

HOUSE OF ASSEMBLY

Thursday 27 November 2008

The **SPEAKER (Hon. J.J. Snelling)** took the chair at 10:30 and read prayers.

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL

Mrs REDMOND (Heysen) (10:31): Obtained leave and introduced a bill for an act to establish the Independent Commission Against Corruption; to define its functions and powers; and for other purposes. Read a first time.

Mrs REDMOND (Heysen) (10:32): I move:

That this bill be now read a second time.

It is a great pleasure this morning for me, on behalf of the Liberal opposition, to be introducing this bill for the establishment of an Independent Commission Against Corruption in the state of South Australia. I always think that this chamber is a great place for the contest of ideas, and there is certainly a contest of ideas in relation to the establishment of such a commission in this state.

It has been clear to me for some time, in fact, that this state needs an Independent Commission Against Corruption and that the government remains implacably opposed to creating one. The Liberal Party is, of course, on the record, and has been for some considerable time, as being committed to the establishment of an ICAC. I will use the term 'ICAC' rather than continually the long form of Independent Commission Against Corruption, but that is what I am meaning whenever I use the term 'ICAC'.

I anticipate that the government will oppose the bill, but there are numerous other examples, of course, in the life of this government, where the government has come out in the first instance opposing a good idea initiated by someone else, only to reintroduce it later, always amidst great fanfare, as its own idea. Examples are the member for Schubert's bill for drug testing of drivers, which the government initially rejected; or Andrew Evans' proposal in another place to remove the 1982 limitation date for action against people who had committed sex offences; or, indeed, the Liberals' proposal for a desalination plant for Adelaide; or the harvest and storage of stormwater; or, most recently, amendments giving victims more rights. So, given its track record, I invite the government to think about this now and to support it now, rather than introducing it as its idea later.

Why does the Liberal opposition say that we need an ICAC? I have to say that I was actually at Australia's first anti-corruption conference in Sydney in about October of last year. Morris Iemma, who was the then Labor premier of New South Wales, opened that conference. In his opening address he said, 'Any state that thinks they don't need one is crazy.' It does not take much to think of the types of matters that come to mind. Most recently, of course, we have had the Brian Burke issue in Western Australia and the Wollongong Council in New South Wales.

I want to take a few minutes to go through some of the issues that have come before ICACs—and they are given various names in other states, but I am using that term, as I said—to generally speak about those corruption commissions. First, the Wollongong situation resulted in the ICAC making 24 corrupt conduct findings against 10 people. It recommended seeking advice from the Director of Public Prosecutions with respect to prosecuting 11 individuals for 139 criminal offences following corruption allegations against the Wollongong City Council, notably, a senior development project officer, Beth Morgan, who abused her position at the council to provide favours to developers with whom she was intimately involved by improperly approving applications for excessive development, providing monetary concessions and leaking council information.

There were also findings against two of the developers that Ms Morgan assisted and three of her superiors at the council, who ignored evidence of her misconduct and also themselves provided unduly favourable treatment to Mr Vellar and Mr Tabak, who were the people involved as developers. Mr Scimone's conduct (he was one of the council staff) was influenced by his undisclosed receipt of a \$10,000 watch from Mr Tabak. Former councillor, Valerio Zanotto, engaged in corrupt conduct by leaking confidential information to Mr Vellar.

Moving on from there, we have a former RailCorp employee. The ICAC has found that a former RailCorp employee, Guy Hetman, received more than \$110,000 in corrupt payments from

his friend Domenic Murdocca in return for awarding Mr Murdocca's company, Sage Civil Engineering Pty Ltd, RailCorp work to the value of \$3.7 million.

ICAC found that the Department of Housing's senior client services officer, Douglas Norris, engaged in corrupt conduct by accepting money in return for allocating public housing in the Miller/Cartwright area in south-west Sydney, allowing housing properties to be used for illegal drug dealing and passing on confidential police information to two department tenants. Mr Norris sought payment from prospective tenants to fast-track their applications, often in collusion with tenants Bruce Murray and, later, Gary Hogan who would facilitate the deals. Payments varied from between \$500 and \$700 for a bed-sit to between \$1,500 and \$1,700 for a two or three-bedroom apartment.

The ICAC's report on corrupt manipulation of contract procurement procedures at Bankstown and Strathfield councils finds that Mr Freeman arranged for Mr Stepto to submit dummy quotes and forged false quotes at both councils. They found that Paul McPherson of the RTA Registry Services Manager at Botany—that is, the road transport people—engaged in corrupt conduct with driving instructor Komate Jaturawong and restaurant owner Victor Phomsavanh by unlawfully helping applicants to obtain drivers licences.

It does not take a great imagination to imagine the danger created by putting people who cannot actually drive—and have not passed the test—onto the road as licensed drivers. The ICAC found that the former Parramatta City Council Compliance Services Team Leader, Wade Fryar, engaged in corrupt conduct by seeking sexual favours and up to \$40,000 in cash payments from a number of sex workers and brothel operators in the area in return for taking no action to curtail their unauthorised use of premises for prostitution.

The ICAC found that the RailCorp Maintenance Engineer, Said Marcos, and contractors Tony Mourched and Sami Mikhail engaged in corrupt conduct in relation to air conditioning maintenance contracts that enabled Mr Marcos to improperly obtain more than \$710,000 over a six-year period. It found that a New South Wales Department of Housing officer, Graham Wade, and two real estate agents engaged in corrupt conduct in relation to the sale of public housing between 1999 and 2004. They arranged for five properties to be sold 'at under-value' through real estate agents, Ken Williams or John Ashe, to companies controlled by Wade's friends. The properties were shortly thereafter resold for \$299,000 more than what was previously paid, with net profits shared amongst the people involved.

The Independent Commission Against Corruption also found that nine people engaged in corrupt conduct in the non-performance of community service orders, and has uncovered 'systemic flaws' in the scheme that gives offenders alternatives to prison. I will not go on with the New South Wales inquiries. I will move quickly to the Queensland and Western Australian ones.

The Queensland inquiry, for instance, found that there was misconduct by the former director-general of the Department of Employment and Training, Scott Flavell. It examined his role and possible conflicts of interest in the establishment and development of a private skills training company while he was director-general, including the alleged provision of departmental information, which led to the private company negotiating registered training organisations' ability to purchase.

Regarding the Gold Coast, there were complaints against various people such as the director-general of the department of the premier and cabinet, although the inquiry decided that, in that case, it did not find any evidence to pursue a case against the person. The CMC—this is the Queensland version—revealed that secrecy, deceit and misinformation during the Gold Coast City Council election of 2004 corrupted the electoral process. I could go on and on but, given the short time that I have, I want to cover a few things further. Suffice to say, it would be naive in the extreme to suggest that, in this state, none of those sorts of things could eventuate.

Why do we say that the provisions in South Australia under the current legislation are not enough? This government consistently says that we already have an Anti-Corruption Branch, we already have an Ombudsman and we already have a Police Complaints Authority. We say that, quite apart from the argument that it is more sensible and a clear advantage to have a single independent organisation to deal with these matters, the reality is that there are shortcomings in those existing structures in terms of their ability to investigate and deal with corruption. I am not blaming those organisations in the least; I am quite convinced that they do the best that they can do within the constraints of the legislation.

Our legislation still requires things to be proven beyond a reasonable doubt and, believe me, corruption can occur without an offence that is proven beyond reasonable doubt. The Police Complaints Authority is seen as the police investigating themselves and, whether or not that is justified, there is a perception in the community of a lack of independence and transparency. The Ombudsman is a toothless tiger, largely, I think, due to lack of resources, but also due to limits on the investigative powers.

For instance, how would we deal with the situation in South Australia? A local government senior planner for a council develops a cosy relationship with a developer in return for favourable interpretations as to the category of development—because some categories do not require notification to neighbours, and so on, and some do—and for favourable suggestions as to conditions for approvals and, in exchange, no money changes hands, but the planning officer receives some sort of benefit: maybe improvements built on a house which is not even owned by him but by another family member, or he gets a long-term lease gratis on a beautiful apartment in another state. There are numerous other examples.

What about trees, for instance? They are so often a problem for local councils. What if you are engaged in the business of tree felling and tree trimming and you are a trained, qualified arborist? What if the council officer consistently tells those in need of council approval to consult another arborist or tree person and explains to them that that is the person they have to use if they want to get it through the council? Your business is going down the drain, and you suspect that there is a cosy arrangement behind the scenes between the council officer and the other arborist; what can you do?

Effectively, I say that, without an Independent Commission against Corruption in this state you are virtually powerless. There is no paper trail and no proof beyond reasonable doubt of criminal behaviour for the Anti-Corruption Branch, so you are stuffed even though, clearly, this is the sort of thing that I would call smelly. The Acting Ombudsman himself has even suggested that we need an ICAC, because he says that he cannot get to the bottom of things, especially when he is investigating councils.

We do need an ICAC. The government complains that such a body will be a lawyers' picnic, but the reality of its structure is that very few lawyers are involved. Most of the staff are likely to be anything but lawyers. Our ICAC, which is based very much on the New South Wales model, in general terms will have three main functions. The first function is investigation, including the power to do undercover or covert operations. Only by listening in on conversations between people when they think no-one is listening, or sometimes observing and photographing meetings with people, is one able to gather necessary information. Once a case has been investigated and developed, it goes off to the DPP for prosecution.

The second major arm of this ICAC involves the identification of possibilities for corruption and the development of new systems to minimise risk. There are numerous studies to demonstrate that, in order for corruption to occur, two ingredients are required, namely, motive and opportunity. One will never completely get rid of motive. There will always be those who, because of greed, an addiction or just a lack of moral fibre—whatever the reason—will be motivated to enrich themselves illicitly. We need to minimise the opportunity and make it as difficult as possible. The simplest example, of course, is by always having two signatures on a cheque, but as technology develops we need to concentrate on how to minimise risk in a much more technologically savvy society.

The third arm of our ICAC concentrates on education. It never ceases to amaze me how many people are ignorant of ethical obligations and conflict of interest issues. They arise every day and people can easily be caught unaware, not because they have done anything with a corrupt motive but, rather, because, in their lack of perception about ethics and conflict of interest issues, they do not realise that their behaviour may either amount to corruption or, at the very least, give the appearance or perception of corruption. If the public at large is to maintain confidence in the honesty and integrity of our officials—be they public servants or elected members—then every action must be open, transparent and accountable. So the three components are investigation, looking at the systems to minimise the risk, and education.

The government complains that it will cost too much. We have put a figure on it of \$15 million. The current estimates forward projections give us a budget in this state of \$15 billion, so \$15 million is a small amount. On our part we believe that it is an over-estimation of the amount involved because we have based it on the model in New South Wales—a much bigger state than South Australia. We have done that so that there cannot be a complaint that we have

underestimated the amount it will cost. It will actually start out, of course, in the first year or two, much lower than that as it is set up, but we believe that it is a good investment in our future.

Politicians have been reluctant to introduce ICACs for fear of attack by persons claiming to make a report or an allegation to an ICAC and the publicity that may then follow. We have tried to put in place restrictions to minimise the risk of problems relating to that situation.

Time expired.

Debate adjourned on motion of Mrs Geraghty.

DEVELOPMENT (CONTROL OF EXTERNAL PAINTING) AMENDMENT BILL

Mr PICCOLO (Light) (10:48): Obtained leave and introduced a bill for an act to amend the Development Act 1993. Read a first time.

Mr PICCOLO (Light) (10:48): I move:

That this bill be now read a second time.

I have pleasure in introducing this measure as my first private member's bill. It is an important occasion for me so I would appreciate members on the other side giving me some time without interruption.

Mrs Redmond interjecting:

Mr PICCOLO: This is my maiden bill. What is the difference? This bill addresses an issue which I first raised when I was mayor of the Town of Gawler; and I have before me a copy of a letter which I wrote as mayor to the Hon. Paul Holloway on 20 April 2005. In introducing this bill, I am honouring a promise I made when I was mayor and now as the local member for the area.

The bill amends the definition of 'development' in the Development Act in relation to the external painting of buildings in historic conservation zones. It also removes an inconsistency within existing development controls in historic conservation zones, in particular in commercial zones where there is no change in land use. A person may change a business but there is no change of land use—for example, it goes from retail to retail—so councils do not have control in relation to the external painting of the building. Some national chains have colours and symbols painted on existing buildings which are quite incompatible and inconsistent with local sensitivities.

At present, two historic buildings could be alongside each other. If one changed its land use, say, from office to retail, any external painting or signage on the building would be controlled by the Development Act. If the other building went from retail to retail or office to office it would not be covered by the act but, if the tenant changed, they could paint the building without requiring approval. Some buildings are painted so that the actual facade becomes one huge coloured sign. Unfortunately, in the Town of Gawler some buildings have been painted red, yellow and purple—all sorts of colours.

