

## HOUSE OF ASSEMBLY

Tuesday 23 September 2008

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

### WELLINGTON WEIR

The **Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:00)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. K.A. MAYWALD**: During question time on 11 September 2008, in response to a question regarding construction of the proposed temporary weir near Wellington, I stated that I was advised by SA Water that they had called for tenders for the supply of sheet piling. SA Water has since advised me that, whilst they were preparing to call the tender, they had not actually called the tender due to—

**Mr WILLIAMS**: Mr Speaker, I rise on a point of order. It has been a customary practice in the house for the minister to supply a written copy of a ministerial statement. I was just wondering whether the minister can provide one.

The **SPEAKER**: It is a courtesy, but it is not written in the standing orders.

The **Hon. K.A. MAYWALD**: SA Water has since advised me that, whilst they were preparing to call for the tenders for the supply of sheet piling, due to the changing conditions in the Lower Lakes they did not call the tender.

### STANDING ORDERS SUSPENSION

The **Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:04)**: I move:

That standing orders be and remain so far suspended as to enable me to introduce two bills without notice forthwith.

The **SPEAKER**: An absolute majority not being present, ring the bells.

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

Motion carried.

### WATER (COMMONWEALTH POWERS) BILL

The **Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:04)**: Obtained leave and introduced a bill for an act to refer certain matters relating to water management to the commonwealth parliament for the purposes of section 51 (xxxvii) of the Constitution of the Commonwealth. Read a first time.

The **Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:05)**: I move:

That this bill be now read a second time.

It is vital for all South Australians that we secure the long-term future of our communities, our water supplies and our river environment. It is clear that the current governance and planning structures for the Murray-Darling Basin are outdated and will not enable us to deal with the pressures of over-allocation, climate change, environmental degradation and future economic development.

South Australia has been instrumental in the development of a governing framework whereby the commonwealth and other basin states will implement new arrangements for managing the basin's water resources. As such it is appropriate that we are the first state to introduce legislation to reform the governance arrangements of the Murray Darling Basin.

Initial steps were taken to reform management of the basin in 2007 when the commonwealth enacted its Water Act 2007 and established the independent, expert-based Murray-Darling Basin Authority to prepare a strategic basin-wide plan. This approach, undertaken without the cooperation of all the basin states, relied exclusively on the commonwealth's own constitutional powers and had significant limitations. In particular, the authority and Murray-Darling Basin Commission continued to operate side by side, under complex and inefficient arrangements

and the strategic basin plan could not address the management of water to meet critical human needs.

On 3 July 2008 the commonwealth and the basin states—New South Wales, Victoria, Queensland, South Australia and the Australian Capital Territory—signed the historic Agreement on Murray-Darling Basin Reform committing to a package of reforms to meet the future needs of the basin and to protect and enhance its social, environmental and economic value. Central to the reform package is the referral of powers by the basin states to the commonwealth to allow it to amend the Water Act 2007 to:

- abolish the Murray-Darling Basin Commission and transfer its functions to the Murray-Darling Basin Authority;
- provide for a comprehensive basin plan which will now also have a priority focus on management of water for critical human needs, as well as integrated management of the basin water resources, including addressing water quality, salinity management and environmental watering.

The reforms mean the authority will be able to plan strategically for periods of low water availability to ensure there is enough water put aside to support the delivery of water for critical human water needs throughout the system; and:

- extend the application of water market rules and water charge rules and the associated regulatory role of the Australian Competition and Consumer Council (ACCC) to all entities and transactions within the basin to facilitate more efficient water trading across the basin and provide for any state to 'opt in' to apply the rules outside the basin.

Other aspects of the reform package include:

- an amended Murray-Darling Basin Agreement that includes the new governance arrangements to give effect to the Agreement on Murray-Darling Basin Reform;
- the amendment or repeal of existing commonwealth and state Murray-Darling Basin acts and the making of consequential amendments to other basin state legislation; and
- the Agreement on Murray-Darling Basin Reform—Referral, which will complement any state referral legislation and specifies the nature of the legislative scheme.

These reforms will, for the first time, ensure that South Australia has access to the upstream storages of its choice, including Hume and Dartmouth dams, to store water to meet its critical human water needs and for private carryover. This would allow the state to carry over and store around 300 gigalitres of water for critical human needs (18 months' supply) and to deliver this water in times of low flows, reducing the risk of a major failure in the supply of potable water to South Australia. Without these reforms, South Australia has no ongoing access to storage.

These reforms will also establish a three-tier system for sharing water in the River Murray system and key tributaries under normal low water availability and extreme drought conditions. These reforms will enable the authority to plan strategically to ensure there is enough water put aside to support the delivery of water for critical human water needs throughout the system during periods of low water availability. The basin states will be able to plan and establish arrangements to determine, store and deliver state water shares under dry conditions.

The Agreement on Murray-Darling Basin Reform—Referral commits the South Australian government, along with the other basin states, to use its best endeavours to pass referral legislation and amend existing state acts in time for the reforms to commence on 1 November 2008. Today I am initiating the critical next step in the reform package by introducing two complementary bills. The first bill is to refer certain matters relating to the South Australian Murray-Darling Basin to the commonwealth parliament for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth.

#### Water (Commonwealth Powers) Bill 2008

This bill defines the provisions to be referred which are the text of Parts 1A, 2A, 4, 4A, 10A and 11A as set out in the tabled text and which are the provisions in Schedule 1 of the proposed commonwealth's Water Amendment Bill 2008. The bill also refers certain subject matters whereby the commonwealth can make future amendments to any referred provisions of the Water Act 2007. The commonwealth will be bound by conditions to seek approval of states prior to making such

amendments as set out in Part 1A of the referred text, and the Agreement on Murray-Darling Basin Reform—Referral.

The amendment subject matters referred include: the powers and functions of commonwealth agencies that relate to basin water resources and are conferred by or under the Murray-Darling Basin Agreement; the management of basin water resources to meet critical human needs; water charging and water market rules in relation to basin water resources; and the transfer of assets, rights and liabilities of the Murray-Darling Basin Commission to the Murray-Darling Basin Authority.

As is standard with referrals of power, the bill, together with complementary provisions in the referred text and the Agreement on Murray-Darling Basin Reform—Referral, allows states to withdraw their initial reference of powers and their subject matter amendment reference.

The bill provides for the state to terminate its initial reference of power at any time through the Governor fixing a date by proclamation. This ensures all parties have notice of the intention of any state to withdraw their reference.

It also allows for the state to terminate its amendment reference and still remain a referring state. This can occur where all states terminate the amendment reference at the same time, where the commonwealth proceeds with an amendment to a referred part of the act with which the state does not agree, or where the commonwealth proceeds with an amendment to specified sections of the Water Act 2007.

I will now give an outline of the proposed referral text.

#### Referral Text

##### Part 1A—Murray-Darling Basin Agreement

The text provides for the Murray-Darling Basin Agreement to be attached as a schedule to the commonwealth Water Act 2007. It will no longer be a schedule of the state Murray-Darling Basin acts. Amendments to the Murray-Darling Basin Agreement will be developed and agreed by the Ministerial Council and the schedule will then be updated by regulation.

Key changes to the Murray-Darling Basin Agreement give South Australia, for the first time, access to upstream storages of our choice to store water to meet our critical human water needs and for private carryover, and establish a three-tier system for sharing water in the River Murray system and key tributaries under normal, dry inflow and extreme drought conditions.

The text defines what it means to be a referring state and the process for states to terminate their initial reference of powers and their amendment references. The text gives the authority functions, powers and duties previously undertaken by the Murray-Darling Basin Commission under the agreement. It also extends the authority's powers under part 10 of the act to enter land for inspection and monitoring purposes and to gather information where reasonably necessary for the performance of its functions under the agreement. The Murray-Darling Basin Commission currently exercises similar powers.

It also requires the authority, if so provided for under the Living Murray Initiative, to manage the water rights and interests held under the Living Murray Initiative.

##### Part 2A—Critical Human Water Needs

The new arrangements under the agreement and the referral text set up a three-tier system for sharing water. Tier 1 occurs in periods of normal water availability, and the usual water sharing arrangements will apply. Tier 2 occurs in periods of low water availability, and the Basin Plan will provide for arrangements to ensure sufficient conveyance water to deliver critical human water needs.

The ministerial council (under the agreement) will also develop a schedule setting out how state water shares will be determined, delivered and accounted for under tier 2 arrangements. Under extreme and unprecedented circumstances of water availability, which will be tier 3, the ministerial council will determine the sharing of the available water and contingency measures.

The Basin Plan will specify the conditions under which tier 2 and tier 3 water sharing arrangements will apply and to specify water quality and salinity trigger points that, when reached, require the authority to formulate and implement an emergency response.

The text requires the Basin Plan to take into account critical human water needs as the first priority water use in developing the plan. It also expands the mandatory content of the Basin Plan to sharing arrangements to ensure that there is sufficient 'conveyance' water available in the River Murray System to distribute critical human needs water to South Australia, New South Wales and Victoria.

The plan also will include monitoring, risk management planning, arrangements for storing water from one year to the next and the development of a policy to enable water to be reserved to meet any shortfall in conveyance water. For the first time, this will take into account inputs from the key tributaries of the Murrumbidgee, Darling and Goulburn rivers as well as the River Murray system, which were previously excluded from water sharing arrangements. This means the authority will be able to plan strategically for periods of low water availability to ensure that there is enough water for the delivery of critical human water needs throughout the system.

Responsibility for securing and providing the volume of water required for critical human needs remains with the respective basin states. Coupled with South Australia's right to store water, this will allow the state to prudently manage its River Murray supply during dry conditions.

South Australia's minimum entitlement flow of 1,850 gigalitres will be preserved under the new arrangements, as existing state water shares can be altered only with the consent of all basin jurisdictions. The text enables the authority to enter land for compliance purposes where necessary to enable it to monitor compliance with tier 2 water sharing arrangements under this part of the Basin Plan, just as it currently can do for other parts of the Basin Plan under the commonwealth Water Act 2007.

**Part 4—Australian Competition and Consumer Commission (ACCC) and water charge and water market rules**

The text provides for a uniform approach to regulation of water charging and water market rules by extending the role of the ACCC within the Murray-Darling Basin. These changes will support more effective water trading across the basin, which will benefit South Australian irrigators.

Water market rules relate to the actions of irrigation infrastructure operators and seek to free up trade by ensuring that policies or administrative requirements of infrastructure operators are not a barrier to trade.

The water market rules and the water charge rules provisions under the commonwealth Water Act 2007 will now apply to all water service providers that charge regulated water charges, not just those entities and transactions within the scope of the commonwealth's constitutional powers.

The ACCC will have the capacity to determine or approve all regulated water charges in the basin, excluding charges relating to urban water supply activities beyond the point at which the water has been removed from a basin water resource.

**Part 4A—Extended operation of Basin Water Charge and Water Market Rules**

Basin states can opt to extend the geographical application of the ACCC's regulatory role for water markets and water charges to areas outside of the basin to achieve a uniform approach to regulation in their state.

**Part 10A—Transitional Provisions**

The text includes transitional provisions to provide for the transfer of River Murray operations assets and liabilities from the Murray-Darling Basin Commission to the authority; transfer of staff leave arrangements; staff appointments; and other matters necessary to enable the authority to adopt the functions of the Murray-Darling Basin Commission.

**Part 11A—Interactions with State Laws**

The text enables commonwealth and state water laws to operate concurrently. It also enables a state to displace the operation of the commonwealth Water Act 2007 to exclude certain matters or to avoid direct inconsistency arising with a provision of a state law. The intent of these provisions is to allow displacement where there are unintended consequences of the commonwealth Water Act 2007. States have committed in the Agreement on Murray-Darling Basin Reform—Referral to only use the provisions where this is the case.

It is critical to the future water security of South Australia that the parliament supports this proposed bill.

The referral of powers is an essential element of an overall legislative reform package which will bring about changes in governance and basin-wide strategic planning that will not only address over-allocation issues and improve the provision of environmental water but will also focus on planning and management of water for delivery of critical human needs.

These changes will provide significant benefits to South Australia and the management of the Murray-Darling Basin.

The reforms will give South Australia access to the headwater storages of Hume and Dartmouth dams, to store water to meet its critical human water needs and for private carryover. This would allow the state to carry over and store around 300 gigalitres of water for critical human water needs and to deliver future flows. Access to storage for carryover of water for private purposes will benefit South Australian irrigators.

Passing this bill will underpin a single Murray-Darling Basin Authority, which will have two important roles:

- the development, implementation, monitoring and enforcement of the basin plan under the Water Act 2007 for which it is responsible to the commonwealth minister; and
- implementing the current functions of the commission to manage the shared surface water resources of the basin on behalf of the basin states.

A strategic Basin Plan will be developed that will not only set long-term sustainable 'caps' on how much surface and groundwater can be extracted in order to address over-allocation issues but will now also have a priority focus on management of water for critical human needs.

The Basin Plan will develop an environmental watering plan to improve the environmental health of all Ramsar and other key environmental sites in the basin. This will be integrated with the Living Murray Initiative. Additionally, the Basin Plan will identify risks to basin water resources, such as climate change, and develop strategies to manage those risks. The Basin Plan will develop a water quality and salinity management plan, which will ensure the health of the river system is maintained.

These are complex matters, which require rigorous scientific investigation and innovative planning to develop the necessary solutions and, as such, it will take two years to prepare the Basin Plan. In the interim, the authority is to work with the basin states as a priority to establish any triggers and management requirements necessary under the three-tier water sharing arrangements.

These are medium to long-term reforms and will not address the immediate responses needed to deal with the current drought, which are being addressed through other mechanisms. However, they will ensure that we are better prepared to manage the basin water resources under dry inflow conditions and the impacts of climate change in the future.

Any delay in passing this legislation could prevent the commencement of the authority's functions over River Murray operations on 1 November 2008. Without all states adhering to this timeline, the new governance scheme will not apply at the time of commencement.

South Australia is once again leading the way as the first state to introduce this legislation, and I call upon the members of this place and the other place to ensure that we can deliver on the new governance arrangements by 1 November 2008 and usher in a new culture and practice of cooperative basin-wide management and planning.

Finally, for the purposes of the Water (Commonwealth Powers) Bill 2008 and, in particular, the definition of 'tabled text' under that measure, I table the text of the proposed Water Amendment Bill 2008 for a commonwealth act.

I table a detailed explanatory memorandum for the proposed Water Amendment Bill 2008 of the commonwealth.

I seek leave for the detailed explanation of clauses for this bill to be inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

This clause is formal.

## 2—Commencement

Clause 2 provides that the measure will be brought into operation by proclamation.

## 3—Definitions

Clause 3 defines certain words and expressions used in the proposed Act.

## 4—Reference of matters

Clause 4 deals with the references to the Commonwealth Parliament.

Clause 4(1) makes the reference.

Clause 4(1)(a) ('the initial reference') refers the matters set out in Schedule 1 of the text that is tabled in the Parliament in conjunction with the introduction of this measure. This scheme will enable the Commonwealth Parliament to enact amendments to the *Water Act 2007* in the terms, or substantially in the terms, of Schedule 1 of the tabled text. The expression 'substantially in the terms' of the tabled text will enable minor adjustments to be made to the tabled text.

Clause 4(1)(b) ('the amendment reference') refers various matters to the Commonwealth Parliament in connection with the future amendment of the provisions enacted in reliance on the initial reference. The referred subject-matters are limited to the following:

- (a) the powers, functions and duties of Commonwealth agencies that—
  - (i) relate to Basin water resources; and
  - (ii) are conferred by or under the Murray-Darling Basin Agreement;
- (b) the management of Basin water resources to meet critical human water needs;
- (c) water charging in relation to Basin water resources (other than for urban water supply after the removal of the water from a Basin water resource);
- (d) the transformation of entitlements to water from a Basin water resource to enable trading in those water entitlements;
- (e) the application, in relation to water resources that are not Basin water resources, of provisions of the *Water Act 2007* dealing with the subject-matters specified in paragraphs (c) and (d) (being an application of a kind that is authorised by the law of this State);
- (f) the transfer of assets, rights and liabilities of the Murray-Darling Basin Commission to the Murray-Darling Basin Authority established by the *Water Act 2007*, and other transitional matters relating to the replacement of that Commission.

Clause 4(2) makes it clear that the reference of a matter has effect only to the extent that the matter is not otherwise within the legislative power of the Commonwealth Parliament and to the extent that the matter is within the legislative power of the State Parliament.

Clause 4(3) removes a possible argument that 1 of the references might be limited by the other.

Clause 4(4) makes it clear that the State Parliament envisages that the Commonwealth Act can be amended or affected by Commonwealth legislation enacted in reliance of other powers and that instruments under the Commonwealth Act may affect the operation of the legislation otherwise than by express amendment.

Clause 4(5) specifies the period during which a reference has effect.

## 5—Termination of references

This clause deals with the termination of the period of the references specified under clause 4 (namely, the period ending on a day fixed by the Governor by proclamation). The clause enables the period of both references to be terminated or only the period of the amendment reference.

## 6—Effect of termination of amendment reference before initial reference

Clause 6 makes it clear that the separate termination of the amendment reference does not affect laws already in place. Accordingly, the amendment reference continues to have effect to support these laws unless the initial reference is also terminated. However, the continuation of the reference in relation to such a law will not apply to an amendment of the *Water Act 2007* that is excluded from the operation of this provision by the proclamation that terminates the amendment reference.

## 7—Evidence

Clause 7 provides for the accuracy of a copy of the tabled text to be certified by the Clerk of the House of Assembly of South Australia. Such a certificate is evidence of the accuracy of the tabled text and that the text was in fact tabled as contemplated by the Bill.

Debate adjourned on motion of Ms Chapman.

**MURRAY-DARLING BASIN BILL**

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:21):** Obtained leave and introduced a bill for an act to facilitate the operation of an agreement entered into between the Commonwealth, New South Wales, Victoria, Queensland, South Australia and the Australian Capital Territory to promote and coordinate effective planning and management for the equitable, efficient and sustainable use of the water and other natural resources of the Murray-Darling Basin; to make related amendments to the Development Act 1993, the Ground Water (Qualco-Sunlands) Control Act 2000, the Natural Resources Management Act 2004, the River Murray Act 2003 and the Waterworks Act 1932; to repeal the Murray-Darling Basin Act 1993; and for other purposes. Read a first time.

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (11:22):** I move:

That this bill be now read a second time.

The second bill I introduce today is a complementary piece of legislation required to bring about reform in the governance of the Murray-Darling Basin water resources. It complements the Water (Commonwealth Powers) Bill, which I have just introduced and which proposes that the state refer powers to the commonwealth to allow it to amend the Water Act 2007 to reform the management of the Murray-Darling Basin.

South Australia has committed, under the Agreement on Murray-Darling Basin Reform—Referral, to use our best endeavours to pass referral legislation and amend existing state acts in time for the reforms to commence on 1 November 2008. This bill is for a new act to replace the state Murray-Darling Basin Act 1993. It removes provisions that will now be obsolete under the new arrangements. The Murray-Darling Basin Commission is to be abolished with:

- river operation functions formerly undertaken by the commission being transferred to the Murray-Darling Basin Authority;
- matters affecting state water-sharing arrangements, outcomes and objectives on major policy issues or high-level financial decisions being transferred to the ministerial council; and
- those matters relating to high-level decision-making for river operations now being the responsibility of the Basin Officials Committee.

New provisions relate to the appointment of members to the Basin Officials Committee. The new framework does not affect the current ownership or control of River Murray operation assets, with ownership remaining with the basin states.

Assets currently managed by the Murray-Darling Basin Commission will be managed by the authority in accordance with management agreements between the authority and each basin state. The bill therefore continues the operation of certain existing provisions (with minor amendment) that have been transitioned across from the current Murray-Darling Basin Act, particularly those relating to the construction and management of works and authorisations to enter and occupy land. These provisions are necessary to ensure the continuation of their proper management.

The Murray-Darling Basin Agreement will now sit as a schedule to the commonwealth Water Act, rather than in each state's Murray-Darling Basin Act. Amendments to the Murray-Darling Basin Agreement must first be approved by the ministerial council and the schedule then updated by regulation.

Consequential amendments to the relevant state legislation as set out in the bill provide for replacement of references to the Murray-Darling Basin Act 1993 with appropriate references to an amended Murray-Darling Basin Agreement and for references to the Murray-Darling Basin Commission and ministerial council to be replaced with the authority, the Basin Officials Committee and the new ministerial council, as appropriate.

The bill makes essential amendments to South Australian legislation to ensure that the proposed new governance arrangements for the Murray-Darling Basin can take effect on 1 November 2008. These new governance arrangements will provide significant benefits to South Australia and the management of the Murray-Darling Basin. Delays in passing this legislation could prevent the commencement of the authority's functions over River Murray operations on 1 November 2008.

At the appropriate time, I will ensure that a communication process is in place to inform key stakeholders of the changes and the implications for water resources management. I commend the bill to members and seek leave to have a detailed explanation of clauses, prepared by parliamentary counsel, inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

This clause is formal.

###### 2—Commencement

This clause provides for the commencement of the measure.

###### 3—Interpretation

This clause defines the terms used in the Bill. Words used in the Bill have the same meaning as in the new Agreement that is to now apply in relation to the Murray-Darling Basin.

##### Part 2—Provisions relating to Basin Officials Committee

###### 4—Appointment of member of Basin Officials Committee

The Agreement will provide for the establishment of the *Basin Officials Committee*. Supporting legislation is required—

- (a) to authorise the Minister to appoint a person as a member of the committee and a person to act as a member of the committee in the absence of the principal member; and
- (b) to support various validating and machinery provisions relating to the members of the committee set out in the Agreement.

A person appointed to the committee under this provision will be a member of the Public Service.

###### 5—Conditions and period of appointment

This clause provides for the conditions of appointment of a person under these provisions.

##### Part 3—Construction and management of works

###### 6—Construction of works

This clause authorises the construction, maintenance, operation and control of works and other operations and activities associated with the Agreement.

###### 7—Acquisition of land

This clause authorises the Minister to acquire land. The compulsory acquisition of land, if required, will be in accordance with the *Land Acquisition Act 1969*.

###### 8—Construction and other powers of Minister

This clause vests specific powers in the Minister for the purposes of the Act and the Agreement.

###### 9—Status of Minister

This clause authorises the Minister to act on behalf of the State as a Contracting Government under the Agreement. The Minister will also be appointed as a Constructing Authority under the Agreement.

###### 10—Authorisation to pay compensation

This clause authorises the Minister to pay compensation.

###### 11—Powers to dispose of certain lands

This clause authorises the Minister to sell or lease any land acquired under clause 7.

###### 12—Land dedicated under the *Crown Lands Act 1929*

This clause provides that land dedicated under the *Crown Lands Act 1929* for the purposes of the Agreement may be used and occupied for those purposes by or on behalf of a Contracting Government under the Agreement.

##### Part 4—Authorisations to enter and occupy land

###### 13—Authorisation of persons to enter and occupy land

The Minister will be able to authorise a person to enter and occupy land for the purposes of this measure or the Agreement. An authorised person will be issued with a certificate of authority.



## 14—Entry and occupation of land

This clause provides for entry on to land as required under this scheme. However, a person will not be able to enter residential premises except with the consent of the occupier of those premises. It will be necessary to give notice before entering land. Subclause (4) places some restrictions on the exercise of these powers.

## Part 5—Miscellaneous

## 15—Exemption from taxes and charges

No tax or fee will be imposed in respect of any works or property used or held by a Contracting Government or a Constructing Authority for the purposes of any works.

## 16—Appropriation

This clause provides that money to be provided by the State under the Agreement is to be provided out of money appropriated by the Parliament for the purpose.

## 17—Certain documents to be laid before Parliament

This clause will require the Minister to cause a copy of the annual report of the Authority, and any amendment of the Agreement, to be laid before each House of Parliament.

## 18—Power of delegation

The Minister will be able to delegate a function or power to a body or another person. A delegation will be able to be absolute or conditional, will not derogate from the ability of the Minister to act in any matter, and will be revocable at will.

## 19—Offence to damage works

It will be an offence to destroy or damage any works constructed or operated under the Act or the Agreement.

## 20—Regulations

The Governor will be able to make regulations for the purposes of the Act.

## Schedule 1—Consequential amendments and transitional provisions

This clause sets out various consequential amendments to other Acts, provides for the repeal of the *Murray-Darling Basin Act 1993*, and enacts transitional provisions associated with references to the Murray-Darling Basin or to the Murray-Darling Basin Commission.

Debate adjourned on motion of Ms Chapman.

**PSYCHOLOGICAL PRACTICE BILL**

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:26):** I move:

That the bill be restored to the *Notice Paper* as a lapsed bill pursuant to section 57 of the Constitution Act 1934.

Motion carried.

**NURSING AND MIDWIFERY PRACTICE BILL**

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:27):** Obtained leave and introduced a bill for an act to protect the health and safety of the public by providing for the registration and enrolment of nurses, midwives and students; to regulate the provision of nursing and midwifery care for the purpose of maintaining high standards of competence and conduct by nurses, midwives, students and services providers; to repeal the *Nurses Act 1999*; and for other purposes. Read a first time.

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:28):** I move:

That this bill be now read a second time.

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

Leave granted.

The Nursing and Midwifery Practice Bill 2008 will replace the *Nurses Act 1999*. Although it has only been nine years since the Act came into force there have been significant changes in both nursing and midwifery practice and within the broader professions during this time. This Bill, which has a primary aim to protect the health and safety of the public, will modernise the regulation of the nursing and midwifery professions in South Australia.

In introducing this Bill I acknowledge the role played by the Hon. Lea Stevens MP and her staff in commencing the development of this legislation. This Bill is based on the other health professional registration legislation that has been considered by Parliament.

The Nurses Board of South Australia has identified areas in which the current legislation can be improved and is very supportive of the proposed Act.

Key nursing and midwifery organisations, such as the Australian Nursing Federation, the Royal College of Nurses, the Australian College of Midwives, the Australian College of Mental Health Nurses Inc, have also identified areas for improvement and have been consulted during the development of the new proposed legislation. These groups recognise that the professions have advanced and that these advancements need to be reflected in the way in which we regulate professional practice.

We live in a world which is more demanding of its health professionals than in the past. In the 21<sup>st</sup> century, information is immediately available on the internet and the community is demanding a different relationship with their health professionals. I raise this matter as it demonstrates that the health consumer of today is vastly different in their expectations of health professionals than the consumer of 20 years ago.

Our standards in regard to transparency and accountability have also changed and are now much more demanding than in the past. While consumers have higher expectations of their health practitioners and governments have higher expectations of all professionals, we as a society have increasing expectations of the health system as a whole. The Bill will meet these expectations by ensuring that only properly qualified people are registered as nurses and/or midwives and enrolled as nurses, that the public is protected by the timely and effective investigation of complaints, that corporate providers of nursing and midwifery care can be held accountable for their services and that the decisions of the Board are transparent.

Nurses and midwives are the backbone of our health system. There are approximately 28,000 nurses and midwives in South Australia and more will be required in the future as our population ages. Nurses and midwives are better trained than they have ever been and they are increasingly taking on greater responsibilities within the health system.

Nurse practitioners, for example, can provide high level care to patients within their area of expertise. A nurse practitioner is a registered nurse who has been educated to function in an advanced clinical role and who has been authorised to practice in a specific area. The advanced practice role played by the nurse practitioner is accepted and has been welcomed, nationally and internationally.

The role of the nurse practitioner was introduced into South Australia in April 2002 and there are currently 28 authorised by the Nurses Board of South Australia and practising. Of these 28, five have gained authority to prescribe medicines, with four of the nurse practitioners working within acute care and one in mental health.

Nurse practitioners are currently practising in a number of clinical areas including palliative care, diabetes education, continence management, gastroenterology, neonatology and aged care, as well as acute care and mental health.

The State Government is investing \$1.6 million over the next four years to establish eight mental health nurse practitioners in country South Australia as part of the response to the Social Inclusion Board's report *Stepping Up: A Social Inclusion Action Plan for Mental Health Reform 2007-2012*. These Nurse Practitioners will provide additional mental health treatment and therapy to complement existing services. With changes in clinical practise the role of a nurse practitioner is becoming more important for the provision of health care to the community.

The Nursing and Midwifery Practice Bill 2008, with its focus on protecting the health and safety of the public, makes an important contribution to the overall safe functioning of the health system. The philosophy underpinning the Bill emphasises the need for transparency and accountability in all matters concerning the registration of nurses and midwives and the handling of disciplinary matters.

While legislation provides the framework, it is the actual administration of the legislation which is critical to achieving greater transparency and accountability. We cannot legislate for every conceivable situation which may arise. What we can expect however is that the spirit of the legislation will permeate and guide all the activities of the Nurses Board of South Australia.

The Bill is consistent with the *Medical Practice Act 2004*, which is the template for all health professional legislation. The changes from the current Act include, but are not limited to:

- provisions to ensure the accountability of corporate providers
- enhanced provisions in relation to medical fitness to practise
- provisions in relation to obligations to report unprofessional conduct
- anti-victimisation provisions
- provisions requiring independent nursing and midwifery service providers to be indemnified (unless exempted by the Board)
- fairer and more transparent disciplinary and accountability mechanisms.

Some of the key professional groups have requested that the internationally accepted definitions of nursing and midwifery be included in the Bill.

The definitions of nursing and midwifery in the Bill have been constructed recognising that as the professions of nursing and midwifery develop, a professional definition is liable to change. The Bill recognises this by requiring the Board, when it is preparing or endorsing codes of conduct, professional standards or guidelines to have regard to the definitions of nursing and midwifery prepared respectively by the International Council of Nurses and the International Confederation of Midwives.

These definitions are frequently updated, endorsed and adopted by the Board as it is required to determine scope of practice and will alter over time to reflect contemporary changes in public health needs and health care provision, professional education and research.

The Bill continues the Nurses Board of South Australia in existence as the Nursing and Midwifery Board of South Australia which reflects the current international and national trend recognising midwifery as a separate profession from nursing.

The first intake of direct entry midwives (that is those midwives who have not first undertaken registered nursing training) completed their studies in 2004 and have entered the workforce. Midwifery is recognised as a separate profession in a number of countries such as New Zealand and the United Kingdom, and regulated accordingly. In Australia, the majority of states and territories have passed amendments recognising midwifery separately through their equivalent legislation for the registration of nurses and midwives.

The *Nurses Act 1999* does not provide for the registration of midwives separately from nurses. The midwives who have undertaken direct entry training have had to be registered as *nurses* with their practice restricted to midwifery as they do not meet the criteria to be registered as nurses without such restriction. The changes included in the Bill ensure that the needs of the midwifery profession are met in a consistent, cost efficient and effective manner while ensuring the protection of the health and safety of the public.

The Bill requires that a person or a body must, in making a determination of a person's medical fitness to provide nursing or midwifery care, have regard to the question of whether the person is able to provide such care personally to another without endangering the other's health or safety.

The intent is that any decision about a nurse or midwife's medical fitness is to be determined giving consideration to the context in which they work. For example, a nurse or midwife with a communicable disease may be perfectly safe working in a policy area but not safe to work in an operating theatre. This approach is adopted in all the health professional registration Acts. It is designed to protect the public while recognising that a nurse or midwife with a particular medical condition may work safely with appropriate restrictions on the practise areas.

The membership of the new Nursing and Midwifery Board has been retained at eleven due to the large numbers of nurses and midwives eligible for registration in South Australia. There are over 28,000 nurses and midwives currently registered or enrolled with the Nurses Board of South Australia. The Board membership has been adjusted to reflect this large professional group with seven of the 11 members required to be nurses and/or midwives.

The professional qualifications of elected Board members will be proportional to the numbers of the particular group on the register, however all those registered or enrolled are able to vote in the election for each position. The Board will consist of five elected persons of whom three (60 per cent) must be registered nurses (registered nurses comprise approximately 60 per cent of all registered and enrolled nurses and midwives), one (20 per cent) an enrolled nurse (enrolled nurses comprise 20 per cent of all registered and enrolled nurses and midwives), and one (20 per cent) a registered midwife (registered midwives comprise 20 per cent of all registered and enrolled nurses and midwives).

The Board membership of 11 persons is required to ensure that a member of each of the registered and enrolled groups (registered nurses, enrolled nurses and midwives) is on the Board and to accommodate the significant workload associated with disciplinary proceedings that require the participation of a presiding member and two Board members, of whom one must be a nurse or midwife.

In keeping with the other health professional registration Acts, the Bill contains a provision that will restrict the length of time which any one member of the Board can serve, to three consecutive terms. This is to ensure that the Board has the benefit of fresh thinking. This provision will not restrict a person's capacity to serve on the Board at a later time however it will mean that after three terms (or nine years) these long term serving Board members will need to be replaced.

The Bill allows the Minister to approve codes of conduct, professional standards or guidelines for nurses, midwives and students and codes of conduct for services providers. The codes, guidelines and standards are to be published in the Gazette, with a date on which a code, standard or guideline comes into effect, stated.

