus.

They recommended that this development should be part of the IMVS/RAH campus because the benefits of a separate research centre would be diminished by the separation of research activities from service functions. The IMVS and RAH accepted the challenge and, by 1990, funds had been raised and the Hanson Centre (now the Hanson Centre for Cancer Research) had been established.

Over the past decade, the IMVS has organised itself along business lines and become reliant on its ability to provide high quality patient services, attract grants and contract for services and research. About 80 per cent of its \$55 million expenditure annually is derived from contracts or grants for public and private pathology services on a fee-for-fee service basis. The remaining 20 per cent is derived from direct grants from the South Australian government for statewide or specific pathology services. Therefore, the IMVS differs from pure research institutes that rely on government grants, research grants and donations. While this adds a complexity to its management, it is also a strength in ensuring the IMVS remains competitive, efficient and relevant to the services for which it contracts.

The strength of the IMVS is its collocation on the RAH and University of Adelaide medical school campus. This allows for easy collaboration, integration and coordination with both the hospital and university, which has a symbolic effect on achievement. This integration between hospital, university, service and research is exemplified by the organisational structure of the IMVS.

That description I have given of the IMVS's background was taken from a passage written by Professor Brendon Kearney, who is the current Chief Executive of the Institute of Medical and Veterinary Science. He wrote that some 10 years ago in 1997 about its history up to that point. It had been reviewed; it was functioning extremely well. It provided an excellent service and it had three core bases of existence: the provision of a service, research and training. The Queen Elizabeth Hospital has a Latin phrase which means to heal, to seek and to teach. They are core elements of a tertiary institution providing a medical or (in this case) principally a pathology service, and when they take on these three functions, we should remind ourselves of the importance of the location of the service. The Institute of Medical and Veterinary Science is collocated on the Royal Adelaide Hospital site, next to the Medical School and the Hanson Institute and across the road from the rest of the University of Adelaide. That was very important in the provision of its three-way service to the community of South Australia.

What does the government need to do if it is to move the Royal Adelaide Hospital down to the other end of North Terrace? It has to be able to sever the nexus between the Institute of Medical and Veterinary Science and the hospital—not straight away, but down the track. They will be able to, of course, having absorbed the Institute of Medical and Veterinary Science into their asset holdings even if they continue operations while the Royal Adelaide Hospital continues to operate on North Terrace. That can continue on that site—and doubtless it will—while the new hospital is being built under the government's proposal. It can sell the lot if it wants to; it is a valuable asset. I will come back in a moment to what is in the balance sheet; however, it is a very significant asset and the government can dispose of it.

The opposition believes that IMVS is not just of historical significance to South Australia but, as has been pointed out in these reviews, being so collocated, it has had a very major impact on assisting in research and teaching. All of this will be destroyed if we ever move to the government's proposed new hospital. I certainly hope we do not, but that is what the government has announced it intends to do. Once it owns IMVS, the government can deal with it as it wishes. It can strip it, it can sell bits off if it wants to, it can sell the land. There is one little piece, a \$5 million rental property on Dalglish Street, which is available and which the government could easily sell as soon as the bill is passed, if it wishes.

However, there is one impediment at the moment: IMVS has a workforce and it has a board. Now, the government can make a commitment regarding the workforce and say, 'We need pathologists, we need all of you, so we will take you with us and guarantee you a position in the new structure. You will be welcome, you will be provided with all the same benefits you've had from whichever of the three pathology units you operate in', etc. As for the board, it can be disposed of very simply. Repeal the act and their jobs go—just like that.

I wish to place on the record, on behalf of the opposition, my appreciation of those who have served on these boards. I will not name all those who have served since the commencement of the institute (and many South Australian luminaries have served on this board); however, the

current chairman, Mr Kevin Kelly, has served on the board for (I think) 10 years. He is a person of high repute who, since his retirement from the business world, has applied his extraordinary intellect and business experience to his role at the helm of this board, and I thank him for that.

Other members include Ms Karen Thomas (the deputy chair), Ms Jenny Richter, Mr Geoff Coles AO, Associate Professor Peter Devitt, Associate Professor Anne Tonkin, Dr Ian Carmichael, Dr Leslye Long, Professor Mary Barton, Professor Derek Frewin AO, and the Chief Executive, Professor Brendon Kearney AM. These names are well known to the parliament, and these are people who have served with distinction in the general community and on a number of other boards, both voluntary and at very high levels of governance, in both the business and government spheres.

It will be a sad day when we lose that expertise, but these people have to go, because you cannot have anyone who could actually interfere with the operation conducted by Dr Sherbon, who will, of course, have complete control through the Central Northern Health Service, which is to be the host of the structure and which will have control. This is what will be captured into the Sherbon camp when we finish with this bill. I do thank these people to whom I have referred, because, for what is really marginal remuneration, they have served on this body with distinction. I believe they should have the gratitude of the parliament; certainly, the opposition endorses that sentiment.

I want to say a little about Professor Brendon Kearney, presently the Chief Executive, who I believe may still actually be in the job but whose term is about to expire. Professor Kearney has also had a distinguished career in medicine and medical administration both here and interstate, and I think the Institute of Medical and Veterinary Science has been extremely well served during his term as chief executive officer.

Dr Kearney is South Australian by birth. He trained at the University of Adelaide and in New Zealand. He has held various positions of distinction, including as the visiting physician and medical superintendent of the Royal Adelaide Hospital from 1977-80. He was appointed deputy chief executive officer in 1980 and chairman of the South Australian Health Commission from January to July 1983. He was appointed director of the Institute of Medical and Veterinary Science from 1983 and subsequently also chief executive officer of the Royal Adelaide Hospital in 1984.