This bill does not prohibit an activity but, rather, introduces some controls so it gives a local community a say in the matter. Importantly, it gives local communities a say, particularly when national chains are involved. They tend to walk into local communities and towns and say, 'This is our business, take it or leave it.' Unfortunately, many development assessment panels are powerless to stop that sort of thing.

Importantly, though, this bill has an enabling provision. It enables the Governor to proclaim regulations with respect to where this would occur. It would occur within historic conservation zones but, importantly, it would not necessarily automatically apply to all historic conservation zones. It will be up to the council to apply to have a regulation introduced to ensure that this provision would apply to their zone.

I recall that, when I was mayor and when we sought consultation with our colleagues in local government, the proposal was initiated by the Town of Gawler but it was also supported by another council in my local area, the Light Regional Council. Both those councils have significant historical conservation areas in commercial zones, and that is where this provision is more likely to apply. I also note that, from correspondence I received when I was mayor, the Norwood, Payneham and St Peters council also strongly supported this proposal. That is another council area that has a lot of historic buildings in commercial localities.

As I said, often there are townships where their visual character and the built environment is wrecked by the misuse, I think, of painting and colours, and this measure would prevent that from occurring.

This is quite a simple bill. It has only three clauses, but its impact could be quite substantial in supporting local communities. The first amendment would be to insert a clause that makes external painting 'development'. The second would be clarification to ensure that it is only external and not internal painting of a building. So, internal painting still would not be subject to control, unless it was a heritage building. This bill does not touch buildings that are heritage listed; they are covered by existing legislation and protected by existing law. Importantly, the third clause states, 'the external painting of a building within an area prescribed by the regulations for the purposes of this paragraph'.

So, clearly, it is not a blank cheque to local government to introduce new rules or to stifle development. What it does, in a very 'checks and balances' way, is enable the minister, upon an application by a council, to have this new provision where external painting is classed as development in those localities that are sensitive to the community. With those few comments, I seek the support of the house.

Debate adjourned on motion of Mr Venning.

WATERWORKS (QUARTERLY SUPPLY INFORMATION) AMENDMENT BILL

Mr HANNA (Mitchell) (10:55): Obtained leave and introduced a bill for an act to amend the Waterworks Act 1932. Read a first time.

Mr HANNA (Mitchell) (10:55): I move:

That this bill be now read a second time.

Today I bring to the House of Assembly two proposals. One is very straightforward, and that is the second proposal in the bill. It is simply to require that water bills come out every quarter and that such bills show the amount that has been consumed in the previous three billing periods—in other words, allowing a comparison over a period of 12 months when one receives one's water bill. In relation to that, I am suggesting that this does not come into effect until 1 July 2010, to allow SA Water plenty of time to make the necessary arrangements.

The more substantial aspect of this proposal is a scheme to install separate meters for all properties in South Australia. I believe that this is absolutely essential if we are to be successful in our bid to better regulate domestic consumption of water. It is a problem in my electorate (and, I think, in every electorate) that people who share premises with other owners in a set of units, apartments, flats—call it what you will—suffer the detriment of a split water bill so that, even if they are frugal with water, they can find their water bill going up because their neighbours in the same block of units are profligate in their water use.

This has been the subject of parliamentary petitions, in particular, in relation to Housing Trust properties. I know that it is an issue for many of my Housing Trust tenants in the electorate of Mitchell. But it makes sense that eventually we need to give responsibility to each landowner—each householder—for the water they consume, and that simply is not done, and effectively cannot be done, at present. So, we need to move to a scheme where there is a separate meter for every property.

I have let an exemption here whereby the scheme is not required to extend to premises where it is not reasonably practicable to fit a separate meter. That may be the case in some unusual properties. I do not imagine that it would be a problem in the average block of units in metropolitan Adelaide.

The time frame in relation to this proposal is a limit of 31 December 2012. So, even if this legislation is passed early next year, it will give the government and SA Water 2½ years or more to ensure that such a scheme is carried out. There is also a clause to make the corporation (SA Water) report progress, in its annual report, on achieving this objective.

So, there we have it: two simple proposals—one for separate meters to be fitted to every property in South Australia, where it is reasonably practicable, and a second for the accounts for water to be provided quarterly and with a comparison of the three preceding quarters. In explaining the legislation, I have also explained the clauses. I commend the bill to the house.

Debate adjourned on motion of Mrs Geraghty.

REPRODUCTIVE TECHNOLOGY (CLINICAL PRACTICES) (ARTIFICIAL FERTILISATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 October 2008. Page 518.)

Ms CICCARELLO (Norwood) (11:02): I will be very brief, because I will not speak to the essence of the bill as we have our own bill, which minister Hill introduced yesterday. I was very disappointed—in fact, disgusted—by a press release issued by the Deputy Leader of the Opposition (the member for Bragg) in relation to this case. She indicated that she was very disappointed that the bill she had introduced would be debated and voted on today. The press release states:

Ms Chapman said she was astounded by Minister Hill's comment yesterday that the matter was brought to his attention by Member for Norwood, Vini Ciccarello.

The Minister's statement that the matter was brought to his attention by Member for Norwood Vini Ciccarello...

It went on to say:

The deficiencies of the current reproductive technology legislation and the plight of Sheree Blake have been discussed in the media for months. This is not an issue which has arisen overnight and it could be solved very quickly but instead the minister is playing games to prop up a Labor MP in a marginal seat.

I happen to have known Lee Blake for many years, when he first started to play for Norwood. We were all devastated when we heard that he had leukaemia; it was a great tragedy for a very talented young player. We organised a fundraiser for him. We were very pleased when he went into remission but, unfortunately, the disease came back. The last time I spoke to Lee was earlier this year at the Payneham Football Club. At that time, he was very happy and told me how thrilled he was with his marriage and how his life was going very well.

I attended Lee's funeral in May this year. Just a few days later, Sheree Blake contacted me about this issue. She rang my office on 2 June, and I then wrote to minister Hill on 4 June about Sheree's plight and what could be done about it. The minister responded within a couple of days, and I passed on that information to Sheree. The minister's letter, dated 30 June this year, stated that he was referring this issue to the SA Council on Reproductive Technology to review Memorandum 9 in the light of Mrs Blake's circumstances, and they were seeking legal advice on the interpretation of the law. He stated, 'Regrettably, this may take some time and I will contact you again once the legal advice is available.'

I have kept in contact with Sheree and was sorry on her behalf that this was taking so long. However, she understood, because this is not something that affects just her but also many other people. Quite frankly, I am disgusted that the Deputy Leader of the Opposition has sunk to new depths in suggesting that someone would use an issue like this for political gain. Whenever I represent my constituents, it is just for their benefit and not to gain any political benefit. I am very pleased that the government has now introduced a bill that is much broader ranging than the one introduced by the Deputy Leader of the Opposition.

Dr McFETRIDGE (Morphett) (11:06): I rise in support of this legislation, although I note that yesterday the Minister for Health introduced the Reproductive Technology (Clinical Practices) (Miscellaneous) Amendment Bill 2008 which, as the member for Norwood has said, is broader than that introduced by the Deputy Leader of the Opposition.

The need to do this was highlighted by the recent case of Mrs Sheree Blake. Her husband had died, and she was denied the use of his sperm for artificial reproduction technology and the ability to create an embryo, have it implanted and, hopefully, give birth to a child.

The need to have this done in South Australia is well and truly overdue. The Deputy Leader of the Opposition was quite right in introducing this piece of legislation. Whilst I support the legislation, there was a need to broaden it, because there were cases where embryos or eggs were in storage and they needed to be brought into the legislation. I am very pleased to see that the government has seen the light and is introducing this legislation.

The delay is disappointing. Once the legislation is enacted I would certainly like to see that people who want to have access to this technology can have access to it as soon as possible. Not only is actual time ticking away but people's biological clocks are ticking away. There is nothing more delightful than having one's own children. I feel a lot of empathy for people who are unable to

conceive naturally. My wife and I were very fortunate in having two wonderful children, and now I have a granddaughter. It is a wonderful thing to happen. Not being able to have children is something I would not wish on anybody. This legislation was introduced by the Deputy Leader of the Opposition and it has now been taken up by the government in a broader sense. It is something that South Australians should be very pleased about.

Another area we need to look at is surrogacy, and there is a bill before the house. I understand the government is supporting the bill that was introduced in this place regarding surrogacy. I look forward to that bill progressing through this house, as well. Certainly, the bill that was introduced yesterday by the Minister for Health, from my understanding, does not go along that path. There are some real issues there.

Another bill we thought was to be dealt with today is the births, deaths and marriages registration bill introduced by the member for Davenport. That is part of the gamut of tidying up the legalities around artificial reproductive technology and making sure that children and families have a definite lineage, not only where the gametes are from. Whether that is through a certificate or some other means is absolutely vital.

I am very pleased to see that the government has broadened the legislation introduced by the Deputy Leader of the Opposition. I congratulate the Deputy Leader of the Opposition for introducing the legislation. It was done with passion and not with a base political motive: she did it to make sure that South Australians get a fair go in this state, because that is what they want. I support the bill.

Mr PICCOLO (Light) (11:10): I will be speaking against this bill, mainly because the government bill which is before the house is the preferred bill to support. Also, the government bill, as already mentioned, is more comprehensive and addresses a number of issues which, from my point of view, are weaknesses in the bill we are now debating.

This case is well known to the house because it is as a result of a well publicised case of a young widow who had been denied access to sperm stored prior to her husband's death. Importantly, consent was obtained to use the sperm but, unfortunately, the current laws do not allow that to happen. Unfortunately, in the haste to—

An honourable member interjecting:

Mr PICCOLO: I would not recommend that. You should only keep foodstuffs at home in the freezer, not other things.

The member for Bragg's proposed amendments to the Reproductive Technology Act allows for the posthumous use of sperm, particularly in order to resolve the above situation. However, the amendments as currently worded (as I understand them) have some unforeseen implications. For example, as the member for Bragg's bill is currently worded it could prevent some women who are currently eligible from receiving a clinic service because they are widows. For instance, if a woman is widowed and does not re-partner but, later, wants to conceive a child and finds out she is infertile or at risk of passing on a genetic defect, she could currently use a clinic. Under the bill, strictly speaking, she could not do this, because she can only use the sperm of her deceased husband.

Conversely, if a married couple stores sperm with the husband's consent but they later separate and he does not revoke his consent and then dies, she can still conceive his child using clinic services. In addition, the member for Bragg's bill proposes amendments to sections of the Reproductive Technology Act which, if the proposal succeeds, would be deleted, therefore rendering her bill inoperative.

There is broad support overall for the proposed changes to the Reproductive Technology Act. This bill is opposed by the government on the grounds that, in the haste to get it here, there are some unforeseen consequences and the government's bill is more comprehensive because, through a process of reflection in its preparation, it does cover the issue better.

Mr HANNA (Mitchell) (11:13): As there is a government bill dealing with the same topic I would be inclined to not vote for this legislation. I approach the issue of artificial fertilisation with the utmost gravity. Since the government bill is apparently broader and deals with the topic, it makes sense to leave consideration until we deal with that legislation. It is a credit to the member for Bragg that she initiated legislation in this place. She was the one to bring it here in order to solve the particular lady's problem. It is a credit to her, but I think it probably makes sense to leave consideration of the matter until we deal with the government bill.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:14): I thank all speakers who have made a contribution to this debate. In summary, it appears that those who have spoken and who oppose the bill do so on the basis that, this week, the government introduced its Reproductive Technology (Clinical Practices) Miscellaneous Amendment Bill 2008, and that will cover the field regarding the basis of the bill that I have presented to the parliament. Therefore, they will wait for consideration of that bill, it being more comprehensive, and it may cover some apparent defect in my bill, at least in the opinion of one of the speakers.

It is open for the government right now to come in here and support this bill. If the minister is so in need of publicity and having this matter in his name, then I consent to it. He could come in here and tell the house that he will introduce his part of the bill this afternoon in government business time, and he can have the glory of dealing with the substance of the issue that is in the bill before us today, and he can have it in his name. And, if he thinks that there is any amendment to deal with widows, which has been raised by one of the other speakers, he can introduce it right now, we can deal with this this afternoon, and he can have it in his name.

The government is using the grounds that it needs to deal with reproductive technology reform in a more comprehensive way. I remind the house that the substance of the areas the government says need attention in dealing with its bill include the question of unacceptable and prohibited practices. For the record, in summary, the things the government says need to be remedied are the shortcomings of the national standards and guidelines; the non-compliance of the national competition policy; the eligibility requirements which are more limited in other jurisdictions and which drive this reproductive tourism problem of people going across the border; the inability to accommodate new treatments; and the legal barriers to donors' registration schemes.