This will allow nurses and midwives to have a reasonable opportunity to be informed of the adoption of such provisions. Ultimately it is a professional requirement/responsibility of the nurse or midwife to make themselves aware of any codes, standards or guidelines that are approved by the Board.

This information will also be included by the Board when these documents are provided to nurses and midwives and when published on the Board's website.

The Bill enables the registered or enrolled person to be properly informed about the nature of any complaint which allows misunderstandings or misapprehensions to be clarified. Natural justice requires that the person about whom the complaint is made, is given information about the complaint and as a matter of good practice they should also be provided with the allegation made against them.

The Bill makes changes to the process used by the Board in hearing complaints to ensure that the person with the complaint will always be involved in the proceedings and has a right to this. This ensures that the proceedings are transparent from the perspective of the person with the complaint.

The process for the disclosure of the allegation(s) is to be determined by the Board.

The Bill requires the following registers and nurses roll to be kept by the Registrar:

- nurses register
- nurses roll
- midwives register
- students register
- register of nurses, midwives and students who have been removed from any of the registers or nurses roll.

Nurses, midwives and students are required to have a nominated contact address but this need not be made available to the public. Unlike other health professionals, nurses, midwives and students are predominantly employees of a specified health service and, in the majority of cases, their nominated contact address will be their private home address and not a business or private practice address.

Nurse practitioners will be part of the nurses register. Nurse Practitioners will already be registered as a nurse, and their registration will be endorsed to identify the individual as a nurse practitioner in a particular area of practice.

Enabling the Board to endorse a nurse or midwife's registration with recognition in a particular area of nursing or midwifery prescribed by the regulations, replaces the provisions in the current Act for separate registers to be established for special practice areas. Currently mental health nurses are registered on the mental health nurses register. The Bill will enable them to be registered on the nurses register and endorsed with recognition in the area of mental health. The title, mental health nurse, will be protected by inclusion in the regulations.

The Bill also provides the capacity for the Board to endorse either a registered nurse or midwife's registration with the authorisation to prescribe prescription drugs in the ordinary course of their profession. This provision brings the Bill into line with the *Controlled Substances Act 1984* which enables a nurse (which includes a midwife under the provisions of the *Controlled Substances Act 2004*) acting in the ordinary course of their profession to prescribe schedule 4 drugs. It does not represent a change of policy.

The nurse or midwife must satisfy the Board at the time of application that they have met the requirements for endorsement. The Bill also enables the endorsement to be removed should this be necessary.

All the registration Acts include provisions to register students. Since students at various stages of their training work directly with patients or clients in clinical practice settings, registration of nursing and midwifery students will ensure that they are subject to standards, codes of conduct and medical fitness. This Bill provides for the registration of nursing and midwifery students.

The provision that allows the Board to impose conditions if a nurse or midwife has not worked for five years or more has been retained from the current *Nurses Act 1999*. Nationally, there are differing requirements with some states and territories allowing conditions to be imposed if the nurse or midwife has not worked within a specified period of time, which is similar to that proposed in the Bill. Some states and territories also have the legal authority to 'evaluate or examine' a nurse or midwife's competence. As COAG has agreed to establish a national registration and accreditation scheme by July 2010 the Government supports retaining the current system rather than moving to a different one at this stage.

The Bill requires nursing and midwifery services providers to adhere to any code of conduct developed by the Board and approved by the Minister. Professional standards do not apply to services providers as they are not nurses or midwives. There is cause for disciplinary action to be taken against a nursing or midwifery services provider if they, or any person employed or engaged by them, has, in connection with the provision of nursing or midwifery care by the provider, engaged in conduct that would, if the person were registered or enrolled, constitute unprofessional conduct. This means that staff of service providers are required to behave in ways which do not compromise the care being provided by the professional staff.

In order to streamline the administrative arrangements that apply to services providers the Bill modifies the requirement in other health practitioner registration Acts to advise the Board of any changes in the people employed by the provider. Because of the large number of services providers who employ nurses or midwives, and the large numbers of nurses and midwives employed, records of registered or enrolled staff will need to be maintained by the provider and made available to the Board if required.

The Bill, in line with the other health practitioner registration Acts, requires a person to answer questions even if that would tend to incriminate them. The information obtained can be used for disciplinary purposes but cannot be used as evidence for criminal proceedings. This clause places emphasis on protecting public health.

The Bill makes it an offence to hinder or obstruct an inspector, use insulting or abusive language to an inspector, fail to comply with a requirement of an inspector or refuse to answer a question.

These provisions do not permit a person to refuse to answer questions until they have appropriate advice or representation available to them. However, in ordinary circumstances, the person under investigation would be given some notice and consequently time to take advice.

Some additional provisions regarding inspectors have been added in response to concerns that have been expressed about the powers of the inspectors. Provisions are included which require the Board to develop guidelines to be followed by inspectors when investigating a matter under the Act. The guidelines must be approved by the Minister for Health who must consult with a range of bodies prescribed in the regulations. The guidelines must be reviewed as soon as possible after they have been in operation for two years and a report laid before Parliament. The expectation is that the Board will authorise inspectors to exercise powers commensurate with their competence, seniority and experience. This Bill makes it clearer that the authorisation of an inspector may be subject to conditions or limitations as the Board sees fit.

The Bill also modifies the current provisions that apply in regard to representative bodies or aggrieved persons directly taking a complaint to the Board. A single Board member may be nominated by the presiding member to determine if a complaint laid in this manner has merit, rather than the Board as constituted for disciplinary proceedings which requires three members. Complaints are rarely laid in this manner however this provision will ensure that they can be managed efficiently and effectively if they are.

The power of the Board to suspend or impose conditions prior to a hearing is a significant power. This power can only be exercised if the Board is of the opinion that it is desirable to do so in the public interest. This power has been included in all the Acts as there are situations where protection of the public requires the immediate suspension of the registered person. The Board can, subject to the legislation, determine its own procedures in relation to closing proceedings if it thinks fit.

The Bill requires the Board to conduct proceedings as expeditiously as possible. This is to ensure that the registered or enrolled person is not unduly penalised by not being able to work, while still ensuring that the public is protected.

This provision provides for a change to the appeal process from the Supreme Court to the Administrative and Disciplinary Division of the District Court.

Transitional provisions have been included in the legislation in relation to the elected Board members. This will avoid the Board having the expense of conducting a further election for Board members in 2009 when one will be held in October 2008 under the provisions of the current Act.

This Bill will provide an improved system for ensuring that South Australians receive high standards of nursing and midwifery care and I commend it to all members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

###### 3—Interpretation

This clause defines key terms used in the measure.

###### 4—Medical fitness to provide nursing or midwifery care

This clause provides that in making a determination as to a person's medical fitness to provide nursing or midwifery care, regard must be given to the question of whether the person is able to provide the services personally to a patient without endangering the patient's health or safety.

##### Part 2—Nursing and Midwifery Board of South Australia

###### Division 1—Continuation of Board

###### 5—Continuation of Board

This clause continues the Nurses Board of South Australia in existence as the Nursing and Midwifery Board of South Australia.

###### Division 2—Board's membership

###### 6—Composition of Board

This clause provides for the Board to consist of 11 members appointed by the Governor, including 7 nurses or midwives (with 5 being chosen by election, 1 nominated by the Minister and 1 person who teaches nursing or midwifery). The remaining members are to be nominated by the Minister—1 medical practitioner, 1 legal practitioner and 2 other persons. The clause also provides for the appointment of deputy members and makes procedural provisions.

###### 7—Elections and casual vacancies

This clause sets out that, of the 5 members of the Board who are nurses or midwives elected at an election, 3 must be registered nurses, 1 must be an enrolled nurse and 1 a midwife, unless the regulations specify otherwise. The clause also requires an election to be conducted under the regulations in accordance with the principles of proportional representation. It provides for the filling of casual vacancies without the need to hold another election.

#### 8—Terms and conditions of membership

This clause provides for members of the Board to be appointed for a term not exceeding 3 years and to be eligible for re-appointment on expiry of a term of appointment. However, a member of the Board may not hold office for consecutive terms that exceed 9 years in total. The clause sets out the circumstances in which a member's office becomes vacant and the grounds on which the Governor may remove a member from office. It also allows members whose terms have expired, or who have resigned, to continue to act as members to hear part-heard proceedings under Part 4.

#### 9—Presiding member and deputy

This clause requires the Minister, after consultation with the Board, to appoint a nurse or midwife member of the Board to be the presiding member of the Board, and another nurse or midwife member to be the deputy presiding member.

#### 10—Vacancies or defects in appointment of members

This clause ensures acts and proceedings of the Board are not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

#### 11—Remuneration

This clause entitles a member of the Board to remuneration, allowances and expenses determined by the Governor.

#### Division 3—Registrar and staff of Board

##### 12—Registrar of Board

This clause provides for the appointment of a Registrar by the Board on terms and conditions determined by the Board.

##### 13—Other staff of Board

This clause provides for the Board to have such other staff as it thinks necessary for the proper performance of its functions.

#### Division 4—General functions and powers

##### 14—Functions of Board

This clause sets out the functions of the Board and requires it to perform its functions with the object of protecting the health and safety of the public by achieving and maintaining high professional standards both of competence and conduct by nurses, midwives, students and services providers.

##### 15—Committees

This clause empowers the Board to establish committees to advise the Board or the Registrar, or to assist the Board to carry out its functions.

##### 16—Delegations

This clause empowers the Board to delegate its functions or powers to a member of the Board, the Registrar, an employee of the Board or a committee established by the Board.

#### Division 5—Board's procedures

##### 17—Board's procedures

This clause deals with matters relating to the Board's procedures such as the quorum at meetings, the chairing of meetings, voting rights, the holding of conferences by telephone and other electronic means and the keeping of minutes.

##### 18—Conflict of interest etc under Public Sector Management Act

This clause provides that a member of the Board will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector Management Act 1995* by reason only of the fact that the member has an interest in the matter that is shared in common with persons registered or enrolled under this measure, or a substantial section of such persons.

##### 19—Powers of Board in relation to witnesses etc

This clause sets out the powers of the Board to summons witnesses and require the production of documents and other evidence in proceedings before the Board.

##### 20—Principles governing proceedings

This clause provides that the Board is not bound by the rules of evidence and requires it to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms. It requires the Board to keep all parties to proceedings before the Board properly informed about the progress and outcome of the proceedings.

##### 21—Representation at proceedings before Board

This clause entitles a party to proceedings before the Board to be represented at the hearing of those proceedings.

#### 22—Costs

This clause empowers the Board to award costs against a party to proceedings before the Board and provides for the taxation of costs by a Master of the District Court in the event that a party is dissatisfied with the amount of costs awarded by the Board.

#### Division 6—Accounts, audit and annual report

##### 23—Accounts and audit

This clause requires the Board to keep proper accounting records in relation to its financial affairs, to have annual statements of account prepared in respect of each financial year and to have the accounts audited annually by an auditor approved by the Auditor-General and appointed by the Board.

##### 24—Annual report

This clause requires the Board to prepare an annual report for the Minister, sets out what the report must contain and requires the Minister to table the report in Parliament.

#### Part 3—Registration, enrolment and practice

##### Division 1—Registers and nurses roll

##### 25—Registers and nurses roll

This clause requires the Registrar to keep a nurses register, midwives register, students register, the nurses roll and a register of persons who have been removed from such registers or the nurses roll. The clause specifies the information required to be included in each register and the nurses roll. It also requires the registers and nurses roll to be kept available for inspection by the public and permits access to be made available by electronic means. The clause requires registered or enrolled persons to notify a change of name or nominated contact address within 1 month of the change.

The nurses register and the midwives register are to include relevant qualifications and endorsements.

The clause also sets out procedural and evidentiary matters related to the registers and nurses roll.

##### Division 2—Registration and enrolment

##### Subdivision 1—Registration and enrolment

##### 26—Registration on nurses register

This clause provides for full and limited registration of natural persons on the nurses register.

##### 27—Enrolment on nurses roll

This clause provides for full and limited enrolment of natural persons on the nurses roll.

##### 28—Registration on midwives register

This clause provides for full and limited registration of natural persons on the midwives register

##### 29—Registration on students register

This clause requires persons to be registered on the students register before undertaking a course of study that provides qualifications for registration on the nurses or midwives register or the nurses roll, or before providing nursing or midwifery care as part of a course of study related to nursing or midwifery being undertaken outside the State, and provides for full or limited registration of students.

##### 30—Concurrent registration and enrolment

A person may be concurrently registered on more than 1 register under this Act, but must not be concurrently registered on the nurses register and enrolled on the nurses roll.

##### 31—Application for registration or enrolment and provisional registration or enrolment

This clause deals with applications for registration or enrolment. It empowers the Board to require applicants to submit medical reports or other evidence of medical fitness to provide nursing or midwifery care or to obtain additional qualifications or experience before determining an application. It also empowers the Registrar to grant provisional registration or enrolment if it appears likely that the Board will grant an application for registration or enrolment.

##### 32—Removal from register or nurses roll

This clause requires the Registrar to remove a person from a register or the nurses roll on application by the person or in certain specified circumstances (for example, suspension or cancellation of the person's registration or enrolment under this measure).

##### 33—Reinstatement on register or nurses roll

This clause makes provision for reinstatement of a person on a register or the nurses roll. It empowers the Board to require applicants for reinstatement to submit medical reports or other evidence of medical fitness to provide nursing or midwifery care or to obtain additional qualifications or experience before determining an application.

#### 34—Fees and returns

This clause deals with the payment of registration, enrolment, reinstatement and annual practice fees, and requires registered or enrolled persons to furnish the Board with an annual return in relation to the provision of nursing or midwifery care, the undertaking of any course of nursing or midwifery education or training and other matters relevant to their registration or enrolment under the measure. It empowers the Board to remove from a register or nurses roll a person who fails to pay the annual practice fee or furnish the required return.

#### 35—Imposition of conditions if nurse or midwife has not practised for 5 years

Under this clause the Board may impose conditions on a nurse or midwife's registration or enrolment if satisfied that the nurse or midwife has not practised for a period of 5 years or more, including—

- a condition restricting the places or times at which the person may provide nursing or midwifery care;
- a condition limiting the nursing or midwifery care that the person may provide;
- a condition requiring the person to undertake a specified course of education or training, or to obtain specified experience;
- a condition requiring that the person be supervised in the provision of nursing or midwifery care by a particular person or by a person of a particular class;
- such other conditions as the Board thinks fit.

#### Subdivision 2—Endorsements of registration

##### 36—Endorsement

This clause provides that a registered nurse may have his or her registration endorsed with recognition as a nurse practitioner in a particular area of practice.

The clause also provides that the registration of a registered nurse or midwife may be endorsed with recognition in a particular area of nursing or midwifery (such areas to be prescribed by regulation) if the nurse or midwife satisfies the Board that he or she has qualifications approved or recognised by the Board for the purposes of the endorsement and has met any requirements determined by the Board to be necessary for the purposes of the endorsement.

The clause also provides that, if the registration of a nurse or midwife is endorsed with an authorisation to prescribe prescription drugs, the nurse or midwife may prescribe prescription drugs while acting in the ordinary course of his or her profession.

##### 37—Application for endorsement

This clause sets out requirements relating to the application for endorsement under this proposed Subdivision.

##### 38—Removal of endorsement

This clause requires the Registrar to remove from a person's registration an endorsement, either on application by the person or in certain specified circumstances (for example, cancellation of the person's endorsement under this measure).

#### Division 3—Special provisions relating to services providers

##### 39—Information to be given to Board by services providers

This clause requires a services provider to notify the Board of the provider's name and address and the names and addresses of all persons who occupy a position of authority. It also requires the provider to notify the Board of any change in particulars required to be given to the Board and makes it an offence to contravene or fail to comply with the clause. The Board is required to keep a record of information provided to the Board under this clause available for inspection at the office of the Board and may make it available to the public electronically.

##### 40—Records to be kept by services providers

A service provider is required to keep the specified records in relation to the nurses and midwives through whom the provider provides services and to make certain information available to the public.

##### 41—Services providers to be indemnified against loss

A service provider is required to have certain insurance as approved by the Board.

#### Division 4—Offences

##### 42—Illegal holding out as being registered

It is an offence for a person to hold himself or herself out as a registered nurse, midwife or student or permit another person to do so unless registered on the appropriate register. It is also an offence for a person to hold



out another as a registered nurse, midwife or student unless the other person is registered on the appropriate register

43—Illegal holding out as being enrolled

It is an offence for a person to hold himself or herself out as an enrolled nurse, or permit another person to do so, unless enrolled on the nurses roll. It is also an offence for a person to hold out another as an enrolled nurse unless the other person is enrolled on the nurses roll.

44—Illegal holding out concerning limited registration or enrolment, conditions or authorisation

It is an offence for a person whose registration or enrolment is limited or conditional to hold himself or herself out, or permit another person to hold him or her out, as having registration or enrolment that is not subject to a limitation or condition. It is also an offence for a person to hold out another whose registration or enrolment is limited or conditional as having registration or enrolment that is not subject to a limitation or condition.

Similar offences are provided in relation to being authorised under proposed section 27(3) (which allows an enrolled nurse to provide nursing care without the supervision of a registered nurse or midwife).

45—Illegal holding out as having endorsed registration

It is an offence for a person to hold himself or herself out, or permit another person to hold him or her out, as having registration that is subject to an endorsement if the registration is not, in fact, subject to the endorsement. It is also an offence for a person to hold out another as having registration that is subject to an endorsement if the registration is not, in fact, subject to the endorsement.

46—Use of certain terms or descriptions prohibited

This clause creates a number of offences prohibiting a person who is not appropriately registered or enrolled from using certain words or their derivatives to describe himself or herself or services that they provide, or in the course of advertising or promoting services that they provide.

47—Improper directions to registered or enrolled persons

It is an offence for a person who provides nursing or midwifery care through the instrumentality of another person to direct or pressure the person to engage in unprofessional conduct. It is also an offence for a person occupying a position of authority in a corporate or trustee services provider to direct or pressure a nurse or midwife through whom the provider provides nursing or midwifery care to engage in unprofessional conduct.

48—Offence to contravene conditions of registration or enrolment

This clause makes it an offence for a person to contravene or fail to comply with a condition of his or her registration or enrolment, and provides a defence in the case of where the contravention etc occurred in relation to an emergency.

49—Procurement of registration or enrolment by fraud

This clause makes it an offence for a person to fraudulently or dishonestly procure registration or enrolment, or reinstatement of registration or enrolment, or endorsement of registration (whether for himself or herself or another person).

50—Nurse or midwife to produce certificate of registration or enrolment

A nurse or midwife is required to produce his or her certificate of registration or enrolment to—

- an inspector; or
- a person to whom the nurse or midwife has provided, or is providing, nursing or midwifery care; or
- a services provider who has provided, or who is proposing to provide, nursing or midwifery care through the nurse or midwife; or
- any other person prescribed by the regulations.

51—Report to Board of cessation of status as student

The person in charge of an educational institution is required to inform the Board when a student completes or ceases to be enrolled in, a course of study at that institution providing qualifications for registration or enrolment (as is the student).

Part 4—Investigations and proceedings

Division 1—Preliminary

52—Interpretation

This clause provides that in this Part the terms *occupier of a position of authority*, *services provider* and *person registered or enrolled under this Act* includes a person who is not but who was, at the relevant time, an occupier of a position of authority, a services provider, or a registered or enrolled person.

53—Cause for disciplinary action

This clause specifies what constitutes proper cause for disciplinary action against a person registered or enrolled under the measure, a services provider or a person occupying a position of authority in a corporate or trustee services provider.

#### Division 2—Inspectors

##### 54—Authorisation of inspectors

This clause enables the Board to authorise persons to be inspectors for the purposes of this measure, and further provides that such an authorisation may be made subject to specified conditions or limitations.

##### 55—Guidelines

This clause requires the Board to prepare guidelines to be followed by inspectors when investigating a matter under this Act. The Minister must approve the guidelines. The clause also makes provision about public access to the guidelines.

##### 56—Review of guidelines

The Minister must, as soon as practicable after the second anniversary of the commencement of this section, conduct a review in relation to the operation and effectiveness of the guidelines prepared and approved under proposed section 55, must prepare a report based on the review and must then, within 12 sitting days after the report is prepared, cause copies of the report to be laid before each House of Parliament.

##### 57—Powers of inspectors

This clause sets out the powers of inspectors to investigate suspected breaches of the Act and certain other matters.

Proposed subsection (6) also requires inspectors exercising the relevant powers to do so in accordance with the guidelines prepared by the Board and approved by the Minister under proposed section 55.

##### 58—Offence to hinder etc inspector

It is an offence for a person to hinder an inspector, use certain language to an inspector, refuse or fail to comply with a requirement of an inspector, refuse or fail to answer questions to the best of the person's knowledge, information or belief, or falsely represent that the person is an inspector.

#### Division 3—Proceedings before Board

##### 59—Obligation to report medical unfitness or unprofessional conduct of registered or enrolled persons

This clause requires certain classes of persons to report to the Board if of the opinion that a person registered or enrolled under the measure is or may be medically unfit to provide nursing or midwifery care. It also requires services providers and exempt providers to report to the Board if of the opinion that a person registered or enrolled under the measure through whom the provider provides nursing or midwifery care has engaged in unprofessional conduct. The Board must cause reports to be investigated.

##### 60—Medical fitness of registered or enrolled persons

This clause empowers the Board to make an order suspending the registration or enrolment of a person or imposing conditions of registration or enrolment restricting practice rights or requiring the person to undergo counselling or treatment or enter into any other undertaking. The Board may make an order if, on application by certain persons or after an investigation under the measure, and after due inquiry, the Board is satisfied that the person is medically unfit to provide nursing or midwifery care and that it is desirable in the public interest.

##### 61—Inquiries by Board as to matters constituting grounds for disciplinary action

This clause requires the Board to inquire into a complaint relating to matters alleged to constitute grounds for disciplinary action against a person (unless, in the case of a complaint laid by or on behalf of an aggrieved person the Board considers the complaint to be frivolous or vexatious).

If after conducting an inquiry, the Board is satisfied that there is proper cause for taking disciplinary action, the Board can censure the person, order the person to pay a fine of up to \$5 000 or prohibit the person from carrying on business as a services provider or from occupying a position of authority in a corporate or trustee services provider. If the person is registered or enrolled, the Board may impose conditions on the person's right to provide nursing or midwifery care, cancel an endorsement of the person's registration, suspend the person's registration or enrolment for up to 1 year, cancel the person's registration or enrolment, or disqualify the person from being registered or enrolled. In the case of services providers, the Board can prohibit the person from carrying on business as a services provider, or from occupying a position of authority in corporate or trustee services providers.

If a person fails to pay a fine imposed by the Board, the Board may remove them from the appropriate register or the nurses roll.

##### 62—Contravention of prohibition order

It is an offence to contravene a prohibition order made by the Board or to contravene or fail to comply with a condition imposed by the Board.

##### 63—Register of prohibition orders

This clause requires the Registrar to keep a register of prohibition orders made by the Board. The register must be kept available for inspection at the office of the Registrar and may be made available to the public electronically.

#### 64—Variation or revocation of conditions imposed by Board

This clause empowers the Board, on application by a registered or enrolled person, to vary or revoke a condition imposed by the Board on his or her registration or enrolment.

#### 65—Constitution of Board for purpose of proceedings

This clause sets out how the Board is to be constituted for the purpose of hearing and determining disciplinary proceedings under proposed Part 4 of the measure. Additional members may be appointed for the purpose. The Board is to be constituted of 3 members selected by the presiding member. In proceedings directly related to the practice of midwifery, 1 must be a midwife and, in other proceedings, 1 must be a nurse.

#### 66—Provisions as to proceedings before Board

This clause deals with the conduct of disciplinary proceedings by the Board. The Board may make an interim order suspending registration or enrolment or imposing conditions restricting practice rights pending hearing and determination of the proceedings if the Board is of the opinion that it is desirable to do so in the public interest.

Proceedings under the proposed Part must be conducted as expeditiously as possible (and must, if the Board has taken action under proposed subsection (5), be heard and determined as a matter of urgency).

#### Part 5—Appeals

##### 67—Right of appeal to District Court

This clause provides a right of appeal to the District Court against certain acts and decisions of the Board.

##### 68—Operation of order may be suspended

This clause empowers the Board or the Court to suspend the operation of an order made by the Board where an appeal is instituted or intended to be instituted.

##### 69—Variation or revocation of conditions imposed by Court

This clause empowers the District Court, on application by a registered or enrolled person, to vary or revoke a condition imposed by the Court on his or her registration or enrolment.

#### Part 6—Miscellaneous

##### 70—Exemptions

The Minister may, after consulting the Board, grant exemptions from specified provisions of the measure by notice in the *Gazette*.

##### 71—Statutory declarations

This clause empowers the Board to require information provided to the Board to be verified by statutory declaration.

##### 72—False or misleading statement

This clause makes it an offence for a person to make a false or misleading statement in a material particular (whether by reason of inclusion or omission of any particular) in information provided under the measure.

##### 73—Registered or enrolled person must report medical unfitness to Board

This clause requires a registered or enrolled person who becomes aware that he or she is or may be medically unfit to provide nursing or midwifery care to immediately give written notice of that fact to the Board.

##### 74—Information relating to claim against registered or enrolled person or services provider to be provided

This clause requires a person against whom a claim is made for alleged negligence committed by a registered or enrolled person in the course of providing nursing or midwifery care to provide the Board with prescribed information relating to the claim. It also requires a services provider to provide the Board with prescribed information relating to a claim made against the provider for alleged negligence by the provider in connection with the provision of nursing or midwifery care.

##### 75—Victimisation

This clause prohibits a person from victimising another person (the victim) on the ground, or substantially on the ground, that the victim has disclosed or intends to disclose information, or has made or intends to make an allegation, that has given rise or could give rise to proceedings against the person under this measure. Victimisation is the causing of detriment including injury, damage or loss, intimidation or harassment, threats of reprisals, or discrimination, disadvantage or adverse treatment in relation to the victim's employment or business. An act of victimisation may be dealt with as a tort or as if it were an act of victimisation under the *Equal Opportunity Act 1984*.

##### 76—Self-incrimination

This clause provides that if a person is required to provide information or to produce a document, record or equipment under this measure and the information, document, record or equipment would tend to incriminate the

person or make the person liable to a penalty, the person must nevertheless provide the information or produce the document, record or equipment, but the information, document, record or equipment so provided or produced will not be admissible in evidence against the person in proceedings for an offence, other than an offence against this measure or any other Act relating to the provision of false or misleading information.

#### 77—Punishment of conduct that constitutes an offence

This clause provides that if conduct constitutes both an offence against the measure and grounds for disciplinary action under the measure, the taking of disciplinary action is not a bar to conviction and punishment for the offence, and conviction and punishment for the offence is not a bar to disciplinary action.

#### 78—Vicarious liability for offences

This clause provides that if a corporate or trustee services provider or other body corporate is guilty of an offence against this measure, each person occupying a position of authority in the provider or body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that the person could not, by the exercise of reasonable care, have prevented the commission of the principal offence.

#### 79—Application of fines

This clause provides that fines imposed for offences against the measure must be paid to the Board.

#### 80—Board may require medical examination or report

This clause empowers the Board to require a registered or enrolled person or a person applying for registration or enrolment or reinstatement of registration or enrolment to submit to an examination by a health professional or provide a medical report from a health professional, including an examination or report that will require the person to undergo a medically invasive procedure. If the person fails to comply the Board can suspend the person's registration or enrolment until further order.

#### 81—Ministerial review of decisions relating to courses

This clause gives a provider of a course of education or training the right to apply to the Minister for a review of a decision of the Board to refuse to approve the course for the purposes of the measure or to revoke the approval of a course.

#### 82—Confidentiality

This clause makes it an offence for a person engaged or formerly engaged in the administration of the measure or the repealed Act to divulge or communicate personal information obtained (whether by that person or otherwise) in the course of official duties except—

- as required or authorised by or under this measure or any other Act or law; or
- with the consent of the person to whom the information relates; or
- in connection with the administration of this measure or the repealed Act; or
- to an authority responsible under the law of a place outside this State for the registration or licensing of persons who provide psychological services, where the information is required for the proper administration of that law; or
- to an agency or instrumentality of this State, the Commonwealth or another State or a Territory of the Commonwealth for the purposes of the proper performance of its functions.

However, the clause does not prevent disclosure of statistical or other data that could not reasonably be expected to lead to the identification of any person to whom it relates. Personal information that has been disclosed for a particular purpose must not be used for any other purpose by the person to whom it was disclosed or any other person who gains access to the information (whether properly or improperly and directly or indirectly) as a result of that disclosure.

#### 83—Service

This clause sets out the methods by which notices and other documents may be served.

#### 84—Evidentiary provision

This clause provides evidentiary aids for the purposes of proceedings for offences and for disciplinary proceedings.

#### 85—Regulations

This clause empowers the Governor to make regulations in relation to the measure.

#### Schedule 1—Repeal and transitional provisions

This Schedule repeals the *Nurses Act 1999* and makes transitional provisions with respect to the Board (including by allowing the most recently elected nurses and midwives to serve out the remainder of their terms), registrations and enrolments and the completion of proceedings commenced but not completed under the repealed Act.

Debate adjourned on motion of Ms Chapman.

**ADDRESS IN REPLY**

Adjourned debate on motion for adoption.

(Continued from 11 September 2008. Page 110.)

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (11:29):** I rise today to support the adoption of the Address in Reply. I congratulate the Governor on the work that he does for South Australia and for his time and effort to open this session of the 51<sup>st</sup> parliament.

South Australia faces major social economic and financial challenges over the next few years. The good times rolled under the former federal Liberal government, and the fundamental reform of the taxation system that delivered the GST revenue to the state gave the Rann government a free ride. It has been seven years of plain sailing in the sunshine and now, for the very first time in this government's life, there are some storm clouds on the horizon. How is the government weathering the rougher weather? Not terribly well. What signals were there in the Governor's speech about how the government will navigate its way through the challenges that the state now faces? There were few. The good times that this government has experienced have demanded fiscal management that should have set up our state for a bright future. This was the time to make hay—while the sun was shining.

Infrastructure investment, banking of surpluses and the retirement of debt should have been key aims of the Labor government and this Premier after having received billions of dollars in unexpected revenue. When the government came to office its revenue was just over \$8 billion. Now, in the estimates period, it is projected to exceed \$15 billion. The government is awash in a sea of cash. But, instead of managing it well, the government has squandered the money on inefficient management and through a failure to keep expenditure within budget estimates. The house will well remember the observations of the Auditor-General, referring to expenses out of control that were rescued each year by unexpected windfall revenues. What happens if those unexpected windfall revenues diminish?

An international financial crisis is causing analysts to revise their forecasts for economic growth and the consequent revenue generation. The Treasurer has been asked questions in the house about the impact of the financial meltdown on the state's finances, and he has been unable to answer those questions. He has been asked questions on ABC radio about how many millions of dollars of taxpayers' money is at risk as a consequence of that meltdown. He has given certain figures only to have to come back later to correct those figures and ramp them up. We understand that he will come into the house this afternoon and make another statement that will no doubt ramp up the figure even more.

We have a Premier and a Treasurer who do not know what is going on with the books. There is a financial meltdown going on, and you ask them what will be the impact on state finances, and they say, 'Oh, I don't know. I'll go away and check, and I'll come back to the house.' Hello! There are some serious financial tremors around the world at present which are very evident here in Australia, and the Treasurer says, 'I don't know. I'll go and ask, and I'll come back and tell you when I've got an answer.' Well, the answer keeps changing. I put it to the house that we need a Treasurer who is abreast of the Treasury portfolio. Let us see what this afternoon's announcement brings.

Add to these uncertainties in the fiscal arena the local impact of continuing drought. The mismanagement and over-allocation of water upstream in the Murray-Darling Basin is causing severe pain, and that pain will not go away. For this government, the reality is that revenue will fall short of expectations while the cost of projects, such as its Marjorie Jackson-Nelson Hospital down in the rail yards, will rise because of increasing construction costs and because of the availability and sharp rises in the cost of debt and equity financing for such projects. This is information the Treasurer is trying to keep from the house. The fact is that a lot of his PPPs and a lot of his projects are in troubled water as a result of the financial meltdown. Some of the companies involved in these projects have experienced extraordinary drops in their share price and are themselves at risk.

The viability of such proposals is vastly different in September 2008 from that which was presented in the budget in June last year. These dreams—these PPPs and projects—that the government has are at risk. Throw into that the Premier's failure to meet savings targets through shared services, and also throw into that the waste that is apparent from 15 ministries and an abundance of spin doctors, together with a top heavy structure within government departments, and you have a recipe for a perfect storm.

For the Rann/Foley government, life is now more complicated than they could ever have imagined. But they have a solution. Guess what it is? Action now for the future! It has been seven years, but they have suddenly discovered what government is all about: action now for the future. Well, where was 'Action Man' seven years ago when he got elected? Where was 'Action Man Foley' seven years ago? Where was the cliché 'Action now for the future' in 2002?