Apart from numerous different professional affiliations, he has been president of the Royal Australian College of Medical Administration from 1988-91 and a member of the Faculty of Medicine at the University of Adelaide in 1977, and from 1982-85. He has been a consultant or chairman of numerous state or national organisations, committees or working parties from 1976-95, and Dr Kearney is the author or co-author of numerous publications, papers, reports and reviews. He is described in a medical publication as, 'He is the doyen of medical administration in Australia and enjoys an international reputation.'

He is a man of extraordinary capacity of which the Institute has been the beneficiary with him as the administrative head. Again, the opposition thanks him for his service. His position becomes defunct and, as I understand it, the government has advertised already for a new person to take this role. Why it did not snap him up is beyond me. In any event, he has of course given an extraordinary service to this organisation.

We have had a very experienced board. I am informed that, in the last 25 years, the Institute has had balanced books each year, and that is an extraordinary thing. I do not know of too many health facilities that actually balance their books every year. This is one which has been proud to be able to do so and, of course, it continues to grow and accumulate a capital base and maintain a profitable income stream.

The current core activities of the institute are in diagnostic pathology and this provides the pathology testing principally of blood and, as I have indicated, it meets a significant portion of the public hospital service requirements in that regard. It also provides DNA testing services for genetic disorders and family cancers. Some members will be aware that they provide services for paternity testing and the like. These are services provided both to public institutions and to the private sector.

It has regional services throughout South Australia in rural and remote areas and some interstate regions. In the country, it has online results for pathology tests, blood supply and products management for regional hospitals and blood transfusion services, to name a few.

For public health, we have its microbiological testing for food and water, infection surveillance—not just in hospitals, but in food management and the like—metals and drugs monitoring for industry and communities, a reminder service for cancer and infectious diseases,

outbreak tracing and epidemiological data for a range of diseases. It has screening kits for bowel cancer, which was a process developed by the IMVS. So, in public health it is also a major contributor.

In training and teaching, I think that speaks for itself. I will shortly refer to the extraordinary number of professionally-trained pathologists and medical scientists, but its education of undergraduates and postgraduates in medicine, dentistry and other health-related fields is well-known and well-recognised. There are also research studies for PhD, MD and other higher university degrees.

Its research is an Australian leader in laboratory and clinical research to improve patient care, biological research leading to new drug development for biotechnical industries and clinical trials to develop new improved drugs in the laboratory and other research facilities to research groups from universities and pharmaceutical industries.

Last but not least, I think that a very important aspect has been their service and support to health professionals: expert professional advice, call centre to manage requests for information, diagnostic teaching and research activities in the university teaching hospitals, tissue collection and storage supporting transplant services, specialised facilities for processing stem cells for cancer treatment, instruments and other items for specimen collection by medical practitioners, newsletters and other information resources for medical practitioners, specimen collection services in the home and incapacitated patients.

The institute is a major service provider to private practitioners as well. Some 54 per cent of the total general practitioner market is serviced by the Institute of Medical and Veterinary Science and that is a massive slice of the private market. All credit is due to them because there are not a lot of public institutions that you can think of that are government-owned and managed to whom the private sector come rushing to buy services. That is how confident they are in service delivery and how well-regarded it is.

So, apart from achieving balanced books, which I think is an amazing accolade in itself, in the 2006-07 year it has secured \$8.82 million for its research arm in the Hanson Institute, from other external sources. It trained 15 medical pathologists, supervised 38 PhD students and completed 127 research papers published in medical and scientific journals.

In growth, it has increased test numbers by 6 per cent, now at a high of 4.14 million tests a year, which was proudly recorded I might say in the Department of Health's annual report as one of the key statistics for health. It has expanded its growth in private pathology tests, as I have indicated, and it has completely refurbished its Victor Harbor laboratory and opened two new collection centres at Clare and Aldinga. It still maintains a network of 14 laboratories offering after-hours blood transfusion and microbiology services and the support to country hospitals and local acute care services that I referred to.

Incidentally, but importantly, it received a silver award from the Australasian Reporting Awards Inc. for the 2005-06 annual report. This report has only just been published, so we will see what happens in recognition of it, but interestingly it is one of the few reports—and I read plenty of them—where the information is transparent. It proudly displays what has been achieved, which most entities do, of course, but this is not just a snapshot on one page, this is a very significant report into the work that the IMVS does over the myriad different services that it provides.

It also has, I think, one of the best and most transparent financial accounting records. All of them have to have certain standards for the purposes of reporting to parliament and all of them have to tell us how much money they spent on overseas trips and how many people they pay over \$100,000 a year, and all these other things that have to be reported as a matter of legislation or regulation, but I think it does a very thorough job.

The other entity that I wish to mention as part of the consolidated accounts, which is a wholly owned subsidiary, a private company wholly owned by the Institute of Medical and Veterinary Science, is Medvet Science Pty Ltd. That entity alone had an annual profit last year of \$8.2 million. As an indication of how well the company is going, it has retained profit of \$21.8 million; an increase of 38 per cent over the result for the previous year, and its net assets grew 60 per cent, from \$16 million in 2006 to nearly \$26 million in 2007. So this little gem is steaming along beautifully. It has very significant income growth, it is very efficiently run and it has had a massive increase in its capital base, and that is a credit to the members of the board who operate that entity, comprising Mr Kelly and some of the members of the board of the IMVS, but it sits as a separate unit and it is a very successful entity.