All of those, we accept, merit coming back to the parliament to be dealt with. We have no issue with them in the sense of needing to deal with them. Having been given the bill, we will expeditiously deal with this on our side of the house and, as soon as practicable, we will deal with it. The fact is that, unless this bill goes through today and is dealt with in another place—which is now sitting next week, which it can do—there is no chance that Sheree Blake will have her baby, if she wishes to, in 2009. She will now have to wait and have her baby no earlier than 2010, because the government is so selfish about wanting to take the credit for this in its name. That is the problem.

This young widow, who has gone to members of the government and opposition to seek help over the past of months, has presented this to the minister. Only after it has been introduced in this form through this bill here this morning, he finally comes to the party and says, 'I'll deal with it, but it's got to be my name, and I've got to deal with all these other things.' 'All these other things', I might remind the house, have been reported to this parliament year after year in the seven years of this government. Again this week, we had the gene technology activities report, which has to be tabled in the parliament every year, for what happened in 2007, and there it is all again. All these issues are there year after year.

The government has had all these years to deal with this, but now, suddenly, it wants to deal with it all in a new bill, including remedying this critical situation for this young widow, Sheree Blake, and make her wait for any opportunity to have her baby until 2010. That is scandalous. In closing, I say that it is unacceptable for the government to delay the particular circumstances of this lady all because it wants the credit. I say right here and now that, if the minister wants to come in and say to the parliament, 'Yes; I want to have this in my name. I will introduce my part of the bill, and I will revisit it this afternoon in government business. I'll peel off all these other things that we can deal with next year. I'll reintroduce another bill to cover these. I want this in my name,' I can say to the parliament right now that I will support his bill: bring it in this afternoon. He can have the credit.

The house divided on the second reading:

AYES (13)

Chapman, V.A. (teller)
Gunn, G.M.
Penfold, E.M.
Redmond, I.M.
Williams, M.R.

Goldsworthy, M.R.
McFetridge, D.
Pengilly, M.
Such, R.B.

Griffiths, S.P.
Pederick, A.S.
Pisoni, D.G.
Venning, I.H.

NOES (26)

Bedford, F.E.	Bignell, L.W.	Breuer, L.R.
Caica, P.	Ciccarello, V.	Fox, C.C.
Geraghty, R.K.	Hanna, K.	Hill, J.D. (teller)
Kenyon, T.R.	Key, S.W.	Koutsantonis, T.
Lomax-Smith, J.D.	Maywald, K.A.	McEwen, R.J.
O'Brien, M.F.	Piccolo, T.	Portolesi, G.
Rankine, J.M.	Rau, J.R.	Simmons, L.A.
Stevens, L.	Thompson, M.G.	Weatherill, J.W.
White, P.L.	Wright, M.J.	

PAIRS (4)

Hamilton-Smith, M.L.J.	Foley, K.O.
Evans, I.F.	Rann, M.D.

Majority of 13 for the noes.

Second reading thus negatived.

CIVIL LIABILITY (RECREATIONAL SERVICES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 October 2008. Page 733.)

Mrs GERAGHTY (Torrens) (11:26): The Recreational Services (Limitation of Liability) Act 2002 was introduced to allow recreation providers to modify their duty of care to consumers without compromising safety standards. It was intended that the act would make it easier for service providers to meet their obligations and make public liability insurance more accessible and affordable. The act was developed in consultation with sporting and recreation groups and came into operation on 1 July 2003.

Experience has shown that safety codes under the Recreational Services (Limitation of Liability) Act are difficult to draft and have not been widely adopted. The government has listened to the concerns of recreation providers and has responded by introducing, in the other place, the Statutes Amendment and Repeal (Fair Trading) Bill 2008.

The government's bill will repeal the Recreational Services (Limitation of Liability) Act and replace it with a scheme that does not require service providers to develop and register safety codes. This will not excuse service providers from having to put safety measures in place to protect consumers. Under the government's bill, recreation providers carrying on business will be required to supply services with due care and skill and will not be able to escape liability for reckless conduct.

The reforms proposed in the member for Davenport's bill fail to protect consumers. Even service providers who ignore known safety risks may not be responsible for the death or personal injury of a consumer. Consider a business that provides rockclimbing tours, and I have a rockclimbing business in my electorate, so I will use that type of business as an example. If a tour member is injured when equipment provided by the company fails and the company knew that the equipment was defective but used it anyway, the service provider may not be liable for injuries that result from the use of the defective equipment. Given that the member's bill does not cover that area, and it is certainly not in the interests of public safety, the government opposes this bill.

Dr McFETRIDGE (Morphett) (11:29): I rise in support of this legislation. I remember when the original legislation was passed in this place. It was a result of the collapse of HIH and a number of other insurance companies and the blow-outs in public liability insurance costs. The need to put in place codes of conduct so that organisations could reduce their public liability insurance premiums was paramount. I think we ended up with one for miniature ponies and one for watching dolphins. It was an absolute—

The Hon. I.F. Evans: No: one for miniature ponies.

Dr McFETRIDGE: One for miniature ponies, the member for Davenport tells me. That was all, and it was going to cost thousands and thousands of dollars for these organisations to develop these codes of conduct. It was a disgrace that the government came out and used this sledgehammer approach that had no benefit to the sporting, recreation and other volunteer groups in this state. Then when the Masters Games came, we had this mistake so we had to go back and review the legislation and bring in an exemption so that we could then have a waiver signed by people who were competing in the Masters Games. It was an absolute mess.

Debate adjourned.

SCOTT, MR A.

Mr PEDERICK (Hammond) (11:30): I move:

That this house acknowledge the enormous contribution made by the late Allan Scott to every aspect of South Australian society and further recognise the part he played in the Australian transport industry.

Much has been said about the late Allan Scott by many people, from prime ministers to farm labourers, and it is hard to find something to say about him that has not already been said or read. But this man loomed so large over South Australian life that it is worth saying again, especially in this place, to which he once sought office.

I speak of Allan Scott as he was born in my electorate at Milang, a quiet little town on the shores of the now shrivelling Lake Alexandrina. It is ironic that Milang was once renowned as a transport hub for those 'trucks' of early South Australian country commerce, the river boats.

Although Allan spent most of his life in Mount Gambier and was a vigorous advocate for that rural city, he never forgot his roots or the people he grew up with at Milang. I must, at this point, pay special tribute to his biographer, Graham Greenwood, author of *A Truckie's Life*, from which much of my detail was gleaned.

Members may be surprised to learn that one of Allan's ancestors was a US army general, regarded by many as one of its finest. General Winfield Scott played a part in numerous wars in the early to mid 1800s, including the War of Southern Independence and the American Civil War.

General Scott was described as 'brave, resourceful, energetic and perceptive—a remarkable strategist'. Allan Scott, it seems, has a pedigree. General Scott was his great, great grandfather. General Scott's son became a lawyer and moved from America to settle in Strathalbyn, so beginning a family line that led to Allan—born in January 1923, the last child born at the Milang hospital.

Like so many young country lads, Allan was up early doing farm chores before walking several kilometres to school; returning later to more jobs. Unable to afford to buy a bicycle, Allan made himself one. He yearned to be a farmer, a dream that took decades to realise, by which time he was already a successful transport operator.

He began working at the age of 14, although by that time Allan had had many jobs and little enterprises. In 1940, at 17, he joined the army, was a sergeant at 18 and fought in New Guinea. He always felt that the army taught him how to make decisions quickly and conclusively.

His truck empire began in 1947, with one truck he purchased for £180. By 1952, he was in Mount Gambier running stock. He pioneered the three deck stock crate, which everyone said at the time would fall over at the first corner. It did not, and neither did his business.

Allan got into the fuel business in the early fifties. Fifty years later, he owned the biggest Mobil fuel agency in Australia. The petrol business led to takeaway food, as Allan was constantly mindful of opportunities, wherever and whatever they were.

By 2005, the group's truck fleet numbered some 2,000 vehicles, with depots in every Australian state and New Zealand. The group's own weekly fuel bill is in the millions! Trucks were purchased in multiples of ten, with the bill calculated in millions. But for all his buying power, Allan Scott always dealt locally. He worked hard to establish good business relationships, was fiercely loyal to them and expected the same in return. Allan called up that loyalty from time to time, challenging even major oil companies to honour it.

Part of his success came from a willingness to make the service suit the customer, rather than expecting the customer to fit the service. If it presented an opportunity, he invested in it. This led him into all manner of transport fields: refrigerated trucks, fuel tankers, wine tankers, timber trucks and other specialised rigs. The diversity of his business interests expanded exponentially as

one door led to another and another. Contracts covered a huge variety of goods and products: brewery, wine, newsprint, fuel, timber, etc.

Outside transport, there were hotels, motels, restaurants, real estate, property development, pastoral interests, thoroughbred breeding, retail stores, abattoirs, vineyards—the list goes on.

Amongst his highest profile interests were media companies: radio stations 5DN, 5MU and 5AD, as well as television stations SES8 in Mount Gambier and a TV station at Loxton. The acquisition of the South-East newspaper, the *Border Watch*, led to it becoming a pacesetter in South Australian rural newspapers, leading the way with technological advances that were daunting for many but seen by Allan as essential investments in the paper's future.

An example of Allan's resilience and resourcefulness came in a well-publicised case that came to light in 2002 of an employee who defrauded a subsidiary company of some \$15 million. That loss would have sunk most businesses, but Allan Scott took immediate control and not only saved the company and all its employees but actually turned a record profit within two years.

Allan's desire to see things dear to him survive and flourish have been evident in many ways. He was passionate about South Australia, passionate about Mount Gambier (his adopted home) and passionate about his birth place, Milang.

At one end of the scale, Allan would strive to save major South Australian icon companies from being lost to the state, companies such as Elders, SA Brewing and the Bank of Adelaide, to name a few. These efforts often involved putting together consortia to raise tens of millions of dollars, some of which was his own. He lamented at one stage after saving a local meatworks and its 120 jobs—for no gain I might add—that 'no-one in South Australia seems to want to fight to keep business here'. He was often lured interstate by attractive offers to relocate, but his sense of loyalty to his community and state always overrode those temptations.

At the other end of the scale, Allan was a frequent visitor to Milang, supporting all sorts of clubs and community events and projects. Over the decades, Allan was a frequent visitor at the tiny Milang Football Club where he had played as a lad, always happy to be a part of their events. He recently contributed \$10,000 to the Milang Memorial Gardens, which he was to open last September, before the last stages of his illness denied him that pleasure. It was pleasing to be present at the opening, and his son, Ray, took part in the proceedings.

He was a friend to many politicians, and a foe to others. Despite his association with the Liberal Party, he held no fear or favour for any strain of politics, counting people from both parties among his friends. Bob Hawke knew him well enough to warn the Transport Workers Union not to take him on, as he would not be beaten. Allan also admired Don Dunstan as a progressive leader and was particularly pleased by Dunstan's decentralisation policies, which appear to have waned under his successors. Allan became friends with journalist Prue Goward, now a New South Wales state politician. During her time as Equal Opportunities Commissioner, Ms Goward often spoke with Allan Scott. He feared no-one and spoke his mind, with or without support from others. His lone voice often won the day.

Allan Scott's sporting interests and affiliations were myriad: football, basketball, hunt clubs, bowls clubs, wheelchair sports, speedboat racing, horse racing and, car rallying and even included several years of sponsoring a Mount Gambier based V8 supercar at Bathurst. His involvement in sport was as a player, a competitor, administrator and sponsor.

One story that sums up his love of sport and community occurred when the North Gambier Football Club—arch-rival of his beloved East Gambier—fell on hard times. Allan Scott assisted North Gambier to get back on its feet, a move designed to keep the local competition strong. His association with Port Adelaide Football Club—the mighty Power—

Mr Pengilly: Who?

Mr PEDERICK: —the mighty Power—has been well documented, and several major sporting venues in South Australia bear his name in recognition of his generous and unswerving support.

His support for charities amounts to some \$2 million a year. Organisations that have enjoyed his benevolence include: Foodbank, The Royal Flying Doctor Service, Boandik Lodge for the Aged, the Life Education Centre, the Millicent Police Youth Club, the Freemasons, the Women's and Children's Hospital, Safety Beat; the RSL, the Barnes Memorial Trust; the Mount

Gambier CFS; Constable Care; Bedford Industries, the Variety Club, the Mount Gambier City Band, Youth Farm, the St Martin's Lutheran Church Project, St Vincent de Paul and the RW Page Child-Care Centre. No doubt there are many others.

Two high-profile projects to have enjoyed his patronage are the *One and All* and South Australia's 1987 America's Cup Challenge. Then there are the official awards, from his 1986 OAM and 2006 AO for services to the community, to Lions and Rotary service club awards and Australia Post and Telstra business awards. These mark the exceptional esteem held for him at all levels of society.