*An honourable member interjecting:*

**Mr HAMILTON-SMITH:** No, that was not the mantra then, but here we are—after seven years—facing an election where he is seeking a third term. Mr Rann has been walking up the steps to work at Parliament House for 34 years come the next election, and he wants another four—that is 38—and probably a bit more after that. Life begins at 40: why not go beyond? All of a sudden, after seven years, it is 'Action now for the future'.

I am sorry, but the people of South Australia have been expecting 'action now for the future' for seven years. Where has it been? Nowhere to be seen. These people opposite have given the Liberal opposition the perfect slogan to use again and again over the next 18 months. After seven years they want to take 'action now for the future'. The people of South Australia may have other ideas—we will see. If people want some action they will not get it from over there. People have had seven years to look at action from over there and, if they want action, there is only one party to re-elect on 20 March 2010, and we are sitting over here, not over there.

How the current government must regret letting our public sector debt rise to unnecessary levels. It is not unprecedented, because if we remember when the Premier was last in government I think it was \$11.5 billion, so they are not unprecedented. Here we are; we are on that ladder of opportunity to massive debt levels. Maybe the Premier is out to break a record, a world first, to see whether he can run up debt to beyond \$11.5 billion in his second coming. Let us see. How it must now regret being unable to reign in its expense cost blow-outs. How it must now regret the financial millstone around its neck called the Marjorie Nelson-Jackson Hospital, which it does not need. In fact, it cannot even pay for it. It has had to attempt to gut country health to make the dollars add up.

Today I can announce to the house that the opposition is reorganising its cabinet and its line-up. There is an election on 20 March 2010—in case members opposite have not noticed—and it is our goal to argue the case for change. There are key challenges ahead of us. Only the group on this side of the house will be able to address those challenges. The group over there has failed to address them despite the sunniest of weather, the calmest of waters and the easiest time any government, any Premier and any Treasurer of this state have seen in living memory. It has been an easy time to be in government.

At the top of the opposition's agenda, as it argues the case for change, are water, our environment and the challenges of sustainability and climate change. These are the issues. We have just heard that the government says it wants to refer powers over the River Murray to the Commonwealth. We will have a look at all that. I suspect this is the most massive media stunt—for at least a week—seen yet. I suspect that this proposal is riddled with qualifications and that, in fact, it is a sham referral. It is a sham referral to give everybody the impression that there is going to be some sort of change.

We will go through the fine print, but I can tell you that what we have seen today looks at face value like yet another media stunt. We will explain why that is when the matter comes before the house. However, I can say that there has been no referral of powers in any meaningful way in regard to the River Murray. We all know that what is needed is for every state to completely give up, without reservation, without qualification and without restriction, its powers in full over the River Murray, so that an authority can be set up to genuinely govern the Murray—not with its activities overviewed by a ministerial council comprised of state Labor government ministers; not with an authority for any state to just bail out of that referral of powers whenever it sees fit; and not with a string of qualifications that it is all subject to a Council of Australian Governments agreement. This is, at face value, a sham.

If you were serious about it, you would demand that the Prime Minister take control of the Murray, you would give up your powers and you would put faith in the federal government to govern that river completely and totally in the best interests of the nation. That is what John Howard proposed. That is why he said he wanted the powers before he would start spending the money, and that is the principal failure of this Premier, this water minister and her Labor government. It is the number one issue.

I brought these two issues together under two key ministers in opposition whose passion for the subject is unquestioned. The member for MacKillop, currently shadow minister for water security, will now add the environment to his responsibilities. The member for Hammond, having served as parliamentary secretary on the River Murray, will now come into shadow cabinet with ministerial responsibility for that river and with the additional portfolio responsibilities of sustainability and climate change, and primary industries, which have been neglected under this government.

The member for Bragg—a champion of the need to retain and improve the Glenside mental health campus and a champion of the need for improved mental health facilities in the state—will add the health portfolio to her responsibilities along with substance abuse—the scourge of modern South Australia. Families and communities will go to the member for Davenport who will take up with the government that parody of disasters that it has witnessed upon South Australia and argue the case for change. The key area of trade, industry and economic development will move to the same shadow responsible for finance in the member for Goyder.

The government tells us that, like some magic pudding, mining and defence will come along and feed the state. It is like Premier Rann's version of the loaves and fishes. There will be a mine and a couple of air warfare destroyers and they will feed the many. You will feast off this forever more. We will all be millionaires. No need to worry about agriculture or the River Murray. Forget Mitsubishi—we do not need Mitsubishi. Manufacturing, we are not going to help them. Small business, who are they? Let's not worry about the core industries that made this state great because we have the loaves and fishes. We have mining and the air warfare destroyers.

I am sorry to have to tell the house that the facts have somehow got in the way of the Premier's spin—royalties at \$165 million, compared to Queensland at \$3.6 billion, and just a little less in WA—and, apparently, we are going to be born-again Queenslanders. We are going to wake up in the morning and we are going to be sandgropers over in Western Australia, driving around in cruise boats all around Gulf St Vincent, bestowed in jewels. It will be the 'Dubai of the South'. Well, it is not going to be the Dubai of the South. Mining and defence are wonderful for this state, and I commend the government for continuing the good work of the former Liberal state government in attracting those industries here and developing them. It has been good work. We all look forward to the development of the Roxby Downs mine and the other mines. We, on this side of the house, have visited them recently. It is going to be sensational and so will the defence investment, but it will not be a magic pudding.

On this side of the house, shadow ministers understand that we must address three economic challenges: improving established industry, supporting emerging industry and preparing the way for horizon industry. We cannot put all our eggs in one basket. The established industries in this state are known to us all: agriculture, forestry and fishing, automotive and manufacturing and the supporting industries, building and construction, retail trade, defence, mining, tourism—and do not forget that is a \$4 billion a year industry to this state alone—education and business services. These are the established industries and they have been forgotten, by and large, by this government. This government prefers magic puddings.

How can government assist the development and improvement of these established industries? I have some suggestions for the government, and this shadow cabinet will be presenting them to the people of South Australia. Try building some roads. Try improving your rail infrastructure. Try improving your ports. Have a look at your royalty regimes and make sure they are efficient. Look at structural reforms, particularly tax reform, and ask if they are creating an efficient state.

Reform your planning approval system. We look forward to the forthcoming legislation now that we are going to have action for the future. It has only taken seven years, but we are finally going to get some planning reform: let us have a look at it. Coordination and advice—use the good offices of government. Then, there are emerging industries: energy production, water harvesting, information technology, biotechnology and medical science. In a world where climate change and expanding economies have collided, a raft of industries have capitalised on the need for sustainable energy.

Fortunately, in South Australia, we have moved quickly to 20 per cent of our energy coming from renewable sources—thanks, by the way, to the Liberal Party. The Howard government funded and established that series of wind power projects that began under the Kerin Liberal government. Anyone would think that the current government had done all that. Our federal and state

governments have also supported solar cell technologies, although the recent removal of the rebate for some householders was mystifying.

The next step is to take real advantage of the second generation of renewable energy technologies. Two of those technologies have caught our attention: wave energy and thermal technology. Solar thermal technology is already in use in the USA. Let us embrace these new technologies and emerging industries: these are the exciting industries of the future. Innovation, bringing into our economy the excellence that exists in our universities and promoting venture capital (a culture of entrepreneurial business and government partnerships) are the things that will make this state great.

To that end, I advise the house that the member for Unley will take on the additional shadow portfolios of employment, training and further education combined with education and, in government, we will bring those two roles together into one department. Transport infrastructure has been a key plank in our policies announced in the last 12 months, especially within the master plan for Adelaide. With even more work to be done in that area, I have added the position of shadow minister assisting transport, infrastructure and energy and allocated that responsibility to the Hon. Michelle Lensink in the other house who will assist in the very good work being done by the shadow minister for transport and the shadow minister for energy security and infrastructure in the other place.

The current Premier has been coming to work in this building for 31 years. In that time, he has overseen bizarre press conferences from his strident opposition to uranium mining (remember, 'a mirage in the desert') to premiers in pyjamas—not bananas but premiers in pyjamas. He was at the cabinet table when the State Bank collapsed. He was one of the key decision makers; Marcus Clark was a great bloke! As Premier, he has overseen a period in which record revenues and high taxes have filled his government's coffers only to be wasted by a government that cannot keep expenses under control, according to even the Auditor-General.

The Premier's record shows an unimaginative, yet reckless, performance. His solitary achievement that we can see and touch is a tram that has replaced a free bus service and has become a symbol of the Rann period. If we get into government, we might even call it the 'Rann tram' just as a reminder. It started from someone else's work and ended up stranded in a position that serves no really effective purpose. The state Liberals rescued this state in the fallout of the State Bank and we stand prepared to rejuvenate that state yet again. Our top priority will be to secure this state's water supply with a diverse range of solutions to sourcing and saving water.

We are holding the government to account, but we are also out there with our own ideas. No-one can accuse this side of the house of being a policy-free zone, like this government was when it was in opposition. We have the ticker to get out there with some positive ideas of our own; ticker this government has never demonstrated while it has been in government, when it has carped, whined and whinged. We will support and expand our industry base. We will provide an education system that improves the link between innovation, industry and academia. We will show compassion in caring for the sick and those challenged by mental health difficulties.

On this side of the house we understand what government is about. It is not about members of parliament. It is not about seizing power and holding it. It is not about the joys of office. It is not about people's egos. It is not about presenting oneself as Mr Tough Guy. It is not about any of that; it is about the people we represent. It is about Mr and Mrs Bloggs in any electorate you care to name, the people who want a future for their children and their grandchildren. It is about the parents who come to see us with children who are disabled, seeking an adequate level of support for their children. It is about the little kids in the primary schools and the teenage kids in the high schools who wonder what future there will be for them. It is about the parents who worry at home about whether their kids will take up drugs or alcohol, whether they will get into violence when they come out into the streets of Adelaide. It is about the elderly, who worry about whether they can afford to stay in their home because of council rates and property valuations, and whether they can afford to manage in their retirement.

There is a range of questions on people's minds, and the opposition is out there listening to them in our electorates, from one side of the state to the other. Unlike the government, we are not a city-based party; as I understand it, only one member of the government's party room represents an electorate outside the city of Adelaide. We are a party that genuinely represents all South Australians. Where else would you find a party that represents the country and the city, men and women, that champions the two great ideas of political thought in this nation—liberalism and conservatism—as effectively as we do? Where else would you find a party that represents all



cultural groups within our community, all religious groups within our community, and all socio-economic groups in our community? Where else would you find a group of people who are professionals, who are small-business people, who have been doctors, nurses and lawyers, and who have been well-heeled and not so well-heeled? As I look around, I see a few who have worked hard to come from nowhere to make something of their life by taking the opportunities this great state and this great country provide. You will find that only on this side of the house. That is why this shadow cabinet and this party will be arguing the case for change in the next 18 months.

South Australians expected more from the Governor's address, which was drafted by the government. We will take South Australia into a better future, and we will do that because this state deserves better and because we can do better. That commitment we give to the people of this great state.

**The Hon. R.B. SUCH (Fisher) (11:54):** At the outset, I acknowledge the important role performed by His Excellency the Governor and also by the Lieutenant-Governor. They are both doing a great job.

I have been critical of the process involving the prorogation of parliament, which led inevitably to the recent opening. I know that the government relies on a legal opinion which suggests that, because of the constitution, we need to have an official opening more than simply after each state election. I would ask the government to explore that issue a bit further, because I am not convinced that it is mandated by the constitution. I am not a constitutional lawyer, but what we have had is one legal opinion, and I would like to see maybe some constitutional lawyers have a look at that issue again.

There is nothing wrong with having an opening of parliament, in one sense, but I was disappointed that we did not hear anything new from the government, and I will come back to that in a moment. It is a significant cost when, in my view, it is unnecessary to have that official opening. As I understand it, the ceremonial guard is flown in from Canberra; I do not believe that is necessary. I am not against the military or having guards of honour, and I am not against bands—I love them. I love military bands, and I love police bands. My concern is: do we need to have a prorogation and an official opening more than once following a state election?

The other aspect to which I refer is the Welcome to Country performance, usually undertaken by Uncle Lewis O'Brien, and that is great to see, as long as it is not simply an example of tokenism by us (by that I mean the wider community) and something to make us feel a bit better because we are allowing Aboriginal people to express their commitment and their long-standing link to the land. In fact, I think that, in acknowledging the efforts of those in our community who have made a great sacrifice and have contributed in other ways, we should not overlook the role of the pioneers or the 100,000-plus men and women who gave their life so that we can enjoy what we currently have in this state and in this country.

The Governor's address on behalf of the government disappointed me. I think this government has a fantastic opportunity not only to lead this nation but to lead the world, not for the sake of being different or new but because I think we have so much to offer in this state. So, I was disappointed that the opportunity was not taken to spell out some new initiatives and new directions for this state, building, of course, on the good things would already have.

There are many issues that can be raised during the Address in Reply, and I will touch on quite a few of them as quickly as I can. I am passionate about education, and I commend the government for increasing expenditure on education. I acknowledge that teachers should be paid more but, as I understand it, it has not been budgeted for in this current budget cycle. I think that teachers probably need to be patient and, hopefully, in the next budget there can be a greater allocation to reward them for the work they do. At the same time, the system should be modified so that it can get rid of those teachers who are not performing. It is only a small percentage but, nevertheless, it is unacceptable to have any teacher in front of children who is not performing, who is not committed to teaching, and who does not have a genuine love of children and young people. Sadly, we have some of those teachers still in our system; there are not many, but we should not have any.

I do not believe that the Australian Education Union has a role to play in the selection of staff in schools; I do not think that is appropriate or that some of the union's other actions have been helpful in terms of promoting the state school system. I do not say that as someone who is anti-union. I always belonged to the AEU and its predecessor, the South Australian Institute of

Teachers. In my view, anyone in the workplace who does not belong to the appropriate union is a fool, is putting themselves at risk and is living off the efforts of others.

I do not see a role for the AEU in selecting the principal or the staff of a school. I do not think that is an appropriate role for the AEU. What the AEU needs to be doing, and the rest of us pushing hard for, is a significant upgrade of many of our state schools. Most of the schools in my electorate are in fairly good condition. The government is committed (at least in principle) to an expansion in the role of the Reynella East campus, which involves a primary school, high school and a preschool centre, to make it a B-12 (birth to 12) centre.

That project has stalled, I think, because it is just too big a task for Education Works, the group within DECS charged with overseeing the development of the schools out north and elsewhere. I am pleading with the minister to appoint someone who can take charge of a project like Reynella East High School and the primary school upgrade and make sure that the infrastructure is appropriate, costed and delivered within a reasonable timeframe. Otherwise, the parents and the staff are going to lose interest in being part of what can, and should be, a very exciting program, that is, creating a B-12 school.

I am also passionate about the role of TAFE, and I believe the minister is very committed to TAFE. Over the past 15 to 20 years TAFE has had a whack around the ears by successive governments that have not fully understood what TAFE can do. If you look to Victoria, they have just upped the fees in TAFE significantly. What they are also getting is accelerated training. It sounds good in theory, but it is something that is creeping into not only areas like apprenticeships and traineeships but also the area of pilot training as well. It is a very dangerous practice to accelerate training if you do not get the requisite skills.

I was talking other day to a fully qualified chef, who did the four-year course at Regency and is now working interstate, who told me that people are going to private colleges interstate and are gaining the title of chef after doing something like a 12-month course. That is not acceptable.

The other misuse which is occurring and which was reported in *The Australian* recently is that people are coming to Australia on the pretext of working in hospitality or the beauty area, simply for the purpose of becoming Australian citizens. They have no commitment whatsoever to working in those areas in the long term; they are just exploiting a loophole in the arrangements for citizenship. The federal government should put a stop to that and make sure that people coming here to be citizens are coming for the right reason and not abusing a loophole in the law. That loophole should be closed off.

Overall, we have a pretty good health system in South Australia. Sure, there are some deficiencies. One area brought to my attention recently relates to the treatment of pain. I have great empathy for anyone suffering pain. Recently I was talking to someone whose son is suffering from leukaemia and needs pain relief at the end of their treatment. I am pleased to say that at the Royal Adelaide Hospital they can offer that (usually) on the same day or at least within the week. There are other people who have chronic pain and who have to wait for weeks, and maybe months, to get treatment. I would ask the minister to have a look at the issue of the adequacy of pain clinics throughout our system.

I am very passionate about preventative health, and I know that the minister is—I had a chat to him this morning about it. We need to get a handle on encouraging people to focus on preventative health. It is not simply about better diet and exercise—it is those things and being aware of some of the risks. We know now, for example, that, in many cases, obesity is closely linked to the onset of various cancers. A lot of men are still not aware of the risk of prostate cancer. If someone in their family has had prostate cancer they should be getting checked from the age of 40.

Some men get prostate cancer even earlier, as, unfortunately, do some women in relation to breast cancer. A lot of women are still not being checked for breast cancer through the screening programs that are available—likewise for ovarian cancer and the use of pap smear technology. We still have a lot of people smoking. I cannot understand why people smoke. Some colleagues in this building smoke, and I say to them, 'Look, give up the smoking. It is a horrible way to die. If you get emphysema you drown in your own fluid.' It is a terrible thing. My young brother works at St Vincent Hospital and deals with people who have had their tongue or part of their tongue cut out. It is an awful thing, yet we still have people engaging in practices such as smoking.

I implore the state government and the minister to put extra effort into preventative health. If we do not we will overload our health system in the next few years to a point where what we are

paying now will be literally peanuts compared to what we have to pay because we have collectively failed to do enough in regard to preventative health.

In respect of water, I note the minister's introduction this morning of some bills to deal with aspects of the River Murray. This is a huge issue in the electorate. The people in voter land are very angry about the issue of water. I would say that it is the biggest issue. In politics, as many of us know, perception is a critical aspect. We know that the government is committed to doing things—never as quickly as many of us would like.

However, in relation to the Murray, we still have a situation where Premier Brumby will not allow more than 4 per cent of water from any of his irrigation areas to be sold to other users in the Murray-Darling system. He has agreed to look at raising the cap to 6 per cent at the end of next year. It is outrageous that, under this 4 per cent cap provision, Victorians are not allowed to sell water to other irrigators or for the water to be used for environmental purposes. The Premier and the Prime Minister need to get a hold of John Brumby and seek to change that 4 per cent (and possibly 6 per cent) cap so that we can have genuine trading of water in the system.

Things are starting to happen with respect to the use of stormwater—again, more slowly than I would like. In relation to the use of treated grey water, we are going to have the Glenelg to Adelaide Parklands pipe scheme, and I think that is great. I have made the minister aware of the fact that we need to have a study done to provide some baseline data so that we can look at the long-term and short-term impacts of pumping a lot of water into the Parklands. We do not know a lot about the uptake by trees of water. We need to do that research so that, down the track, we can compare what capacity trees have for taking up water. We know a lot about watering lawns and other turf, but we do not know much about the uptake of water by trees.

I mention the issue of public transport. I have a copy of *Hansard* here in which I raised the issue of a light rail system back in 1990. I disagree very strongly with people who are critical of the tram extension along North Terrace. That is a fantastic thing. I think it is one of the best things the Rann government has done. Long after we are out of this place the trams will still be rolling down North Terrace, and, hopefully, even further a field. It is a paradox that you have a government—headed by one of the most effective communicators, as well as a lot of people in the government who are highly-trained professionals—that has not been able to communicate to the public what it has done in relation to the trams.

The answer I get back from one minister is that, if we say we are going to put the network around to various suburbs, people will ask when it is going to happen, and so on. I think that the public is very happy to know where a network is going and does not expect it to be done overnight. However, at least if there is a total plan of the light rail network—whether it involves Norwood, Burnside, Mitcham, Happy Valley or, hopefully, Aberfoyle Park down my way—the public would love to know that there is indeed such a plan. The government will not be criticised for having a plan. It was criticised for what appeared to be replacing a free bus service along King William Street with a free tram. That is an essential part of the spine—the network—of a tram extension program, but the government has not communicated that to the public.

I was on the train travelling to Noarlunga the other day. I usually catch the Belair train, but I had one of those moments when I got on the wrong train, but it turned out to be useful because I had the opportunity to look at some of the stations along the Noarlunga line and I was shocked at the state of them. There is nothing very inviting about many of them. Few of the stations have toilet facilities, and that is a vandalism issue. These stations are so uninviting; they have bitumen-covered platform areas, and often you cannot read the timetable. Having caught the wrong train I wanted to know what time the next one was coming the other way, but I could not read the timetable because it was vandalised and covered in graffiti.

The government needs to spend a lot of money on upgrading and updating the railway stations to make them more attractive. I know that it has done some of these things, but I also point out that the lighting is inadequate. Women, in particular, are fearful of travelling at night because, when they get off the train, they are literally in the dark. I make an impassioned plea to the government to really put some effort into upgrading our rail stations. If we are to have light rail it has to be integrated with that plan. Let us see some action in terms of making our stations look a lot more attractive.

I refer also to bus shelters. I write to the minister a lot (which is probably why he has aged since he has been in here), and he tells me the government will look at this issue. Some years ago the state government pulled out of providing bus shelters, but currently all the local government

money for bus shelters is going into providing disability status for these shelters and it has nothing to do with getting to the bus shelter or the bus stop. All the money is going into making the bus stop itself disability friendly, but people with a disability cannot access the bus shelters because the standards do not apply to the footpath for them to gain that access. So, we have all the money from local government allocated for bus shelters going into the disability standard for the shelter, but no consideration of how anyone with a disability gets to the bus stop.

If you are going to the workplace and you are getting drenched in winter and cooked in summer, you will not stand out there and be frozen or frizzled, so that issue needs to be addressed. It is not rocket science but means providing decent shelters and seats where people can wait for a bus in comfort. I have a lot of issues involving buses in my area and I have made a plea to the government, asking it to please consult local members and the community before the gurus in the department or the bus company tell us what buses we will have and when they will run, leading to a flood of complaints because they have not listened to or consulted with the people concerned.

Tourist transport is not the biggest issue, but one of my current ideas is to bring back steam trains in the Adelaide Hills. I wrote to the Minister for Tourism and the Minister for Transport, and the bureaucracy said it was too difficult—blah, blah, blah! We can't do it on the broad gauge, too difficult—blah, blah, blah! So, I wrote to the head of Great Southern Rail, Tony Braxton-Smith, who said that we could use the standard gauge track and would have to get permission from the Australian Rail Track Corporation—and I am still waiting to hear back from them.

To my delight, the boss of Great Southern said, 'Look, you could use the Keswick terminal in the Parklands for steam trains on the standard gauge. You could run them to Tailem Bend. There's a turning plate there and you could turn the steam trains around and come back to Adelaide.' Instead of bureaucrats in the system who always say something cannot be done, why not try to bring back steam trains to the Adelaide Hills? It is a fantastic part of the world. People could stop off at Belair, have a scone and a cup of tea, head off to Tailem Bend and come back the same day. It would be incredibly popular.

In respect of buses, I have raised publicly the issue of having push-bike hooks on buses. When I was on 891 (ABC Radio), someone rang in and said that it could not be done because the engine is at the back and there is a big glass window in front. Currently they do it in Canberra, Seattle and many other places. In fact, if you take your bike on the bus in Canberra and put it on a hook, you actually travel at a lower rate; so there is an incentive.

With respect to law and order—which is always a popular issue, and I suspect the opposition will give it a good workout in the lead-up to the next election—I ask the government to look at establishing police youth clubs. New South Wales has many of these, and the old clubs previously engaged in boxing (to see whether you can damage someone's brain in a short period of time) have since moved on and are now involved in many fantastic programs for young men and women. It is a good way to break down the barriers between police and young people as well as helping young people to get fit. Whenever I have raised this the police say, 'We're not funded for youth clubs, and other departments don't want to help the police.' I think it may be an issue on which Monsignor Cappo and the Premier could talk to the Treasurer to see whether we could raise some money. It is not necessary to provide dozens of them such as they have in New South Wales, but how about a couple in the north, a couple in the south and one in the west? That would allow the police to interact with young people in a positive way and help get the young people fit.

Likewise I was pleased to read the remarks of one of the recently appointed Supreme Court justices who commented on the importance of sport as a way of involving young people in the community, and I agree with him 100 per cent. I raised this issue in the juvenile justice committee. I believe that the courts and the community family conferences should make greater use of—sentencing is not the right word—requiring young people, in particular, to participate in a sporting club and sporting activity. I know that Monsignor Cappo in his program is trying to do that and has also involved Port Power but, if you can involve young people in playing a sport, they are halfway there in regard to learning a little structure, discipline and having a worthwhile activity to involve their time.

In respect of graffiti, I am disappointed that the government has not really come to terms with it. It is not an easy area to deal with, but I think the government can do a lot better. I am going to have a crack at redrafting my three bills. I have introduced three bills, but the government did not want any of them—

**The Hon. M.J. Atkinson:** What about the spray can bill that we made law?

**The Hon. R.B. SUCH:** Yes, the government has done something, along with the wheel clamping, but—

**The Hon. M.J. Atkinson:** You don't mention those.

**The Hon. R.B. SUCH:** They are only minor in the scheme of things.

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

**The Hon. R.B. SUCH:** No; the Attorney defends a modest program. It is a very modest program by the state government. The clamping of wheels—and I acknowledged this on the radio—is not of great benefit if you are dealing with young people who do not have a car. Many of these people are not young and many of them are really just gangs out there to stick it up the rest of the community at great cost. We can do a lot more, and the government can do more; it has a lot more resources than I have. I have talked to police interstate and other people and I tell you that this is a big issue out there in the community. The public is sick to death of the vandalism that goes on and the graffiti vandalism as well which is part of that general area. I acknowledge the government has done some things on graffiti, but nowhere near enough. It has to take up the challenge. I am trying to do what I can with my limited resources to assist this process and I will keep doing so. I am looking at having some legislation drafted.

In terms of planning, the latest residential plan, I think unfortunately—and I made this point to the government at the time—did not involve community groups, councils or the public: it was basically guided by developers. Nevertheless, it is out for comment now. Some of the issues needing to be addressed via that policy include dealing with stormwater, including retention on properties and urban consolidation. I do not think we have a choice, we have to consolidate. The question is: how do we do it? How do we do it in a way which is environmentally sound and which involves greenery so that we do not end up with paved areas and little tiny dwellings?

There are things such as permeable pavers now. There are trees and shrubs that we can plant. If people do not have room to plant trees and shrubs, then they should be required to contribute to the planting of them in appropriate public parks, streets and so on, because, as I said earlier, urban consolidation is here and we have to come up with the best way of dealing with water run-off—preferably using it on site—and also ensuring that we have adequate greenery and open space.

Just on that point, Adelaide is one of the cities of the world which has very little open space. The following figures are from Professor Chris Daniels who is Professor of Environmental Ecology at the University of South Australia. Adelaide has 5.5 per cent of total green space, and if you add in the hills face zone, you get 14.5 per cent, and if you add in the remnant vegetation, 2.8 per cent, compared with London, 30 per cent green space; Berlin, 45 per cent; Moscow, 50 per cent; Toronto, 21 per cent; Brisbane, 11.5 per cent; and 47.5 per cent of Beijing is green space. When people say that Adelaide is a parkland city, that is a bit misleading. We have parklands, which, unfortunately, have been used as an excuse for not providing additional open space as the city has expanded. This latest review of residential standards is important and it is critical that the government gets that right. I am pleased that it is putting that policy out for response by the wider community, including councils, many of which are annoyed that they were not consulted initially.

It is a federal matter primarily, but people have raised the issue of pensioners. To live on \$200 plus per week would be a challenge. What we should have had years ago is a national retirement scheme; that is, from the day you start work you contribute (as they do in Europe) so that, when you retire, you have a decent living income. I am told that, in some situations, pensioners are even resorting to eating pet food. Someone who lives in Murray Bridge told me this. When questioned at the checkout why someone had so much pet food and whether they had a lot of pets, they said no, they eat it. I have checked at the supermarket and some pet food is dearer than human food, but not all of it. The sardines are probably cheaper because they are prepared in a less hygienic way. We should, as a wealthy country, be able to look after the people who helped build this country and made it what it is. We should not have people living in poverty in their retirement or pension years.

I could raise many additional issues. We are fortunate to live in this great state, but we should be committed to making it a better place to live. I hope that the government shows more initiative in trying to bring about progressive and necessary reforms.

**Dr McFETRIDGE (Morphett) (12:25):** I enjoy seeing and participating in the formal opening of parliament, with its pomp and ceremony, because it does reinforce in the minds of South Australians, particularly members of parliament, that we are in a very privileged position by having a democracy that works in the way it does and by having members of parliament who do their best to improve the lives of citizens. Part of that process is having a Governor who reads out the government's program. The judiciary, which is an important part of the process of running this state, also comes along. It is an interesting procedure. Unfortunately, on this particular occasion when the Governor was reading the government's speech it did not give many surprises. In fact, it was a bit same old, same old.

Having said that, I congratulate His Excellency Kevin Scarce on the fine job he is doing as Governor of this state. He comes from a fine military background and I have watched him grow in the job. Far be it from me in any way to be constructively critical of a governor, but he is doing an excellent job. Like me, he is a northern suburbs boy. Kevin went to Elizabeth High School. He attended Elizabeth West Primary School. I went to Elizabeth South Primary School, Salisbury Primary School and Salisbury High School. We have a lot of empathy for the people of the northern suburbs; and I will say more about that later in my speech.

The speech presented by His Excellency outlined a number of issues, items of interest and projects, which have been highlighted by the government. I will go through them in my time today. The number one issue is water security. Many years ago the Labor government came up with a 20-year plan for waterproofing Adelaide. I am not sure exactly what it was called, but a number of issues were raised then. Nothing seems to have happened. I remember that one of the first functions I attended as a member of parliament—I gatecrashed it actually—was a seminar at the Grand Hotel at Glenelg just after I was elected in 2002. It was the Australian National Committee on Large Dams (ANCLD) seminar.

They were talking about water security in South Australia and water security generally in Australia. I vividly recall a presentation by a fellow associated with management of the Murray-Darling Basin. I do not remember his exact title, but he was talking in 2002 about the dire plight of the River Murray. In fact, he described the River Murray as 'not a river but a series of long lakes that were being very poorly managed'. The River Murray is not a new issue but, unfortunately, it has been poorly managed by governments generally in Australia and, with the influence of a terrible drought, we are seeing this river system suffering badly.

The issue of water in South Australia is something of which I have been very aware. In my beachside electorate of Morphett, Sturt Creek, Brownhill Creek and Patawalonga Creek empty into the Patawalonga Basin—which was once the second most polluted river system in Australia. It has been cleaned up and it is now a great place to play and walk around. But every year millions of litres of stormwater still pour down the creeks, the concrete channel (which is now Sturt Creek) and Brownhill Creek and through the Patawalonga system out to sea.

I have been raising this issue in this place for a number of years. In fact, my first press release was over four years ago on 26 April 2004. I put out a press release headed '18,000 Olympic swimming pools down the drain at Glenelg'. The press release stated:

With all the issues facing the River Murray it is a huge disappointment to see this treated wastewater going to waste.

The press release included a chart which showed the amount of annual flow that was being reused. The annual sewage flow going into the treatment plant at Glenelg was over 18,000, nearly 19,000, megalitres but only 10 per cent was being reused in 1988-89. That decreased to about 7 per cent in 2002-03. It was a terrible waste of water. B-grade water was going out to sea, and we know about the damage it causes—hopefully, not irreparable damage, but one does worry about the millions of litres of treated water going out to sea.

On 15 September 2006 (a little over two years ago), I received some more updated figures on the outflow to the sea, and it was a disgrace to see very little improvement. In fact, the wastewater reuse options, in percentage terms, had decreased: in 2005-06 we were using only 6 per cent of the water from the Glenelg Wastewater Treatment Plant. It was an absolute disgrace to see that happening.

To further confuse the issue, in 2004 SA Water, in its wisdom, introduced a policy of cost recovery for water supplied from the wastewater treatment plant at Glenelg. A number of organisations were using that wastewater. They included the golf clubs and Adelaide Shores, the

baseball club through Adelaide Shores, I think—and, certainly, the City of Holdfast Bay was using some of it—but it was still only about 7 per cent of that wastewater.

In an effort to improve the use of wastewater, SA Water then put the B-grade water through some further treatment and sterilised it. It did not change the nutrient or mineral levels, but it killed off some of the pathogens, so that primary contact with humans would not be such an issue. It treated the water to become A-class water but, in the process, it increased the price of the B-grade water from 2.5¢ a kilolitre to 25¢ cents a kilolitre, and for A-class water up to 41¢ a kilolitre. That was a 1,600 per cent increase in the price of water. To me, that is not an incentive to buy water.