The other, I suppose, ancillary institute is the Hanson Institute, which I referred to in the history I have mentioned. That institute, which is the research division of the IMVS, was established in 1991 in conjunction with the Cancer Council and it encompasses all the research of the IMVS. As I indicated, it works collaboratively with the universities of Adelaide and South Australia and involves 350 full-time researchers and 100 post graduate students. There are 80 laboratories and groups, many working in close collaboration and largely associated with four main research centres focusing on cancer, bone and joint and neurological diseases, as well as clinical studies.

I particularly mention this entity because this is also a little gem that is physically located in the grounds of the Royal Adelaide Hospital by the new car park near the rear of the property and in behind the Institute of Medical and Veterinary Science. It is a relatively new building. National funding for medical research by NHMRC will double between 2006 and 2011, reaching an annual budget of \$900 million. Although grants are sought after in every competitive environment, increased funding offers the Hanson Institute a unique opportunity to continue its strong growth. Between the years 2000 to 2005—I mention this because of the huge pool of research money out there—the level of funding to the Hanson Institute research increased 330 per cent. That is fantastic and it is a great tribute to those who are successful in applying for and receiving this funding. It is just one indicator of the high regard in which research at this institute is held across Australia and, I suggest, internationally.

Regarding staff at the IMVS I just want to briefly say this: the government has given an assurance that their positions are secure in the new structure and that they will not lose any benefits. In fact, by the nature of the entity coming under the new corporate structure, they will be able to receive some other fringe benefit elements as part of their salary package that they currently do not enjoy. We accept what the government has said in this regard. That is a commitment it has made, it is on the record, and we wish the staff well. To give members an illustration of the importance of the people who work in the IMVS to the institute itself, its annual report records and annually recognises those who have given service for 30 years or more in the institute, and some people have given 40 years or more service in the institute, and they are still there and that is fantastic. Those recognised in last year's financial report for having completed 40 years' service were Roy Ellis, John Glasson, Sandra Stuart and Bernard Chamberlain. Those recognised for 41 years' service were Susan Fulop and Margaret Elemer; and, for 42 years' service, Glenn Smythe. Of course, there are many others listed. It is a great credit to the institute that it has been able to maintain the loyalty and service of those employees. I think the celebration of that by publication in the annual report is quite unique, and it is a great testament to the relationship and loyalty that these people have with respect to the institute.

As the opposition member who represents health issues, I have had occasion to speak to a number of people who have previously worked, trained or have had the benefit of work done at the IMVS. It has a proud tradition and a proud association of former and current staff and associates, and I wish them well in whatever this new structure will be. I cannot imagine how this new structure will be able to supersede the excellent level of loyalty and service that the institute has enjoyed. However, if it does, we certainly will be pleased to see that.

Members will recall that a little earlier this afternoon I spoke about the decision-making that was taking place in the cabinet back in May 2006. Members of cabinet were sitting around discussing how they would manage this huge cost pressure with respect to health and the delay in bringing down the budget, and also planning the new hospital and making other decisions—for example, that they would take over the entity at the IMVS.

On 3 May 2006 (which can only have been days before the decisions were made in cabinet about spending all this money on a new hospital), the Minister for Health was in the parliament amending the IMVS Act. He was doing so because, as some of you will remember, this was after the horrible tsunami in the Asian region, which stretched across to Chennai and India, causing massive devastation, and South Australia's Institute of Medical and Veterinary Science was an institute to the rescue.

Not only was it well-known for its expertise in contagious diseases, for example, and many waterborne viruses that had been a problem in the whole of that region, but the institute also came to the rescue in how to manage water contamination and restrict the distribution of disease and the like. It was a hero in this regard. So, the minister was in here proposing an amendment to the act to make sure that we maintained the commercial security of contracts that the IMVS was entering into and, in particular, interstate and overseas. The integrity of those contracts was potentially at risk and, therefore, the government felt that it was wise to come into the parliament and secure that, and we agreed.

I was the opposition's newly appointed shadow representative for health, and I think it was the very first health bill that I came to deal with. On that occasion, we raised a number of questions about what would happen with the board and whether, in the amendments that were being proposed—which were to transfer from hospital boards to regional boards under the regional structure—there would be any diminution of their powers, and the like. But, no, everything was all right.

There was no mention in the parliament at that stage that the poor old IMVS was about to bite the dust; that it was going to be thrown into oblivion. However, clearly, days later, that decision had been made. There was no mention here in the parliament; not a word. It was just: 'We need to tidy this up. Yes, the board members will continue.' Even at that stage, the minister recognised the work of the IMVS. When commending the work that was being done by the institute, he said:

Since its establishment, the IMVS has been involved in the provision of services to other Australian states and the international community. This has enabled the Institute to develop an enviable reputation both nationally and internationally. Currently pathology services are provided to the Northern Territory and some parts of Victoria. Following the recent tsunami, assistance was provided to the Aceh province in establishing pathology laboratories.

He also detailed the great work done by the institute as adviser to the World Health Organisation. The government is telling us in this bill that it has to take over this institute because it has to have something that will be more efficient, and it has to save money for the future. What a joke! The institute has an international reputation, which was recognised by the minister here only two years ago, and now he wants to suffocate it and bring it in under the clutches of Dr Sherbon. That is almost laughable.