On a personal level, Allan took a close and paternal interest in the wellbeing of those around him and close to him. His wealth was never flaunted or squandered, but it enabled him to be generous and magnanimous in giving others a helping hand. A family friend from Milang was Bob Honor, a long-time Milang resident whose father, Charles, was one of the 645 sailors lost on the HMAS *Sydney* in 1941. Allan had known Charles's family and was well aware of the loss his death would inflict on young Bob and his family. Bob has been surprised and humbled ever since by the occasional and unheralded offer of support to him from a man who took it upon himself to keep a fatherly eye on him.

Bob Honor fondly tells a story that demonstrates Allan's humility and good humour. Seven years ago, Bob's Aunt Una—a former teacher, now 98—was speaking to the crowd at a Back to Milang School reunion. Allan was chatting quietly to someone at the back of the hall. Miss Roberts resumed her teacher's mantle saying to him sternly, 'I was telling you to be quiet as a student and I'm telling you now!' to which Allan—a chastened but smiling Allan—replied, 'Sorry, Miss Roberts.'

Allan's contribution to all aspects of life in South Australia is far greater and broader than most will ever know, perhaps even to some of the 3,000 people currently employed by the 80 companies of the Scott Group. To sum up, I would like to quote directly from Graham Greenwood's book:

It was once said that perhaps the true contribution of Allan Scott will not be recognised by the Mount Gambier and South Australian community until after his death. Only then will it be truly appreciated how many organisations have benefited so much from Allan Scott's generosity.

On behalf of all South Australians, I offer my deepest sympathy to Allan's family for their loss, and my heartfelt thanks for the life of an extraordinary man. I commend the motion.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (11:43): I rise to speak briefly on this because, knowing Allan, by now he would have been saying, 'That'll be about enough, boys.' He was quite simply a great, gigantic South Australian who had friends—as has been said—from virtually every walk of life. Some of the most important people in the country were his friends, and he was kind enough to make a friend of me, which I thought was very generous, given that I am a long way down the list of people with whom he used to hang out.

I just want to say a few things about Allan that stick in my mind. One is his incredible energy for a new project. This bloke was in his 80s, and he was in my office many times talking about what he wanted to do next—a new project in a different area, whether it was a diesel plant, a diesel refinery at Port Bonython, or another new business elsewhere. He had more energy as an 80-year old than many business people half his age. His capacity to find enthusiasm and a way in which to get things done stands in stark contrast with some of the people I have seen who like to complain that not enough is done for them. He was a person who did not wait for anyone to do anything for him.

He did have a habit of saying things which he later regretted. I remember one instance, in particular. There was an argument about a couple of million dollars. I cannot remember what it was about, but it was a difficulty at the time. He said to the journalist from the local paper, 'Don't worry, I drop more than that in the collection plate every Sunday.' I rang him and said, 'Allan, you do know you will have every God botherer in the country after you. This could cost you a bit of dough.' At the time he conceded that, on reflection, he may have phrased it slightly differently.

He ran an extraordinarily difficult business, a major conglomerate, with endless energy. Whenever I went to Mount Gambier, I would tug the forelock and pay my respects. He was a giant in South Australia but an absolute giant in the South-East. I would always go to see Allan and, occasionally, we would have lunch. Even then, although Allan had made such a success of himself, lunch was inevitably in his office. He never liked to venture far from the office. He ran that amazing conglomerate business with tremendous energy.

He was very proud to have hanging on his wall what he told me was the original document of Congress's appointment of General Winfield Scott as a major general. From my knowledge of American history, only two men have ever been appointed to that rank—Ulysses S. Grant and Winfield Scott. If it was the original document, I did suggest to him that he should probably move it to a much safer place because it would be extraordinarily valuable.

As has been said, he was incredibly generous. I will be at Greg Boulton's farewell on Saturday night at the Port Adelaide Football Club—as I am sure some members opposite will be. I can tell members that, on my flight to Mount Gambier, it looked like an end-of-season Power footy trip. Many Port legends and current Port players were on the plane and their respects were properly paid.

I express my condolences to Grace and his four children. He was a great man and we will not see his like again.

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (11:48): I support the motion and recognise the comments of earlier speakers. Allan is another example of the passing of a great generation of South Australians. He was a World War II veteran. He was one of a dying breed of men and women who have served the country very proudly and have instilled the values of the current younger generation as they brought them up. My thoughts—and I know the thoughts of all MPs—go to Allan's children (Robyn, Zena, Julie and Ray), his grandchildren and other family members who will miss this patriarch very deeply. He was a champion of not only his family but also the whole South-East.

I first became aware of Allan when I was a teenager. I used to go to the South-East to visit my father, who was also in the transport industry. In the 1960s Allan was the man in Mount Gambier; there is no doubt about that. His business grew until he became one of the men in South Australia. We were all the better for it. He was a self-made man. He was a very generous man. He was a fairly straight shooter. He had enormous energy, as has been observed by earlier speakers. He was a good friend of many in political life, and a good friend of many in the Liberal Party. He was a man who reflected in many ways the values of the Liberal Party, in particular the value of family and the value of the individual and respect for the individual. He was a man who saw the benefit of individual enterprise. He was of the view that private enterprise, private business and private endeavour was what made the state, his district of the South-East and, before that, Strathalbyn, and the nation strong.

He will certainly be missed from the landscape in South Australia. Many members on this side of the house have fond regard for Allan. We see him as a champion of the state. We recognise his service and his philanthropy. We wish all his family well in the years ahead as they carry forward the great legacy that Allan gave to not only them but also the South-East and the people of South Australia.

Mr VENNING (Schubert) (11:51): I was fascinated by this man, whom I met several times. Allan built a hugely successful country business—I emphasise the word 'country'. He kept most of it country, where he could. Many people today could or should learn from the way in which Allan Scott ran his business. Today's financial meltdown would not have happened if more business people ran their business like Allan Scott did. He never bought anything he could not afford. He built up an asset and he shared his success. He did not go and book up stuff unless he could afford it.

As has been put very well by the member for Hammond, he started his business with one truck. He started work at the age of 14. He worked hard right throughout his life. People have been told that hard work never killed anyone. Well, it certainly did not in his case. He was very fit. I wish I was as fit as he was, even in the few weeks before he died. As the minister said, he had so much energy, even when he was well into his 80s. Allan often had to have two personal staff to keep up with him, because he was so quick. He was not electronically switched on and he would have a secretary with him all the time to keep track of what was happening, and they would be panting to keep up with him.

Allan gave very good service. His business began as a small local country carrying service and he built it up as he could afford it. He accumulated assets and he dealt locally, and he was extremely reliable. To run a good transport company, when you are delivering things you have to pick up and deliver on time, because people get to rely on you. One of the success stories with respect to Allan Scott is that if he said he would have the goods there at 7 o'clock on Monday

morning they would be there. He would move heaven and earth to solve a problem if they could not be there.

It is incredible to see a business the size and complexity of Scott's Transport (and also Ascot, which is an interstate subsidiary of the company, particularly in the Northern Territory); it is a massive operation. How he kept track of it in his own mind, without the huge use of computers, is amazing. He had 200 trucks and 3,000 employees and so many other interests. As I said, he invested in so many aspects of business in South Australia.

We often talked trucks, or talked shop. He just loved trucks and, of course, I always have. I have only a couple of trucks compared to what he owned. He was always a Mack man, he loved Mack Trucks, but there was a bad model Mack, and he was not too happy, so he changed varieties. He told me about the problem and why he changed and all the rest of it. But he always knew. I do not know how long it has been since Allan actually drove a truck—it would be some years, I would reckon—but he seemed to know all about them and which ones to buy, and the trucking companies loved him, because those trucks were always kept in immaculate condition. When you consider how many of them there are, how often do you see them having rolled over? There are hardly any—yes, there is the occasional one.

Allan had a knack of employing good staff, and they were extremely loyal to him, particularly in an age when they are pushing the envelope hard and there are drugs involved in truck driving. Allan would have none of that. He had very strong ideals and opinions, and he always had the courage to put his point of view. As has been said, there were a couple of embarrassing moments, but I had no problem, in particular, with the choking comment, because I think that many in this house would agree with him. As a member of the Port Adelaide club, I did not disagree at the time. However, in the end, I think it had the desired result, because the year after they won the grand final. So Allan could say, 'Well, I did it. I got in trouble. But look at the result: we won.'

Mr Pengilly: They didn't win last year's.

Mr VENNING: No, they did not win last year's, but you cannot win them all. Allan was involved in joint ventures with many other companies, more than people would realise. I attended the opening of many a warehouse—and, in particular, the warehouses north of Gawler around the glass factory, which Allan had a lot to do with. I know there was a partnership arrangement with Ahrens Pty Ltd. To sit in a group of people with Bob Ahrens (another South Australian icon) and Allan Scott, I just thought, 'Wow, here are some very high achievers who really go for it, who are employing a lot of South Australians.' Across Australia, Ahrens Pty Ltd and Scott's, are proud South Australian icons. I pay a tribute to Bob Ahrens, because he is still well, and it is great to be associated with them.

Allan shared his success and wealth with others—and I will not list them, because the member for Hammond has done that so capably. He never advertised it. To hear a list like that read to the parliament today is very commendable, indeed. He certainly was very charitable to other people.

I now turn to Port Adelaide, the club. Allan was a lifelong supporter of Port Adelaide, as were a lot of people, such as Dale Baker in the South-East. Dale was a personal friend of Allan's, as was the late Ren DeGaris. They were very much together—I hear a grunt from this side. If you got into a discussion with these people it certainly was quite educational, and I will never forget some of the comments. When I write my book I am sure some of them might end up in it, because I have kept a diary, which goes back 45 years, and a lot of it is in there.

I have been a lifelong supporter of the Port Adelaide Football Club. I was disappointed, as was Allan, in recent times, that Port Power never rose to the strength we thought it would, because the membership did not achieve the numbers. There are prominent South Australians—the Deputy Premier and others, and I think also the Premier—who are members, but the club has not attracted the rank and file South Australian, as did the Crows, because they got into the AFL first.

Allan and I often had a discussion about what we should do about that. However, Allan could never get the word through to the board, and there was always a bit of contention there, and I think part of the choking comment came into that. So, there were many discussions about increasing the club's support base. It is sort of working: let us hope that it is successful in the future, as a memory to him—I will renew my membership.

Allan was, indeed, a great South Australian. He was a high achiever and was much respected and admired. He has been an example and the epitome of success. I also express our

condolences to his wife, Grace, and his four children, particularly his sons, who have extremely big shoes to fill. I know it was tough. He often spoke about his boys following him into business, but I know that dads can be tough, like my father (and, indeed, probably the member for Hammond's father), and I think Allan was pretty tough on his sons. However, I think they will now realise that they have a fantastic business to pick up on and I am confident that the business will still be run as a family business. Again, my condolences to the family.

Dr McFETRIDGE (Morphett) (11:58): I rise briefly to support this motion. I had the pleasure of meeting Allan Scott only once, and that was in the company of Sir Eric Neal, another fine South Australian. Allan Scott certainly was an absolutely fine South Australian. As the member for Hammond has said, he was a self-made man. He spread his wealth around. He was able to recognise the fact that there were others who were not as well off as he was in his latter years, but he also remembered where he came from and how hard he had to work to achieve what he had. All South Australians should take a long, hard look at the achievements of Allan Scott and where he came from, because they could learn that hard work never killed anyone and that you make your own luck.

Allan Scott is constantly in the minds of South Australians if for no other reason than his legacy in the sporting arenas. I know that he had recently parted ways with some of the sporting organisations but on the boundary of my electorate of Morphett, the Morphettville race track is now called the Allan Scott Park. Allan Scott put a lot of money into horse racing, and I thank him for that. It is a big industry, just like the trucking and transport industries.

It is often said that you are never dead until people stop talking about you, and I can guarantee that South Australians and, in fact, Australians will continue to talk about Allan Scott for many years, because he was an amazing fellow. His achievements will outlive him, and I for one certainly look forward to seeing his legacy continue to prosper under his sons and to South Australia being a better place because of what Allan Scott has given us as a result of his many years of hard work and passion. With those words, I support the motion.

Mr PEDERICK (Hammond) (12:00): I thank everyone for their kind words today on the late Allan Scott. He was certainly a very large man, not just in the transport industry but also in South Australia and Australia as a whole. As the member for Morphett just indicated, I sincerely hope that his business lives on and that the legacy of Allan Scott lives on. May the mighty Power rule! With those few words, I commend the motion to the house.

Motion carried.

AUTOMOTIVE INDUSTRY TARIFFS

Mr O'BRIEN (Napier) (12:01): I move:

That this house calls on the federal government to reject the recommendation in the Review of Australia's Automotive Industry Final Report, dated 22 July 2008, that 'The passenger motor vehicles and parts thereof tariffs should be reduced from 10 to 5 per cent on 1 January 2010.'