Also, this pricing policy was not spread out over all the potential users: it was just concentrated on the few which were targeted and which had been using the water. No wonder the golf clubs then went off to the federal government, and they received some quite sizeable grants to start storing and reusing stormwater through aquifer storage and recovery. The wetlands at the Glenelg golf course are looking really good now; they are being developed and the aquifer storage and recovery are starting to work well.

However, it is disappointing that we see profit before pollution in this case. The wastewater that is going out of Glenelg Wastewater Treatment Plant is not being used anywhere near to the extent that it should be used. We are now starting to rely on desalination plants and other sources of water when we should be reusing and recycling of all forms of water—not only stormwater but also water from the wastewater treatment plants.

The pipeline to the Parklands that is being built by the state government (with some money from the federal government) is certainly a step forward. However, I would have liked to see (and I am certain that at some stage either the Charles Sturt council or West Torrens council had these plans) the water not being piped straight to the CBD but a pipe laid from the Glenelg Wastewater Treatment Plant along the bed of the Torrens River (so you would not see it) up to the headwaters. So, that wastewater would then come back down the Torrens and be able to be pumped out by community groups, sporting clubs, councils or industry; and whatever was not pumped out would then continue down through the wetlands to Breakout Creek, with far less water going out to sea. There would also be the advantage of the continual flows going down the Torrens that perhaps would have reduced or eliminated the algal blooms we frequently see.

I understand that the City of Onkaparinga is conducting a pilot study with Flinders University on exactly the same process in the Onkaparinga River: putting the treated wastewater from the Christies Beach Wastewater Treatment Plant up the bed of the Onkaparinga River and allowing it to come back down. This is A-grade treated water. It is quite safe for primary contact, and diluting it with the natural flows and increasing the natural flows is something that I think certainly needs to be looked at. I congratulate the City of Onkaparinga on that initiative.

When one sees the reuse of wastewater going from 11 per cent in the late 1990s to only 7 per cent a few years ago, one will realise that something is wrong. Not only would I like to see the wastewater from Glenelg coming to the Parklands in the CBD (which I think it is a good initiative, and it is a good thing that the government is building that pipeline), but I would also like to see opportunities for users on the way—the councils and sporting clubs—to take some of the water from that pipeline so that more could be used, with less going out into the gulf. I will not be happy until we are using 100 per cent of the treated water from Glenelg. There is a huge opportunity for us there, and I think everyone in this place would support the reuse of that treated wastewater.

On the subject of wasting water, stormwater is another big issue for us, and I mentioned the Patawalonga and its pollution. That has been changed. I recently visited Singapore and Holland to catch up with two partners working with Flinders University in a stormwater project. Flinders University is using a special sol-gel technology to purify stormwater. It is working with the National University of Singapore, the Public Utilities Board of Singapore and also Deltares in Delft, Holland, to develop ways of redeveloping stormwater channels and purifying stormwater so we can turn these concrete canyons that now carry polluted water to our coastlines into pristine, natural creek-like environments with the ability to not only carry the water that is required but also filter the water in the process. I congratulate Flinders University on the fine work it is doing.

I should also say that the South Australian government entered into a memorandum of understanding involving just over \$1 million with Flinders University, an Australian company (United Water International), the National University of Singapore, the Public Utilities Board of Singapore and the Dutch water experts known as Singapore-Delft Water Alliance in Holland to ensure that this project goes ahead in Singapore. We should reap the benefits here, because the people at Flinders

University are working exceptionally hard on this project for the good of not only South Australians but also the whole world—and that is not being overly enthusiastic about the project.

The Governor's speech highlights some of the good things that are being done in South Australia, but things could be done better. The solar power station at Coober Pedy that is being promoted by the state and federal governments is a good move. Renewable solar energy is something we should be looking at. However, the one that I am really concerned about is the solar power station (the sun farm) at Umuwa in the APY lands, which has been in place for a number of years. I think it was in 1995 or 1996 when it was first promoted and built at a cost of about \$16 million. There were some issues—there was a lightning strike which put it out of action for a while—but there are continual breakdowns. Even as recently as three weeks ago, the Umuwa sun farm, which has a potential output of 300 megawatts, was only putting out 200 megawatts. It is a disappointment that we are not maximising the output from our renewable energy sources, and I look forward to watching the facility at Coober Pedy being developed.

The residential energy efficiency scheme is mentioned in the Governor's speech and, certainly, we are encouraging all people to build houses which are energy efficient and to use appliances which are energy efficient. However, the problem I have with this residential energy efficiency scheme concerns hot water services. A number of plumbers have come to see me about the inflexibility in the regulations for installing new and replacement hot water services. According to the Housing Industry Association, the cost impact on regulatory change highlights the mandated use of gas hot water units.

The committee that examined this has assigned a cost of \$450 for the additional labour and material components for these hot water services. That may be a short-term pain for a long-term gain—I hope so—but the problem is that the cost is \$450 in the case of a new house being built but, in the case of the replacement of a hot water service, it can be many thousands of dollars because the availability of gas to the site can be a real problem. So I ask the government to look at that and talk to the plumbers about some of these issues so the plumbers will not get the response I have been told they are getting from SA Water, that is, 'You are a plumber, you work it out.' That is just not good enough.

In relation to the sun farm and energy efficiency, I need to raise the issue of renewable power in South Australia. We are very proud of our input of renewable power into the energy system, particularly wind power, but I am aware of a fair bit of green washing that is going on, with claims that you are more carbon neutral and greener than others. I would love to see an audit of the amount of green power that is being produced and sold Australia wide; perhaps one has been done and, if it has, I hope whoever hears or reads what I have said will bring it to my attention.

I know that all retailers (and governments, in some cases) are selling green power, but I would like to know whether the supply is keeping up with not so much the demand (as the demand is there) but the amount of green power that is being sold. It would be an interesting equation. I hope that all the green power that is being produced is sold so that the price can come down. I hope that is the case and that green washing is not going on.

I turn now not to the greenhouse effect but to the greenhouse. On page 7 of his speech, the Governor states that 'Adelaide will become home to a new "super greenhouse"—the Plant Accelerator'. This is a very exciting project for South Australia. I was at the Waite Institute, where I was briefed on the plant accelerator centre, which is part of the National Plant Phenomics Facility. It is a terrific facility for South Australia, and I congratulate the state government on the \$10 million it has contributed, together with \$15 million coming from the former federal Howard government, which had the foresight to put money into the plant accelerator and the National Plant Phenomics Facility.

This facility gets away from the fear factor and perceptions of genetic modification. What we are looking at here is not the genotype but the phenotype, which is what the plant actually looks like. The Plant Accelerator Centre deals with 160,000 plants a year and makes comparisons of things like the way they grow and their leaf area. The centre can compare many factors so that the very best plants can be selected for propagation and, hopefully, overcome issues such as salinity and drought tolerance. It is a terrific centre, and I encourage members of this place to visit both the phenomics centre and the plant accelerator at the Waite Institute; they are really worth seeing.

Before talking about transport, my portfolio and area of real interest, I point out that the Governor's speech mentions the Marjorie Jackson-Nelson Hospital. On this side of the house, we do not believe that that is a good thing to be building at this stage, as we think there are better



ways of improving health outcomes for South Australia. My concern is the cost of the rehabilitation and relocation of the Adelaide rail yards. I FOI'd some documents about the contamination levels there, and there is a whole index of poisons and toxins. It is a veritable toxic waste dump which, unfortunately, is the legacy of many such industrial sites. It will cost millions of dollars to rehabilitate the rail yards: I think the government has estimated \$162 million, but it may be closer now to \$200 million, but watch this space. It will be a difficult and complex issue to address, without the added problems of determining where the rail cars will be relocated for refuelling, maintenance and improvement of the public transport system.

Linked with transport are the GP Plus centres mentioned in the Governor's speech. These will open in 2010 at Elizabeth and Marion. The centre at Marion will be a good thing, but the problem is that Marion has one of the largest, if not the largest, shopping centres in Australia. In addition, the state aquatic centre will soon be built there. It is a very busy precinct.

The changes that have been made to the Oaklands Railway Station are better than what we had, but certainly nothing like what we should have had down there. Grade separation and a redesign of the whole precinct for the integration of buses, private vehicles and trains is something that the next government will have to grasp, even if this government does not. It is a problem that we will all have to face. I would like to see what can be seen in Holland, Singapore and the US—a bipartisan approach to transport so that long-term plans can be developed, because the problem will not go away. Certainly, the Oaklands Interchange is a problem that will only be exacerbated by yet more pressure on that precinct through our GP Plus centre, though a good thing in itself.

Regarding public transport, on page 8 of the Governor's speech he states that the program to rebuild South Australia's public transport system will see the extension of tramlines from City West to Port Adelaide and to Semaphore. As everyone in this place knows, I am a tram fan from way back. I would love to see a network in South Australia, but what I do not want to see is an extension of the tram to the Entertainment Centre as the first priority.

An integrated approach to a light rail network is needed. We could have a far better network than this government is proposing. We are going to end up with seven different types of rolling stock. We are going to end up with new electric trains, converted and refurbished diesel to electric trains, new hybrid train trams, we are going to have additional light rail vehicles and we are going to have a new ticketing system. I will talk about the ticketing system in a minute, but I now want to talk about the trams we are getting.

I hope that the minister comes in here this afternoon and says that the information that I have been given—the information on rail websites—is all wrong, namely, that we are getting 20 year old communist era clunkers to help relieve the congestion in South Australia. This is just not good enough. I hope it is wrong, and I hope that the minister comes in here and tells me that this is wrong and that he has better trams. I know that the minister is looking for some readily available trams for commuters to ride on. The talk in the department of transport is of readily available trams, and the acronym being used is RATs. So, South Australians are going to become rat-catchers. I just hope that that is not the case. South Australians deserve better from this government and from this minister.

Certainly, building our own trams is something that is not beyond us here in South Australia. We can build air warfare destroyers, but we cannot build trams. I was in Portland, Oregon, a few weeks ago talking about the Trimet system. I went to the Oregon Iron Works, which is building seven trams on licence from Skoda—and they are very good trams. The Americans can build them there, putting in American components, but we cannot build trams here. Those trams are being built for about \$US4 million which, on the current conversion rate, is probably about \$A4.5 million, yet we go and buy trams for \$6 million each. We should be building our own trams here. We can build heavy rail at Port Augusta, at EDI up there, yet we are not building our own trams here.

I suggest that the Premier not only ride the trams and streetcars in Portland, but actually go to the Oregon Iron Works to see what they are doing there. He has been to Portland; he should go again and look at what is happening at the Oregon Iron Works. It is an opportunity that is being missed.

The Governor's speech points out that a record level of investment is being made in roads. We are getting some changes to the way intersections work. We have a new underpass where the Bakewell Bridge was and we are getting an underpass at Anzac Highway. It will certainly make driving in and out of Adelaide a bit easier for me. But the big problem is that, in a letter from the

government to the residents of the Port Road, Grange Road and South Road area, we are now informed that no major construction work will take place on South Road for at least three years.

The excuse is that they are going to spend the next three years doing a plan on the north-south corridor. I thought that had been going on for a number of years now, and that the infrastructure plan that this government had put up was all part of that whole north-south corridor redevelopment. But, no, there is an excuse to do nothing now. Action for the future is something that this government is not fulfilling when it comes to roads.

I would love to see some more money spent on state government roads. Certainly, some of the roads in my electorate, which are state government responsible roads, should be renamed Rodeo Drive or Rodeo Road, because it is like riding a bucking bronco as your car goes over the bumps, lumps and dips on those roads. It is really an atrocious thing. I noticed that some parts of Tapleys Hill Road in the Labor electorate are being done up, but when it comes down to Morphett, Brighton Road is really missing out. Oaklands Road is also another road that is missing out badly.

The public transport system in South Australia needs to be looked at in an integrated fashion, as I have said before in this place. We read on page 10 of the Governor's speech about the 25-year rolling supply of broadacre land for the government's purpose of extending residential developments and expanding the urban growth boundaries, yet we see very little in the way of meeting the need to urgently extend the public transport corridors. There is some talk from this government of going down to Seaford and buying some land, but there are no time lines. I went out and caught the 7:45 train in from Gawler the other morning. It is a slow coach; it is not the express. I went out and saw the problems they are having out there first hand, yet, what do we get? We get the government expanding the urban growth boundary north.

**The Hon. M.J. Atkinson:** And resleepering the Gawler line and making it electrified.

**Dr McFETRIDGE:** The government will resleeper and electrify that line, but in 2016—in eight years' time. It cannot be done overnight—I know that—but why would you leave one of the main pressure areas until almost last? When it comes to building expressways and highways, an issue has come up which will affect even the householders of this state. I am told by civil contractors that the main contractor for the northern expressway (Fulton Hogan) is a very good company. It must be a very good company because it is paying up to 25 per cent above award wages. That is a good thing for the workers if they can get it, but the problem it has created is that other civil contractors cannot keep their employees because they are paying award wages and trying to look after their employees.

If they have to match the wages being paid by Fulton Hogan, they will pass on those costs to the end user, which will be the developers and the householders when they buy their block of land. So, housing affordability will decrease because of the action of this government in using an international New Zealand-based company. I do not know the full economics of that, but the government has an interesting problem. I just hope that the government can sort it out before South Australians end up paying for the rush in getting some of these projects done and dusted before the next election.

Page 12 of the Governor's speech mentions the Royal Institution of Australia, the first satellite operation of the Royal Institution of Great Britain. I visited the Royal Institution in London when I was there a few weeks ago. We had the official opening. I crossed to Santos at about 1 o'clock in the morning here for the opening of the Royal Institution in London. I thought that since I was going there I would have a quick look at it. Unfortunately, it was still a building site. A couple of rooms were finished. When the Queen opened the building at the live cross it was obviously all finished and very nice. I went to the lecture theatre where the main presentations have been given for many years. The disappointment was that it is only partly finished. But I congratulate all those associated with the Royal Institution in South Australia. A very good university friend of mine, John Yovich, who was the executive dean of the vet school, is now head of the Royal Institution of Australia, and I know that he will steer it along the right course.

Page 14 of the Governor's speech mentions 10 new trade schools, and this is something that I need to raise. A few weeks ago I was in Port Augusta, where I used to teach at the high school—technical studies, woodwork and metalwork. I met a lot of good Aboriginal families, and that is where I got my passion for Aboriginal affairs. I went to the tech study centre there, and it is an absolute disgrace. But that is not due to a lack of teachers' enthusiasm; it is due to the lack of funding and determination by this government to foster technical education in our schools. If you are going to make them work within the schools, 10 new trade schools are great, but you must walk

before you can run. We need to provide good education. There is a lot more that can be said about the Governor's speech, and a lot more needs to be said.

Time expired.

**Mr VENNING (Schubert) (12:56):** First, I would like to thank His Excellency the Governor, Rear Admiral Scarce, for his address upon the opening of the third session of the 51<sup>st</sup> parliament. I also congratulate him on his appointment, and wish both him and Mrs Scarce all the best for their term in office. I look forward to welcoming them to the Barossa Valley. I am not sure whether they enjoy the local product, but I hope to find out soon.

**The Hon. M.J. Atkinson:** They do.

**Mr VENNING:** The Attorney says they do. I look forward to their visiting the Barossa very shortly.

The media has widely reported the Governor's opening speech, delivered three weeks ago, showing that this state Rann Labor government's main priorities for South Australia are water, public transport and health. I struggle to see how these areas are the government's priorities when, in the midst of the water crisis (which it described as the most severe drought in recorded history, and we would agree with that) we are still without a desalination plant, no new reservoirs or any enlarged existing ones, and we are not managing the rain that falls from the sky with stormwater retention. It would be interesting to see how long the government would take to act in an area that was not a priority.

I was at the Entertainment Centre a few weeks ago and, not being able to park nearby, I parked on the other side and walked across a little bridge. To hear the water rushing underneath that bridge and racing down there and out to the sea as waste just beggars belief. It is such a waste: the water is running out to the sea while Adelaide is on severe water restrictions. I just cannot comprehend why that is the case. It is not a big deal to dam it up, hold it and pump it back.

**The Hon. M.J. Atkinson:** You were comfortable enough with it for eight years, when you were in government.

**Mr VENNING:** I note the Attorney's interjection, and I want it recorded. We are now four years into a severe drought. You have been in government for six years. I can excuse you for a couple of years, but not four. This should have been dealt with two years ago. The state Rann Labor government said that it first raised concerns about the imminent danger facing the Murray-Darling system in 2002. If that is true, what action has it taken to try to avert the imminent danger facing South Australia?

I note in the gallery the Kapunda High School, which I used to have the honour of representing.

**The DEPUTY SPEAKER:** Order! The member for Schubert is out of order to note the presence of people in the gallery. However, the member for Schubert may like to seek leave to continue his remarks.

**Mr VENNING:** Thank you, Madam Deputy Speaker.

**The DEPUTY SPEAKER:** I will note the presence in the gallery.

**Mr VENNING:** I recognise Kapunda High School, and I do seek leave to continue my remarks later.

Leave granted; debate adjourned.

#### VISITORS

**The DEPUTY SPEAKER:** I note the presence in the gallery of students from Kapunda High School, the guests of the member for Stuart. I hope that you have found these brief proceedings useful.

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

### PORT RIVER BRIDGES

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations):** Presented a petition signed by 2,589 residents of South Australia requesting the house to urge the government to name one of the new Port Adelaide bridges after World War II hero Thomas Currie 'Diver' Derrick VC, DCM.

### YORKE PENINSULA DISTRICT COUNCIL

**Mr GRIFFITHS (Goyder):** Presented a petition signed by 741 residents of the District Council of Yorke Peninsula requesting the house to urge the government to take immediate action in requesting the council to review their waste and recycling service and undertake further public consultation with ratepayers.

### BUS SERVICES

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 212 residents of suburbs of Adelaide and greater South Australia requesting the house to urge the government to return all F designated buses to the original zoned area and to give more consideration to the needs of the northern area by providing consultation and faster services where possible.

### COUNTRY HEALTH CARE PLAN

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition):** Presented a petition signed by 136 residents of South Australia requesting the house to urge the government to withdraw the Country Health Care Plan and to continue funding Country Health SA services at existing hospitals and health facilities in rural South Australia.

### HOUSING TRUST WATER METERS

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition):** Presented a petition signed by 109 residents of South Australia requesting the house to urge the government to ensure all Housing Trust households are provided with their own individual water meters in order that they might monitor and control their own water use and pay SA Water for the accurate and appropriate usage.

### PUBLIC SCHOOLS

**The Hon. G.M. GUNN (Stuart):** Presented a petition signed by 74 residents of South Australia requesting the house to urge the government to reconsider the proposed new funding model for South Australian schools and to put in place a proper and appropriate agreement on public schoolteachers' pay and conditions within a binding enterprise agreement.

### GLENSIDE HOSPITAL REDEVELOPMENT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition):** Presented a petition signed by 10 residents of South Australia requesting the house to urge the government to retain the areas known as precincts 3, 4 and 5 of Glenside Hospital to ensure they continue to be available as open space and recreational, together with mental health services.

### PAPERS

The following papers were laid on the table:

By the Speaker—

House of Assembly Member's Register of Interests—Registrar's Statement June 2008  
Travel Report—2007-08—Ordered to be published

By the Premier (Hon. M.D. Rann)—

Disciplinary Appeals Tribunal—Report 2007-08

By the Treasurer (Hon. K.O. Foley)—

Super SA Triple S Insurance Review—November 2007

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

Development Act—Amendment Plans—

City of Onkaparinga—Local Heritage (Onkaparinga) Report by the Council

Port Pirie Regional Council—Ranges Zone Report by the Council  
 Regulations under the following Acts—  
 Harbors and Navigation—Radio Beacons  
 Motor Vehicles—Offences  
 Road Traffic—  
 Approved Road Transport Compliance Schemes  
 Driving Hours—Revocation  
 Heavy Vehicle Driver Fatigue  
 Miscellaneous—Expiation Fees  
 Miscellaneous—Offences

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

Rules of court—  
 District Court—Amendment No. 4

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

Country Health Care Plan Discussion Paper

By the Minister for Education (Hon. J.D. Lomax-Smith)—

Regulations under the following Act—  
 SACE Board of South Australia—General

By the Minister for Environment and Conservation (Hon. J.W. Weatherill)—

Regulations under the following Act—  
 Prevention of Cruelty to Animals—General

By the Minister for Families and Communities (Hon. J.M. Rankine)—

Regulations under the following Act—  
 Liquor Licensing—Dry Areas—Golden Grove  
 Local Council By-Laws—  
 City of Mitcham—By-law No. 5—Dogs  
 City of Tea Tree Gully—By-law No. 4—Dogs

By the Minister for Industrial Relations (Hon. P. Caica)—

Regulations under the following Act—  
 Lottery and Gaming—Participation Lotteries

#### MURRAY RIVER

**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) (14:06):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** South Australia continues to be at the forefront of national reform and investment in water security. We are building a desalination plant for Adelaide. We are substantially increasing the use of recycled water and stormwater. We are investing in incentives and education to support the community to save water, and we are driving the national agenda for a better deal for the River Murray. Today, South Australia became the first basin state—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —to introduce historic legislation to refer constitutional powers to the commonwealth for the management of the Murray-Darling Basin. I know that there is a bit of agitation on the other side following the historic reshuffle. Some have described it already as a missed opportunity. Of course, demoting a member who has been fighting for the Lower Lakes shows how much they feel about the issue on that side of the house. Earlier today, the Minister for

the River Murray introduced the landmark legislation making South Australia the first Murray-Darling Basin jurisdiction to introduce this legislation.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I look forward to bipartisan support for the passage of these nationally significant reforms. The legislation, when passed, together with complementary commonwealth legislation and legislation in other Murray-Darling Basin jurisdictions, will bring into operation the independent Murray-Darling Basin Authority. Just remember that; remember it is the independent authority. It is the one that Malcolm Turnbull did not want to have when he was the federal water minister. I hope you remember that.

For the first time in over a hundred years, the overall management of the Murray-Darling system will be the responsibility of a single independent authority that will make decisions in the best interests of the river system. I remember when Malcolm Turnbull came into my office and said, 'You are out on a limb on this one. You are on your own.' Well, we have managed to achieve it because we worked hard to achieve it, despite the fact that the Liberal Party did not want an independent commission to run the River Murray.

This is a great achievement for South Australia and for Australia. The issues facing our community and, in particular, our irrigation communities as a consequence of the worst drought in recorded history required more immediate action. Today, I have made a major announcement to help South Australian irrigators. The government will provide certainty to irrigators by underwriting critical water allocations. This will secure the survival of permanent perennial plantings for irrigators whose farming businesses are assessed to be viable in the long term. You saw what was negotiated at the weekend in terms of assistance for exit packages. We are giving support for those who need to go, and we are giving support to those who can stay.

This will be achieved through the purchase of water, where necessary, on the open market to meet critical needs to supplement available allocations from existing entitlements. The cost of the scheme will depend on the take-up rate and the actual allocation from existing entitlements, which is dependent on River Murray inflows and advice from the Murray-Darling Basin Commission. The scheme, funded by this state government, could cost up to \$67 million.

Irrigators have indicated to the Minister for the River Murray and to the Minister for Agriculture, Food and Fisheries their concern about the loss of perennial plantings resulting from a combination of the high cost of water and low returns from reduced yields and prices. Many irrigators have no option but to cease watering their permanent plantings. This would mean the potential loss of hundreds of millions of dollars of citrus, wine grape, almond and stone fruit orchards. If this were allowed to occur, there would be inevitable long-term damage to the economy and social fabric of both the region and our state.

The scheme complements the commonwealth exit package that I announced with the Prime Minister on Saturday. The commonwealth scheme will allow struggling small irrigators who wish to exit horticultural production to receive a cash payment of up to \$150,000 plus \$20,000 to remove irrigation infrastructure and for retraining. The scheme is available to producers with allotments of up to 15 hectares who are also prepared to sell their water licences to the commonwealth as part of the water-purchasing scheme for the environment.

Most importantly, eligible irrigators who take up the packages will be entitled to remain on their properties. It gives those individuals the opportunity to exit the industry with some financial security and restructure their lives. So, again, what we have done is renegotiate with the commonwealth to ensure that there are exit packages that do not require irrigators to leave their properties; they can stay on their properties, they can stay in their homes and they can stay in their communities. Those who need to go will be given support, and those who can stay will be given support.

Irrigators who do not wish to exit and who can demonstrate the viability of their business will be able to apply for a critical water allocation which will, in effect, be an advance on future allocation improvements. The government will underwrite the difference between the allocation from existing entitlements and the amount required for the survival of perennial plantings. Irrigators' allocations are currently at 11 per cent. This is insufficient to keep perennial crops alive. The critical water needs of each crop will be calculated and the South Australian government will underwrite the difference between the critical crop water needs and the allocation.

The critical water needs for survival of perennial plantings vary according to the type of crop. For example, in the Riverland grapes will survive on around two megalitres per hectare, while citrus will require around five megalitres per hectare. The scheme will assist in providing critical water for the survival of perennial plantings and will not be available beyond that to underwrite production. The assessment will not take into account carryover water or temporary top-up allocations traded in during the current irrigation year. Such volumes are considered part of an irrigator's purchases for the purpose of crop production.

The underwriting arrangements I have announced today will be available for properties which have long-term future viability. Irrigators whose farming businesses are no longer viable and who are eligible to access the commonwealth exit package will not be eligible for access to the critical water allocation for permanent plantings. The South Australian government will be providing support to inform irrigators on the measures available and the criteria for each.

We welcome the recent commitment by the Prime Minister to help struggling irrigators exit their farming activities, to stay on their land and to sell their water licences to restore water to the environment. While the package is for the whole of the Murray-Darling Basin, I understand that the majority of irrigators to benefit from it will be in South Australia's Riverland. I have been personally negotiating with the Prime Minister and the South Australian minister for agriculture and I have also been negotiating with the federal agriculture minister Tony Burke for this exit package since June this year. Our state minister for agriculture joined me in Canberra for meetings with Tony Burke and then I met with the Prime Minister on several occasions.

The decline in the health of the Lower Lakes and Coorong as a consequence of continuing lower flows to South Australia is another issue that threatens the viability of our communities and the environment. Recently, a federal parliamentary Senate inquiry was established to investigate short and long-term management options for the Coorong and Lower Lakes. We welcomed this inquiry, and last Friday the Minister for the River Murray led a South Australian delegation and personally presented our submission to the Senate committee. Our submission clearly outlined the case for a short-term fresh water solution for the Lower Lakes, highlighting that the Coorong and Lower Lakes region is an internationally important wetland system, which is Ramsar listed and the subject of international agreements on bird migration.

In the short term, South Australia would require up to 60 gigalitres of additional fresh water to maintain the lakes in a fresh condition, while managing the risk of acidification until the end of September 2009. This would allow future management options to be reassessed, following next year's winter and early spring rainfall and inflows. The 60 gigalitres of fresh water required in the short term may be contributed from localised rainfall and inflows, unregulated flows from a significant rainfall event upstream or through improvements in the Murray-Darling Basin shared resource. However, we recognise—

*Members interjecting:*

**The Hon. M.D. RANN:** This is it; you would not listen to the member from the area and you have demoted him. This is what he has been telling you. However, we recognise that if severe drought conditions continue there would be a point at which the minimum quantities of fresh water required may not be available and the introduction of sea water may be necessary, but only as a measure of last resort.

Importantly, the decision to construct a temporary weir below Wellington is on hold following an improvement in conditions at the Lower Lakes as a result of local rainfall and inflows to the Lower Lakes from streams in the eastern Mount Lofty Ranges. Conditions in the Lower Lakes and River Murray inflows will continue to be monitored closely to inform the government's decision-making process.

Adelaide's desalination plant is vital to reduce our reliance on the Murray and to supply a quarter of Adelaide's water needs from a climate-independent source. Yesterday, I announced that the desalination plant will be fast tracked to be delivered 12 months ahead of schedule. The three consortia which have been short listed to deliver the plant tell us that they can deliver first water by December 2010. Under this revised timeline, the plant would operate at a lower capacity initially, with water delivery gradually increasing to 150 million litres a day by June 2011.

I can inform the house that the three short-listed companies announced yesterday are: Addwater, a consortia of Veolia Water and John Holland; Water First, a consortia of companies, including Degremont, Thiess and Thiess Services; and Adelaide Aqua, a consortia of companies, including Acciona Agua, United Utilities, McConnell Dowell and Abigroup Contractors.

This government continues to work tirelessly in our efforts to save the Murray and to ensure South Australia's water supply is secured for the future.

### STATE GOVERNMENT INVESTMENTS

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:18):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. K.O. FOLEY:** Since the middle of last year, the collapse of the US subprime mortgage market has reverberated throughout global sharemarkets. I thought it appropriate to advise the house on what impact this may be having on the state's finances. A loss of investor confidence in companies with direct and substantial exposures to subprime securities has spread throughout these markets to drive down prices. Investors have experienced prolonged and sustained negative returns, particularly over the past 10 months.

These negative returns have also impacted South Australian government funds invested in these sharemarkets. Funds SA, the largest investor of funds on behalf of government, has recorded a negative 9.3 per cent return for the balanced fund over the 12 months to 30 June 2008. This is a similar return to that of its industry peers. Although losses experienced by superannuants from this downturn are significant, it is important to view returns in the longer term.

Funds SA's balanced fund has returned 7.9 per cent per annum over three years, 10.8 per cent per annum over five years and 7.2 per cent per annum over seven years. As such, it has exceeded its target of earning inflation plus 4 per cent, equivalent to 7 per cent per annum over seven year rolling periods.

We have also seen major international financial institutions teetering on the brink of collapse over the past few weeks. One company, Lehman Brothers, has collapsed and filed for bankruptcy, while Merrill Lynch and Halifax Bank of Scotland have been taken over by other financial institutions, the Bank of America and Lloyds TSB respectively.

Unprecedented action by the US Federal Reserve has seen vast sums of capital made available to bail out companies that were facing difficulties from this market instability, including for mortgage lenders Fannie Mae and Freddie Mac, and, of course, the giant AIG (the American International Group).

The initial assessment of the government's exposure to subprime securities or other vulnerable instruments, such as collateralised debt obligations (CDOs), and exposure to these companies is as follows:

- Funds SA held around \$4.4 million in equity in Lehman Brothers and a further \$9.4 million in bonds;
- in aggregate, the Lehman investments represent only 0.1 per cent of the \$14.4 billion in funds under management as at 31 August 2008;
- the equity and debt exposures sit within portfolios managed by specialist funds management firms contracted to and monitored by Funds SA;
- fourteen firms are engaged to manage the equity investment and eight are engaged to manage the fixed income investments. These firms are actively managing Funds SA's portfolios to ensure all effort is made to achieve recoveries and to maximise returns on all investments within the portfolios;
- with respect to CDOs, Funds SA has minimal exposure with one CDO-like structure worth approximately \$250,000 held in one particular portfolio. This represents less than 0.002 per cent of total funds under management;
- regarding AIG, Funds SA holds \$8.4 million in equity and \$8.4 million in bonds. The government is advised that, due to the Federal Reserve's assistance package, there is limited risk of loss on bond exposure, although the value of the equity is not yet clear. In aggregate, the investments represent, again, 0.12 per cent of Funds SA's portfolio; and
- regarding Fannie Mae and Freddie Mac, Funds SA has \$3.4 million of equity exposure and \$132.6 million of bond exposure to Fannie Mae. The government has \$265,000 of equity exposure to Freddie Mac and \$11.2 million of bond exposure. The equity investments



comprise approximately 0.02 per cent of Funds SA's portfolio, while the bond investments compromise just under 1 per cent.

Again, due to the Federal Reserve's intervention, there is limited risk of loss on the bond exposures, although the equity value is not yet clear. Funds SA is continuing to monitor developments in the global financial markets and is continuing to review its investment and exposures. I have asked that Funds SA keep me apprised of further developments and impacts if and when they occur.

Regarding other agencies, such as the South Australian Government Financing Authority (SAFA) and the Local Government Financing Authority, I am advised that they have reviewed their exposures and advise that they have no exposure to Lehman Brothers or CDOs. WorkCover and the Public Trustee have advised that they have no direct exposure to Lehman Brothers but may have a very minor exposure through investing in global pooled equity funds. WorkCover and the Public Trustee have no exposure to CDOs. AIG is an insurer of some of the government's insurance programs, including SAFA's Catastrophic Reinsurance Program. Coverage under these insurance policies, I am advised, is not considered at risk.

Clearly, the past year (the last few weeks, as well) has seen great instability in global financial markets. It is important to keep in mind the very minor size of the government exposure to these entities. As I have said, we will continue to monitor closely market developments and any government exposure, and I will keep the house informed.

### VISITORS

**The SPEAKER:** I draw to members' attention the presence in the gallery today of members of Kensington Gardens Neighbourhood Watch (guests of the member for Hartley), students from Glenunga International High School (guests of the member for Unley) and students from Kapunda High School (guests of the member for Stuart).