So, where do we go for some guidance as to the justification for this? The government paid \$234,000 to a Melbourne consulting company to come over and prepare a report—the Paxton report—which we have here. It is a little thicker than the other document that was tabled in the parliament the other day. The report I have here looks at the IMVS, and the one we received the other day involving five institutions was about a quarter of the thickness of this one.

This report, which is dated 15 June 2007, is the Paxton Consulting Report for the Establishment of a Single Statewide Pathology Service. I thought, 'Well, this will have it. This will tell me why it is so important that the government has made this decision to act in this way.' However, this report starts with the government's announcement. That consulting company was instructed after the government had made an announcement that it wanted to have a single pathology service, and this report was written, essentially, to identify options that needed to be taken into account and what the legal process was, and so on. So, far from being a document that tells us why it is so important that we have a single pathology unit, this is a report that outlines the recommendations and how they achieved the government's decision. That is what it is all about.

It does not tell us a lot, I might say, to enlighten us about why this is such an important decision to make. Its terms of reference were to look at the options of governance and management structures for the new service; that is, not whether or not you have one but what are the options as to how the model would work. The terms of reference included:

- Identify the range of laboratory and clinical services currently provided and provide advice on the future requirements of these services.

In other words, pick out any that are duds, or that we do not need, or whatever. The report continues:

- Identify areas to improve performance, including the identification of areas for efficiencies in the short and longer term.
- Opportunities to improve service delivery taking account of the views of the stakeholders reference group.
- A framework for consolidation of financial arrangements across the three services.
- The business model to be used within the new service and in relation to other public health and hospital services that intersect with the new service.
- Identification of marketing and branding issues with specific reference to the IMVS.
- The role of the Chief Executive Officer in the new organisation.
- The development of performance criteria for the new organisation.
- The change of management strategies for a successful service development.

It was their job to work all that out. They provided several pages of recommendations and a report.

Some of their recommendations, as you would expect, had to be consistent with other state plans and those sorts of things. In relation to the service elements, they suggested the government take all of them. That is very interesting, because I will come to another report that has been prepared about whether or not that will remain the position. A number of recommendations were made as to how this will happen. For instance, the IMVS act will need to be amended because you have to repeal this piece of legislation and so on. The report about the implementation cost \$235,000—I am not sure whether that was debited out of the \$2.35 million saving we are supposed to get out of this consolidation.

Then we had the employment of KPMG to undertake a due diligence. This is very interesting, because this exercise took place late last year and a report has been provided. Whenever an entity is to be transferred or sold, it is important to have a due diligence. Part of the exercise, for example, is to ensure that, when you take over an entity, buy a business, buy an income stream, or even buy an asset that is on the books, you get what you pay for and what has been identified matches with what you are going to get, and the income stream they say they have on the books correlates with that.

First, it is interesting why you would need to undertake a due diligence on three entities which currently are wholly owned by the government (that is, the health department) and/or in this case with the IMVS, an entity which has to be audited every year and which is reportable to the parliament. Certainly, for the moment, it is necessary to ensure that, when the government captures these little entities in its clutches, it is getting what the books say. Let us assume that that is necessary; that is, some auditor's requirement or Treasurer's direction says that we need to do that.

Why then is it secret? Why is it that, in the haste to have this legislation pass the parliament, the opposition was not allowed to look at it to confirm whether the written down value of the assets is correct and whether the information in the annual accounts is accurate? All this is part of the due diligence exercise. KPMG has done its report, but we were not allowed to look at it. Notwithstanding that the government has told us that it is planning to take over this entity, in a letter dated 24 April 2008 the minister said:

KPMG was engaged in late November 2007 to undertake a financial and operational due diligence of the three pathology services. The KPMG report contains considerable information of a commercially sensitive nature in relation to the private commercial activities of both the IMVS and its wholly owned Corporations Act company 'Medvet Sciences Pty Ltd'. Therefore I am advised that it would be inappropriate to release this report.

How can we as a parliament be expected to deliberate on and even be asked to support something when we cannot even see the report?

I hate to think how much this report cost. I suppose we will have to wait until the report for the financial year ending 2008 is published. I expect that we will probably get the current accounts in May 2009. If we are lucky, it might be a little earlier. Perhaps I will know the answer to that question in a year's time. In the meantime, that is a mystery—not so much how much it cost, but what it says. All we are left with is a report that is secret. We are not allowed to look at it. It also begs the question: if it is commercially sensitive, why is it commercially sensitive?

If the government is saying that it will take over these entities and bring them into one consolidated unit and therefore they will be accountable as part of the financial accounts of the Health Commission or the Central Northern Health Service next year, why is it so secret? The only possible explanation is that the government's full intention is to strip off some of these assets and to sell them. There could be no other possible reason, as duplicitous as that would be, for the government to have told us that it is doing it for the meritorious reason of its becoming an efficient organisation for pathology services in hospitals, but the truth is that it is clearly going to pick out bits and flog it off. They have not told us that, but that could be the only possible explanation that a due diligence report has been done.

The only other possible reason would be that the Auditor-General called for it or there was some inquiry, but then we would know about it. There would be some comment in the 2007 annual report of the Auditor-General, would there not, if there had been some dodgy dealing (or whatever) about which we needed to know? Again why would the government not rush in here with this report and say, 'Here we are parliament, we are here to explain to you why we have undertaken this due diligence; that is, so that the people of South Australia are not ripped off when we bring these entities back under our control.' In those circumstances, there is every good reason why they would table it, but, no, it is a secret. Who knows how long it will stay a secret, but it is a secret.