Since placing this motion on the *Notice Paper*, the federal government has announced that it is adopting the recommendations of the Bracks committee and, in some instances, going well beyond them in terms of financial commitment. It has also indicated quite clearly that it will be adopting the Bracks recommendation on the reduction in the tariff.

Free trade is a laudable objective, and I think that most of us would be aware that the erection of tariff barriers, by the US in particular, exacerbated the depth and length of the Great Depression. Since World War II, the work of the World Trade Organisation in removing barriers to trade has driven prosperity in the developed world and underpinned developments in what were referred to as the second and third world countries of the globe, such that most of those countries are now designated as developing countries.

In the current context of extreme financial difficulty and the economic contraction that is gripping most countries around the globe, the last thing the international community needs is a reversion to protectionist sentiment. Australia, through its leadership of the Cairns Group of countries, has played a major driving role in encouraging the EU and the US in particular to dismantle their subsidy regimes to permit a greater and freer flow of goods and services.

Australia must continue this particular role, and I applaud the trade minister, Simon Crean, for his unswerving dedication to this role. However—and this is the qualification on which this motion hangs—for far too long Australia's prosecution of the free trade agenda has hung on the assumption that our manufacturing sector is expendable. For several decades, we have sought to

access our agricultural goods and raged at the EU, and at the US in particular, and Asian barriers to our foodstuffs.

One of the most notable attacks in the past decade was on Japan for its rice security policy. How the drought has proved the good sense of Japan's stance and the insubstantial foundations of our own. I am a former employee of Elders, and I serve on the Premier's Food Council, so I think I have a fairly good understanding of Australian agriculture. I also have a large number of cousins who farm in the Mid North and WA. In attacking agricultural barriers, we have sought to prove our free trade credentials by progressively exposing our manufacturing sector through reducing tariffs. That is not a wise course of action.

Given our vulnerability as a reliable exporter in certain areas, such as rice and cotton, I now sense a subtle shift increasingly to embrace the services sector as a rationale for hanging our manufacturing sector out to dry. Again, the freeing of the international movement of goods and services is a legitimate area of policy determination, but so is the reasonable protection of a nation's manufacturing base.

Singapore made the conscious decision not to deindustrialise and not to put all its eggs in the services sector basket. Australia really has to make the same conscious decision. At the moment, Australia's manufacturing sector is suffering death by a thousand cuts. Unambiguously, auto manufacturing stands front and centre in Australia's manufacturing sector and is particularly important to our state and to my electorate of Napier. Not only is it the largest employer in the sector but it is also the largest exporter, with the only export that combines our brainpower with our raw resources.

The term used to describe our auto exports is 'enhanced manufactured goods', which I think really sums up the motion: that we are combining the processing of raw resources (which in this case is largely iron ore from Whyalla, where I went to high school) with the best the state has to offer in terms of research and development.

Just on that particular point, the auto sector dominates research and development within Australia (in the private sector) and is only matched by our publicly-funded research institutions, universities and the CSIRO. Australia is amongst only a handful of nations in the world that takes auto manufacturing right from the design stage through to finished product. The contribution of the auto sector to R&D is to the tune of about \$600 million per annum, and employed, in the financial year 2005-06, 3,307 researchers, technicians, designers and engineers.

I believe that Holden, in particular, also underpins our other advanced manufacturing activities, particularly in the area of defence. When I drive around my electorate in Elizabeth I am very much aware that at the back, at Edinburgh Park, there is an entire precinct given over to component manufacturers. Across the road, in South Elizabeth, we have engineering firms—Levett Engineering, in particular, which has secured a Lockheed contract to supply for the advanced joint strike fighter project in the US; further out, in Edinburgh Park, we have a burgeoning defence sector. All of these businesses surround General Motors, in large part. Even though they may not have a direct relationship to the work that General Motors do, they benefit by its presence, its training of engineers, technicians, designers and the like. Much of that skill base is transmitted across, particularly into the defence sector and other advanced engineering activities in the north.

So, where are we today? The industry faces enormous challenges. Until six months ago, it was escalating petrol prices and an overvalued dollar. In respect of the latter challenge (an overvalued Australian dollar) Australia has a solid dose of what is described by economists as the Dutch disease—and still does. The Dutch disease explains the malaise that occurred in the Dutch economy following the discovery and exploitation of absolutely enormous hydrocarbon reserves off the Dutch coast. What the exploitation of that particular raw resource did for the Dutch economy was to drive the Dutch currency to such a level that it could no longer export or compete internationally, particularly in its advanced electronics sector.

If I was to give one very illuminating example it would be the virtual disappearance of Philips, as a manufacturer of television sets, from the world stage. That is very much the Dutch disease. Australia now has it. It may evaporate with the driving down of the Australian dollar. However, I think an enormous amount of damage has been done to Australia's manufacturing sector while the dollar was pitched at a very high level.

We have now moved on: petrol prices have dropped considerably and the Australian dollar has come off an all-time low. What has replaced this particular situation is a predicament of domestic and international turmoil as the result of a range of issues, particularly within the US

economy. That, in turn, is driving further declines in the domestic and international sales of automobiles. It is placing the futures of General Motors and Ford in a precarious position. Holden have scheduled another 25 days of production shutdowns at the Elizabeth plant which will be spread across the first three months of next year. This means that Holden workers (many of whom are my constituents) will only receive four and a half days pay for each week of work over the first three months of next year. It may well be that, in the final three-quarters of the year, the position is even more difficult for those workers.

I have enormous gratitude for Holden management. It is trying to retain the workforce. It is working on the basis that it will get things right. It has a number of projects in train which it thinks will turn the situation around during the course of next year. Holden has not taken the course of action that Ford in Victoria has taken, where it has reduced its manufacturing capacity by one-quarter. That may not sound a great amount but it is equal to the total production of Mitsubishi.

So, effectively, we have lost another—if you could describe it in such a way—manufacturing operation of the scale of Mitsubishi, due to Ford's decision. The Federation of Automotive Manufacturers, which represents the component manufacturers, indicate that in excess of 7,000 jobs are currently at risk and it desperately wants government action, particularly at the federal level, to kickstart demand. It has put up a series of propositions that the federal government is currently looking at.

Amidst all of this doom and gloom, the Bracks recommendations have inherently substantial proposals at their heart: a better targeted greener \$3.4 billion assistance program which will run from 2011 to 2022; \$116.3 million to promote structural adjustment; \$20 million to help suppliers improve their capacities and global supply chains; \$6.3 million for enhanced market access programs; a new Automotive Industry Innovation Council; and \$10.5 million expansion of the LPG vehicles scheme. I know that Holden are very keen to incorporate this new LPG technology in their current range of Commodores.

The issue that we are currently grappling with as a nation, and particularly as a state, is that a large amount of that particular assistance is predicated on General Motors and Ford stumping up \$3 with which the federal government will match \$1. Given the predicament of General Motors, where it may well be unable to fund its operations until the end of December and may file for bankruptcy, I think the odds of General Motors and Ford coming forward with significant amounts of investment money for their Australian operations, to be matched one-third by the federal government, is problematic at best and highly optimistic at worst.

Where are we at? We have a substantial commitment by the federal government which may ultimately never ever get off the ground and the driving down of our tariff rates to the third lowest in the world of 48 nations that manufacture automobiles. Where does that place us? The World Trade Organisation binding tariffs are in the 15 to 40 per cent range. We are driving them down to 5 per cent—well outside of what the WTO is asking and well below the European Union's, which sets them at 10 per cent. Given the context which I have just outlined, I think this decision by the federal government is shocking.

Mr VENNING (Schubert) (12:17): The Liberal Party does not support this motion. I am surprised that the member has moved this. He gave his intention to move this motion some time ago, certainly prior to the federal Labor government announcing its support for the recommendation from the Steve Bracks-led report. A prompt response from our federal colleagues shows support for this report. In speaking to a staff member from the office of Eric Abetz on this matter, we both agreed that this motion was, indeed, embarrassing for state Labor, given that the member is the parliamentary secretary to the Premier, and the Premier is the President of the federal Labor Party, and the federal Labor Party is now supporting the recommendations. I am happy for anybody to refute this, but that is my information.

This motion was initially listed a fortnight ago, and I was ready to get up in the chamber and put these comments on the record, but the motion was adjourned. I am surprised that, today, exactly the same did not occur. In this job things do move on; we do make a stand and things move on. Sometimes you just have to say, 'Well, things have changed; I'm going to let this thing slip off the *Notice Paper*'; but the member has moved it.

The state and federal Liberal Party is very supportive of the Australian car industry, but we are very fearful that, by the time this package kicks in, industry could be in deep trouble as a result of Labor's bungling. This package fails to address the biggest crisis currently facing the car industry, namely, the credit crisis, its devastating effect on car dealers and the flow-on effect to

local manufacturers. In my own electorate last week one of my local dealers—a large dealer—rang up and told me that GMAC finance, which finances most country dealers, has withdrawn its floor finance, and he has been asked to refinance with an ordinary finance company. He cannot get finance anywhere near the level of GMAC finance, Ford Credit, for that matter, or GE—several of them. They are all pulling out of this business; so how do the dealers fund all those cars they have sitting on their lot? It is a serious matter.

The simple fact is that unless the credit bungle is addressed there will be no local car industry. This is on top of Labor further driving down sales with the ill-conceived luxury car tax, which has seen sales in this segment fall by 17 per cent this financial year. It is notable that the only money being delivered this year is to assist sacked workers. How does this help the industry, which is in need of immediate support?

We will examine the full details of the package over the coming days. We have learnt with this government that the devil is always in the detail. This policy is extraordinarily light on detail; for example, there is no detail on how much of the green car fund will be available each year, no detail on the grants process, no detail on the how the structural adjustment scheme will work, no detail on how the innovation council will work, and the list goes on.

It is extraordinary that after almost a year in office the federal government is unable to provide such basic details about its much heralded assistance package. I again speak strongly in favour of our car industry, because a country does need to have a manufacturing sector. We have lost so much in manufacturing in this country. We have very innovative people living in this country; Australians have always been innovative. We have lost almost all of our agricultural machinery manufacturing—almost all gone—and the minister is sitting here. We invented the modern harvester here; we invented the air seeders that are currently used. They were all invented here, and now, not one is manufactured in Australia; it is sad.

Okay; you can say that we cannot compete, that we do not have the economies of scale or the market to be able to tool up and build machines like this. I am happy that the government should support the retention of at least one major car manufacturer, and we know that we have had four or five in the past. If you do not have an Australian industry, then you are totally beholden to exports, and it is a very difficult and risky situation.

I am happy; I have always driven a Holden, and I still do and always will, because I am proud to drive an Australian motor car. I also happen to believe that it is a good motor car of good quality. I am amazed when I see so many Australians buy cars which cost more than a Holden and which are probably not of the same quality. I just cannot understand why Australians have not had a wake-up call—

Mr Kenyon interjecting:

Mr VENNING: I don't know; just go and have a look in the parliamentary car park. I named a former member in this place before, Mr John Quirke. He did the same. I asked him, 'Mr Quirke, what sort of car do you drive?' He was very embarrassed.

The Hon. R.B. Such: He drives a Merc.

Mr VENNING: No; it was a Volvo. Anyway, I am not picking on him; it is a free world.

Mrs Geraghty: What do you drive?

Mr VENNING: I drive a Holden Calais.

The Hon. R.J. McEwen: A Calais?

Mr VENNING: I drive a Calais. I always have.

The Hon. R.J. McEwen: Really struggling!

Mr VENNING: It is not the expensive Calais: it is a cheaper one.

The Hon. R.J. McEwen: A cheap Calais!

Mr VENNING: Rather than treat this frivolously, as the minister seems to be, I urge all those people out there now concerned about our car industry to have a look in their own garage. You have made a decision by choosing the car you drive. I have always supported the Australian car industry. We have several; in fact, I think all the vehicles on our property are Australian, except for my son's four wheel drive. The trouble with farm utes, as the minister would know, is that we do

not make a ute in Australia that you can use on farms. They are all Japanese or Japanese derivatives, which are now made in other countries such as Malaysia and Korea.

Mr Kenyon: The one-tonnes.

Mr VENNING: The four-wheel drives, the one-tonnes—there is not one left, and that is sad. My wife drives a Holden ute. It is a nice vehicle, and we are proud of it.

The Hon. R.J. McEwen: You've got the car and she's got the ute!

Mr VENNING: She's got the ute. That is her choice. The minister makes fun, but that is my wife's choice to have the ute. She can have any vehicle she likes but she drives a Holden ute. Do you know why? Their resale is extremely good and she says it is good business to drive around in a ute, and we have a dog, so that is the reason. I plead with people—

Members interjecting:

Mr VENNING: We have a dog. I say to people, rather than feel sorry for our car industry, what have we done about it, as individuals, as Australians? I drive an Australian car because it is another Australian's job. I have done the right thing, but I just cannot believe when people buy makes that cost more—

The Hon. R.J. McEwen: Why are you opposing the motion? Can we get back to the motion or can you just waffle on for another three minutes?