### QUESTION TIME

#### HOMESTART FINANCE

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:27):** My question is to the Treasurer. Why has the government allowed HomeStart Finance to carry what the Auditor-General has described as 'very high risk loans', possibly exposing the South Australian taxpayer to risk flowing from declines in the property market and subsequent mortgage defaults? The government provided \$1.2 billion worth of home loans to low income owners through HomeStart in 2006-07. On page 584 of the 2006-07 Auditor-General's Report it states:

HomeStart does not require its customers to take out mortgage insurance, due to the very high cost, such that HomeStart effectively self-insures losses incurred.

The present economic downturn and global credit market uncertainty mentioned by the Treasurer a moment ago exposes South Australian taxpayers to impact of defaults on these government-backed loans.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:28):** What an extraordinary question. Barely a week, a month or a day goes by when members opposite or federal Liberal Party members are not going on about housing affordability and are not asking what are we doing to get young South Australians into their home; why are we not cutting stamp duty; why are we not increasing the first home owners grant? One of the vehicles that a Labor government put in place under the Bannon government and sustained under the Liberal government was HomeStart. What does HomeStart do?

**Mr Hamilton-Smith:** What is your exposure?

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** HomeStart gives South Australians, struggling families, low income earners, young South Australians and disadvantaged South Australians an opportunity to get access to a home loan to buy a home and to set up their life for a future. This Leader of the Opposition, or, as he calls himself the 'alternate premier', has now issued a policy statement that this opposition would get rid of HomeStart, does not support HomeStart. That can be the only interpretation of what he has just said.

I will get for the member—and I will attempt to get it before question time ends—the actual financials because I will not quote specifics as I do not have them in front of me. What I do know is that we closely monitor HomeStart. When I first came into office, with the Minister for Housing, we sent in a SAFA team (from memory) and we reviewed HomeStart. We have done a lot of work to improve the supervision and the monitoring of HomeStart. We put in as chairman of the board of HomeStart, Mr Claude Long, the former CEO of the Commonwealth Bank in South Australia.

My recollection—and I will get this confirmed; hopefully, my staff will have it before the end of question time—is that the default rate is well within its provisioning for such defaults. Of course, there will be defaults. There is no bank existing that does not have defaults—and it may be that the second question from the opposition is an example of a default. I will get the level of default, but the last report I read, from memory, indicated that any defaults were within provisioning and that HomeStart was performing very well.

HomeStart does self-insure against losses. It has a particular vehicle for giving itself that buffer. I cannot recall the name of it, but there is a specific fund that it puts aside to cover any losses. I understand that is an instrument that was put in place—and, again, I will get this checked—by a former Liberal government—it may not have been, but I think it was—and it may have been former treasurer Stephen Baker. I will get that checked. I am confident of and comfortable with the prudential supervision of HomeStart. I have a board observer on there and the former minister for housing, in particular, did an outstanding job in overseeing that portfolio.

From this day forward members opposite cannot legitimately attack this government for what we are doing or not doing on the grounds of housing affordability, because one difference between Labor and Tories, one difference between Labor and those who want to govern for the well-to-do in this state, is that we have put in place social policies and instruments of social policy that get working families and working people into homes. We are proud of the fact that we have put those families into homes because of a Labor policy.

No doubt, we will ensure that those people who are on HomeStart accounts, those people who want to borrow from HomeStart, those people who need a government of compassion to get them into housing, know exactly where the Liberal Party of South Australia stands when it comes to affordable housing. Members opposite have made it very clear today that they are not serious about affordability of housing. They are not serious about assisting those most in need. As we have always known about the Tories, they are there to preserve rights for the privileged.

#### VICTIMS OF CRIME

**Mr KENYON (Newland) (14:33):** My question is to the Premier. How has assistance to victims of crime progressed under the Labor government?

**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) (14:34):** This morning I opened the National Victims of Crime Conference—in fact, it was very much an international victims of crime conference—being held at the University of South Australia today and tomorrow. I told the conference of our achievements in promoting victims' rights and reforming the law to make certain that the focus is kept on tilting the balance in the criminal justice system in favour of victims, not criminals. That is why the government has intervened in cases where there was legitimate public concern that injustice had occurred.

That is why, in the public interest, the government has refused to release notorious killers whose release has been recommended, sometimes repeatedly, by the Parole Board. No previous government has ever knocked back recommendations for release by the Parole Board. Some of those prisoners—some of those murderers, because they are all murderers—have been in gaol as a result for years longer than they would have been under previous arrangements. The state government continues to introduce new laws to this parliament that aim to strengthen victims' rights.

Over the next two days, conference delegates will hear presentations from keynote speakers, including Professor of Psychiatry Judith Herman of Harvard Medical School, Professor Irvin Waller and Professor of Criminology Jo-Anne Wemmers, to share their experience on improving the lot for victims of crime.

Some, including those opposite, have criticised this government for taking a tough stand on law and order. I say—and I make this very clear today—that this government will continue to increase penalties for cowardly crimes by violent offenders, child sex offenders and serious repeat

offenders. Victims' rights are an important cornerstone of the government's ongoing improvement of the justice system. I think our critics may sometimes forget the victims in the criminal justice system. Victims are not bystanders to crime, so they should not be bystanders to the criminal justice system. So, regardless of the knockers, this government has made real progress in providing support to the victims of crime. Importantly, we guided into operation enshrining victims' rights in law and reforming the Criminal Injuries Compensation Scheme. We also established a Victims of Crime Advisory Committee under the act which reports to the Attorney-General and which is currently chaired by former police commissioner Mr David Hunt.

The government has acted with new laws that give victims the right to be consulted about some decisions by prosecuting authorities and the right to request the consideration of an appeal. Other reforms address the right to have victims' perceived need for protection taken into account in bail proceedings and their right to information about offenders who are not prisoners but who are subject to other orders, such as detention at a mental health facility.

Much of the work we do as a government impacts on victims of crime—increasing prison beds, improving criminal laws, tightening loopholes—and in this work specific recognition of victims of crime and their needs has not slipped from our agenda. The government has also continued to fund support for victims. Since taking office in 2002, increased funding has been allocated each year to Victim Support Services. This includes support to that service in opening new offices and new services in Whyalla and Murray Bridge. There is now a total of seven regional Victim Support Services. Specific funding is also provided to a homicide worker through Victim Support Services for improved services to the families of murder victims.

One of the major reforms to ensure victims are supported and heard is through the creation of the independent office of the Commissioner for Victims' Rights. Enshrined in legislation last year, this is the first such office in Australia and I understand only the second in the world. In July, Mr Michael O'Connell, who has been the interim commissioner, was appointed to the position for a term of five years. This Attorney-General has also assisted dozens upon dozens more victims of crime through ex gratia payments than have any of his predecessors. That means more direct assistance from the government to suffering victims.

In June 2007, the government provided funding to the Homicide Victims' Support Group, a peer support group to assist the co-victims of homicide, a group ignored by the previous Liberal government. Payments to victims through grief payments had not been changed for nearly two decades, and this government acted to more than double some to \$10,000.

In this parliament we have continued to introduce legislation specifically supporting victims of crime. Unfortunately, some important reforms were scuttled in the last session in the other place by the opposition and some Independent members, but I am confident that reforms will not fall by the wayside. This government has also pursued sweeping reforms relating to rape, sexual assault and evidence laws, as well as domestic violence laws expected later in the year. The changes will make it crystal clear that this behaviour is totally unacceptable and that there will be serious consequences for offenders.

The new laws, which will commence soon, will assist the women and children who are victims and vulnerable witnesses of such callous crimes. An education campaign and procedural changes will offer the right support and information to address the way alleged sexual assault victims are treated during the court process. Our state's record for victim assistance is strong, and we have opportunities before us to promote our achievements to other states and jurisdictions to encourage them to follow suit.

In March, the Standing Committee of Attorneys-General determined to establish a working group to focus on a national victims agenda. This followed our Attorney-General seeking inclusion of victims' matters into the SCAG agenda. That group met in Adelaide this week and, through this, South Australia has been able to demonstrate its support and encouragement for the project.

I was pleased to be invited to open the national conference today. Holding a conference like this in South Australia continues to keep victims in focus and ensures we can be at the centre of national reforms in this area.

#### **HOMESTART FINANCE**

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:41):** My question is to the Treasurer. What is the value of housing loans made under the Nunga Loans scheme promoted by HomeStart Finance where loans—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr HAMILTON-SMITH:** —\$1.2 billion is a lot of money—where loans above the property's value—

*Mr Koutsantonis interjecting:*

**The SPEAKER:** I call the member for West Torrens to order.

**Mr HAMILTON-SMITH:** —are approved to high credit risk customers augmented by additional loans to pay for credit card and hire purchase debts. The Nunga Loans product was introduced in 2004 to provide people with finance where they had been rejected by financial institutions. Like the US subprime loans, the South Australian government guaranteed loans can be as much as 110 per cent of the home's value. Additional funds of up to \$27,500 are also provided to the owner to pay off credit card debt and household debt. According to the organisation's 2007 annual report, there are \$41 million worth of these top-up loans still outstanding as at 30 June 2007 but no value is listed for the total of the main Nunga loans.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:43):** It doesn't take long, does it? It doesn't take long for the true colour of a Tory to come out. Firstly, he throws a figure of \$1.2 billion out there, then he talks about \$41 million still outstanding. When you have home loans, they are normally outstanding because they go for 30 years. They do not pay them back in one financial year, so you will have an ongoing exposure. The Nunga Loans program has been in place since 2004. Opposition members have had access to briefings as shadow ministers, annual reports, question time and estimates committees to probe those policies. I am not aware of any time where the opposition has said we should not do this scheme. When the WorkCover Board, from memory, came to the minister with this proposal—

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

**The Hon. K.O. FOLEY:** —HomeStart, sorry—came to—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —the minister with this proposal, it was based on this principle: that in a fair and decent society, where disadvantage, particularly indigenous disadvantage, is so bad, one of the critical issues of—and I hate to use that expression 'the ladder of opportunity'—helping somebody to get out of despair and hopelessness and, in many cases, sleeping rough or shanty towns or horrible accommodation and to give them some pride is to give them home ownership. I remember Alexander Downer saying not that long ago that one of the best things we can do in impoverished parts of the world is give land tenure systems to disadvantaged parts of the world, because Alexander recognised that home ownership is one of the best ways to give individuals an opportunity—

**The Hon. P.F. Conlon:** Maybe that's why he outpolled this bloke.

**The Hon. K.O. FOLEY:** —to make a real difference and, as my colleague said, Alexander Downer obviously is held in much higher esteem in South Australia than the Leader of the Opposition—a guy who is not even in politics anymore can out rate the Leader of the Opposition.

That Nunga Loans program requires specific and careful monitoring of government because it does allow 100 per cent borrowing. I will get this checked but I do not think it is just indigenous people who can borrow at 100 per cent. We have done that for white fellas too. The white fellas get access to it. We are not hearing questions about the white fellas. The Leader of the Opposition is sailing very close to the wind on this issue.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** There is no doubt that lending to indigenous communities or lending to Caucasian or any other ethnic group that is on the margin of society and on the margin of capacity to pay is a high-risk loan. The reason we are doing it is because it is market failure. I have no doubt that there are losses in that portfolio and write-offs, as there are in the normal

lending portfolio. This scheme has been around for four years. The scheme has been widely known, and this scheme is monitored carefully.

**Mr Hamilton-Smith:** During a property boom.

**The Hon. K.O. FOLEY:** 'During a property boom'—well, why weren't you asking me this question a year ago?

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Wasn't it the Auditor-General of 2006 you were quoting?

*Mr Hamilton-Smith interjecting:*

**The Hon. K.O. FOLEY:** So are you saying now that we should not lend, that the Nunga program should be scrapped?

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Hamilton-Smith interjecting:*

**The Hon. K.O. FOLEY:** Well, no, I don't have the figures in front of me.

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition will stop interjecting.

**The Hon. K.O. FOLEY:** As my colleague said, the loans are secured against property, and you are suggesting that we have had property value decline. Is that what you are suggesting?

*Mr Hamilton-Smith interjecting:*

**The Hon. K.O. FOLEY:** You're a bit rattled there.

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** So, the Leader of the Opposition is in here saying that we have falling property prices. We have a reduction in housing activity which is leading to a reduction in stamp duties. My advice is that, whilst there is softening in the market, we have not yet registered ongoing property decline in values. You are simply getting to the base, crass politics that defines a Liberal party. When you want to make an opportunity, when you want to get into the headlines, you will kick a black, you will head into the area of divide politics—

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier will take his seat. The member for MacKillop.

**Mr WILLIAMS:** I rise on a point of order. The Leader of the Opposition has asked a question. The Deputy Premier has done nothing to try to answer the question—

**The SPEAKER:** Order!

**Mr WILLIAMS:** —but has tried to play politics and debate an issue which has nothing to do with the question.

**The SPEAKER:** Order! What is your point of order?

**Mr WILLIAMS:** The point of order is relevance, sir. The opposition is seeking information from the government and the Deputy Premier refuses to give the information.

**The SPEAKER:** Is your point of order that the Deputy Premier is not answering the substance of the question?

**Mr WILLIAMS:** Absolutely. Irrelevance to the question.

**The SPEAKER:** There is no point of order, but I would request that the Deputy Premier perhaps wind up his answer.

**The Hon. K.O. FOLEY:** I will get that information. Again, I hope to have it before the end of question time, so I can either give it by an answer or make a ministerial statement. But I do not walk away from the fact that Nunga Loans are at the high-risk end. I do not walk away from the fact that there may be defaults on that scheme, as I know there are no doubt on Caucasian loans but, for goodness sake, call it as it is. This is base racism questioning.

*Members interjecting:*

**Mr HAMILTON-SMITH:** Point of order.

**The SPEAKER:** The Leader of the Opposition.

**Mr HAMILTON-SMITH:** Sir, that was totally uncalled for. I ask you to ask him to withdraw. I object to being called a racist through asking a simple question in parliament.

**The SPEAKER:** I think it would be best perhaps if the Deputy Premier did withdraw.

**The Hon. K.O. FOLEY:** I referred to it as racism politics, sir, but I withdraw if the Leader took offence.

**The SPEAKER:** The member for Napier.

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier—if he wants to find out something someone said, if he goes over to the other side rather than calling across the chamber. The member for Napier.

#### CONTAINER DEPOSIT LEGISLATION

**Mr O'BRIEN (Napier) (14:50):** My question is to the Minister for Environment and Conservation.

*Mr Williams interjecting:*

**The SPEAKER:** The member for MacKillop is warned!

**Mr O'BRIEN:** Can the minister update the house on the benefits of the South Australian container deposit system?

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (14:51):** I can, and I thank the honourable member for his question. The South Australian container deposit legislation, as all members would be aware, came into force in 1977. It has been recently amended, with bipartisan support, to take the deposit up to 10¢. That bipartisan support demonstrates the desire of both sides of this house to invest in keeping South Australia beautiful.

However, I am pleased to inform the house that there is now further evidence of the outstanding success of the South Australian container deposit scheme. Keep Australia Beautiful has today released its branded litter study, which was developed in consultation with government and industry to provide accurate information on the national litter debate. The purpose was to provide information about the nature, extent and distribution of branded litter across Australia.

The litter study shows that, nationally, non-alcoholic beverage containers and packaging equated to 21.4 per cent of branded litter—the largest category. However, in South Australia non-alcoholic beverage containers and packaging accounted for only 11.2 per cent. So, 21.4 per cent nationally but only 11.2 per cent here in South Australia. In a particular example, South Australia had by far the lowest proportion of a leading soft drink manufacturer's litter which, nationally, was the most frequently identified litter in any state or territory, and it was a dramatic reduction in that particular brand. That is an indication of the success of the container deposit legislation.

The results of the survey are backed up by the Senate report entitled 'Management of Australia's Waste Streams' which was released earlier this month and which pointed to South Australia and the benefits of a national container deposit system. The Senate committee referred to the South Australian deposit scheme as a success, and it was convinced by evidence before it that a national scheme would be desirable.

The chairman of Clean Up Australia and Clean Up the World, Ian Kiernan, is also convinced by the evidence of South Australia's scheme. He notes:

We know that South Australia has enjoyed a recycling rate of cans and bottles of up to 85 per cent, while the rate in other states is less than half of this. The incentive works there. South Australia is the only state where beverage containers are not among the five most commonly collected types of rubbish on Clean Up Australia Day.

It is clear that South Australia is a national leader in its container deposit legislation, and we are well on the way to reaching our target of reducing waste to landfill by 25 per cent by 2014.

It is important to note that the container deposit legislation that has provided these incredible results was initially met with opposition when it was introduced. We were told we should not go it alone, that it would cause massive problems for industry, and that it would cause a massive amount of dislocation. That did not happen, and we need to realise that when we consider the next great initiative we are about to embark upon—the banning of plastic bags. We hope those sitting opposite will be with us in promoting another South Australian first.

#### HOMESTART FINANCE

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:54):** My question is again to the Treasurer. What is the current value of Breakthrough Loans issued through HomeStart and what is the value of debt write-off provisions in 2008-09 for those loans? According to the 2006-07 Auditor-General's Report, page 584, the government introduced, and underwrites on behalf of taxpayers, a 'Breakthrough Loan facility' in 2006-07. The important feature of the loan is that repayment of a portion of the loan balance is deferred until sale of the property.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:55):** I will get that information for the Leader of the Opposition. However, that is the whole reason HomeStart exists, to assist people who cannot otherwise get themselves into home ownership to get themselves into home ownership. Is the Leader of the Opposition now saying that we should not be assisting the disadvantaged to get into home ownership? He comes into this place and week after week I hear cries about 'What are we doing to get families into home ownership?'

**Mr Hamilton-Smith:** What is your debt write-off provision?

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I will get that information for the leader.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** That is coming from a leader whose priority is a \$1.2 billion football stadium, not assisting the disadvantaged to get home ownership. That gives us a very sharp difference between this side of politics and our Liberal opponents.

**Mr Koutsantonis:** Hospital or football stadium?

**The Hon. K.O. FOLEY:** Yes; football stadium or home ownership? HomeStart has a very proud record as being an institution that has got people into home ownership who otherwise would not. That is why, under the former Liberal government, the HomeStart board existed, and that is why, under the former Liberal government, there was strong support for exactly what HomeStart did. But I will get all the financials and I will give that information to the house as soon as I am able to do so. As I said, the last briefing I have read on HomeStart is that it is well managed, that default rates are within provisioning, and as far as it is an operating bank it is operating as its charter and as its requirements are under legislation.

#### HOMESTART FINANCE

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:57):** Again to the Treasurer: what then happens to loan balances and, therefore, debt write-off provisions if, as a result of a downturn in the real estate market, properties secured by HomeStart are sold for less than the purchase price?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:57):** Ten minutes ago 'with the downfall in property prices', now he says if there is a downfall in property prices; talk about somebody who wants to talk the economy down. Talk about somebody who wants to talk equity

down. Talk about a leader who wants to carp and criticise and talk down the economy at every opportunity.

A more courageous leader and a more active opposition would have asked these questions three or four years ago. These are loan products that did not materialise in the past six weeks, or the past six months. Property cycles come and go. It was obviously a product that members opposite were more than comfortable with because they have said or done nothing to indicate that they do not support it. This is base opportunistic politics. This is the singling out of the most disadvantaged and vulnerable people, whom we as a government are proud to try to support in the best way we can.

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Pisoni interjecting:*

**The Hon. K.O. FOLEY:** A bit like ordering some office furniture from your old company, eh? I reiterate that HomeStart is a well run and well managed entity, and I can be very confident in saying, as Treasurer of this state, that that entity has given me no concern whatsoever. I will get as much financial detail as I possibly can to the parliament as quickly as I can.

#### MURRAY-DARLING BASIN

**Mr WILLIAMS (MacKillop) (14:59):** Will the Premier guarantee that the action he heralded to the media this morning, claiming he would refer South Australia's powers over the River Murray to the commonwealth, be complete, unconditional and absolute? Can he further promise that New South Wales, Queensland and Victoria, which collectively control 93 per cent of the River Murray's water, will be providing the same complete, unconditional and absolute referral of their powers over the River Murray?

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (15:00):** This morning I introduced historic legislation to this place, which will refer powers to the commonwealth to enable the commonwealth to undertake certain activities in relation to the management of the Murray-Darling Basin. That includes the establishment of an independent authority, an independent authority reporting to one minister—one minister, not all of the states—in the development of a plan to establish new caps on the valleys, groundwater and surface water, and that referral of powers is unconditional. It is unconditional in that it is the same referral of powers under the same model used for Corporations Law. It is a text-based referral.

It is a referral that enables the commonwealth to undertake certain activities on behalf of the basin-wide states, and it is a historic agreement to do this. It is incredibly important that this house supports this legislation as quickly as possible so that we can move towards a new governance arrangement for the collective management of the Murray-Darling Basin for the health of the basin. I look forward to the support of the opposition.

#### FUNDS SA

**Mr GRIFFITHS (Goyder) (15:00):** My question is to the Treasurer. What are Funds SA's losses so far during 2008-09, and how does the Treasurer propose to fund the increasingly unfunded superannuation liability position for public sector employees? Budget papers show that the unfunded superannuation liability deteriorated by over \$1.8 billion during 2007-08, driven partly by equity market losses. On 1 April 2008 (before the presentation of the 2008-09 state budget), the Treasurer told the house that, due to an 11.2 per cent fall in Australian equity markets since 30 June 2007, the budget would provide an extra '\$100 million, possibly close to \$120 million, to make up for the deteriorating position in the government's unfunded superannuation liability'. Since the Treasurer's comments, Australian equity markets have now fallen by over 21 per cent.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:02):** The honourable member was not listening to my ministerial statement, and to imply that Funds SA has dropped by 21 per cent is not correct. I will just find the numbers again.

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** Yes, but that is individual shares.

*Mr Williams interjecting:*



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

**The Hon. K.O. FOLEY:** With respect to the balanced funds (and I will just find it again), it is a negative 9.3 per cent return to 30 June 2008, and that is not good. I wish it did not happen, but that is the lot of the equity market. That is what happens. There is no control I can have over it. What happens is that, as the unfunded liability increases, we put more money into it from the budget. That is why, when the Leader of the Opposition is out making reckless statements that he will build a \$1.2 billion sporting stadium, he has no appreciation of what financial risks are currently in the market.

So, we will put more money in from the budget to keep track with the unfunded liability pay-back schedule put in place by the last Liberal government. That is exactly what happens. We will give updated figures on that in the mid-year review at next year's budget time. But, as he knows, the Leader of the Opposition's large portfolio holdings are also down in the period in question—in fact, more than Funds SA's are, but I am not making an issue of that. His individual stock selections have seen his portfolio down at 30 June, I am told, 13.6 per cent as against Funds SA's 9.3 per cent. I am not criticising the Leader of the Opposition's selection of stocks, as vast as they are and as many as they are, but, if the honourable member wants to criticise Funds SA's balanced portfolio being down 9.3 per cent, well, I will put 9.3 per cent against 13.6 per cent any day.

### MEDICAL RECORDS

**Ms PORTOLESI (Hartley) (15:04):** My question is to the Minister for Health. What has been the reaction to the discovery yesterday of medical records and medical waste in a southern suburbs park?

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:04):** I thank the member for Hartley for this question, and I acknowledge her great interest in medical records—it is a passion she has. Yesterday, in the Camdover Reserve at Huntfield Heights, a very worrying discovery was made of medical records and medical waste. As *The Advertiser* reports today, there was the discovery of a syringe, soiled bandages, surgical gloves and, most worryingly, I think, medical records, such as test results and prescriptions with confidential patient details contained in them. Obviously, privacy issues are associated with this discovery but, just as importantly, of course, there are safety issues with potentially dangerous items being scattered across a public park which is used by children.

This reserve is located directly behind the Hackham Medical Centre, and the name of the doctor from that centre was written on the documents that were found in the park. As the state president of the AMA has said, this incident is very concerning. According to ABC Radio today, the Liberal Party has called for an immediate investigation into this matter, so I thank it for that. I note that the chief executive of this general practice, Mr Kym Richardson, is also the Liberal candidate for Mawson at the next election. He is also one of my constituents, but I will not hold that against him at all.

Mr Richardson has declined to comment publicly, but today a spokesperson said that he had 'nothing to do with the day-to-day running of the practice' for which he is the chief executive officer. I understand that, according to ABC Radio, Mr Richardson said that he would regard this incident as 'annoying'. Personally, I think and most people would think, especially the patients affected and the parents of the children who might be affected, that the safety and privacy issues involved would indicate that this incident is more than just annoying.

I agree with the Liberal Party that this matter requires immediate investigation. I am very pleased to be able to advise the house that I have referred the matter to the Medical Board and the commonwealth Office of the Privacy Commissioner for their investigations. I have asked both these bodies to investigate the privacy issues and what action, if any, should be taken in this matter. I have also asked the Medical Board whether any action should be taken regarding the doctor whose documents were found or the practice itself regarding what appears to be a breakdown in the proper administration of medical records and medical waste. I have also been advised that the City of Onkaparinga, as the responsible body under the Public and Environmental Health Act 1987, will meet with the practice manager today to discuss the situation and ongoing management.

I think it is appropriate that the member for Hartley asks this question since she has been tireless in working to secure access for patients to medical records in her own electorate. Dr Mark Utten, whose records were in dispute in the matter in which the member for Hartley has been involved, now works for the Fountain Valley Medical Centre which is the subject of the question

today. I can inform the house that the member for Hartley is still working with her constituents regarding those records, as many are incomplete or lost.

### **PUBLIC-PRIVATE PARTNERSHIPS**

**Mr GRIFFITHS (Goyder) (15:08):** My question is again to the Treasurer. In light of the global equity market uncertainty which has substantially increased the cost of borrowings, has the Treasurer reviewed whether a public-private partnership remains the best procurement option for each of its PPPs that are yet to reach contractual close, including the Marjorie Jackson-Nelson Hospital? On 10 April 2008, the Treasurer told the house:

When you make a decision to use a PPP you do a piece of work to decide what is the best financial option for procurement for taxpayers.

Has that work been done and, if not, when will it?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:09):** The issue of the financial market contagion spreading around the world obviously means that the government, whilst monitoring the effect it has on our own funds, also monitors the effect it has on assets such as the Northern Power Station, which was sold by the Liberal Party and which is now owned by Babcock & Brown Power. It is out of government control, so I watch that very closely thanks to the efforts of the Liberal Party. The effect that it may or may not have on the public-private partnership program of this government is something that I constantly discuss with the Under Treasurer and advisers who are involved in this process. The latest verbal advice I have had from the Under Treasurer is that, at this stage, there is nothing for us to alter our current program of going to the market as we have done now with short-listing consortia on both schools and prisons and that there is still sufficient liquidity.

The advisers can smirk and shake their head, but I can assure you that I will take the advice of the Under Treasurer of this state before I will take it from advisers to the Liberal opposition. The Under Treasurer has advised me and advisers to government that, in his opinion, there is sufficient liquidity in the current market and that the price of debt is still in the range that makes this very attractive and the best option for government.

On matters of financial prudence, my colleague the Minister for Housing has provided me with a financial report from HomeStart and I am getting some more details from my office. I note here that the report of the Auditor-General states:

In my opinion the controls exercised by HomeStart Finance in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are sufficient to provide reasonable assurances that the financial transactions of HomeStart Finance have been conducted properly and in accordance with the law.

As I said, I am waiting on my office to get some material from Treasury, but there is a comment in this report on bad and impaired loans expenses. It states:

The bad and impaired loans expenses for the year was \$1.8 million—a decrease of \$597,000 over the previous year. The decrease reflects the movement in the level of impairment provisions over the year out of a portfolio of some \$1.2 billion.

I will have more specific details to make sure that we knock on the head the alarmist and scaremongering question we witnessed at the beginning of parliament.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** There are inane interjections from the deputy leader. You know, banks lose money.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** A billion? I said \$1.8 million, sorry.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** What is she talking about? The amount of \$1.2 billion is the loan book of Funds SA.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** So we should loan \$1.2 billion to Families and Communities. The deputy leader has just said in this parliament that we should increase borrowings by \$1.2 billion in

the government sector to fund Families and Communities. That is what she just said. She said that we should have that debt funding families and communities.

**Mr WILLIAMS:** I have a point of order, sir. Once again, there is no relevance in what the Deputy Premier is saying and he is using question time to debate an issue. Worse still—

**The SPEAKER:** Order! I get the thrust of the honourable member's point of order. We will proceed to the next question.

#### **MARJORIE JACKSON-NELSON HOSPITAL**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:13):** Will the Minister for Health table the report for consultants of the proposed Marjorie Jackson-Nelson Hospital? The Budget and Finance Committee has heard that the government is spending \$17 million on 13 separate consultants, including a flight path adviser, for its proposed hospital.

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:13):** I am glad that the Deputy Leader of the Opposition asked this question because it allows us to correct the error that was put out by the shadow minister without portfolio, the Hon. Rob Lucas in another place—a backbencher without portfolio. He put out the figure of about \$130 million as being the government's consultancy budget for the Marjorie Jackson-Nelson Hospital. In fact, we have budgeted \$17 million (as the deputy leader has just acknowledged) which is about 1 per cent of the total budget for the construction of that hospital. Why are we spending \$17 million, or 1 per cent, to get advice? We are getting advice from engineers, architects, quantity surveyors, flight engineers—all the kinds of experts who will tell us what shape the hospital ought to be.

We will go through that process so when we go into a public-private partnership arrangement we will know what it is we want and we can tell the market what it is we are looking for. We can then assess the quality of the bids that the market provides against the best advice we have. Will we be putting out that information? Of course, we will not. We need that information to be confidential to us so we can judge properly which of the bidders will give us the best price. If we gave out all the information which we paid for, then they would not be put into a position where they themselves have to think through those problems

Clearly, it is a ridiculous question asked by the Deputy Leader of the Opposition, but it is part of the ongoing campaign of the opposition in relation to the Marjorie Jackson-Nelson Hospital. Let me say to the house why building the Marjorie Jackson-Nelson Hospital is preferred to the upgrading of the RAH. Let me say what will happen during the next election campaign in 2010. This side of the house will be arguing for a new hospital to be built on a greenfields site. The Marjorie Jackson-Nelson Hospital—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**Ms CHAPMAN:** I rise on a point of order. This is clearly debate. The alternative proposals that are being put between the government and the opposition is clearly debate.

**The SPEAKER:** I have listened to what the Minister for Health has said and I do not think it is debate. The Minister for Health.

**The Hon. J.D. HILL:** What I was doing was drawing a comparison between the position put by this side of the house and that by the other. In 2010, we on this side of the house will be able to say—

**The SPEAKER:** Order!

**Ms CHAPMAN:** That is the exactly the point that is being made, that he is wanting to debate the alternative proposals of the government and the opposition in relation to new hospitals. It is nothing to do with the question about whether he will disclose these reports, which he has refused to do.

**The SPEAKER:** Order! No, that is not debate. What the deputy leader is saying is debate. The Minister for Health.

**The Hon. J.D. HILL:** I was drawing to the attention of the house the benefits of the \$17 million investment that we are making, because we will be able to go to the people of this state, in the year 2010, and say, 'We will build a new hospital on this site. It will cost about

\$1.7 billion. It will be completed by 2016 and we won't have to pay any extra money until 2016 because that's when, under the PPP arrangements, we will start paying for it. So there will be six years before we have to pay anything.'

The opposition, on the other hand, will be saying, 'We will upgrade the RAH on this site,' and they will have to start paying money from 2010. They will have to put into their calculations for the next election the hundreds of millions of dollars to upgrade the RAH starting from 2010. And, do you know what, they will not be able to complete that upgrade until 2025 because the upgrade of the RAH will take 15 years. In addition to that, during the entire time—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —in the entire time of the upgrade of the RAH, if they were able to get their hands on the Treasury bench, up to 30 per cent of the capacity of that hospital would have to be closed down, because you cannot run a hospital at 680 beds while you are also developing it. So where are you going to put the patients in the 30 per cent of the beds which are closed down during that 15-year period when that hospital is being rebuilt? Clearly, the opposition has not thought this through.

In addition, of course, the cost to rebuild that hospital on that site, starting in 2010 going through to 2025, would be \$2.2 billion—\$500 million more than our proposition—and, of course, the savings of \$50 million a year, which we will get from 2016, will not occur. What the opposition is suggesting is never going to happen because it is based on a fallacy. If they happen to get into government they would work it out and then they would change their minds.

#### **MARJORIE JACKSON-NELSON HOSPITAL**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:18):** My supplementary question is to the Minister for Health. Having indicated now that it is a \$1.7 billion project, how can the minister suggest that that is its value when, in the Treasurer's own budget papers this year, that figure has been withdrawn and it is now not available because that figure is no longer reliable?

*Mr Hamilton-Smith interjecting:*

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:18):** The grandchildren will pay for your proposition, too, if you have the chance of doing it because you would not finish it until your grandchildren were grown up as it would not be completed until 2025.