The other thing which we asked the government to explain, given that we were being asked to set up this single pathology unit was: what has happened interstate? Almost every other Labor government around the country has introduced this—I think the most recent was Western Australia in 2005—and the minister reminded me of that in his letter to me after I had my briefing earlier in the week.

So, if the other states have had it for the last few years, they think it is a pretty good idea and it has worked well, and they have some assessment, review or report on how well their pathology service as a single entity has worked, let's have a look at it. This may be persuasive enough for our suspicions behind the real reasons for this measure to evaporate, and we might be convinced that this would be an appropriate course of action to take on behalf of the people of South Australia. But, no, we have not received one single report, review or document about what has been happening in the other states that suggests that this is actually a good thing to do or, more importantly, that it has provided a superior service and/or a financial saving—and the government has trotted out the latter (and the former, to some degree) as its excuse for going down this path.

[Sitting extended beyond 18:00 on motion of Hon. J.D. Hill]

Ms CHAPMAN: So, in the absence of that information, I have written to the Minister for Health in New South Wales and invited her to forward to me any review of their single statewide pathology services. Of course, the debate will have concluded in this house before I receive that information but, if that does become available, I will certainly make it available to our colleagues in another place so that they can be briefed as to how successful or otherwise it has been in providing a superior service or a more efficient and/or cost-saving service.

When I asked the minister to identify, through his advisers, how the \$2.177 million (I think I have said previously in this debate that it is \$2.35 million, but it should be \$2.177 million) has been calculated as the saving Treasurer Foley had in the budget when he announced this measure in September 2006. In the Budget Overview, as one of those little highlights of savings initiatives, I think they are called, it is stated that this will be a saving over two financial years, and it is identified as being as one of two categories, actual savings and increased revenue.

I think this is the interesting bit that tells us the truth about this entity and why the government is doing this. This entity is such a little money spinner and, if it is able to maintain the standard set by the IMVS, it will provide the government with a very significant income stream. So that this is clear to honourable members, that is because pathology tests carried out at the request of a medical practitioner earn income from the federal government per unit of test. The federal government pays a fee for providing that service as part of the Medicare structure. So, the government does not have to get money out of the patients per se as public patients, but it gets an income stream from the commonwealth government.

When enough of the service units have been reached each year (and it is 4 million just for the IMVS), because of the turnover, the government can require the IMVS to provide that service at some of its hospitals at a reduced rate, as it currently does. So, there is an even bigger bonus for them at the moment. The \$2.177 million is calculated as follows:

1. Centralisation of tumour markers, \$150,000.
2. Centralisation of thyroid function tests, \$100,000.
3. Introduce total laboratory automation, \$400,000.
4. In-house microbiological testing, \$200,000.
5. Automation of tissue pathology and cytology, \$300,000.

I have no reason to doubt that they are not reasonable estimates; it is not very much, overall. The cost of the KPMG report and the Paxton report would have soaked up that money.

The next one is the 'Savings from revenue growth', which is the increased income the government will earn from this entity (that is, \$1.2 million over two years). It is interesting when you have an opportunity to have a look at what the savings are, because it provides some interesting information about the real reason for the government's move to take over this entity.

The other matter I want to place on the record relates to what the government will be getting when it takes over these assets. As I have indicated, SouthPath and Women's and Children's Services are already in-house and in situ, and their plant and equipment are already on the books in the Central Northern Health Service and the Southern Health Service accounts. They are somewhere in there; I do not know where they are, but let's assume for the moment they are in there.

However, the IMVS has quite a significant asset base, which is worth noting because not only is Medvet Science Proprietary Limited, for example, a healthy income earner for the institute but it is also an asset base for the institute as the parent entity. It has investments of \$1.15 million with the South Australian government, with the Commissioner of Charitable Funds; it has shares in listed corporations and securities totalling nearly \$22 million; it has total land and buildings at their written down value as at 30 June 2007 of nearly \$47 million; it has plant and equipment, again described as fair value after depreciation, of \$31.1 million; and a total net asset value of \$62.9 million in property and plant.

Its other investment property (20 Dalglish Street, Thebarton) has a value, as at 30 June, of \$5.3 million. The asset base of this entity, as its financial accounts tell us, has a net value of \$94.7 million as at 30 June 2007. As a very substantial portion of that is property, it would be a best guess that the real property value has increased and the plant and equipment has decreased. However, given the proportion of what is identified, even with no other assets being acquired in the past 12 months, that is a \$100 million asset sitting there which can be liquidated if the government wishes to do so.

About two-thirds of it is real estate, one property being located at Thebarton, which could be sold off tomorrow. There is a large asset base, of course, sitting on Frome Road. If the government's plan comes to fruition and the Royal Adelaide Hospital is closed down and moved to the other end of North Terrace, the Frome Road property will be available. A portion of that (the facade, as I understand it) is under heritage listing but, otherwise, what a nice little piece of property that is! Of course, that will not escape the government's attention. It would be interesting to see what is in the KPMG report to identify what is actually there as at the date of their report which, as I have indicated, is six months later.

One of the staff quotes that I heard during the consultation on this matter related to the IMVS and the department's action in promoting this single model and the demise of the Institute of Medical and Veterinary Science as an institute. The department was like 'nasty, mischievous kittens unravelling a fine tapestry'. I thought to myself that that was a very apt description of what is happening.