Mr VENNING: I am just saying it is a shame. Anyway, we oppose this motion.

The Hon. R.J. McEwen: Why?

Mr VENNING: Because we are supporting our industry. We oppose the motion.

Mr KENYON (Newland) (12:25): I am happy to support this motion today and, after the contribution of the member for Schubert, I am a little confused, but I am often confused after the member for Schubert has been in here. I want to make a few points on this matter, because it is easy to get caught up in a tariff debate, and often it is not the biggest single issue facing the industry at any one time.

Far be it from me as a young, inexperienced backbencher to give advice to a multinational car company, but I can certainly say that the single greatest reason that General Motors' car sales are dropping in Australia is that they are building cars here that people do not want to buy. If you want to sell a lot of cars, build a car that people want to buy at a price they are prepared to pay. General Motors is not doing that.

My advice to it and other car manufacturers in this country is to start building cars that people want to buy at a price they are prepared to pay. One of the things that really upset me about General Motors Holden in particular, because it is such a capable company, is that it has come in looking for government support for its green car program, through tariffs and industry plans—and it is always about government assistance—but you do not see it exercising its commercial judgment to build cars that people want to buy. It is so frustrating, because it could do it if it wanted to.

When you look at the Monaro, it is a car that was designed from concept through to build in 18 months—an unusually quick time for a motor vehicle to be taken from a concept car. It was shown at a motor show and Holden said, 'Look what our blokes did when they had some time off and they had the workshop to work in.' To have it in full production 18 months later is an incredible feat, but then to come back and say that it cannot put a diesel motor in a Commodore because it would take too long and would involve too much engineering is a load of rubbish. It could source a diesel engine from its subsidiary Fiat, which is on the cutting edge of diesel engines in Europe, and it could put it in a Commodore here, and I bet it could do it in six months if it put its mind to it. The fact that it refuses to do it is incredibly frustrating.

In 1999, Holden launched what it called an e-Commodore, which was a concept car. With the CSIRO it developed a hybrid technology which was equal to the hybrid technology currently in the Prius, but it chose not to build it. In 1999, it could have put the most economical six cylinder car in the world on the road, which was a full-sized family vehicle that people want to buy if they can afford it to buy it and run it. There is a long-term preference over time for people to have the biggest car they can afford to own and run. But did Holden ever seek to bring this into production? No, because it was too hard, according to Holden, even though it developed the technology. Its excuse was, 'It's too hard; we can't do it,' yet it comes back to government time and again seeking government help.

Mitsubishi could have built a 380 with a diesel engine. Ford has a huge range of engines throughout the entire world and could build a diesel but chooses not to do it. In the United States they are licensing Toyota technology to build large cars that are hybrids, but they still choose not to manufacture them in Australia. Personally, I have a preference for small cars—small, fast little hatches, preferably with turbo and four-wheel-drive—but I do not think that is a big market in Australia. The last manufacturer that built a small hatch in Australia was Nissan, and it went out in 1992, I think. The interesting thing about that was that the Pulsar it built here was a higher quality than the Japanese Pulsar.

While I am happy to provide some support to the vehicle manufacturing sector here in Australia through tariffs—and, let us face it, in global terms, 10 per cent is not a big tariff—but, if we are going to do that, we should be expecting more out of our car companies. We should be expecting to build diesels. We should be expecting to build hybrids. We should be expecting to invest incredibly heavily in fuel cell cars. They should be doing this off their own bat.

We have seen the federal government come in helping out with billions of dollars to develop a green car, but we have not seen much enthusiasm, I have to say, from major car builders in Australia to embrace this. We have not seen a lot of enthusiasm to be doing their own research and their own development.

There are companies in Adelaide that are developing fuel cells. There are companies right around the country, the CSIRO and other people, that could all help with the development of hybrid and electronic technology, and we are just not seeing car makers embrace these things as they should be. Instead, they run to government at every opportunity. Car makers around the world have a history of doing this, and they are doing it in the US right now.

The simple fact of the matter is that GMH, Ford, Chrysler and their subsidiaries around the world are not necessarily making cars that people want to buy at a price they are prepared to pay. That is the single greatest weakness of the car industry. We have to be careful, when we are making public policy in this country, that we do not fall into the trap of allowing car companies to get away with that.

Mr O'BRIEN (Napier) (12:31): Quite frankly, I was quite disappointed to hear that the South Australian Liberal Party, particularly the parliamentary party in this house, is refusing to support Holden and the South Australian workforce working at the Elizabeth plant. It is not only the people immediately associated with the Holden operation: it is the component manufacturers in Edinburgh Park and elsewhere in the city that the Liberal Party is effectively turning its back on.

I was very surprised to hear the member for Schubert publicly announce in this parliament that the Liberal Party is at odds with the leaders in the manufacturing sector: the chief executive officers of Holden, Ford, Toyota and myriad major companies that produce components, including Futuris, which is the owner of Elders. What the member for Schubert has basically done is rub the noses of the leaders of those businesses and their workforces—

Members interjecting:

The SPEAKER: Order!

Mr O'BRIEN: The Liberal Party, in this house in particular—and I have to assume that the member for Schubert has cleared this through his party room—is clearly at odds and very much out of touch with what was formerly its natural constituency: large business enterprises. This is very much indicative of the fact that the Liberal Party in this state is becoming increasingly marginalised, does not know where it is going and has absolutely no understanding of the business imperatives that are driving the Australian manufacturing industry.

I have spoken with a large number of senior business people in this state, they support the position taken by the Australian Labor Party in this house today, and I think the position the Liberal Party has taken on this issue is absolutely disgraceful.

Motion carried.

POLICE YOUTH CLUBS

The Hon. R.B. SUCH (Fisher) (12:34): I move:

That this house calls on the state government to introduce police youth clubs following their success in other states.

Members would know that I have been a passionate advocate for young people for a long time, in particular, in trying to ensure that our young people do not get caught up in the antisocial criminal stream of behaviour. To that end, I have put the suggestion to the state government that it consider following the practice in New South Wales—and I will focus on New South Wales—where, over a long period of time, police community youth clubs have been created. There are some 22 in the metropolitan area of Sydney and 37 in country areas, and they involve something like 61,000 young people at any one time.

Those clubs provide not only what you might call traditional activities—some of a sporting type—but also dancing, indoor climbing, leadership programs and a whole range of other positive activities. The police who are involved in these youth clubs are specially trained to carry out the task of working with young people. There is a benefit not only in terms of the activities—and it has been long acknowledged that, if young people are involved in a sporting group, for example, they are less likely to get involved in criminal or antisocial behaviour. I would encourage—and I am sure all members would—all young people to be actively involved in some sporting organisation, because it provides structure and discipline in the true sense.

Police community youth clubs—as they operate in New South Wales—not only offer structure and discipline in the sense of following a set of values and a code of behaviour, and so on but they also help break down barriers between the police and young people, which is an issue. We know that most of our young people—something probably of the order of 95 per cent—do not get into any serious trouble with the police. We still have that small core who do, and many—not all—come from the indigenous community. I believe that the creation of police community youth clubs would go a long way to helping break down the barriers between police and young people and, importantly, it would provide a structured environment for young people.

I wrote to the Premier about this matter, and I acknowledge his courtesy in replying quite promptly. He highlighted the fact that we have a police blue light youth crime prevention program, that there are 34 blue light branches and that there are blue light camps. I acknowledge that, and they are good things, but what I suggested to the government was the possibility of creating, say, in the northern, southern and western suburbs, one or two of these police community youth clubs to follow on the success of those in New South Wales. I do not suggest that it is the total answer or that it is the only thing that should happen, but I think it is an important initiative that could be undertaken.

Whenever these sorts of issues are raised, the police say that they are not funded for that type of activity; they are not currently, but they could be. Unfortunately, we have what is often described as the silo effect of agencies saying that it is not their responsibility, but it is the responsibility of government, as it has the overall responsibility for these types of things. The police department's argument that it is not funded for community youth clubs is true, but it does not have to be the case, because the government could quite simply fund—as I have said, in the north, the south and the west—at least one of these facilities.

Monsignor Cappo and the Social Inclusion Unit are doing good work with young Aboriginal people, trying to keep them actively involved. I think those sorts of desires by the Social Inclusion Board and Unit would fit in very nicely with the *To Break the Cycle* report and also the Select Committee on Youth Justice. So, I make the plea to the government to look at and assess the New South Wales program, and be brave enough to introduce a limited number of these police youth clubs here to see how they go. I believe they will mirror the success of what has happened in New South Wales. As I have said before, it is not the total answer; it does not solve all the issues, but it is a positive mechanism for engaging with our youth. If one looks at facilities for young people, in many parts of the state they are lacking. We have to engage and involve young people. Many of them are not subject to structure and discipline in their life and, if we can combine that in a pleasant, enjoyable way through police community youth clubs, it is an initiative the state government should adopt. I commend the motion to the house.

Debate adjourned on motion of Mr O'Brien.

SOCIAL HISTORY MUSEUM

The Hon. R.B. SUCH (Fisher) (12:41): I move:

That this house calls on the state government to establish a comprehensive social history museum in Adelaide to highlight the many achievements of the people of this state.

This has been one of my hobbyhorses for a long time. Unfortunately, it remains only a hobbyhorse because it has not got to the barrier and certainly it has not had a start. South Australia does not have a comprehensive social history museum, which looks at the achievements of South Australians—which are many—and highlights them to both local residents and visitors. We have some excellent specialised museums, including the Migration Museum and the National Railway Museum, and others, but we do not have a comprehensive social history museum in South Australia.

We used to have a constitutional museum next door—which was moved and, as far as I know, does not really exist in any substantial form. Visitors often want to look at what has happened locally. The member for Schubert in his speech about tariffs mentioned the fact that South Australians pioneered some modern agricultural techniques in terms of the stripper, the air seeder, and so on. The list is quite extensive. I will not list all the achievements. I do not believe most South Australians know much about our history, despite the good endeavours of the History Trust of South Australia and people who are interested in history. Our list of achievements includes:

- First police force in Australia (1838)
- First stripper harvester in Australia (John Ridley in 1843)
- First publication of non-English language newspaper in Australia (1848)
- First public animal-powered railway in Australia (1854)
- First state to grant adult male suffrage, including Aboriginal men (1856)
- Legalisation of trade unions (1876)
- Creation of the Torrens land titles system (1858)—which has been adopted in many places around the world.
- Invention of the stump jump plough (1876)
- First major long distance telephone call in Australia (1878)
- First state secondary school for girls (1879)
- Women allowed to study at university (1880)
- First capital city to be connected to a waterborne sewerage system (1881)
- First agriculture college in Australia (1885)
- First irrigation settlement in Australia (1887)
- First juvenile court in Australia (1890)
- Adult women given the right to vote and stand as members of parliament (1894)
- First to establish a Conservatorium of Music (1897)
- First crematorium opened (1903)
- First driver's licence issued (1906)
- First female police appointed (1915)
- First practicable pedal wireless set (1928)
- First publication by an Aboriginal author (1929)
- Establishment of first public housing authority (1936)
- Invention of the Hills Hoist rotary clothesline (1945)
- Development of the wine cask with a flexible bag and tap (1965)
- First woman judge in Australia (1965)
- Prohibition of Discrimination Act on the grounds of race, colour or country of origin (1966)
- Establishment of the Aboriginal Lands Trust (1966)

- Decriminalising of homosexuality (1975)
- Passing of sex discrimination laws (1976)

And the list goes on. In fact, the photocopier was invented here in South Australia at Woodville, and there are many other achievements, which I will not list.

The point I make is that we should be proud to highlight these achievements and we should have a proper facility, preferably somewhere on or near North Terrace, where we can showcase these things not only to our own residents but also to visitors coming to this state. We have an excellent natural history museum on North Terrace, but we do not have a place where we can showcase the achievements—politically, socially and economically—of which we should all be proud.

I do not expect that something like this would happen overnight, but it is something that should happen. Even if it takes 10 or 20 years to get the facility, I would like to see a commitment from the government. I think it is a great opportunity for this Premier, who is very interested in history, to go down in history as the Premier who set in train the creation of a social history museum in South Australia to highlight the achievements of South Australians.

As part of that, there is no reason why it could not incorporate the cultural aspects of the traditional peoples of South Australia. If we established a centre such as that, which could genuinely and comprehensively showcase not only the achievements of those who have been in South Australia since 1836 but also those who have been here for 50,000 years or more, that would be a very significant thing to have in the city. I understand that we have the best collection of Aboriginal artefacts in the nation but, unfortunately, they are not well displayed.