**The Hon. P.F. CONLON:** I rise on a point of order. The opposition are sticklers for points of order. I cannot hear the Minister for Health making good sense above this raucous, frankly, discourtesy.

**The SPEAKER:** The Minister for Health.

**The Hon. J.D. HILL:** The estimates for the Marjorie Jackson-Nelson Hospital were \$1.7 billion.

#### **PRISONS**

**Mr GRIFFITHS (Goyder) (15:19):** My question is to the Treasurer. Has the government reviewed the short list of bidders for the new prisons PPP given that two of the three short-listed consortia have funding providers that are currently experiencing severe financial turmoil? The Treasury website reveals that two of the equity and debt providers for this PPP are Babcock & Brown and ABN Amro, which have shed up to 96 per cent and 44 per cent of their market value in the last 12 months.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:20):** One needs to be very careful in answering a question such as that because I have no intention of making a comment that may, adversely or otherwise, impact on the share value of a listed company. In fact, I do not know what the market is today, but I noticed yesterday that the shares in Babcock & Brown, the parent company, went up some 57 per cent, I think, or thereabouts. I accept that in this current world environment one cannot predict the future of any bank of any size with any confidence, but ABN Amro is an incredibly large bank from Europe. Again, I have no reason to alter any of the planned arrangements with the public-private partnerships. Obviously, at times of fragility in the

international financial market, one will weigh up all of those matters at the evaluation of respective tenders as they come in, and obviously a capacity to fund projects is very important.

But I will make this observation by way of explanation to the shadow minister for finance: I think that in most cases, if not all, these bids are what are called debt financed. These companies will not be funding these projects off their own balance sheets. They will be originating the debt from other providers and they will not be carrying the full debt on their balance sheets, so these are debt-financed projects.

I say to the shadow minister that, notwithstanding what might appear to be a cheap and easy hit in parliament, one has to be very careful about what material impact any comments, questions or answers may have on publicly listed companies, for which this government obviously watches very—

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** I am not even going to put that interjection on the public record for any damage it may do.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I want to reiterate that, as the situation stands, the consortia that have been put on the short list are sound and viable consortia. If anything should occur that makes that otherwise, I will report that information publicly and to the house.

#### PUBLIC SECTOR EMPLOYMENT

**Mr GRIFFITHS (Goyder) (15:23):** Can the Treasurer update the house on the status of the government's plan to cut 1,571 public sector jobs over four years, as announced in the 2006-07 budget as part of the Greg Smith review? When questioned about these cuts during the 2006-07 estimates, the Treasurer said:

It is Treasury's best estimate as to what the FTE impact will be on the savings that have been provided by the agencies.

The Treasurer told *The Advertiser* at the 2006-07 budget lock-up on 21 September 2006 in relation to these job cuts that:

This is the most significant public sector reform any South Australian state government has embarked on. What this is doing is taking from just about every single government agency.

But when asked during the 2008-09 estimates question period to provide an update on these planned job cuts, the Treasurer wanted to see the 2006-07 budget reference before he would comment.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:24):** This government, since coming to office, has been a very prudent manager of the state's finances. It is this government that restored the state's AAA credit rating. It is this government that maintains fiscal discipline—fiscal discipline that members opposite find is a foreign concept. We had this stupid interjection by the deputy leader saying that we should borrow \$1.2 billion and give it to Families SA instead of using it to lend as house loans. What a silly—

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** For goodness sake, one would hope she would never be given the Treasury portfolio, if they ever find themselves in government.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** You're my worst nightmare? Yes, you'd better believe it; you certainly are. You are dead right there. One day the opposition is in there saying that we hire too many public servants; the next day we get criticised because we are cutting public servants.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** In just about every budget, this government has put forward, from before Greg Smith and since Greg Smith, ongoing savings requirements from agencies. Savings

requirements almost invariably lead to certain reduction in FTE positions. Those savings targets are monitored by the Expenditure Review Committee of Cabinet and Treasury, and those savings in most part are being met. I do not have the exact numbers in front of me. What I do know is that, from a savings point of view, I am quite comfortable with the results to date.

#### MINISTERIAL STAFF

**Mr GRIFFITHS (Goyder) (15:26):** Will the Treasurer provide the house with the reasons for the blow-out in the government ministerial staff from 147 full-time equivalent staff in 2002-03 to 207 full-time equivalent staff in 2008-09 at an extra cost to the taxpayer of \$11 million? These ministerial staff are employed inside the 15 ministerial offices only. They are additional to the 157 media advisers working inside government departments as reported by *The Advertiser* on Monday 22 September.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:26):** Fancy a Liberal opposition asking questions about ministerial staff after the way they rorted the system when they were a government!

**Mr WILLIAMS:** I rise on a point of order. In answer to a very simple, straightforward question, the Deputy Premier is implying that the Liberal Party, when in government, was rorting the system.

*Members interjecting:*

**The SPEAKER:** Order! I do not think the Deputy Premier implied that: I think he said it. Does the member for MacKillop take offence at that? Does he want me to ask the Deputy Premier to withdraw?

*Members interjecting:*

**The SPEAKER:** Order! Members on my right will come to order. Does the member for MacKillop want me to ask the Deputy Premier to withdraw that remark?

**Mr WILLIAMS:** I certainly do, sir, under standing order 125. I think every member of the opposition is offended.

**The SPEAKER:** Order! The Deputy Premier should—

**The Hon. K.O. FOLEY:** No, sir; I will not withdraw that, because it is established fact. Do we remember—

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order!

**The SPEAKER:** I will deal with this. I think an accusation of someone rorting something is a reflection on their conduct. It is accusing them of doing something illegal. I do direct the Deputy Premier to withdraw.

**The Hon. K.O. FOLEY:** I withdraw the word 'rort', sir. We all know what the former—

*Members interjecting:*

**The Hon. K.O. FOLEY:** Overuse.

**Mr WILLIAMS:** Point of order!

**The SPEAKER:** Order! The Deputy Premier has withdrawn the word 'rort'.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** He is now attempting to make qualifications to his withdrawal.

**The SPEAKER:** All I can do is make him withdraw, and that is what he has done. The Deputy Premier.

**The Hon. K.O. FOLEY:** Trust me: some of us have a history and a memory.

**The SPEAKER:** Order!

**Mr VENNING:** On a point of order, sir: when he was responding he had his back to you for the whole time he spoke. No respect to the chair.

*Members interjecting:*

**The SPEAKER:** Order! I think that, of the problems we have in this chamber with parliamentary behaviour, the direction that the Deputy Premier is facing when he is addressing the chamber would be one of the least of them. It does not particularly worry me. The Deputy Premier.

**The Hon. K.O. FOLEY:** Plenty of us that have been around and, I am sure, Greg Kelton and others would remember the excesses of the former government when it came to staff. I remember—

*Members interjecting:*

**The Hon. K.O. FOLEY:** The hat; yeah, the hat.

**Mr WILLIAMS:** On a point of order, sir.

**The SPEAKER:** Order! The Treasurer will take his seat.

**Mr WILLIAMS:** Sir, I believe we are still in question time. The Deputy Premier was asked a question, and the comments he is making now have no relevance whatsoever to the question that he was asked. The opposition is still waiting for an answer.

*Members interjecting:*

**The SPEAKER:** Order! I just point out to the member for MacKillop that he will find he will get far better consideration of his points of order if he just states what his point of order is rather than using it as an opportunity to make a debating point against the member on their feet. The Deputy Premier has the call.

**The Hon. K.O. FOLEY:** I think the member for MacKillop has made all the points I wanted made, sir.

## GRIEVANCE DEBATE

### WATER POLICY

**Mr WILLIAMS (MacKillop) (15:30):** Today is a very rare occasion when I want to congratulate the government because, within the space of the last seven days, it has picked up two opposition policies and put them into operation. The first is that the government has, after two years, realised that a desalination plant can be built relatively quickly; it does not take five or six years to build a desalination plant. The opposition brought that to the attention of this chamber and the people of South Australia way back in January 2007.

The reality is that if the government had been 'acting now for the future' (as the Premier claims he is about to start doing, after seven years in office) back in January 2007, when the opposition brought to the government's attention the necessity for a desalination plant in South Australia, we would have water flowing from that plant this summer. We would have that water flowing, and the government would not have had to save 203 gegalitres of water from last year's allocation to South Australia and put it in storage upstream. That is 203 gegalitres of water that has been put away for critical human needs that would have been available for things like saving the Lower Lakes—and we would not be having all the angst that is occurring now around the Lower Lakes and lower reaches below Lock 1. We would have 203 gegalitres of water in the river system, and there would be a much greater benefit to irrigators right along the River Murray in South Australia.

The other point I would like to make, which is even more important, is that this government has at last taken on board the opposition's policy of entering the water market, purchasing water and supporting irrigators, which I started talking about almost 18 months ago. On the weekend we had the nonsense of the government coming out and saying that it was going to give some money to those who want to get out of the industry, those so-called 'willing sellers'. Well, the only 'willingness' about those people who are forced to sell their water is the will of their bank—it is the will of their bank that is pushing them out.

So, we have the state government getting the federal government to put money into the pockets of those who have now been forced from the land because the government did not realise 12 months ago that it should have been in the water market helping irrigators on the River Murray. I

suggested this 12 months ago, and the Minister for Water Security said that it was not possible, that we could not do it, that the other states would not allow us to do it, that it would distort the market. As I have argued many times, nothing has distorted the water market in this nation like the Minister for Water Security, the member for Chaffey. Every time she opened her mouth during the last water season the water market went on another one of its rollercoaster rides.

I am delighted that, even though belatedly, the government has seen the error of its ways and decided that it can indeed enter the water market; that indeed it will not bring about the end of the world as we know it; that indeed the other states will not prevent it from doing so. I assume it has come to that realisation on the basis of the announcement the Premier made today.

I am delighted that the government is putting into action the policy position I stated more recently that it should recognise the permanent plantings in the Riverland, the Murraylands and around the lakes as being state assets—albeit that they are owned by individuals and provide income to those who own the fruit blocks. They are state assets, they underpin those communities along the river and, to a significant degree, they underpin this state's economy. Hear, hear for the government for at last coming on board and accepting the very sensible policy position that I and the Liberal opposition have been espousing from some time. I give the government some congratulations for at last doing that.

There are a lot of other fine policy positions that the Liberal Party has announced, particularly on water, and stormwater harvesting is but one of them. It is time the government sat down and admitted that it has been getting that wrong for a long time and came on board with that as well.

### LONE PINE

**Ms THOMPSON (Reynell) (15:36):** I rise today to draw to the attention of the house the fact that the parliament is now in possession of a Lone Pine, a descendant of the famous Lone Pine from Gallipoli, and this is thanks to the good offices of Mr Nick Smyth, who has presented this pine to the parliament. As the Speaker was not available to receive it, I acted in his place in the ceremony on Friday 1 August.

I want to acknowledge the presence of some very important guests at this small ceremony, and I will then tell the house a little bit about the history of the Lone Pine. The guest list included: Mrs Aygul Simsek, the Honorary Consul of the Republic of Turkey, and her husband Mr Simsek; the Hon. Attorney-General; the Hon. Carmel Zollo, Minister for Correction Services, Road Safety and Gambling at the time; Mr Nick Smyth and partner Kellie Stewart and their daughter Innay; Mr Graham Nybo, Deputy State Secretary of the RSL, representing Mr Jock Statton; Mr Dave Helman, President of the RAAF Association; Mr Paul Coppock, President of the Vietnam Veterans Association; Greg Blythe, President of the TPI Association; Lieutenant Colonel G.J. Dunlop, President of the RAR Association; and various members of parliament who were able to attend on the day, but I wish to particularly acknowledge the member for Heysen, who liaised with Mr Smyth about the presentation of this tree to the parliament.

Mr Smyth did ask that if I were able to recognise this ceremony in the parliament I mention that just at the time when I was reminding everyone of how the soldiers of Gallipoli had fought in defence of parliamentary democracy, there was a great clap of thunder, a bolt of lightning and the heavens opened. We are all trying to interpret exactly what that meant, but it did seem like a big omen at the time.

I think we have all heard of the Lone Pine but do not necessarily know why it is so important in our history. Lone Pine, or Plateau 400, was the scene of a major diversionary offensive launched by the Australian 1<sup>st</sup> Division on 6 August 1915. The Turks had cut down all but one pine from Plateau 400 and these were used to cover their trenches. The ridge dominated by this one Aleppo Pine (*pinus halepensis*) became known as Lonesome Pine or Lone Pine. In three days of fighting, the Australians lost more than 2,000 men and the Turk losses were estimated at more than 7,000. Seven Victoria Crosses were awarded.

As far as we know, two Australian soldiers souvenired pine cones from the ridge that found their way back to Australia. Lance Corporal Benjamin Smith of the 3<sup>rd</sup> Battalion, whose brother was killed at Lone Pine, sent home a cone to his mother, Mrs McMullen, at Inverell in New South Wales. Mrs McMullen kept the cone for 13 years until 1928 before planting the seeds. She grew two seedlings, one of which she presented to the town of Inverell and the other to the parks and gardens section of the Department of Interior in Canberra. The Duke of Gloucester planted the



second tree at the Australian War Memorial in October 1934. Today it stands over 20 metres in height.

Sergeant Keith McDowell of the 24<sup>th</sup> Battalion carried a pine cone in his haversack until the end of the war. Upon returning home to Australia he gave it to his aunt, Emma Gray, who lived at Grassmere near Warrnambool in Victoria. A decade or so later, Mrs Gray planted the seeds, and four seedlings were grown. One was planted in May 1933 in Wattle Park, Melbourne; another was planted at the Shrine of Remembrance in Melbourne; and another at the Soldiers Memorial Hall at The Sisters. The last seedling was planted in the Warrnambool Gardens. In 1990 two trees were taken back to Gallipoli with war veterans who attended the memorial service to mark the 75<sup>th</sup> anniversary of the Gallipoli campaign. Legacy has now adopted the pine and taken some responsibility for its continued propagation and place in our history.

#### **EASLING, MR T.**

**The Hon. I.F. EVANS (Davenport) (15:41):** Today in my grievance speech I wish to touch very briefly on the matter of Tom Easling. I have raised this matter previously in the house, and I know that the Attorney is considering submissions by Mr Easling in relation to his matter. However, I want to put one thing to the house today, particularly to the Minister for Families and Communities, and the simple matter is this: does the minister think it appropriate for her investigators in the Special Investigations Unit to conduct investigations and not to take notes? That is what happened to Mr Easling. He was charged with 20 counts of sexual abuse. He was acquitted of those charges and so remains, in South Australian law, innocent until proven guilty.

However, in his case, the investigators told the court in their own evidence that, on occasions, they had interviewed claimants who were either giving evidence or who might have wanted to give evidence in favour of or against Mr Easling and they did not take notes of those interviews. The reason I raise this is very simple. Regardless of the view of the house of the innocence or guilt of Mr Easling, the simple question is this: is it acceptable to this government and to the Minister for Families and Communities for her investigators to interview people and not to take notes?

We live in South Australia, not South Africa. It seems to me that the standard procedure would be that an investigator, investigating what are serious criminal matters (allegations of child sexual abuse), take notes of an interview. I raise this for the minister, because I am still waiting for an answer from her to questions I raised seven or eight weeks ago in relation to a diary note about a media plan for the arrest of Tom Easling. I have had no response, but I know that the Attorney has said publicly—and I give the Attorney credit for saying this publicly on radio—that the leaking of Tom Easling's arrest to the media was of grave concern to him as the Attorney-General and as the state's senior law officer.

The question as to whether one believes the innocence or guilt of Tom Easling is irrelevant to the question of the quality of the investigation. These investigators were not first-day constables, wet behind the ears. These officers were hand-picked by phone call, not in response to an advert. They were rung up and asked, 'Do you want to do the 20 week contract?' They were 30-year plus ex-senior police officers. Does anyone in this chamber think that it is a fluke or an accident that they did not take notes of the interview? I do not believe that.

I think that 30-year plus police officers took a deliberate decision not to take down notes of certain interviews. I have read nearly 3,000 pages of court transcript, and it is crystal clear in the transcript that the investigators took a decision not to write down notes of certain interviews. Why should the South Australian parliament accept any investigating officer's decision not to take notes of interviews so that the person being accused can have access to those notes under normal court procedures?

What motive could there be for two ex-senior police officers to make a deliberate decision not to take notes during investigations of Tom Easling? That is just one of dozens of reasons why this matter does deserve an inquiry. I put on the record for the Minister for Families and Communities: come into the house and explain to us and tell the public why it is acceptable for your investigating officers to adopt a procedure not to write down notes of interviews. The answer is: it is simply not acceptable and that is why we need an inquiry.

Time expired.

### MATERNITY LEAVE

**The Hon. S.W. KEY (Ashford) (15:46):** In only two OECD countries women do not have access to paid maternity leave. I must say that, after all these years of being an activist in the Labor movement, I am very sad to say that here we are in 2008 and we still have not been able to amend our equal opportunity legislation to bring it up-to-date with the rest of the world and we are still arguing the case for access to paid maternity leave. I was very pleased in the very early days of the Rann government that paid maternity leave and parental leave in paid form was made available to state public servants, and I think we need to commend particularly the Premier in ensuring that that was delivered. The two countries, of course, are the United States and Australia.

Currently, two-thirds of Australian women do not have access to paid leave when they have children. Those who have had paid maternity leave are really found in the better paid industries. While many industries in the private sector such as hospitality and retail are dominated by women, in the main, they do not have access to paid maternity leave. I was very pleased that the Rudd Labor government has at least asked the Productivity Commission to conduct an inquiry into the potential for the introduction of a paid maternity leave scheme in Australia.

The reason why I was positive about this is that, having read a number of Productivity Commission reports, particularly the Annual Report Series 2006-07, which looked at enhancing labour force participation and challenges, they were saying that paid maternity leave would improve women's workforce attachment. Also findings in the ABS show that women curtail their workforce participation in peak child bearing years, are not able to move back into the workforce as much as they would like and make up the majority of underemployed workers.

The Parental Leave in Australia Survey 2006 Report by G. Whitehouse, G. Baird, M. Diamond and A. Hosking and the Equal Opportunity for Women in the Workplace Agency annual survey, 'Paid Maternity Leave—Business Case' have tracked the availability of paid maternity leave. It has increased in the private sector, particularly in workplaces with more than 100, but this is still a very poor percentage. In its report last year, the ABS found that 34 per cent of women were able to access paid maternity leave to take time off work for the birth of their child and, of course, there was a greater prevalence in the public sector than in the private sector. It outlined the details of this in the ABS publication, 'Pregnancy and Employment Transition 2006'.

Sadly, paid maternity leave is not available to most women, particularly those working in the low paid areas. Even the international labour organisation, Maternity Protection Convention 183, outlines a national paid maternity leave scheme which has very minimal principles. Those principles include: the majority of women workers should be covered; the period of paid leave should be at a minimum of 14 weeks; payment during maternity leave should be in a cash form and at least two thirds of the woman's earnings; and the right to breastfeed or express milk upon return to paid work. For a maximum number of women to access such a scheme there needs to be provisions that recognise the reality of women's work because, as we know, women make up the majority of the part-time paid and contract workers.

I call on the federal government to look positively at all this research, and I look forward to the Productivity Commission supporting the fact that we need paid maternity leave in this country. We also need—and I support—parental leave for people who have major responsibility for children and other people.

### MINTABIE

**The Hon. G.M. GUNN (Stuart) (15:51):** I would like to put on the public record my strong support for the work that Euan Ferguson does on behalf of the people of this state. I was perturbed to read in *The Advertiser* some less than charitable comments in relation to Mr Ferguson by people reviewing his performance. I suggest that if they follow his lead and put in the work he does for people in rural South Australia they would perform better than they are already.

I know that he is held in the highest regard by the volunteers, and the work he has done across rural South Australia is commendable. He has been frustrated by bureaucrats in other parts of the Public Service. When he has given forthright evidence to parliamentary committees he may have annoyed some people who have bloated egos and, often, not a lot of ability. Nevertheless, it is deplorable that the minister and others at the time did not show a bit of courage to support someone who has been supporting rural South Australia. I am proud to put on record my support for Mr Ferguson and those people who support him.

There is another matter about which I am concerned. Like most members I have had representation from the Mintabie opal miners. I know a little bit about Mintabie. I was a member at the time the Pitjantjatjara Land Rights Act was passed. I say now what I said then: I think they were very badly treated. I had a real box-on behind the scenes with one Trevor Griffin in relation to it. He was not very pleased with me and I make no apology for what I said.

Those people have been there a long time and they have worked hard, and in some cases it is the only residence they have had. If anyone thinks that they will stop illegal activities and grog running by preventing people having a few bottles of beer in their home at Mintabie they are deluding themselves. What about the grog that comes in from Curtin Springs? Where else does it come from? It comes in from Alice Springs and Yulara. Unfortunately, there are people who want to break the law. It is like the illegal dealing of motor cars up there. We cannot just blame the people at Mintabie. I know there are one or two scoundrels there but, unfortunately, we have them throughout the community. It is a small number of people, but that is not a reason to put unreasonable restrictions on these people.

What are the benefits to the Aboriginal community? Most of them who have gone there have done a lot of noodling on the dumps and been fairly rewarded for it. They like going there. Because of the poor management of the Pitjantjatjara lands, we cannot blame them for wanting to go where there is more activity and something constructive for them to do.

This report was written by John Tregenza. What an interesting character he is. I well recall him when I landed one day at Wingelina, just across the border in Western Australia, and he told me to leave. I addressed him in terms which I am sure he will not forget. My comments to him were along the lines, 'This is Australia and I do not intend to be told by you whether or not I can come here.' I am sure Sir Charles Court would be interested in what he had to say to me. I had a great deal of pleasure in telling Charlie Court—who was a decent, upright Australian who did great things for Western Australia—about this character; and he was particularly interested in what I had to say.

One would not expect that fellow to write anything objective or proper about, or have any regard to, the opal miners, because we all understand the sorts of activities he got up to when he was at Yalata; and John Cornwall dealt with him out there. I have no regard for his report, but I am concerned that the people at Mintabie are treated fairly and reasonably. I will not be supporting any legislation which will make life unreasonable for them.

If you want to make a comparison, go to Indulkana and then go to Mintabie and see which is the best run. Just go and have a look for yourself. I think most people who went to Indulkana would be absolutely appalled that the situation there has been allowed to occur in South Australia. It is an absolute public disgrace and those responsible should be ashamed of themselves. That is no reason to put the boot into the people at Mintabie who are hardworking, good people who are not doing any harm and who are not asking for handouts from the government.

Time expired.

## LOCAL GOVERNMENT

**Mr PICCOLO (Light) (15:56):** On 6 May 2008, in response to a question I asked about what the state government was doing to support and encourage local government to better consult and involve local communities, the then minister for state/local government relations advised the house that it is now a requirement for local councils to, in fact, consult with their communities, particularly on matters of their business plans and budget allocations.

The minister went on to say that consultation is a very good way of involving the communities and making the process much more inclusive. The minister also advised that she had asked the Office for State/Local Government Relations to work with the Local Government Association to undertake a project focusing on best practice in local government community engagement. As part of the project, examples of community engagement across councils in South Australia were documented. This involved 25 councils providing case studies. Seven of those from country South Australia highlighted innovative and practical ways of engaging with their communities.

More recently a handbook has also been produced to assist local government in planning for more effective community involvement and consultation. The City of Playford, the City of Campbelltown, the District Council of Mount Barker and the City of Whyalla have road tested the handbook through its various stages of development. The handbook is a practical 'how to' guide for councils which is easily adapted to local circumstances. It seeks to clarify the consultation

requirements of the Local Government Act and the Development Act, and provides a method for the selection of an appropriate level of community consultation, and demonstrates ways of providing feedback to communities on their input and informed decision making processes.

The revocation of community land is also an area which can be quite contentious and one in which communities are entitled to have a say. The then minister indicated that she has consistently encouraged councils to inform affected residents and to make every effort to publicise their intentions to the community in a manner that is easily understood and in a way that that land is easily identified.

This government has continued to support councils in South Australia to develop creative and innovative approaches to consultation and engagement with their communities and to highlight and promote best practices in this area for all levels of government to consider and learn from.

On 5 July last year, I raised some concerns in this house about the operation of the consultation provisions contained in the Local Government Act relating to the annual business plan and budget process. At the time I was not clear whether my concerns were about the act itself, or the way that the local councils and their advisers were seeking to interpret and implement the relevant laws. The current practice adopted by some councils—perhaps many councils—means that either existing laws are inadequate or they have been implemented in a manner to minimise community scrutiny.

The Local Government Act requires local councils to prepare an annual business plan and budget. Prior to adopting the business plan and budget councils must prepare a draft and invite the communities to comment on such a plan. That requires a minimum of at least 21 days notice be given of any public meeting held for the community to discuss and comment on the draft plan.

Councils continue to give notice of plans before they have actually met to adopt them. This raises concerns as to whether the meeting for discussion is a genuine one which allows proper discussion and debate, or whether the outcome was more or less predetermined to ensure that it met the requirements of the notices already published. The public consultation process has two components: first, giving the community notice to comment; and, second, providing sufficient information for them to make an informed judgment.

In my view, if the reasonableness test is applied some, if not many, councils would certainly fail. Councils have the right, subject to law, to adopt the rating policy they wish. The act requires them, inter alia, to set out the rate structure and policies for the financial year. Many draft plans which appear to follow a sector-wide format do more than just restate the requirements of the act. There is little, if any, discussion about the objectives and the rationale for the policies. At this point I would like to acknowledge the good work done by the Barossa council in the presentation of their annual financial and budget papers. It now appears clear that if local councils are to meet the consultation standards anticipated by this parliament, the act needs to be amended as both the current process and documentation requirements do little to shed light on the financial and budget policies of many councils.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption (resumed on motion).

(Continued from page 145.)

**Mr VENNING (Schubert) (16:01):** Before the luncheon adjournment, I had been discussing the price of water here in South Australia. The state Rann Labor government said that it first raised concerns in 2002 about the imminent danger facing the Murray-Darling system. If that is true, what action has it undertaken to try to avert this so-called imminent danger facing South Australia? It has been four years, yet what has the government done? After all the rhetoric, what has the government done really? We are in a serious situation. The government has done very little apart from talk, suggest ideas and bring in consultants, but what has it done and what are the people out there waking up to now? The government has not done anything. It is a crisis. Some of the government members might have been going to church, praying for rain, but it has not, and we are in a serious situation.

The only action that I believe the state Rann Labor government has taken in regard to this water crisis is to impose severe water restrictions on South Australians as well as conducting numerous investigations into desalination. We now know that they are fast tracking the desal plant. After four years, why this sudden hyper-overdrive? Does it have anything to do with the concerns raised in the weekend's media? The heading was 'Rann Slides'. To say all along that these things

take a while, only now to say that we will have this operating by late 2010, it is a huge turnaround. That is 18 months.

The desalination plant is at least two years away with this new forecast and, if this project goes to plan and does not experience the problems and cost blow-outs that this government is becoming known for (just look at the Port River bridges), it will be operating by late 2010, according to the government. The consideration of tenders will not close until March 2009. That means it is 18 months from go to whoa. Given this government's record, it is about as likely as I am of winning the marathon. This is a ridiculous scenario. To think that the South Australian public will buy that one, you have to be kidding.

South Australia needs to be harvesting as much stormwater as possible to supplement Adelaide's water supply and relieve the pressure on the ailing Murray system. However, given the Minister for Water Security's comments on stormwater harvesting on radio last week, it seems quite clear that this Rann Labor government has no intention of investing in this type of infrastructure to ensure this state's water security into the future.

Why not? The Israelis do not waste a drop. At the moment we have fresh water running into the sea. Right now, as we sit here, fresh water runs into the sea, yet we have severe water restrictions. It is now going on four years. The minister said, 'Local government has the responsibility in relation to stormwater.' Why? More buck-passing, more cost-shifting—what a cop-out! The people will not wear it. Indeed, they are not wearing that. Yes, read the weekend media and you will see the reasons why: three out of five people have concerns about government inaction. I find that comment by the minister to the effect of 'leave it to local government' absolutely disgraceful.

Yes, I welcome the pipeline from Glenelg to the Parklands, but that should have been done a long time ago. It is not a huge project. What about the stormwater? You talk about treating effluent but what about the stormwater that is running down to the sea? Yes, it is disgraceful. We should be investing in stormwater harvesting systems to capture as much of the free water falling from the skies as possible, and here we are with the Minister for Water Security passing the buck back to local councils. As the previous mayor of Gawler is here, I know that he would think that that is a joke because they do not have the resources or the expertise.

Again, the technology is there as is the practical example of the Israelis. That comment should be seen as a slap in the face to all South Australians. Where is the state Rann Labor government's sense of responsibility? Clearly, it does not have one. I was most surprised in the Governor's speech not to hear any mention of what measures the state Rann Labor government intends to take in the future to help out irrigators, farmers and riverside towns and communities to overcome the impact of the drought. They are going through a terrible situation. I had dinner with one of these people a couple of nights ago. After spending \$200,000 on water last year, he had to decide this year to let it go and let them die. All that money is gone, it has been wasted, and he is a prominent member of the community.

It affects you when you see the long-term plantings just dying. It will affect the state for a long time. Just this week it was revealed that one-third of South Australian produce growers in the Riverland were preparing to walk off their land. Over the past two years they have been forced to burn more than 280,000 citrus trees. I note comments today in a ministerial speech prior to question time. I hope that comes about and I hope that solves the problem. All this comes on top of the announcement from Nippy's that they are sourcing fruit from interstate and orange pulp from overseas to stay commercially competitive because they cannot source the fruit they need here within South Australia. That is a disgrace.

No mention of a future plan or a policy to assist these growers was given. Also, the government said that the state is experiencing solid economic growth but, with continued inaction by this government regarding the crisis, the economy could soon be in big trouble. We are seeing it; it has started already. The Riverland food bowl has been a vital contributor to our economy for years. As well as supplying us with home-grown produce, if the trend of irrigators walking off their properties continues, the flow-on effect could be huge. Unemployment rates would go up and the cost of produce, fresh fruit and vegetables will also increase sharply, placing further financial strain on South Australians.

The region has done poorly ever since the current member won the seat in 1997. Consider what this region achieved when the Liberals were in power between '93 and '97 when they had a Liberal member: the new Berri Bridge—just the things I can think of off the back of my hand—a

new primary school, a new hockey facility, a new hospital upgrade, a huge irrigation scheme to get rid of all the open channels.

Tourism and small businesses in the Riverland towns and communities are also suffering economic downturns as a result of the drought, yet no acknowledgement of their predicament has been forthcoming from the state government, either. I do not think the state Rann Labor government really understands the enormity of the crisis that we are in or the consequences that may occur as a result.

You cannot talk your way out of this one: we are in a crisis situation. You can talk all you like; rhetoric is rhetoric, but actions are actions. When it is hurting people, when it hurts the economy, you do really have to take the blame for that or take responsibility for it. Farmers from other areas across the state are faring not much better. Many were refused loans from the bank this year to put in a crop, and the ones who were able to secure finance to allow them to farm for another year are waiting with bated breath.

I know up at our farm at Crystal Brook—and we have been very fortunate over the years with a low debt—and other areas of the Mid North have not had anywhere near the rain that Adelaide has had in the past few weeks, and the outlook is not good, as I said in the house a couple of weeks ago, without substantial finishing rains, which must come in the next two to three weeks. Well, two weeks are gone and we had 4 to 5 millimetres; that is all we seem to be able to get.

This year, 70 per cent of South Australian crops were sown with borrowed money—a stat I heard on the radio this morning from the president of the Farmers Federation. That is a real worry. More and more, the actions and reactions of this government demonstrate that they have a city-centric focus and are prepared to let regional and rural communities go it alone—sink—in dealing with the impact of the drought.

This was further affirmed at the opening of parliament with regard to health care in country communities. The government re-announced the hospital upgrades planned for Whyalla, Berri and Ceduna. There was the announcement that two new mobile breast screening vans will travel to women in country and regional areas, which can only be a good thing, but what about allaying the fears that rural and regional people still have with regard to health care in their area. We have seen the debacle with how the recent country health scheme was put up.

I have never seen an uprising quite like that. The people rose up from their apathy and spoke with one voice, and the minister, after spending a fortune on government-paid advertising, withdrew the whole thing. I congratulate the country people on a fantastic victory, but do not drop your guard: they will try to sneak it in some other way.

Surely the government would have included somewhere in its plans for the future a strategy for country health care, but no, there is no mention of how they intend to maintain service delivery in the regions. Perhaps the government is waiting for opportunities to slyly release mark 2 of its Country Health Care Plan, as it did with the first plan on budget day, to try to avoid an outcry regarding its contents.