The tragedy is that I cannot, for one moment, imagine that the government will be able to do things any better. It is possible the government will do it as well but, given the government's management of other entities in the past (and I can think of two immediately: the State Bank and the WorkCover Corporation), I am not confident that it will operate anywhere near as successfully as the institute is currently operating: 25 years of balancing the books; major profit and income stream; an accumulation of assets to boot; and an international reputation without peer in the operation of the three services it provides. Regrettably, I am not filled with confidence that this will be achieved.

The other aspect I wish to raise in relation to this new statewide pathology service is my concern that the savings referred to in the budget (which is the only financial information we are given about savings in the September 2006 budget) do not explain to me, when I look at the Paxton Consulting Report as to the efficiencies of the three entities that are there, the efficiency gains overall. Information has been provided to me, some of which involves the 2005-06 statistics referred to in the Paxton Consulting Report.

In that year SouthPath did 672,510 tests, the Women's and Children's did 250,071, and the IMVS did 4,053,922. The number of tests done per employee—that is, the employees that they had in their three entities—at SouthPath was 3,321; at Women's and Children's, 1,388; and at IMVS, 3,600. If the Women's and Children's improves its output to 3,600 tests (the same as the IMVS) it would only require 70 staff, and that would represent a reduction over time of 110 staff. With an average cost per employee of \$76,000 that amounts to \$8,400,000 per annum. Why would it not do that? Why would there not be a major cost saving by doing that?

Of course, the alternative is simply to ask the IMVS to commit to a million dollars a year savings. The cost reduction and efficiency here does not seem to make any sense. The objectives outlined by the government, of a single statewide model, are to improve safety and quality, to

improve service integration and coordination, to improve efficiency of services, to improve recruitment and retention opportunities, to improve coordination of equipment procurement, and to improve research and teaching opportunities. There is not one shred of evidence in the Paxton Consulting Report of those objectives being achieved—none of them.

They are all stated, because they are stated objectives of the government. It is not identified as to how that is going to be achieved. If the government really wanted to be cost efficient, why did it not ask the most efficient of the three services to do that job? Why not give the IMVS all the work? That would seem to be one logical answer.

I am informed by the calculations that have been done via the Paxton Consulting report about test analysis as at 2005-06, because we did not have the figures for 2007 at that stage, and they may not have either at the time of doing their report. The cost per test for indices of efficiency at IMVS is \$25 per test; Paxton Consulting identified that at SouthPath it is \$31 per test; and at the Women's and Children's it is \$71 per test. So, why are we even looking at trying to have a cost saving by a single model the detail of which has not yet been worked out? I asked about this at the briefing a week ago and they have not actually worked out how they will operate this year.

Why wouldn't they just ask the IMVS, who do it cheapest and best, it seems, on the face of it? It might not be the best service, so I will take that back because I do not know that. It is certainly the cheapest and has an international reputation. They get a lot of accolades even from the Minister for Health, yet this seems to be overlooked. So, it concerns me that there has been no analysis as to how those objectives will be achieved.

It has not been identified how they will secure the private sector work because, once the government takes it over, I would be very surprised—pleasantly, if it occurs—if the general practitioner market (54 per cent of which currently put their tests through IMVS) goes to the government, rings up the Department of Health, to say to SA Pathology that they will keep using its services. You have to be kidding me. The truth is that Gribbles, Clinpath and Abbott will be out there offering a service as soon as this comes to fruition. They will say, 'Stick with us, independent of government, and we will make this provision of service for you.' I do not doubt for one moment that they will be crawling all over the opportunity to expand their service, and good luck to them.

The point is that there is nothing in the Paxton Consulting report, and they raised the question, mind you, on the basis that the government says it is going to keep that business and that it is going to expand it and increase its revenue, so then this is the logical extension. But they do not actually identify the basis upon which that is going to be secured and to ensure that that income stream is maintained, developed and enhanced so that it will provide the savings that Mr Foley identified in September 2006. This is a very concerning aspect of this whole process.

We get an objective that sounds good; we look at the financial accounts; we puzzle over how this could possibly be the viable option. We look at Paxton Consulting for advice and really they have just implemented the government's decision and what the options are. It does not help us much; in fact, it raises more questions than it answers, and then, when we asked for the due diligence report, we were not allowed to look at it. When we asked to look at the assessment of all of the other single models around the country, we were not provided it. We just have to rush this legislation through and deal with this so that it can be operational by 30 June for the implementation of SA Pathology as of 1 July 2008.

All those issues raise concerns in the mind of the opposition. It is not just a question of losing a state icon. I think that is tragic enough, but if it was not performing, if it was under-performing or it was inadequately providing a service, the opposition would be the first to look at it; but it is performing above par. The government is just going to slice it up, carve it up, cherry pick out the good bits, flog off what it does not want and make this just one more financial disaster to follow in the footsteps of the WorkCover Corporation and the State Bank. It will be just one hell of a mess that we will have to clean up come 21 March 2010.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (18:11): I thank the member for Bragg for her contribution to this debate. I acknowledge that she has indicated that the opposition will be opposing the government's legislation. I am disappointed that she has taken that position, but it is consistent with the position that the opposition has taken to all the reform measures proposed by this government—reform measures to make our system work in a better way, reform measures that are taken to make it more efficient and reform measures that have been introduced to make the system sustainable.