As part of a social history museum, if we make it a living museum as well, with living displays—people doing crafts, and so on, that have been used in the past—as well as living Aboriginal culture and displays, similar to the Maori cultural centre in New Zealand, I think if we did it well it would be an absolute drawcard, because we have the achievements as well as the artefacts to display and showcase. I urge the government (and I am not expecting it to be done by tomorrow) to at least set in train plans to create a genuine, comprehensive social history museum on or near North Terrace. I commend the motion to the house.

Debate adjourned on motion of Mrs Geraghty.

POPULATION GROWTH

The Hon. R.B. SUCH (Fisher) (12:48): I move:

That this house urges the federal government to acknowledge that population growth and lifestyle are the major drivers of climate change and to initiate and support measures to control world population growth.

All members would be aware (unless they have been hiding somewhere) that climate change is a real and pressing issue that we face, not only here in South Australia but also throughout the world.

There are two main drivers, as the motion suggests. One is the way we live and the other is the number of people on earth. It is a very sensitive issue when you start talking about population and population control, because you are dealing with very fundamental aspects. We know the pain and trauma that has been caused in China, which has adopted a one-child policy in order to curtail its population. However, we need to address this issue in a way that minimises any ethical impact that can be categorised as negative. We have to plan and do things now.

Some would say, 'We already have the problem of climate change. Population policies now will not stop the immediate problem.' That is true: they will not and they cannot. However, if you have a program and a plan in place, over time you can ameliorate some of the problems that would otherwise arise. To put this in context, between 1980 and 2000, the world's population rose from 4.4 billion to 6.1 billion, and by 2150 it is expected to reach nine billion.

It is not simply about the way you live, what you consume or whether you live a very resource intensive lifestyle; it is also obviously about the number of people. This is where we clash with people from India and China who say that we are being more than cheeky in pointing at them with their large population. They say that most of their people do not live at the same resource-consuming level we do. So, we have to be mindful of that and be careful that, in implementing a population policy, we do not get into a situation where we resurrect the old colonial arrogance that suggested that somehow there should be a double standard. I do not support that.

We need to get this issue of population growth on the agenda. We need to get people talking about it and, more importantly, doing something about it; if we do not, we will end up with the situation in China, where there are drastic solutions many of us would want to avoid. I do not speak against abortion, if a woman chooses it, although I do not like it or rejoice in it. I think it is sad and unfortunate when it occurs, and I would prefer that it not occur, even though I understand that nature itself brings it about at times. In decades ahead, I do not want to see the world facing a population situation where we have to resort to very drastic measures to control population, as has occurred in China.

I do not kid myself that this motion will change things overnight; it will not. However, I want people to think about the fact that it is not simply about changing the light bulb in your house; it is also about the number of people. This applies in Australia because, if we equate our population with that of India in equivalent consumption terms, we do not have 20 million people, we have more like 160 million.

Despite the fact that this issue is very sensitive and has all sorts moral and religious aspects, you cannot hide from the fact that it is not just climate change but also other related issues. Without getting to the alarmist stage that occurred a few years ago, when I think people got a bit carried away talking about some population control measures, if we do not deal with this issue sensibly and rationally and take positive steps now, it will bite us so hard—not only us but also our children and grandchildren—that there will be widespread trauma and grief the like of which we have probably never seen before.

By nature, I am an optimist, but we cannot sit back and say that population growth is not an issue. It is an issue, and it will continue to be if we do not take steps to deal with it now. Through its foreign policy, the Australian government should make sure that the measures it supports allow for sensible family planning in countries that receive our aid. We also need to be mindful in Australia of our own population growth, and we should be having a debate about our desirable population size. We need enough people to defend ourselves and enough people to be sustainable as a society. However, I know one lovely lady who believes that it is someone's will for her to keep having children. She has eight children, she is in her mid-30s and she is going to keep going. Why? For what purpose?

The Hon. R.B. SUCH: The point is that we are aware of this issue now. Years ago people were not aware of these problems. You can pretend that there is no issue; you can pretend that there is no problem, but that will not get rid of the problem. You can fool yourself, but the problem of climate change, as well as a lot of other issues, are directly related to the number of people on the earth and the way they live. You can kid yourself as much as you like, but you will not avoid the inevitable impact that will arise from an ever-expanding population.

It might be nice to say, 'Have as many kids as you like; have as many people as you like,' but it will come back to haunt us in due course. I urge the federal government, which has responsibility, particularly in terms of this whole area of population policy, to make sure that both domestically and internationally we are actively pursuing a policy which is based on the sustainable aspects of the earth and that we do not get ourselves into the position, down the track, where we regret that we did not do something about it earlier. You cannot use some drastic solutions, because they are unacceptable, but if you allow yourself to get into that situation you will end up with something that is even worse than the Chinese solution. I commend this motion to the house, even though I know it is controversial and that a lot of people may disagree. However, when they reflect on it, I think they will find there is merit in it.

Mr KENYON (Newland) (12:56): This old chestnut comes up again. People may remember a group of people who were hanging around in the sixties or seventies called the Club of Rome. The Club of Rome suggested that the world was about to end, we were all going to starve and that we should probably buy a bunker somewhere in the hills and get a couple of shotguns. Getting a shotgun is not necessarily a bad policy but, specifically, that we should get shotguns so that we could defend ourselves against the imminent resource wars that were about to occur.

Members interjecting:

The SPEAKER: Order! The member for Fisher was heard with respect.

Mr KENYON: The whole point I am trying to make is that it did not happen. Imminent resource wars, starvation and world chaos did not happen. The reason they did not happen was because of technology. It was because of plant breeding and because a bunch of people sat down and thought: how can we apply technology to get around this problem?

You cannot deny that if more people exist they consume more; everybody knows that. If there are more people, more food gets eaten; that is true. If more people need to be clothed then more cotton is consumed, or alternative fibres—that is true; everybody knows that. However, the question is: how do you get around it? How do we apply technology to get around that? Millions, if not billions, of capitalists around the world are coming up with solutions continuously. Motions like the member for Fisher's completely wipe out any concept that technology may be able to make some sort of contribution to human problems.

That flies in the face of our experience over the last 2,000 years, and particularly over the last 50 or 100 years. The population has increased rapidly, as never before, in the last 50 to 100 years but, at the same time, our application of technology has increased and our ability to apply resources at the appropriate time has increased. We have had massive, incredible improvements in distribution logistical networks. It was not that long ago that it took nine months to go from England to Australia; now a container ship does it in 30 days and you can do it in less than 24 hours in an aircraft. That has had an effect.

That application of technology has had an effect on getting resources to where they are needed when they are needed. It has averted mass starvation in many cases. There have been droughts and there have been cases of starvation on a huge scale, particularly in Africa. That has happened, but it is not particularly a population problem, because they have been resolved. We know it was not a population problem, because they have been resolved; we have been able to feed those people, on the whole.

The thing that creates starvation now is not population: it is war and the chaos that goes with it. Although all of Asia was supposed to explode 30 years ago and everyone was going to starve, it did not happen. It was called the green revolution; they learnt how to feed people. This idea, brought up by the member for Fisher, that every country has a natural carrying capacity, is not true. Even if you look at farming, the carrying capacity has increased over time because of technology, because of the application of science. While that has flowed through, the idea that we have a carrying capacity of people in Australia, for instance (or any other country) is wrong. It is wrong because we can apply technology, we can apply distribution, we can apply economics and everything else to overcome these problems.

Debate adjourned.

[Sitting suspended from 13:00 to 14:00]

TRAIL BIKES

Mr PICCOLO (Light): Presented a petition signed by 450 residents of South Australia requesting the house to urge the government to consider laws to prevent the illegal riding of trail bikes and monkey bikes, and appropriate penalties to deter their use.

PUBLIC SCHOOLS

Mr PICCOLO (Light): Presented a petition signed by 96 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 30 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.

COUNTRY HEALTH CARE PLAN

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Wudinna District Council—Report 2007-08

By the Minister for the Arts (Hon. M.D. Rann)—

Adelaide Festival Corporation—Report 2007-08
Art Gallery of South Australia—Report 2007-08
JamFactory Contemporary Craft and Design Inc—Report 2007-08
Museum Board, South Australian—Report 2007-08
Disability Information and Resource Centre—Report 2007-08

By the Deputy Premier (Hon. K.O. Foley)—

OneSteel Manufacturing Pty Limited Licence—Environmental Authorisation pursuant to,
and for the purposes of, the Whyalla Steel Works Act 1958 (SA)

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

Deaths of Petrus Jacobus Jong, Helena Alida Maria Jong and Miranda Gertruida Maria
Jong on 3 July 2004—Report of action taken in response to Coronial
recommendations
Development Act 1993, The Administration of—Report 2007-08
Planning Strategy for South Australia—Report 2007-08
TransAdelaide—Report 2007-08

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

Attorney-General's Department and Department of Justice—Report 2007-08
Courts Administration Authority—Report 2007-08
Correctional Services, Department for—Report 2007-08
Legal Practitioners Conduct Board—Report 2007-08
State Coroner—Report 2007-08

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

Cooper Pedy Hospital and Health Services Inc—Report 2007-08
Eastern Eyre Health and Aged Care Inc—Report 2007-08
Hawker Memorial Hospital Inc—Report 2007-08
Mid-West Health Inc—Report 2007-08
Quorn Health Services—Report 2007-08
Whyalla Hospital and Health Services—Report 2007-08

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

Police, South Australia—Report 2007-08

By the Minister for Emergency Services (Hon. M.J. Wright)—

Fire and Emergency Services Commission, South Australian—Report 2007-08

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

Environment Protection Authority—Report 2007-08
Heritage Council, South Australian—Report 2007-08
Radiation Protection and Control Act 1982, Administration of—Report 2007-08

By the Minister Assisting the Premier in Cabinet Business and Public Sector Management
(Hon. J.W. Weatherill)—

Privacy Committee of South Australia—Report 2007-08

By the Minister for Regional Development (Hon. R.J. McEwen)—

Regional Communities Consultative Council—Report 2005-07

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

Commissioner for Consumer Affairs—Report 2007-08

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

Mining and Quarrying Occupational Health and Safety Committee—Report 2007-08

SafeWork SA Advisory Committee—Report 2007-08

Rules—

Fair Work—Industrial Proceedings Rules 1995—Amending Sub-Rule 83(10), (11) and (13)

Workers Rehabilitation and Compensation—Workers Compensation Tribunal Rules 2005—

Amending Rule 9 and 10

Amending Rule 23

QUESTION TIME

ATKINSON/ASHBOURNE/CLARKE AFFAIR

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:07): Will the Premier now change the way he deals with allegations of corruption involving ministers in his own government? A statement yesterday by three members of the former Select Committee into the—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: I wouldn't laugh if I was you.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: You're as guilty as hell.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: A point of order, sir: the Leader of the Opposition just made an imputation against me which is contrary to the standing orders and practice of the house.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: The remark was 'as guilty as hell' and I ask that he withdraw it forthwith.

The SPEAKER: Yes; the leader must withdraw it. That is an imputation.

Mr HAMILTON-SMITH: I am happy to withdraw the remark, sir.

The Hon. M.D. Rann: And apologise.

The SPEAKER: Order! It is not necessary. He just needs to withdraw it.

Mr HAMILTON-SMITH: With your leave, I will explain. A statement yesterday—

An honourable member: He's a bit stronger than you, mate.

The SPEAKER: Order!

Mr HAMILTON-SMITH: —by three members of the former Select Committee into the Atkinson/Ashbourne/Clarke Affair recommends that the Premier be censured for his failure to properly report to the Anti-Corruption Branch of South Australia Police the substance of allegations made by Cressida Wall on 20 November 2002. It further states that the Premier was censured for his seven-month delay in informing the parliament—all the people of South Australia—of the events which led to his appointment of Warren McCann to conduct an inquiry. The statement also includes evidence from the Crown Solicitor that:

The police investigation was seriously compromised by the delay of seven months between the time the McCann inquiry began and when the matters were finally reported to the Anti-Corruption Branch.

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) (14:09): The only corruption was the Liberals' involvement in this exercise. I am not sure whether it was a kangaroo court, but the fact is that we saw—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —the coaching of witnesses. Also, can I just say the difference is that there was someone charged and someone prosecuted who then went to court and was acquitted. All due processes occurred—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —then what we did is something that your government would never have done: I informed the Auditor-General of the situation and invited him—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —to make an inquiry.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I will just say that those involved in the upper house in this exercise in coaching witnesses are as bent as forks.

Members interjecting:

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

SOUTH AUSTRALIAN MUSEUM

The Hon. S.W. KEY (Ashford) (14:10): My question is directed to the Premier in his capacity as the Minister for the Arts. Will he advise the house in relation to significant private contributions made to the South Australian Museum in the last financial year?

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) (14:10): I thank the honourable member for her question. Private benefactors are the lifeblood of the state's cultural institutions. Their support and generosity has made the state's art and heritage collections into the finest in the country, with areas of international significance.