It was a massively expensive campaign that was always destined to fail. All those taxpayer-funded ads, hundreds of thousands of dollars worth of them, would have been very handy to the hospitals. The result: absolutely nothing. That money would have been gratefully received by country hospitals. It would even have gone a reasonable way towards starting a new Barossa hospital, dare I say it. I, like my leader, was extremely disappointed that the address by the government contained no new initiative just more of the same re-announcements and rhetoric: new titles for old ideas.

Let us examine what the government had to say about transport in the Governor's speech. It re-announced that a tramline extension to the Entertainment Centre would be built, at a cost of \$131 million. It re-announced plans to electrify all rail lines to the North and South, but this is a plan it does not intend to carry out until 2014. Well, I have to say, I do not think I will be here—I might just be here, but very close to not being here. Again, they re-announced their plans to deliver new electric trains, tram/trains and additional light vehicles—nothing new.

The Governor might as well have read out the Treasurer's speech from budget day. The speeches were nearly identical. I cannot understand, given the huge amounts of money being spent on things like tram extensions, why the government cannot find a few thousand dollars to upgrade the ferry at Mannum, or all of them for that matter.

One of the ferries at Mannum remains closed. The money that the government has wasted on taxpayer-funded ads would have paid for the Mannum ferry upgrade, and get it open again and stop all that heartbreak of the people there. The drought shows no sign of breaking, although we all wish it would, so it makes sense to upgrade this infrastructure now and, if we do return to normal rainfall, then we are prepared for when drought periods return, as they always will.

I understand that Swan Reach has been chosen as the first site for ferry modification to cope with falling water levels, with the extensions to cost approximately a quarter of a million dollars. The government should roll out a systematic plan to upgrade all the ferries along the river so that communities are guaranteed access across the Murray now and into the future. We do not understand what it is like to want to go somewhere but to find that the ferry is not operating, and it is an hour to drive around. How would you like living with that? We just talk about it, but if you live there you feel the pain of that.

A few weeks ago a school bus was stuck on the downstream ferry at Mannum for about 45 minutes. It was too heavy and due to the low river levels the bus could not drive off the ferry. In the meantime, no other vehicles were able to use the ferry to cross the river, either. This is a problem that is not expensive to fix yet the government refuses to do anything, and I cannot understand why.

I appreciate the gravity of the water security, as highlighted in His Excellency's speech, but I raise another matter almost as serious as water security: food security, a worldwide concern. Who is monitoring Australia's food stocks? In the old days, before wheat and barley marketing was deregulated, when we had statutory marketing boards, the boards had to guarantee to the government that carryover stocks would be maintained at least for a whole year's supply if we had a complete crop failure.

Today, international grain traders handle most of the grain, and they have no obligation at all to hold stocks, or even tell anybody what those stocks are. I am very concerned about that. We could be down to a minimum supply of grain and probably have about a third enough in stock for next year's consumption and, all of a sudden, we think we will go out and buy it. Well, where from: because, if you look around the world, there is not exactly a glut of grain.

I think we need to look at this. If you do not realise that food security is a problem you had better think about it, because it certainly is. The most important thing for people after water is food, and there is no guarantee that we have enough grain in our silos to feed our people. The staple diet of Australians is meat and grains, and there is no guarantee that we have enough of either of them. I believe we need to address that very seriously and very quickly; we need to put something in place and at least have someone monitoring grain and food stocks. At the moment there is no obligation to do that at all.

It is interesting to note that in the Governor's speech there was not a single mention of the government's shared services initiative, a program supposedly designed to save the government \$130 million. I wonder why. I note there is a private member's motion of the member for Goyder, and I will certainly support that. I also note, with the problems associated with infrastructure spending, the bad condition our outback roads are in at the moment. We have had five rollovers in the last two months, one a very serious one. We have only two road crews working up there; we used to have five when we were in government—and we wonder why the roads are in such a condition. They are classed as atrocious, and when people start having accidents and lives are at risk it is time we did something about it. When we talk about rural infrastructure, country roads should be a very high priority because the roads up north are appalling.

The government is embarrassed that the shared services program has already blown out by \$37 million, \$7 million of which has been spent on office space that is not even being utilised. It is a disgrace, and I believe this shared services initiative should be scrapped—as was the Country Health Care Plan.

I note the Western Australian election results and congratulate the Liberals on achieving government—the first government in Australia to change back. No doubt it will be the first of many. I also congratulate and thank the National Party, which supports them in government. It is a pity that the National Party here does not support its natural political ally. Our National Party leader even went to Western Australia to try to persuade the National Party to support Labor continuing in government. Thank goodness they took no notice.

I support the National Party's push to have 25 per cent of royalties from mining spent in rural areas; it is a great idea. The minister went to the media and said that, as the member for

Chaffey, she had asked the Premier over a month ago to consider doing the same thing here—that is, 25 per cent of all mining royalties to be spent on infrastructure in rural areas. Well, its record was poor, even terrible, beforehand; and what has happened in the last few weeks in either the budget or the Governor's speech? Nothing. So I think it is a bit rich for the member for Chaffey to backdate that comment after it was highlighted in Western Australia and say that she asked the Premier to do the same, because their record is appalling.

I spent four years here on the Public Works Committee and there were almost zero projects going through. There has been a bit of a mad rush in the last six months, but for four years there were no public works of any consequence coming before the Public Works Committee. It is a total disaster. In addition, a lot of the contractors who were doing public works have left the state, and now when we call them back to do these jobs it costs us more because they do not have a state presence. They come from the Eastern States; their head offices are out of the state. It is costing us more because of the folly of our ways. I am very concerned about that, that we have just ignored public works.

I think it is a bit rich for the member for Chaffey to come in here and say that she will support rural people. In four years she has not supported her Liberal colleagues once; she did not even support my private member's bill on drugs. There was not one, yet National Party president Mr Wilbur Klein got out there and hammered us about not supporting rural people. Well, I am one, and I have to say that if it were not for my grandfather—who years ago put the parties together—I could have been in this place as a National. However, years ago we chose to put them together under the Liberal and Country League. Remember the LCL? What a great success that was. The man up there on the wall (Playford) governed here for 27 years, and they were in government for 32 years. What a fantastic record. It worked.

I have a lot of respect for the National Party as being probably from the same base I am as a rural conservative person, but it is a bit rich to hear Mr Klein get out there and give us a bit of advice about what we should be doing to support country people when his own leader is in here totally supporting Labor—irrespective of what it is. Even today, in question time I heard the members for Chaffey and Mount Gambier both chiding us on personal matters. They should at least sit there in silence when there is a bit of haranguing going on across the chamber on personality matters. If you were an Independent you would not be joining in with those things.

All I can say is that what happened is what happened. Even in the minister's own electorate the previous Liberal government spent much more money on projects such as the new Berri bridge, the new primary school, the new sports facilities (including a synthetic hockey pitch), as well as huge irrigation projects replacing all the open drains with sealed pipes. All that in just four years! We did all that in four years, but what has been done there since? A person who is keeping a party in government, and what has been done there since? List them for me, please. I know of little. There has been lots of rhetoric and lots of ideas but, like the fantastic Teletrack, straight line racing, nothing ever eventuated. There was just talk.

I note the comments of the president of the National Party Wilbur Klein, who was pushing for more country infrastructure projects and pushing for 25 per cent of mineral royalties. I support that, it is a great concept. After all, these minerals are all coming from the regions, from the country. They are wearing out roads, looking for infrastructure, needing hospitals, needing schools. It is common sense to put the money back into these regions, so I could not agree with Mr Klein more—but is he talking to his state leader? In the six years of the Labor/Maywald government here what infrastructure has been built in country South Australia? What has been built in the member for Chaffey's own electorate (apart from the hospital upgrade that I note is coming)?

I cannot get any assistance for building a new Barossa hospital or a new recreation centre, and roads are, again, looking very poor. I also note the condition of the Gomersal Road, which has been a favourite subject of mine, as the member representing Elizabeth would know. I championed that road for years, and we eventually sealed it. I note that the member for Light is here. It has been a huge success. The traffic on that road is eight times that predicted. The problem now is that it is wearing out, and it has potholes here, there and everywhere.

It is not very nice for the government to say, 'Well, it is a local government road.' With the amount of traffic, to expect the councils, and that is the Light council predominantly, to pay for the upgrade of the road is ridiculous. The government has to take over that road instantly, because it is developing potholes and it is quite bad, and people are starting to comment to me about how bad it is. I think it is a soil problem.



I believe that there should be a road swap here. The member for Light would know that the government and local governments do this regularly. It is a major road and it ought to come under the auspices of the state government.

*Mr Piccolo interjecting:*

**Mr VENNING:** You were in government when it was finished, not us. It was our idea and we started it, but you finished it. I drive from Port Wakefield to Adelaide; it is a dual-lane highway, and I will say this to be fair and straight: it is a project of the previous Bannon government and it is a great project. Why have we not seen more of this sort of thing under this government? This government does not do these things (a project costing millions of dollars).

Yes, we are doing the Northern Expressway now, but I cannot believe that when I drive down here—and the member for Light would say this—we have roads that are choked up. If you leave here now and head home to Gawler you are going to be battling traffic. There is bad congestion. Why is it that in several places we go from three lanes to two lanes to three lanes to two lanes? Why are those roads not widened out to three lanes all the way? It is a minor job, because the road reserve is there.

I do not know whether the member for Light drives on these roads; he ought to make a comment. Driving past Parafield and these areas you have three lanes and traffic moves quite quickly, then it shrinks down to two lanes. Why is this? Why is it not three lanes right through? Why are we waiting for the Northern Expressway? It is not a big deal. It is not a big job at all, but no; we have not seen any increases at all. The traffic congestion going up there is appalling.

**Mrs Geraghty:** What did you do about it when you were in government?

**Mr VENNING:** The congestion has only started in the past four or five years. The congestion in Adelaide has been caused, firstly, by the trams.

*Members interjecting:*

**Mr VENNING:** It happened because of the trams; it happened because the speed limits were reduced to 50 km/h on arterial roads. Why is it 50 km/h running down King William Road to the Cathedral? Why, if it is not for revenue raising? It is a ridiculous situation. All arterial roads ought to be 60 km/h. What happens now is that because of this silly rule everybody now drives at 50 km/h. I know; I have been through this.

*Members interjecting:*

**Mr VENNING:** I have paid the price. I am the first to admit that; I am not hiding anything. So, why the congestion? One: the tram; two: the speed limit has been reduced to 50 km/h. Then, to top it off, the government tells the police conduct a campaign targeting tailgating. That just means that everyone—

*The Hon. J.D. Lomax-Smith interjecting:*

**Mr VENNING:** I have all my points; I have the lot. I have got them all back. So, this is the recipe. I follow people at the lights now. They take off and most people will drive at 50 km/h all around metropolitan Adelaide irrespective, because they do not want to be picked up. It is expensive and they do not want to lose their licence. We can do things about this. When the member for Light drives home next, he should just have a look at how it changes from three lanes to two lanes and then back to three again. All that does is cause bottlenecks, congestion and people getting cross with each other. It should be three lanes all the way. Where there are the two lanes it would not be very hard to put the third lane in. Why is not done? Because nobody—

*Mrs Geraghty interjecting:*

**Mr VENNING:** Because there was not the problem then. I think the really bad congestion has started in the past three years, coinciding with all those things like the speed limits. This campaign on tailgating by police has not helped either, because people are now spooked about getting too close to the vehicle in front. These signs have been put up, 'Police are now targeting tailgating', and all that does is ensure that there is a great gap between the cars and people duck in to fill up the gap, causing more problems and stuff-ups, and road rage and all the rest of it. It is quite a serious situation. I certainly hope that the government will solve the water problem and get this desalination plant going as quickly as possible.

Time expired; debate adjourned.

**COPPER COAST DISTRICT COUNCIL**

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (16:28):** I lay on the table a copy of a ministerial statement relating to the Copper Coast District Council made earlier today in another place by my colleague the Minister for State/Local Government Relations.

**ADDRESS IN REPLY**

Adjourned debate on motion for adoption (resumed on motion).

(Continued from page 175.)

**Mrs PENFOLD (Flinders) (16:28):** I congratulate our Governor, His Excellency Rear Admiral Kevin Scarce, on the excellent work he has undertaken within our state. His visit, and that of the Lieutenant Governor, to my community on the Eyre Peninsula, have been greatly appreciated.

The government's claimed intention to foster economic growth, prosperity and opportunity for all South Australians, as outlined in its address, only highlights the huge lost opportunities since this government came to power seven years ago. These opportunities were provided by the massive increase in the income to the state from the GST, increased fees and charges and the good government of the previous Liberal government, which had to recover from the massive State Bank debt left to it by the former Labor government. This government is still talking about water, infrastructure and the potential of mining, but the rhetoric was summed up by *The Advertiser's* heading on the address, 'Nothing new in Rann agenda'.

South Australia, and particularly the west of South Australia, has been the poor cousin compared to the other states in relation to major infrastructure. If we are to take advantage of mining, in particular, for future prosperity, we need to address infrastructure shortfalls urgently. It is a hopeful sign, therefore, that the federal government has established Infrastructure Australia and has called for submissions to advise on infrastructure priorities of national importance.

This Labor government must stand up and demand its fair share of the \$20 billion-plus Build Australia fund, part of the \$55 billion left in the Future Fund by the former federal Liberal government, if it is to assist with the identified priorities to becoming realities, enabling our state to move forward from its present comatose condition.

Funding for infrastructure to come from a percentage of mining royalties has been suggested. However, mining royalties last financial year in South Australia were only \$165 million, and we need more than that. The royalties in South Australia were only a fraction of the \$3.6 billion in Queensland and a similar amount received in Western Australia. The western half of South Australia has a lack of physical infrastructure without which this huge region cannot fulfil its potential to assist Australia to meet its economic, social and environmental goals. The region already produces 40 per cent of the state's grain, 65 per cent of the state's seafood and more tourism than any other region; and, now, with aero-magnetic surveys and other modern techniques showing what mineralisation is contained under the land surface, we can possibly rival Queensland and Western Australia with our minerals exports but not without the infrastructure. The following is a list of infrastructure projects needed if this potential is to be tapped:

- a ring main to stabilise the state's power supply;
- a 20-metre deepwater port near Port Neill to enable the loading of the Cape Bulker ships that have become the world standard;
- the upgrade of the Port of Thevenard, or a port close by;
- an upgrade and extension of the 680 kilometres of narrow gauge railway and eventual connection to the Australian rail system, preferably at Tarcoola, the intersection of the east-west and north-south railways;
- desalination plants at Ceduna, Streaky Bay, Port Kenny, Elliston, Port Lincoln and Port Augusta;
- the Wirrulla-Glendambo road, which will also provide the route for power and water (and eventually a rail connection) for the northern mining developments to Eyre Peninsula ports so that minerals do not have to be sent out of Darwin; and

- the upgrade of the Port Lincoln airport (which is the busiest airport outside Adelaide but which is unable to take jets) and the Ceduna airport.

Based largely on the massive Gawler Craton mineralisation, there is the potential for billions of dollars of mining royalties to be gained for South Australia if the infrastructure is built. The minerals contained in this region are being recognised around the world, as illustrated by the significant interest that has been shown. Mining requires a plentiful, stable power source. South Australia can not only provide this but also it can lead the nation in environmental sustainability and reduced greenhouse gas emissions. The west coast of Eyre Peninsula is recognised as one of the best in the world for wind energy, with 135 megawatts already installed, another 400 megawatts waiting and the capacity for plenty more.

Plentiful water is another necessity for this state to progress, and there is the opportunity (even in the short term) for wind and solar power desalination plants to replace immediately more than 20 gigalitres of water currently being taken from overdrawn underground water basins and from the River Murray. By better utilising our natural resources of minerals, wind and solar energy from the western region of the state, we will have a cleaner environment, plentiful water, more funds to provide better services, an increased economic standard of living for Australians, more people employed throughout the state, leading to better mental and physical health, and reduced social disadvantage in our cities and our regions.

The priorities as outlined will be the natural outcome from planned strategic infrastructure builds. Our productive capacity, productivity, economic capability and global competitive advantages will all be significantly enhanced. Greenhouse gas emissions will be reduced and social equity and quality of life in our cities and our regions will be enhanced with the natural development of our major cities that provide many of the services that will be needed.

The first priority of the state government to ensure this state's success must be the building of the power ring main. This link is required to stabilise South Australia's power supply and enable the input of more than 400 megawatts of wind, solar thermal and significant megawatts of hot-rock power into the grid. The existing power supply from the coal-fired power station at Port Augusta is no longer acceptable technology and will become even more so in the future. Significant green energy generated from the West Coast of South Australia will enable offtakes, particularly by northern mining companies, including BHP's Roxby Downs expansion (which will require 400 megawatts of additional power), plus processing plants, to add value to our minerals. This green energy can power desalination plants to provide the water that is needed.

Currently, the very old 132 KV line without a return which services the Eyre Peninsula cannot even take all the power from the 70 megawatt Mount Millar wind farm located near Cleve on the Eyre Peninsula in case it collapses the system and takes out Adelaide's power. By linking the power transmission in a ring, any breakage to the line will not take out the whole state's power supply. It will enable intakes and offtakes around its whole perimeter and ensure safe connection into Australia's main power grid of significant quantities of 'green' wind, solar thermal and hot-rock energy. Proponents are already willing and able to undertake the construction of the ring main, the 400 megawatt wind farm, the hot rocks, solar/gas power supplies, the desalination plants and numerous mines. All it takes is the will of this state Labor government to look past BHP Port Augusta and Whyalla to see the whole picture.

Despite an enormous amount of positive mineral exploration, very few mines are coming into production. Companies which are ready to start to export are working in isolation; and, unless cohesively pulled together to address their common issues, companies will continue to struggle on in isolation, taking many years, if ever, to become profitable for themselves, the state and the nation. The key to success for companies and the state is the necessary infrastructure. It is increasingly obvious that a modern, multi-use port on the east coast of Eyre Peninsula (north of Port Lincoln and south of Port Neill) is needed to provide for the future imports and exports of Eyre Peninsula and commercialisation of the extensive Gawler Craton mineralisation.

The issues regarding the physical export of minerals are highlighting just how inadequate the present road, rail, port and even the air infrastructure is for the future development of Eyre Peninsula and the advancement of the state and the nation. Port, road and rail infrastructure into and out of Port Lincoln is already under pressure just coping with grain trucks and the expansion of the city. The Port Lincoln port operated by Flinders Ports is under utilised. It is said to be only at 15 per cent capacity and declining. However, it will never be able to be fully utilised, despite having reasonably deep water and rail access, because of its central location within the city. Road access

to the port is poor as it is provided via busy central business routes. The port cannot handle the Cape Bulker ships needed for the lowest cost freight in competitive international markets.

The people of the city are not in favour of the export of minerals from the wharf and there is an opportunity now to plan a staged redevelopment of the port. Port Lincoln's mayor, Peter Davis, was one of a group of local people who went to look at the port facilities and infrastructure at Esperance in Western Australia. Mayor Davis has written a report advising that he will not support using Port Lincoln for the exports of minerals. This report reflects the thinking of almost all the residents. The fishing industry has also come out strongly against it. Murray Point, the former BHP site south of Port Lincoln, which had been proposed as a possible solution for the export of minerals, requires transporting with barges. It is currently designated for future expansion of the city, which remains the best use of this site, in my opinion.

A public-private partnership, government or private enterprise could build a new port on a greenfield site in conjunction with an extended and upgraded railway, improved road network and possibly slurry pipelines to provide for mineral and grain exports and any imports, as required. Value-adding before export of our commodities should be undertaken, where possible, and the inclusion of an iron ore pellet plant incorporated in the initial port plans would be strategic. As a new port is developed, the present wharf precinct in Port Lincoln should gradually be sold off to provide for fishing, tourism and housing. The funds reinvested by the beneficiaries into the new greenfield port, with Flinders Ports being part of the project at a new site, if possible.

Given the quantity of minerals on Eyre Peninsula and the potential growth of Port Lincoln, the wharf is never going to be a long-term solution for the export of minerals. Grain trucks are already a problem on the Lincoln Highway due to increased local and visitor traffic and several kilometres of the highway are not able to be widened. The proposed alternative route is getting more and more expensive and difficult as the hills are being subdivided and built on. The fishing industry does not have enough room for future expansion. However, they would have more flexibility if the wharf became more available, with grain exports gradually relocating to a new port.

The recreational jetty (No. 1 berth at the wharf) would also remain available for the tourists and recreational fishers where access is presently under threat. Cruise ships expected to visit the city in the near future could be easily catered for in the wharf-city precinct, with plenty of room for facilities. The same would apply to yachts that could be facilitated and given much easier access to the yacht club and the centre of the city. Private marina berths off the wharf area could be sold generating additional funding, as well as creating the kind of ambience that I believe would enhance our city similar to that currently enjoyed by Hobart and Darwin.

The grain market has been deregulated and a new grain marketing group formed under the auspices of Free Eyre. They will not necessarily be using the silos but large bags to hold and segregate their grain. This will mean that they will need more space and will not be using the large cement silos at the wharf. Many of these silos are getting old now and I have been told that some may need to be pulled down as has already happened in Western Australia, where some have also been converted to high-rise housing developments.

I understand ABB Grain owns the grain silos, sheds and gantries at the Port Lincoln wharf. However, to export minerals from either the main wharf, the BHP area or the fuel wharf, if the fuel is taken elsewhere, will require extensive new mineral specific infrastructure and more space. It would make sense for ABB Grain to be part of a new port project and to put in dual-purpose, new dustproof gantries in a port catering for bulk fertilisers, grain and minerals in an environmentally friendly manner. Modern fertiliser unloading equipment and sheds, and eventually even new fuel unloading and tanks located at a new port and the old ones removed from our city centre, would free up more space in our city and provide more accessible services for our communities in a much safer location. As a new dedicated fuel wharf would probably have to be built, this may not happen for some time but should be planned for now. The existing fuel wharf could be repaired and made available for tourism and recreational use, which would be much more compatible with its recreational location.

Centrex Metals Limited is only the first of many mining companies that wants to export iron ore. At present, their only option is to export from Port Lincoln. Accordingly, the problem must be fixed now to gain the benefits for our region and the state of having a robust and productive mining industry, while retaining and possibly improving Port Lincoln's development and ambience. It would be judicious if existing grain and fertiliser companies' activities were also encompassed.

There has been and continues to be a range of problems with the exporting of grain from the wharf. Grain dust for asthma sufferers has long been a problem. Anecdotally, the numbers of people suffering from asthma is increasing and some of whom I am aware actually leave the town. The native galahs, I am told, were not originally found in Port Lincoln but have followed the grain, have bred prolifically, are offensively noisy and ruin the trees. Pigeons, also attracted by the grain, have bred up and make an awful mess in the city.

Continuing on with infrastructure in western South Australia, the Port of Thevenard also requires deepening and upgrading. If the Port of Thevenard is not upgraded, or one close by, then the new port south of Port Neill would become the only major port to service the whole of Eyre Peninsula and minerals from the north-west may have to be brought down. Thevenard currently handles a greater tonnage of product than Port Lincoln. Even existing salt and gypsum exports from Thevenard would be under threat without an upgrade. Port Bonython at the top of Spencer Gulf near Whyalla is poorly located in an area that is very environmentally vulnerable. The Whyalla port requires multiple handling and barging, and is to be fully utilised by OneSteel which is allowing no other companies access.

The rail system on Eyre Peninsula is another major piece of infrastructure that needs to be upgraded and coordinated into the big picture. Genesee Wyoming is the current owner of the Eyre Peninsula railway, however the narrow gauge railway line is not the most suitable for haulage of iron ore and needs upgrading. A rail upgrade could become part of the new port project. A new railway line would have the provision for upgrading to standard gauge and be redirected along a new section (approximately 25 to 30 kilometres) from Ungarra to the new port to take all freight, including grain and minerals.

The railway land in Port Lincoln could then revert back to Colonel Light's original plan and become parklands and any excess land could be sold. The government could use proceeds to assist with the upgrade and extension of the rail to the new port. Liverpool Street, the main CBD street in Port Lincoln, could be extended through to Kirton Point and Porter Bay, providing easy access to the marina. The rail that presently runs through the middle of the town could go and the ambience and views would return as the large silos and the green gantries are eventually demolished.

Improved water infrastructure is long overdue. In the driest state in the driest continent, Labor governments, state and federal, continue to overlook the obvious. Access to SA Water pipes is a must for desalinated water from private enterprise providers to be delivered in a timely and cost-effective manner so we can all enjoy plentiful water and not have it eked out through permanent restrictions, and also to provide for the mining and value-adding of products, plus horticultural developments, on our good soils. This Labor government should insist on it.

A clean, green Ceduna desalination solar/ thermal/mechanical vapour compression plant was to have been built by Lloyd Energy, but it has been built interstate instead. The desalination plant would have replaced water which is being taken from the overdrawn underground water basin south of Port Lincoln and which is being pumped to Ceduna. When the water gets there, it is so mineralised that it is costing thousands of dollars to replace piping and water filters in the region that are blocked solid with minerals.

Quantities of potable water are needed to enable the mineral sands to be processed locally. However, they are now to be shipped to Western Australia for processing—denying local employment opportunities. With a minuscule amount of government support, water could be running through the pipes and jobs could be created, underpinning successful regional communities.

A reverse osmosis desalination system near Streaky Bay is being proposed to take pressure off the local, overdrawn Robinson Basin, which, unbelievably, is being topped up with water pumped from the basins south of Port Lincoln. The world-class kaolin deposit mining contract may fall over because of the lack of water, unless a suitable supply is provided in the near future in order to enable the processing of kaolin locally.

A proposed wind-powered desalination plant will be constructed near Elliston, with the water being pumped into the existing pipe system at Polda pumping station in order to be used across the region, as soon as the wind turbines are constructed and approval gained from SA Water.

The proposed wind-powered desalination plant at Port Lincoln has not been facilitated, but it could have provided new water into the existing pipeline system that services Eyre Peninsula and

negated the \$48.6 million pipeline which was built by SA Water and which brings 1.4 gegalitres of water 800 kilometres from the overstretched River Murray system.

In Port Augusta Acquasol proposed a solar/gas/mechanical vapour compression desalination and power plant to provide all the water needed by Spencer Gulf cities, and possibly the BHP expansion at Roxby Downs, to take them off River Murray water, but despite all the efforts of private proponents this project continues to stumble.

All these desalination plants can be put in place by private enterprise which so far has been thwarted by the state government-owned monopoly, SA Water—a monopoly backed by a water minister who blithely states 'it is not my priority' and who is supported by her Labor colleagues to prevent new water being provided in the system by private enterprise. Instead they are spending millions of taxpayers' funds to reduce consumption of the very product—water—that they have the monopoly to sell.

Infrastructure Australia must also plan for road infrastructure, including the Wirrulla to Glendambo road. This road will also provide a route for power and water, and eventually, possibly, a rail connection from the northern mining developments to Eyre Peninsula ports. It should be the responsibility of state and federal governments to fund this road. It is becoming increasingly busy, with traffic from many outback mining activities and hundreds of tourists, many of whom are from overseas. All these users are impacting heavily on people in local communities, especially isolated stations along the way, who have to rescue them when they get into trouble, while coping with the wear and tear on roads which are not built for traffic. Already there have been deaths on the road.

Finally, I refer to Port Lincoln airport. It is the busiest regional airport in South Australia, with 140,000 passengers annually. It is owned and operated by the District Council of Lower Eyre Peninsula which has a district population of 4,402. The City of Port Lincoln, with a population of 14,500, is the closest major city to the airport (being approximately 15 kilometres away) and gains the most benefit. A flight from Port Lincoln to Adelaide across Spencer Gulf takes about 35 minutes compared with the seven hour drive (675 kilometres) around the top of the gulf. A bus journey to Adelaide takes up to 13 hours one way, excluding unexpected delays.

Virgin Blue has expressed an interest in introducing a regional jet service to Port Lincoln as part of its recently announced E-Jet program. The introduction of a regular jet service and the accompanying passenger and baggage screening requirements means additional space would be needed. The District Council of Lower Eyre Peninsula is investigating possible options, including a new terminal. Council has indicated that it has a broad strategy to enable this to happen and is planning to upgrade most of the airside facilities (including the taxiways, apron and lighting) this financial year. It also has funding for concept plans for a terminal upgrade and intends to finalise a business plan for the airport in order to help it plan for future operations and development.

However, the benefit of a jet service is something that the small rural district council will have to consider carefully because the capital expenditure and recurring maintenance costs on a new or upgraded terminal with security equipment will be significant. Once again, government assistance is needed to fast-track this much needed infrastructure.

If the Rudd government truly 'is serious about bringing national leadership and new thinking to the planning and financing and building of economic infrastructure', then the state Labor government actually needs to get active and speak up federally for South Australia. Currently, projects are not being viewed on a whole of state basis, thereby lacking the planning and funding to solve the problem of the stability of the state's power grid and the need to put vast quantities of available green energy into it. Planning needs to include the retirement of old dirty power stations, while providing sufficient power for the massive developments that will be needing it.

Most of the infrastructure needed will be provided by private enterprise, possibly as public-private partnerships, but they definitely will need to be facilitated by federal, state and local governments, with Infrastructure Australia providing the coordination and Build Australia providing some of the funding. Funding provided now will have a return on investment in billions of dollars within a few years. It is the role of government to facilitate significant projects. No one company should have the responsibility to provide the initial infrastructure that will be of long-term benefit to so many, including both the state and federal governments, in royalties, taxes and economic activity.

No farmer would use only their home paddock to provide their income, but this city-centric government, in effect, is doing just that. It is unsustainable, if we are to remain a first world nation

and not become a third world nation that cannot afford health, education and other services expected by our people.

Some of the mining ventures on Eyre Peninsula expected over the next few years are:

- The Centrex hematite iron ore reserve at Wilgerup near Lock has a 10 million tonne reserve that they are confident of increasing. Mining is expected to start in 2011-12.
- Centrex also has a magnetite iron ore deposit on Eyre Peninsula with identified exploration targets exceeding two billion tonnes of magnetite ore in the southern and south central tenements with another major deposit near Cowell.
- Lincoln Minerals has hematite and magnetite iron ore at Gum Flat, about 20 kilometres from Port Lincoln, and has an exploration target of more than 250 million tonnes of ore at the project.
- Adelaide Resources' iron ore project, 175 kilometres from Port Lincoln, contains extensive magnetite anomalies with a cumulative strike length in excess of 50 kilometres. It has launched a new company, Iron Road, to handle it.
- North of Kimba, at the Wilcherry Hill, is the Ironclad Mining Company's iron ore deposit. The Wilcherry deposit contains coarse crystalline magnetite and low silica contents, which enable low cost and efficient production of concentrates containing over 70 per cent iron with very low impurity levels.
- In addition, not far away is the Menninnie Dam site, where there is said to be a crew currently working 24 hours a day exploring for zinc, lead and copper with the potential also for iron ore. The Kimba to Buckleboo railway line that links through to Ungarra is currently closed, but would not be far from these deposits.
- Minotaur's kaolin deposit near Streaky Bay, which is of very high quality with nine million-plus tonnes (150 million tonnes inferred) and is expected to start in 2008-09, if power and water are available.
- Adelaide Resources has mineral sands, uranium and iron ore deposits on Eyre Peninsula. Its testing at Warramboe indicates a significant strike length of magnetite bearing iron ore of exceptional chemical quality and substantial tonnage; and there are many more besides.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:55):** I respond to the address to the 51<sup>st</sup> parliament by His Excellency Rear Admiral Kevin Scarce AC CSC RANR, Governor of South Australia, although I will not be able to do justice to all the topics raised by His Excellency. However, I wish to draw to His Excellency's attention in this response some areas of importance that are relevant to portfolio interests for which I have the honour of serving Her Majesty's Opposition. First are the statements made by His Excellency, commencing at page 7 of the published speech, relating to questions of health, commencing with:

My government will continue to work to modernising and upgrade South Australia's health infrastructure.

It goes on to identify some capital works projects. There is a complete omission in relation to country health reform—that is the first observation I make—and I bring to His Excellency's attention the concerns that I have for the government's insistence on continuing to provide the wrong facts, the wrong priorities and the wrong approaches to the provision of health services in this state.

I start with country health. The government decided in June that it would impose upon country health residents—there are nearly half a million of them in this state—a new era, a new regime, in relation to the health services in their hospitals, particularly acute care services in country regions. It backfired badly and the government was forced to withdraw its plan and to start again. But that was not without the government spending \$400,000 in an advertising campaign to try to ram it down the throats of country people, to try to convince them that the joining of the dots by the government was actually in their interest. They wholly rejected it, rightly so, and the government, only today, has released a task force review paper, which calls upon the government to properly consult and to prepare a new plan.

That is something which, frankly, a whole lot of taxpayers' money has been wasted on and much pain and angst has been met particularly by country people, including the health professionals who provide services to them, and relatives and family of patients in those communities. I say that this misallocation of funding is of very serious concern. I note, however,

that His Excellency did not mention it at all in his speech. On page 7 of his speech, in reference to GP Plus centres, he said:

These centres are being established in order to ease the pressure on emergency departments.