I will not attempt to go through all the points made by the Deputy Leader of the Opposition, but, for the benefit of readers of *Hansard* and for the house, I would briefly like to explain why and what we are doing. It is not as the Deputy Leader of the Opposition suggests—a takeover by the government, the dismantling of a service, a flogging off of parts of it, and the other terms she used. In fact, this service is already owned by the government. It is a government service. It is managed through—

Ms Chapman interjecting:

The Hon. J.D. HILL: I did not once interrupt the deputy leader. In the two hours the Deputy Leader of the Opposition spoke, not once did I interject, not once did I comment and not once did I behave in a way that was boorish or rude. I would ask the deputy leader to give me the same courtesy. The government is not taking over something that it does not already own. We own this entity. It is part of the services of this state. It is arranged through a particular piece of legislation, and it provides those services in a particular way. I agree with much of what the deputy leader said in terms of the level of service the IMVS has provided, the intentions of the original proponents of the service, the admirable ideals they brought together and the way in which the service attempted over the years to demonstrate those ideals through the services, the research and the teaching that it has done.

I also commend the board and those officers who led that service over a period of time. They have done a good job. However, we must move forward and look to the future. We have three sets of pathology services in South Australia. Let us put aside the IMVS for one moment. To have three sets of services providing pathology to the public of South Australia is inefficient, and the honourable member highlighted that fact very clearly by pointing out the various costs associated with providing those services through each of those institutions. It is not an efficient way of doing it.

Bulking up services and doing them on a statewide basis provides efficiencies, and our goal is to have an efficient service which best spends the taxpayers' money. One option we had—and this option was certainly advocated by representatives of the IMVS when we looked at these matters—was for the IMVS to take over the other services and to incorporate them into the IMVS so that the IMVS ran all the pathology services.

That was a model we could have adopted, but if we had done so it would have had two detrimental effects. Those who worked at SouthPath and those who worked at the Women's and Children's Hospital would have thought that their work, their culture, their aspirations and goals, their intelligence, their research activities and their creativity would have been treated as being of no value, while all of those aspects of the IMVS would have been given a high value. That would have been unfair, and I told the IMVS that I would not be doing it for that reason.

Of course, had we adopted that approach all those who provide pathology services in South Australia would have missed out on the very good tax benefits associated with those who provide services to hospitals. The workers in SouthPath and in the Women's and Children's Hospital who provide pathology services benefit from working in a hospital setting and are able to enjoy salary sacrifice to a level greater than others who work in the Public Service. There is a distinct financial advantage to them, and it is an advantage we want to keep.

By adopting the model that we have adopted—which is to bring together the three pathology services into one new service under the control of the Central Northern Area Health Service—we will not only maintain the salary sacrifice arrangements of the SouthPath and Women's and Children's Hospital workers but those who work at the IMVS would have their benefits retained.

So, it is of considerable financial advantage to the people who work in the service, and I am sure they would be horrified to think that the opposition is opposed to this reform, which will be worth thousands of dollars to them over the course of their careers at the IMVS. For those two reasons we decided to bring the services together rather than have the IMVS take over the existing services.

The new service we are creating will be called SA Pathology but it will trade as IMVS because we recognise that IMVS has performed very strongly in the private sector and has a very strong market penetration, particularly in rural South Australia, in the provision of pathology services. We congratulate it on that, and we intend to build upon that strength by retaining the IMVS brand-name, so the new service will trade as IMVS. The benefits and strengths of the IMVS, SouthPath and the Women's and Children's Hospital will be worked on in this new organisation.

The big difference, of course, is that the individual board which currently manages the IMVS will disappear, and all those units will be answerable to me, ultimately, through the Central Northern Area Health Service. I would like to point out to the house that under the current rules, if one looks at the powers the government has in relation to the current IMVS board, if I and the Treasurer were to choose, between us we could instruct the IMVS board to do pretty well any of the things I have described. However, that would be a second-rate way of doing it, and would lead to the disbenefit of workers in the pathology services, who would lose their salary sacrifice benefits.

Savings from the merger of about \$1.15 million are expected over two years as a result of more efficient testing procedures and, therefore, reduction in expenditure, and, from revenue growth, of approximately \$1.2 million over this period. The main area of advantage is in the longer term, coming from better management of the increasing demand for services. This demand for pathology services will be unavoidable, and having a single public pathology service instead of three will enable the public health system to be better placed to manage this now and into the future.

Obtaining and training pathologists is an expensive and difficult matter. As is already apparent in South Australia, interstate and internationally, there is an increasing demand for more diagnostic services from an increasing population, and an increasingly older population associated with greater longevity who often require more diagnostic services. There is also pressure for new, high-cost diagnostic technology for specialised areas and to enable more efficient testing methodologies. A single service is better placed to resource these new technologies and manage the demand and the cost by providing for more efficient use of services.

A single service will also enable better workforce planning as the demand for more interpretive advice from clinical pathologists and laboratory testing increases. Other expected benefits are: access for patients to a broader range of clinicians and expertise; integration of IT systems; and standardisation of pathology reporting across the state.

I point out to the house that these kinds of benefits have already been demonstrated in similar mergers in Western Australia (with the establishment of PathWest) and internationally, in Lincolnshire in England, for example, where five pathology services were merged. I will leave my comments at that.

This is an important piece of legislative reform. It modernises the delivery of pathology services; the research and teaching capacity, and all those other good things IMVS does, including through the Hanson Institute, will continue. This merely changes the relationship between the department and me as minister and the various providers of pathology services. It brings them together into one service and provides a distinct financial benefit to those who work at the IMVS.

Bill read a second time.

In committee.

Clause 1.

Ms CHAPMAN: When this bill is passed, is there any proposal to sell the land at Thebarton?