That statement is relevant to the almost daily crisis that occurs in our major public hospitals in metropolitan Adelaide and what we call access block in emergency departments. That is, when too many people are turning up needing emergency department assessment and stabilising and there are not enough services and facilities for them to be taken into the hospital, in particular, into beds. The government's indication here is that it is going to introduce these GP Plus centres or expand services to facilitate that.

I bring to His Excellency's attention that the government has also been busy with another big publicity campaign which has involved huge advertisements in the paper, on radio and on television, posing the question, 'Is it really an emergency?', with a weeping woman in the picture. Ostensibly it is saying, 'Let's keep our emergency departments for emergencies,' and asks the poor old punter whether it is serious enough to go to the hospital. As was made abundantly clear by myriad experts at a recent meeting of the Australasian College of Emergency Medicine in Melbourne, which was well publicised and was very well attended from across the nation, the truth is that two things are very evident. One is that South Australia has the worst performing response in relation to access block in emergency departments. In fact, on the material they showed us in September, it was nearly off the chart. That was put down to the doctors' dispute in South Australia, but, when we looked to September, earlier this month, it was still well above the rest of the country.

That ought to tell the government that there is a serious problem here. It is a problem across the country because, as the data provided to us confirms, in the 2003-04 year, 202 people per thousand presented to emergency departments, and a massive increase in demand has occurred since which has taken that figure to 311 per thousand in 2006-07.

So, we know that demand has increased. Yet, correspondingly, according to the Australian Institute of Health and Welfare, in its lifetime, this government has reduced the beds. In 2000-01, the number of beds in South Australia was 5,088 in our public hospitals, including our psychiatric hospitals and, in 2006-07, it had reduced to 4,895 beds. Here we have an increase in demand and a reduction in beds. The government is saying that you should not be going to emergency departments if it is not serious enough and that it will have these GP centres which are going to help people avert the problem.

This conference revealed that less than 5 per cent of people who presented to emergency departments can be described as people who could be treated by a general practitioner, assuming the general practitioner's service was open and available at that time or that an appointment could be obtained. They made it very clear that this was not the problem and, in fact, this small percentage of people who turn up are easily and quickly disposed of in the sense that they are assessed and dealt with and often sent home. So, they are not a problem at all. They said this is not a problem. The problem is beds—repeatedly, the problem is beds—but the government does not want to hear that.

Your Excellency, I wish you to be very clear that your government, which you have described here in this presentation, is not actually addressing the real problem. As to the wrong priorities, let us consider this: the government has announced that it will redevelop the Glenside Hospital site. It is a \$190 million proposal involving 126 beds that it will provide at this new facility. That is welcomed in the sense that there will be a capital investment in the psychiatric services that are necessary for secure and acute care in this state.

However, the problem is that the government has also announced that it will sell 42 per cent of the site. It thinks a supermarket is more important for mental health patients and acute services. It also wants to sell off this land for private housing, yet there is a demonstrable need for housing for people with mental health needs. Even if the government says it cannot afford to build the extra services for mental health patients and people who need to be rehabilitated in a step-up program, as recommended by Commissioner Cappo, we have asked the government repeatedly at least not to sell off the asset until it has the money.

The government is selling off three very valuable properties in metropolitan Adelaide which currently accommodate drug and alcohol services in this state. It is also vacating two properties on Greenhill Road south of the city which operate as headquarters for drug and alcohol services. To say to us that the government has no money is just not acceptable. It vindicates what I say in this



regard. It is scandalous for the government to say that it does not have enough money while at the same time announcing that it will create a film and screen hub as a home for the SA Film Corporation on the original sanatorium premises, which currently houses the administration on the Glenside Hospital site. It is an abandonment of the need for psychiatric services for the state.

Country people have only 20 beds, and that is it. They will not get any more beds for the provision of services to them. Yet, the government says that it has to sell off 42 per cent of the site and it will spend \$47.5 million to relocate the SA Film Corporation into the heritage building which is the main administration site on the property. The Premier's department is paying \$2.5 million to buy that piece of land which is about 1.7 hectares and which has all of the heritage property on it. I thought it was a pretty good buy that the Premier got, but apparently he has another \$45 million to spend.

Here is the interesting thing, and I want His Excellency to understand the significance of this, because he is being asked to present to the parliament as though there is some priority for psychiatric health for this government. On page 8, he states:

And the Government will continue to reform, rebuild and re-design mental health services and facilities that include community recovery centres, new hospital wards, supported accommodation and modern drug treatments.

That is the spin that is given on it, and there is another paragraph in relation to it. That is what the Governor has been asked to tell us, but I wish to remind His Excellency that the government has already bulldozed one of the historic buildings on the site. It has transferred the administration staff from the hospital into those. It is proceeding with the progression of the re-fit and redevelopment (the \$45 million worth) of the accommodation for the new home of the SA Film Corporation, and not one sod has been turned to develop the new hospital.

We have not even seen any tenders go out, let alone be accepted, even to build a new hospital. The design has not even been done yet. There is plenty of money, time and resources to start renovating for a new home for the SA Film Corporation, which has a perfectly good facility at Hendon while 10,000 people a year use mental health services in the state, yet there is no time, money, allocation or priority for these services. That is the truth of it, and I want His Excellency to understand that this drivel that he has been asked to present to the parliament is not an accurate reflection of what is really happening out there.

In relation to the nurses workforce, as just one example of the government's wrong approach, the government says to us and, in fact, again on page 8 it states:

Extra doctors, nurses, paramedics and allied health professionals will continue to be recruited into the public health system.

It sounds good, doesn't it? The Minister for Health frequently comes into this chamber and tells us that he has X number of new doctors and X number of new nurses in our public health system. It sounds good, doesn't it?

Here is the truth of the situation: whilst there has been a 193-bed reduction, which I referred to earlier, in our public hospitals during the lifetime of this government, in 2001-02 we had a workforce of 7,625 nurses in our public hospitals, including psychiatric hospitals—again, as reported by the Australian Institute of Health and Welfare.

Yes, that has increased to 8,821 in 2006-07; according to their statistics, that is an increase. How many actually work in hospitals, in wards and not in offices or in cars we do not know, because the minister could not actually tell us that during estimates. So, there has been an increase in actual workforce. There has been a very significant decrease in beds. Here is the interesting thing: according to the Nurses Board, which is in charge of the registration of nurses in this state, in 2001-02 there were 23,638 registered and enrolled nurses qualified in this state who were registered for the purposes of approval to practise. In 2006-07, that increased by some 5,000 nurses to 28,140.

So, we have had a very big increase in qualified nurses in this state but a very small corresponding increase in nurses actually working in the public sector in this state. That, I think, is very telling and, interestingly, the concerns are raised by the nurses themselves. I have letters regularly from nurses—some direct, some anonymous—who are very worried about the fact that the government is not managing the nursing workforce appropriately, that there has been really an exodus and a breach of a relationship between an employer and employee in treating them with respect and that we have actually ended up in a situation in the nursing world where there has

been a massive increase in the use of agency nurses. That can only be financially crippling for any government. Let me read you the statements made just by one received this month:

Dear Ms Chapman, Management of Glenside Hospital are currently in dispute with the nurses union over the use of Agency staff in preference to regular staff to fill casual vacancies. Casual vacancies are becoming more frequent because of the shortage of nurses. The use of agency staff is therefore becoming a more significant factor in the care of mental health patients. The area I work in is currently using 25 per cent agency staff on a regular basis. The worst day recently 60 per cent agency.

That is a horrific figure—he or she did not say that: that was my comment on that. This nurse goes on to say:

The system is in a shambles. Regular staff are becoming stressed having to carry the extra load of agency staff and having to be concerned about their own safety because agency staff do not know the system or the patients. Stress leads to sick leave which exacerbates the problem. Regular staff look at the rosters, note the days with excess agency staff and take sick leave themselves out of concern to their safety.

That is what is coming from the nursing workforce who are in the hospitals currently run by this government. It is a grave concern, because these are valuable people, not just as machinery and operation but also in the care of people in South Australia who require hospital services. I think it is important for His Excellency to appreciate how serious the situation is. This issue is not just about numbers: this is about maintaining a workforce, a level of respect and also some financial management to ensure that we have a workforce able to provide for the services in our acute care.

The other level, I suppose, of dealing with the wrong approach relates to the way clinicians and others are being consulted. The government says, 'We want to go out and consult.' We only have to look at the country health plan to see what a sham that was. Many professional bodies—nurses, doctors, dentists—are regularly asked to serve on advisory committees to the government. Let me give you an example of just one of the letters I have received.

In this case it was from the dentists because, not surprisingly, they have a professional body and one of the committees that they are asked to provide is SA's Oral Health Advisory Committee. They have written to me, and also expressed concern to the minister, because of what they say they are exposed to and the way they are treated in the general advice and consultation that they are expected to provide free of charge, arguably in the interests of their profession (there is a vested interest), but these people have a real concern for their patients and the health of South Australia, in this case, the oral health.

They explain in a letter, again received this month, that SA's Oral Health Advisory Committee had been asked to contribute a view on the government's proposed State Oral Health Plan. In the meantime, they have also been asked to present a view as to the question of who should use particular expertise and what training was required for a proposal which related to expanding the patients that a dental therapist could be relied upon to treat, not just children in this case, but to remove the age limit and let them treat adults. The letter states:

It appears to us that the purpose of the Oral Health Advisory Committee is seen by Department officers as a vehicle to communicate changes the Government intends to make rather than to utilise the expertise and experience of the members for the provision of advice to the Department and yourself. Our experience is that even when the majority of the committee agrees on a particular direction, public servants are reluctant to record this as they seem to be more concerned about how the Minister will view the matter than putting forward the Committee's opinion.

This is particularly the case in relation to what is written into the State Oral Health Plan and the failure to observe the Committee's wishes often uses the justification that the Minister would or wouldn't allow this. Most recently, the Committee seemed to agree that a thorough examination of actual workforce and patient needs is required, taking into account a range of perspectives and not just the desires of the SA Dental Service. The committee also seemed to be of the view that the respective roles of all providers of care—

it goes on to say dentists, therapists, etc—

should be properly examined to discover which group is best placed, trained and educated to meet a particular need and that this role should be defined and included in the Regulations, rather than have matters dealt with on a case by case basis by the Dental Board of South Australia. Whilst this request for inclusion was eventually acceded to, the public servants only agreed to do so if the original proposal relating to dental therapists was included as well. This domination by public servants makes a mockery of the name 'Advisory Committee' and is insulting to the committee members. Further, it seems that there is an expectation that the committee will simply 'rubber stamp' what the author writes into the plan which is purported to be a plan for the whole state...

I want His Excellency to know that this is blackmail. It is unacceptable behaviour for any government to allow its bureaucrats to demand of a committee that it gives only views that are consistent with the minister's views. That is an absolute disgrace. To then go on and say 'If you

don't agree with what we are going to put up on this we are not going to accept your advice' is unacceptable behaviour by anyone, but for a government to be presenting this to one of its own advisory committees is an insult and is professionally demeaning. How on earth does the government expect to continue to receive advice from these people or from other different groups that it calls upon for advice?

The answer is very clear, and I want His Excellency to know that the government does not want their advice and it does not want their contribution: it wants complete control. Dr Sherbon, Dr Panter, all the head honchos in the Department of Health, want absolute control. That is an illustration of what I see as totally unacceptable behaviour by this government, and it is about time that minister Hill—who keeps telling us that, under the Health Care Act, the buck stops with him—did something about it and does not allow the situation to prevail. If you do not want consultation do not go out there and masquerade or pretend that you actually care about what people think and will take notice. Clearly, that is a complete and utter nonsense under this government.

Finally, on page 15 a comment is made—I think quite sincerely by His Excellency—about priorities in child protection. There are thousands of children who come under the responsibility of the Minister for Families and Communities as their legal guardian. We all know these children are often severely damaged through no fault of their own—they have parents or a parent who is unable or unwilling to look after them, or there are circumstances in which it is too risky to allow them to stay—and the minister therefore takes responsibility. It is a responsibility of the whole of the state but the minister has that direct job. He is prepared to keep spending \$26 million a year in motel accommodation and supervision of these children in those motels—yet he pretends that he cares and wants to support the foster care system. What a joke!

Foster carers are out there in the community and I do not doubt for one moment that, with the numbers, they are probably finding it difficult to keep up with demand. However, for minister Weatherill, the former minister for families and communities, to go out there and say, 'We value these people; they open their hearts and their homes to the broken children of this state,' is a complete nonsense when the government then turns around and says to them, 'We are going to provide you with extra financial support to help look after these children.'

That is what he announced as a big initiative in this budget. Yet what he did was this: instead of having a base payment for the care of a child of a certain age group and then provision for transport, reimbursement for damages to their property, provision of extra medication for the children or for special needs and expenses of the children (depending on their special needs), he said, 'I am going to introduce a program where they will get a new base amount of money with 25 per cent, 30 per cent, 40 per cent, 50 per cent or 100 per cent extra depending on an agreed provision for the children.'

Well, that is interesting. The Hon. Jennifer Rankine has now taken over this responsibility, and it must have been on day one that the government produced a pamphlet about what the new rate was to be. However, it cannot even add up, because we now have a situation where carers get no recompense, reimbursement or compensation for all those other expenses, but the extra 20 per cent or 30 per cent is not actually that. On the forms that have now come out, the new base payment to look after a child between five and 12 years of age, for example, is \$304.20 a fortnight. It is not a lot of money but, let us face it, these people do not do this for the money. They are then offered a 25 per cent loading, logically taking the total payment to \$380.25. However, the amount the carers actually get, in the published material, is \$362.70. So, base payment plus 25 per cent loading for a child with perhaps a minor special need—but it is not 25 per cent; it is actually 19.23 per cent

I do not know what donkeys are doing the additions in these departments, but a program has been introduced that the government says will make it easier for everyone, that they will not have to keep all those receipts (except for the initial assessment), and that they will give them this all-encompassing extra percentage—and then it does not even give them the right amount.

The government insults them by short-changing them on the paltry amount of money it allocates them. How can you possibly encourage more people to come forward to undertake this often thankless task of looking after these most needy of children if you do not treat those carers with respect and give them proper information? If you say you will do something in relation to a pay rise at least give them the pay rise you have published and try not to cheat them, as well as giving them the training and support they need. This government is full swing into saying something and then delivering something else. All talk and no action. When it does deliver on something it is

nowhere near what has been promised in some advertising campaign—which, of course, has been tacked onto the cost for taxpayers.

So I do not have a lot of good news in my reply to the Governor's address, but I want His Excellency to be absolutely clear that this government has not been frank with the people of South Australia. It clearly has not been frank with the Governor in asking him to read this speech, because these areas have not been accurate; it has not told the whole truth, it has clearly not been transparent, and it has simply failed to disclose what are very serious cracks in the financial management of these important areas—incidentally, a combination of health services and family and communities services in this state that take up about \$5 billion. So, this is not an amount to be messed with. The fact that we have runaway problems with management of health budgets and blowouts in annual public hospital budgets is of no surprise to me, but it ought to be of great concern to the people of South Australia.

**Mr BIGNELL (Mawson) (17:23):** I rise to commend the Governor for his speech to open the final session of the Fifty-Second Parliament. We do indeed live in a great state and at a great time in this state's history. In the southern suburbs, and the areas of McLaren Vale, Willunga and McLaren Flat in the electorate of Mawson that I am very proud to represent in this place, things are looking very good indeed, as they are for so many other parts of South Australia.

We are investing as a government in our schools; places like Willunga High School, which is receiving \$7.7 million to totally overhaul one of the great schools of the southern region. That follows on from the recent opening of the new Willunga Primary School, where the government spent well over \$4 million. In the next month or so we will be at McLaren Flat Primary School to unveil the great new additions at that school.

This is a government that is investing and reinvesting in the education area of this state. It is also investing in areas like health, where we are seeing a brand-new hospital to be built in the next few years, the Marjorie Jackson-Nelson Hospital, which will be a fantastic facility for the people of South Australia and one that we can be very proud of. It is very rare indeed for any city in Australia to get a new hospital, and I think the people of South Australia will be thanking the Rann government in years to come for providing an excellent brand-new facility to give people the sort of health care that they deserve, in such a great state as South Australia.

At the same time, we are doing work in the northern suburbs on the Lyell McEwin Hospital, and down in the southern suburbs there are upgrades at the Noarlunga Hospital and also at the Flinders Medical Centre, where only a few weeks ago I went on a tour to have a look at the upgrades that they are doing there. We were able to climb down into the basement and up onto the roof of the hospital to see this top to toe overhaul of one of the great hospitals in South Australia. I know that work is also happening out in the western suburbs at the Queen Elizabeth Hospital.

People sometimes say that maybe we should upgrade the Royal Adelaide Hospital, but I think that anyone who knows anything about building knows that that would be an unworkable proposition. It would take a lot longer than it would take to simply build a brand-new hospital. When you upgrade an old hospital it is never going to be as good as something that is brand-new. So, I commend the Premier, the health minister and the others in cabinet who have taken this decision to build a fantastic new facility for this state.

The seat of Mawson is going to benefit greatly from the \$2 billion investment by the state government in its overhaul of South Australia's transport system. There will be an electrification of the railway network, and I am very happy to see the announcement that the Noarlunga line will be the very first line in the system to be upgraded and electrified. So, we are looking for smoother, faster, more environmentally friendly trains with windows that we can see out of, and we are looking forward to an extension of that rail line down to Seaford and beyond to Aldinga. The government has set aside \$34 million to purchase the corridor that will be needed to build that extension to the rail line further south to cater for the extra people who have moved into that area over the past few years.

It is always a balancing act for governments, local members and for the community as to how much building we actually do. Down in the south we are pretty well at the point where we do not want to see too much more gutter to gutter housing than what is already on the drawing board, because we have some very big developments still to come on line. What we need to ensure is that we maintain corridors of native vegetation and open space. We do have those areas there now and it is something that the Minister for the Southern Suburbs and I have been very much at the

forefront of in making sure that we preserve in some way those corridors so that we can still boast in years to come that McLaren Vale is where the vines meet the sea.

It is a very beautiful part of the world and pretty much unique in Australian winegrowing regions. The Barossa is a fantastic winegrowing region but it does not have the great sandy beaches where you can drive down onto the beach and have a pleasant day with the family or visitors from interstate or other parts of South Australia. The Clare Valley, once again, produces great wines, but it is a long way from the beach. What we do have in McLaren Vale is this fantastic setting and we need to make sure that we preserve, to some extent, that setting.

We also need to make sure that we keep agricultural land there so that we can continue to grow olives and so that we have pastures for cows, because some of the great cheeses produced in Australia are produced from the Fleurieu region. I think we should be looking to support that. I know, through the Premier's Food and Wine Council and the work of the minister for agriculture, that we do support the growers and the producers in the McLaren Vale region, and there is no reason why McLaren Vale olives, cheeses and wines should not be up there with New Zealand food produce and King Island food produce.

What we find is that instead of individual producers going out on their own, if you can bulk up your branding then that is a very good thing to do. I know, from the wine industry's point of view, that is something that we are doing on the international market, that we are looking for regional heroes, we are looking for the Barossa to be out there as a region on international shelves, and we are also looking for McLaren Vale, for Clare and for Coonawarra, because they are great regions with different styles of wine, and rather than just have a marketing plan that is a blanket 'wine of Australia', what we are doing is championing the great wine regions of South Australia. So, I commend all those people who are involved in that.

Last week I took a tour with SA Great out to the western and northern areas of the city to have a look around there. In a former life I was chief of staff to the infrastructure and transport minister. I worked on a lot of projects, but when I saw them they were either proposals on a piece of paper or in someone's mind. To go out on this tour was a great experience. To see all the projects that are being built in South Australia to support the mining and defence industries is something that few South Australians have been able to do. There are some terrifically positive stories out there. It was great to have the General Manager of Channel 9, Graeme Gilbertson, on the tour with us. Also, Michael Miller, Managing Director of Advertiser Newspapers, was at the breakfast which launched the day's activities.

I think that the media does play a vital role, and while it is easy to put doom and gloom stories in the newspapers, on television and on talkback radio, some wonderful success stories are happening in South Australia. It does not hurt to inform the people of South Australia what is happening in this great state. I commend Rae Grierson for the wonderful work she does with SA Great. I was very happy to work with her to put together an itinerary that really showed off some of the development that we have here in South Australia. Our infrastructure minister, the Hon. Patrick Conlon, spoke at a breakfast at the Clipsal site, which will soon be sold off and used for medium and high density housing. What a great location that will be right next to the Parklands.

The train line is already there and we intend to extend the tramline. The Glenelg-city tramline will be extended down to the Entertainment Centre initially, and the Entertainment Centre car park, which has about 400 car parking spaces, will be used as a park and ride centre. Once the Clipsal site has that medium and high density housing on it, we will run the tramline down and connect it up to the train line. We met there and we showed these people from various small to medium sized businesses around South Australia the vision for that Clipsal site. It is one of those once in a generation opportunities we get to redevelop and almost build an entire suburb that will house hundreds of people and be a beautiful place for them to call home.

Of course, the important thing about that is that it is right on these transport corridors. We have the infrastructure in place with the railway line, and we will add some more infrastructure in terms of the tramline; and, hopefully, that will play a role in stopping further urban sprawl in the south. We have enough stuff on the drawing board now. We will have to take it a little easy with respect to what land is released in the south over the next few years, because we really need to play catch-up and get the infrastructure in place to match the expansion of housing in the south.

As I said, we will be doing that by upgrading and electrifying the railway line, putting on new trains and buying the corridor to extend the rail corridor down to Seaford and Aldinga. We are also spending over \$12 million on the Victor Harbor/South Road intersection to make that a lot

safer and a lot easier for people to get back to the city from the southern suburbs and the southern parts of Adelaide. I drove around Mount Compass yesterday and I was quite surprised to see the amount of housing going up there. People are moving further south. I think that we probably need to curtail that a little after these latest subdivisions come on line in the next few years and let the infrastructure catch up for a while.

We need to take a breath, and the only way we can do that is to continue with the urban infill that we are seeing in the western suburbs and develop some expansion and infill in the northern suburbs. We do not want to sit back in 20 or 30 years and say, 'Gee, a wine from McLaren Vale, that's pretty funny.' It would be like seeing a wine from Glenelg. These days you would think, 'Fancy having vineyards at Glenelg.' We need to make sure that we do not allow housing to be built on those beautiful vineyards and on that great agricultural land that we have around places such as Blewitt Springs, McLaren Vale, Willunga and McLaren Flat.

We need to have a very sensible approach to development in the area, and, as I said, keep that pristine look and feel for one of the great wine regions of the world, which, of course, is only 45 minutes from the CBD and an international airport.

We continued with the SA Great tour. From the Clipsal site we went to the Cheltenham racecourse site, which has been sold off and which will also provide housing. There will be 1,200 new homes in a park-like setting with a minimum of 15 per cent affordable housing. The 49 hectare site will be developed together with the adjacent 15 hectare Actil site and will be beneficial to the wider western suburbs community because of its parklands and accessibility. All the new homes will be required to install plumbed rainwater tanks and solar hot water supply and achieve a five-star energy rating as part of the government's sustainability policy.

Of the 49 hectare racecourse site, 17.1 hectares (or 35 per cent of the site) will be open space, which will incorporate wetlands and an aquifer storage and recovery system, as well as open space for active and passive recreation. The Land Management Corporation, on behalf of the government, is working with the City of Charles Sturt and the developer to prepare concept plans and to undertake the design of the wetlands and the ASR.

This is an example of the government being out there and listening to local communities. There was obviously a lot of concern that open space would be lost as part of the housing development on the site. So, the government did listen, and the amount of open space is far above the minimum requirement with respect to any other development around this state. Again, it just shows that the Rann government is prepared to go out there and listen to what the community has to say and to develop in accordance with the community's wishes.

Again, the Cheltenham site is on a major railway line that is already there, so we do not have to build the new infrastructure to get people into the city. We will be electrifying that line, and there will be great improvements in the Port Adelaide area. There will also be a light rail system that will go to Semaphore, and another one to West Lakes.

That is not being built just to take people to the football, because that would not make sense: there are only 22 home and away games there each year. So, you would not build a light rail system just to take people to the football. What we will see around Football Park at West Lakes is further development of a transport-oriented development, again, with some sort of medium and high-density housing. So, coupled with what has been happening at Cheltenham and what will eventually happen on the Clipsal site, that will provide a lot of new housing for people right next to excellent state-of-the-art transport systems.

We know that, if people live next to a transport system, they will use that rather than use their car and fight congestion on the roads and battle for a parking space in town. As I said earlier, the development that we undertake in the west and the north will be a saving grace for the southern suburbs and our great agricultural areas in the southern parts of the electorate of Mawson and the northern parts of Finnis.

The Newport Quays development at Port Adelaide is another place that is really coming together. I had not visited the Port for a few months, and every time I go there it surprises me how many more houses have been built. I think they are doing a very good job of blending the great heritage of Port Adelaide with these new modern buildings.

It is one of the last major waterfront developments in Australia and, with the new housing going up there and the prices they are getting, obviously, it is very popular with investors. I know that a lot of the people who are moving into Newport Quays at Port Adelaide are coming from

nearby suburbs such as West Lakes. The Newport Quays site at Port Adelaide will be another place where people will have great access to public transport—and what a great lifestyle, living on the water down there at Port Adelaide.

Of course, there will be plenty of people to move into all these homes because, on the SA Great bus tour last week, we also went to Techport, the maritime defence precinct that resulted from the \$6 billion air warfare destroyer contract. The Rann government has invested nearly \$400 million into Techport Australia at Osborne, including common user ship building facilities, a maritime school centre and the air warfare destroyer system centre, and a dedicated supplier precinct is being built around the Techport facility. So, when one sees the cranes putting the buildings into place and the work that is being undertaken already ahead of the air warfare destroyer build, one sees that it will be a fantastic thing for the state.

As a result of this win, 4,000 direct and indirect jobs will be created. I remind people in this place that it was the Premier who went into bat against every other state in Australia except Tasmania. We beat Western Australia, Queensland, Victoria and New South Wales. It was a very tough competition to win that contract but what an important contract it is—4,000 jobs directly and indirectly related to this one contract. Of course, we will be bidding for further contracts in the upcoming years and, hopefully, we can win them, which will mean not only more jobs in whatever those projects will be but also jobs in industries which we are seeing popping up now which provide support, equipment and components for the air warfare destroyer.

From the Techport facility, the SA Great trip crossed the new bridge at Port Adelaide, the Diver Derek Bridge. We also saw the rail bridge. They are both opening bridges which connect Outer Harbor, that great port which we deepened to 14.2 metres only a couple of years ago. I remind the parliament that Victoria is still trying to come to grips with ways of deepening its own port. I know someone in politics over there called South Australia a backwater, but I point out to them that we were able to deepen our port to 14.2 metres to cater for the big international ships which call into places such as Sydney, Melbourne, Fremantle and Port Adelaide with a minimum of fuss and with a very generous contribution from the state government and also some money from Flinders Port (the private sector), and that we do know how to get on with the job in South Australia and build the sort of infrastructure that really backs up our wonderful industries because we want to see our exports grow and we want to do whatever we can to support industry in this state.

We travelled along the Port River Expressway. I did point out on the bus that, when we first came to government in 2002, the people who had won the contract for the Port River Expressway came to us a little confused because the previous government—the government that brought us the one way Southern Expressway and other great disasters—had planned for the Port River Expressway to have two sets of traffic lights and a railway crossing on it. Apparently that was the bid which could fit within the quote that the transport minister at the time could get up in cabinet. It was a pretty crazy idea to think that you could have an expressway with traffic lights and a railway crossing. I know that, when the winning bidders came to us with that problem, it was taken back to the cabinet of the newly formed Rann government and the traffic lights and the railway crossing were removed. Now there is a seamless run from Outer Harbor, across the bridges and up to the Salisbury Highway.

Of course, the Northern Expressway (which will be the biggest road infrastructure built in South Australia since the 1960s) is under plan as well. That will all work towards helping our industries get their products to port in a much quicker and more efficient way. Of course, that saves on things such as fuel and helps the environment, as well. We had lunch at the RAAF Edinburgh base. We looked at the huge development which is happening at the site. When you drive around the base, much of it is pretty much how it was when it was built in the 1940s as a strategic part of Australia's defence system. We are about to be welcoming an army regiment, and again we will see hundreds more jobs and we will need more and more housing. We were taken past a few sites where these housing developments will be constructed to cater not only for the extra workers and members of the regiment but also other workers related to the mining and defence sectors.

We finished our tour at Mawson Lakes and looked around that development. People on the bus had heard that things were happening in South Australia as our economy continues to grow, but it was another thing for them to visit all these places in one bus trip and to hear about the developments which are on the drawing board and to see the developments which are underway and the developments which have been completed not only in terms of land releases and home building but also in terms of the industrial estates which are popping up around the place, as well as the logistical centres and intermodal properties which were on the drawing board only a couple

of years ago. To people who say this is a do-nothing state, I urge them to open their eyes and get out and see some of the development that is happening all around this great state.

Last month I took a bus load of students from the southern suburbs of Adelaide to Roxby Downs. With the blessing of the Speaker, I used my parliamentary travel allowance to do that. To show these years 11 and 12 students the mining boom first-hand was a wonderful experience. It was really good because, again, we can tell people about the mining boom, but seeing really is believing. I think these kids had a fantastic experience, and I kept explaining to them that they did not necessarily have to move to the north of the state to get a job. In fact, for every one job in the mining sector, there are another five, six or seven jobs related to that in other parts of the state, including the southern suburbs.

Last week, as a follow-up to that trip, we heard from a couple of local businesses from the southern suburbs, Dinki Di Engineering and Austral Yachts. Dinki Di makes the castings for the drilling company which does all the drilling at Roxby Downs and other mine sites around our state. Austral Yachts now has a new name and makes fibreglass boxes used predominantly in the mining industry. Those are just two companies in the southern suburbs, and there are many more great success stories of small and medium size businesses in the south where there are opportunities for our school leavers to get jobs relating to the mining industry. I keep emphasising to the young people I meet that there is a huge gap between the skills that we need and the skills that people are getting at school, so when they are in years 9 and 10 they should start looking at where the big demand is and start focusing their education towards that goal.

I was very pleased the other day to hear from the Minister for Employment, Training and Further Education that the take-up of our skills training in South Australia is three times that of other states, and I commend the government for the work it has done in returning trade schools to our secondary schools in South Australia. It should never have been allowed to go the way it did, where the trade schools were either closed down or the trade sectors of our schools allowed to disappear, and we are paying the price now because we need skilled people with a range of different trades. We are crying out for them. It is not too late, but there is a lot of work to be done very quickly. I commend the government for the work that it is doing in that area.

I think one of the other great wins that we have had this year as a government (it did not receive a lot of publicity and I know it divides people on both sides of this house) was the continuing ban on GM crops. I am a strong believer that we should do our best to protect places such as Willunga and McLaren Vale where we have a great clean and green organic image for our produce. I know that Victoria and New South Wales lifted their bans on GM crops at the end of last year and the beginning of this year, and there was a lot of pressure for South Australia to follow suit. I was very proud of this government when it said it would continue the ban until further research is done.

I grew up on a farm, and we did a lot of different things with breeding and ways to improve milk production and things like that, but I think there is a difference between breeding animals and growing grain and mutating genes in plants. I think, while there is still research to come to show what the risks are, it is best for us as a government to play it a little cautiously.

I am quite surprised at the number of students in schools with allergies to nuts. I do not know whether there is a correlation between GM food and nut allergies but, as far as I know, when I was at school there were no kids with nut allergies, and now they number in the dozens. There are lots of other allergies and things such as that from which our children are suffering and I do not know whether or not it is related to GM food, but I think it would be dangerous for us as a government to allow GM crops to be grown in South Australia before we get a little more research done. That research should not be done by the major chemical and pesticide companies that keep trying to persuade governments around the world to go to GM crops.

Of course, it is in their interest to have GM crops resistant to the poisons they are selling for use in the agricultural sector. In the UK and other parts of Europe there is a real turn-off towards GM products. It may be that we have nipped it in the bud and saved our reputation on the international stage. We have great produce here. We have a fantastic agricultural sector—one that has had it very tough in recent years with drought and other conditions beyond the control of farmers. We need to protect that image.

Once again, I congratulate the government for maintaining the ban on GM crops. It is a hard one. One cannot put the genie back in the bottle, but it would be great to come up with a way in which to label GM foods that are on sale. I know it is very hard because, as the minister has



explained before, nearly everything we buy has a trace of GM food in it. It is hard to control the food chain, but maybe one day in the future it is something on which we could work together as a society to ensure the health of everyone in this state and the reputation of our agricultural sector in South Australia. I commend the Governor and thank His Excellency for his wonderful speech.

Debate adjourned on motion of Mr Goldsworthy.

At 17:53 the house adjourned until 24 September 2008 at 11:00.