The Hon. J.D. HILL: I am not aware of any proposal by anybody to sell land at Thebarton or any of the other resources owned by the IMVS. I honestly cannot rule it out, but it is certainly not a proposition. I do not have a proposition before me, it has not been discussed with me, and I have no plans to do it. I want to make the point that, as we bring this service together, we will look at the best way of delivering the services and, if there are efficiencies and more contemporary ways of doing things, we will certainly do them.

For example, during the development of the Marjorie Jackson-Nelson hospital, a pathology service will obviously have to be brought into that site. So, there will be some transfer of activity from other places into that site and, I would expect, in an expanded sense compared with where they are now. We are not anticipating the IMVS leaving, at least in the short term, Frome Road or, indeed, any of the other locations. The simple answer is: no.

Ms CHAPMAN: The second question relates to the Frome Road property. We note the government's intention to vacate the Royal Adelaide Hospital site, which is located next to the IMVS. What is the government's intention in respect of that site?

The Hon. J.D. HILL: In part, I have answered that question. We will go through a proper due diligence process in relation to the IMVS site, and I will certainly be making some

announcements in the next week or so about research generally in South Australia. If we look at the Hanson Institute, which is the research element, it is a virtual institute and there are bits of it all over the place. We certainly want to strengthen research, and obviously it is part of that. We would expect the Hanson Institute as a named organisation to continue and perhaps be part of a broader research focus in South Australia.

In relation to the IMVS buildings on Frome Road, we have examined the question, and some of the activity which is hospital-specific, such as 'Tell me what is wrong with this blood,' you would want to have that in situ as it is in many other hospitals in the state; and other activities for which you need a unique provider and one location where certain activities occurred, at this stage we would expect them to stay at Frome Road. There is no intention to move them out of Frome Road, but what stays there and what goes into the new hospital will have to be worked through, so it needs to be elaborated.

Ms CHAPMAN: In relation to the proposed structure and my understanding from what the minister said in his second reading explanation—and at the time of the briefing this information was not confirmed—is it accurate that the director of the Central Northern Health Service is likely to be an approved person by the commonwealth as an authorised person to be the titular head of the structure in that sense? Has that actually been confirmed?

The Hon. J.D. HILL: Yes. The advice I have is that the commonwealth has already advised that the head of the Central Northern Adelaide Health Service, Karleen Edwards, can be an APA (approved pathology authority). With respect to the changes we are making, I have to say to the Deputy Leader of the Opposition that we wanted to bring them together, but how we brought them together was, in a very large part, driven by the desire to make sure that the people who worked in the service maintained their tax benefits. In fact, through the method I have described we have been able to extend them to those who currently work in the IMVS and who would otherwise have lost them, so to them it is a considerable advantage.

Clause passed.

Remaining clauses (2 to 12), schedule and title passed.

Bill reported without amendment.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (18:28): I move:

That this bill be now read a third time.

In so doing, I take this opportunity to thank the officers who have worked on this for the health system, in particular, Rob Smetak, Christine Dennis, Jane Cox, Robert Nelson, David Paterson; and Mark Emery of the parliamentary counsel.

Bill read a third time and passed.

STATUTES AMENDMENT (POLICE SUPERANNUATION) BILL

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

No. 1. New clause, page 12, after line 26—

After clause 32 insert:

32A—Amendment of section 7 A—Accretions to members' accounts

Section 7A—After subsection (3) insert:

(3a) If members are permitted by the Board to nominate a class or combination of classes of investments, the option of nominating a class of investments based on consideration of the impact of the investments on society and the environment must be made available to members (subject to terms and conditions determined by the Board).

No. 2. New clause, page 16, after line 25—

After clause 43 insert:

43A—Amendment of section 26E—Accretions to spouse members' accounts

Section 26E—After subsection (3) insert:

- (3a) If spouse members are permitted by the Board to nominate a class or combination of classes of investments, the option of nominating a class of investments based on consideration of the impact of the investments on society and the environment must be made available to spouse members (subject to terms and conditions determined by the Board).

No. 3. Clause 45, page 16, after line 34—

After subclause (2) insert:

- (2a) Section 27—After subsection (4) insert:
- (4a) If members are permitted by the Board to nominate a class or combination of classes of investments, the option of nominating a class of investments based on consideration of the impact of the investments on society and the environment must be made available to members (subject to terms and conditions determined by the Board)

No. 4. New clauses, page 17, after line 2—

After clause 45 insert:

45A—Amendment of section 30A—Transition to retirement

- (1) Section 30A(7)—Delete 'The investment' and substitute:

Subject to subsection (7a), the investment

- (2) Section 30A—After subsection (7) insert:

(7a) The investment of a draw down benefit under subsection (4)(b)(i) must, if the member so requests, be based on consideration of the impact of the investment on society and the environment (subject to terms and conditions determined by the Board).

45B—Amendment of section 30B—Early access to superannuation benefits

- (1) Section 30B(8)—Delete 'An investment' and substitute:

Subject to subsection (8a), an investment

- (2) Section 30B—After subsection (8) insert:

(8a) An investment under subsection (7) must, if the member so requests, be based on consideration of the impact of the investment on society and the environment (subject to terms and conditions determined by the Board).

No. 5. New clause, page 17, after line 37—

After clause 51 insert:

51A—Amendment of section 47B—Post retirement investment

Section 47B—After subsection (4) insert:

(4a) Despite subsections (2) and (3)(a), the investment of money accepted by the Board under subsection (1) must, if the investor so requests, be based on consideration of the impact of the investment on society and the environment (subject to terms and conditions determined by the Board).

At 18:29 the house adjourned until Wednesday 30 April 2008 at 11:00.