Contributions by private individuals and organisations supplement state government funding and provide a strong boost to the Museum. Private donations take the form of works of art or other acquisitions/collections and cash donations used to expand the collections.

Ms Chapman interjecting:

The Hon. M.D. RANN: I beg your pardon?

Ms Chapman interjecting:

The Hon. M.D. RANN: The South Australian Museum has been systematically collecting objects and specimens for over 150 years for research, education and enjoyment. I can understand why the Deputy Leader of the Opposition does not like the collection of specimens, given that she did not want Bevan Spencer von Einem to be DNA tested: soft on crime, soft on the causes of crime. As for those in the upper house, there was corruption by some of the members involved in coaching witnesses.

Along with programs developed by the Museum to target specific collecting activities, the people of South Australia have long recognised the importance of our collections and their significance for a better understanding of the world around us. They have supported the Museum in many ways, but none more so than through generous and important donations over the years. Their support is even stronger today, with donations for the 2007-08 financial year totalling over \$1.5 million.

The South Australian Museum has been thrilled to receive four significant donations during the past 12 months that have appreciably enhanced the Museum's collections and records: the Yandruwandha Breast Plate (otherwise known as the Burke and Wills Breast Plate), the Ursula McConnel archives, the Godfrey shell collections and the Gareth Thomas collection of photographic material.

The Yandruwandha Breast Plate was given to the Aboriginal people of South Australia in 1862 by the Royal Society of Victoria, in recognition of the group's endeavours in trying to save members of the Burke and Wills expedition near Cooper Creek a year earlier. The breast plate had been discovered buried in desert sands in 2001. Purchased by Mr Kerry Stokes for \$209,600, the breast plate was donated to the Museum in recognition of the unique engagement between the Yandruwandha people and the remnants of the failed expedition and its unique importance to South Australia and our nation.

The Hoff Collection. During the late 1920s, 75 Aboriginal artefacts were collected by Pastor Carl Hoff from the Wirangu and the Kokatha people at the Koonibba Lutheran Mission on the West Coast of South Australia. This year the Museum was presented with the Hoff Collection by Pastor Hoff's son, Dr Lothar Hoff.

The donation more than doubles the Museum's holding of artefacts from the Koonibba area and was made in recognition of the outstanding world class Aboriginal collection held by the South Australian Museum. In the South Australian Museum we have the best collection of Aboriginal artefacts anywhere in the world, and we have the best representation of Aboriginal contemporary art in the South Australian Art Gallery.

The Ursula McConnel Collection. Ursula McConnel worked extensively with the Wik people of Cape York Peninsula during the 1920s and 1930s. She was acknowledged as an accomplished bush woman and defender of Aboriginal civil rights. A trunk containing 3,000 manuscript pages and over 900 photographs was rescued from an Adelaide demolition site by Mr Roger Langford who, recognising the significance of the contents, referred them to the Museum for initial inspection.

The documents and photographs were immediately identified as providing a significant additional anthropological record of the Wik people and substantially enhanced the small archival collection of McConnel manuscripts already held by the Museum. Mr Langford donated this newly discovered collection to ensure its ongoing access to scholars and in recognition of it complementing the extensive Museum collection of Aboriginal photographs. This collection has been valued at \$425,000.

The Godfrey Shell Collection was donated by the Godfrey family in recognition of Mr Frank Godfrey's association with the South Australian Museum and to complement the ongoing work related to the Museum's Marine Invertebrates Collection. The family also donated \$10,000 in cash towards the documentation and integration of the collection to the Museum's extensive malacology holdings, and I know that there is a lot of interest in malacology in this chamber.

Mr Frank Godfrey was an honorary assistant conchologist at the South Australian Museum during the late 1930s. His collection numbered over 4,000 shells, with virtually all specimens labelled as to the location they were collected from. The handmade collection cases containing the specimens also form part of the donation.

Lastly, the Gareth Thomas Collection of photographic material of over 1,200 items was donated to the Museum's polar collections, including important Frank Hurley photographs. This collection has been valued at over \$500,000. Ultimately, a price cannot be put on what these collections give to our community and what we can learn from them, so I want to thank those benefactors who have made these very generous contributions.

In addition, the Museum has received approximately \$36,000 in cash donations from around 60 private benefactors in response to the last request for support from the SA Museum Foundation. That money will go directly to the Biodiversity Gallery development.

When talking about private benefactors, it is also important to remember the countless people who provide support to our cultural institutions through in-kind support and volunteering. At the Museum, both the Waterhouse Club and the Friends of the South Australian Museum support the work of the Museum through in-kind support of volunteers and private benefactors supporting the activities of both groups. This support is invaluable to the Museum in providing cash support, in interpreting the collections and in research.

I encourage members to donate their own archives to the Mitchell Library. I think it is a very important part of the historical record. When I think of the things that occurred here back in the 1970s, in the Dunstan era, I certainly will be handing over my entire archive to the collection, including—and this is breaking news—the material leaked to me by the opposition when in government.

The Hon. P.F. Conlon: We won't have room for that.

The Hon. M.D. RANN: It will be a big collection. I also have notes of the phone calls that I received, but—

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: Good. I am sure—

Members interjecting:

Mrs REDMOND: Point of order, Mr Speaker.

Members interjecting:

The SPEAKER: Order, the leader will come to order! The member for Heysen.

Mrs REDMOND: The Premier appears to be debating the issue at this point, sir. All his comments up until the most recent were really on the point, but he has diverged from that to just commentary at this stage.

The SPEAKER: I do not uphold the point of order. I think the Premier is talking about his own private endowments, or potential endowments. He is in order. The Premier.

The Hon. M.D. RANN: I was hoping, given that we have dealt with malacology and conchological holdings, that people would welcome the fact that this extraordinary political archive from Dunstan forward would be made available for the historical records of this case—including 880 pages of leaked cabinet documents, including one file that brought down one Liberal premier and the other one that brought down another Liberal leader; and it will reveal the sources of my information.

ATKINSON/ASHBOURNE/CLARKE AFFAIR

Mrs REDMOND (Heysen) (14:19): Does the Premier apply the same professional standards in his office and across his ministry that he expects of the professions that he vilifies? The Premier has said publicly that teachers are playing politics with the lives of children; he has described the state's legal fraternity as enemies of the state; he has accused doctors of blackmail; a Salvation Army officer of lying; and he has accused the media of being biased. Yesterday, in another place, three former members of the Select Committee on the Atkinson/Ashbourne/Clarke Affair concluded that the conduct of the Premier in that matter was, 'improper in that he placed his personal and political interests ahead of the requirement for openness and accountability'.

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) (14:20): I stand by my comments. Of course, the honourable member verballed me. What I said was—and what I have said repeatedly is—that the teachers union is not going to run education in this state. Teaching is an honourable profession. That is what I said yesterday; read what I said yesterday. Members should read my lips: teachers are honourable and the union is playing games.

The Hon. P.F. Conlon: He remembers what he says.

The Hon. M.D. RANN: Unlike the Leader of the Opposition, I remember what I said yesterday, just as I remember what I told the Auditor-General when I asked him to inquire into those matters; just as I remember what I said in court and at the end of the trial when Mr Ashbourne was acquitted—found not guilty—which is what members opposite did not like. While I was giving evidence, I seem to remember a lawyer asking for the court to be cleared because he could not handle the truth.

YACfest

Mr KENYON (Newland) (14:21): My question is to the Minister for Youth. What is the government doing to support the involvement of young people in local community decision making?

The Hon. P. CAICA (Colton—Minister for Industrial Relations, Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Volunteers) (14:21): I thank the youthful honourable member of parliament for his question. This morning I had the great pleasure of opening YACfest 2008 which is taking place as I speak at AAMI Stadium and which has over 100 enthusiastic young people in attendance. YACfest provides an important forum for youth advisory committee members from all over the state to come together and to share information, ideas and experiences.

It is our intention to take YACfest to rural locations next year in order to ensure the widest possible participation. I am sure that most members are aware that youth advisory committees (YACs) allow young people to work in partnership with local councils in order to ensure that their views on key issues are considered in council decision making. It is the government's belief that the needs of young people can best be met through all levels of government working in unison with local communities.

A critical part of this cooperation is ensuring that young people themselves are actively engaged in decision-making processes associated with issues that directly affect their lives. YACs participate in a wide range of activities in their local communities, including establishing youth-friendly public spaces, working on environmental projects, participating in cultural awareness campaigns and promoting positive health programs across a range of issues. Issues affecting young people, in the main, are no different from those affecting the general community.

The Office for Youth provides \$250,000 in funding for the participation of 775 young people in YACs across 58 local councils. In addition, \$30,000 of the funding has been directed specifically towards helping young people overcome barriers to participation, and this includes funding to encourage participation in YACs by young refugees and newly arrived migrants, the running of regional forums and supporting the involvement in YACs of young people with disabilities.

The outstanding success of the YACs is testament to the partnerships that have been developed among the Office for Youth, local government and young people. In order to further strengthen these partnerships, I am pleased to inform members that I recently co-signed a memorandum of understanding between the Office for Youth and the Local Government Association, which formalises the principles of cooperation, information sharing and collaboration in progressing those issues of importance to young people.

This is an important step to ensure that young people continue to be provided with opportunities to participate in community decision making. Our young people have much to contribute to our communities, and the community benefits from their participation in decision making on key issues.

POPULATION STATISTICS

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:24): Is the Premier proud of his government's plan to reduce the number of people living in South Australia? The government has spent hundreds of thousands of dollars promoting its achievements. One of these is listed on page 24 of the Department of Trade and Economic Development's 2007-08 annual report, which was tabled yesterday. This listed major achievement is 'the net loss of 4,125 persons interstate for the year ended March 2008, which is a 15.5 per cent higher result than last year'. Congratulations on the achievement!

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:25): I have been reflecting—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: The figures are 13,000 more people in South Australia last year compared to the year before. The figures are: record number of migration since 1972—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I have called the house to order. I am on my feet: I expect silence.

The Hon. M.D. RANN: I will sit down if you want to engage in debate, but the fact is that, from my recollection, there were 13,000 more people in South Australia—our population was up by 13,000. We had the record migration level since 1972. When we got into government, if you want to raise this issue—look at him, grinning like a Cheshire cat. Let us remember that the day that I was sworn in I was told that we faced population decline. And then when I came out and said that we were going to go for growth and that we were going to head for 2 million people by 2050, people sneered. They said it was unachievable. And what have we been told now? We have been told that, rather than being unachievable, we will reach that target more than 20 years ahead. Population up under Labor: population heading for decline under the Liberals.

I just want to reply to something that was said before, because the person who is judging me, Sandra Kanck, is the person who wanted our kids to try ecstasy at rave parties and who said that the bikies were innocent, and she also said of course that we should have these do-it-yourself suicide kits. I guess what I am saying is that, if that is my judge, then I am delighted that she does not support what I do.

Mrs REDMOND: Mr Speaker, I rise on a point of order. The question was about population. I do not understand the relevance of the Premier's current comments.

The SPEAKER: The Premier—

The Hon. M.D. RANN: The relevance is clear. Rather than a court of law that found an acquittal, it was a petty session.

The SPEAKER: Order!

MODBURY HOSPITAL

Ms BEDFORD (Florey) (14:27): My question is to the Minister for Health. What improvements have been made in delivering elective surgery at Modbury Hospital since it was taken back into government hands?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:28): Can I say that the member for Florey is—

Ms Chapman interjecting:

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

The Hon. J.D. HILL: —a passionate advocate for Modbury Hospital, which is in her electorate. In fact, I think it would be fair to say that no hospital has a more passionate advocate for it than the member for Florey in relation to the Modbury Hospital. Modbury Hospital was transferred back into the control and care of the state government at midnight on 1 July 2007.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is warned.

The Hon. J.D. HILL: Today I can announce that, in its first year in government hands, elective surgery procedures at the Modbury Hospital have increased by 15 per cent on the 2006-07 years. In one year we have increased elective surgery procedures at Modbury Hospital by 15 per cent. That means that an additional 304 elective surgery procedures were performed at that hospital. This is beyond our expectations. We predicted in our state Health Care Plan a 10-year estimated increase of 12 per cent, and I informed the house of that on 21 June 2007. So, we have achieved the 10-year target in our first year.

I would like to take this opportunity to thank the dedicated doctors and nurses at the hospital, who have ensured that the hospital is exceeding the ambitious targets that have been set for it. The South Australian Health Care Plan identified Modbury as a high-volume elective surgery site that would focus on the needs of its local community, and that hospital is certainly delivering on that. In fact, Modbury Hospital's performance has improved to the extent that, since September, the central northern region has identified an extra 89 patients who can receive their treatment at Modbury who would otherwise have gone to the Royal Adelaide Hospital, with 14 patients already scheduled for or receiving their surgery.

Further improvements in elective surgery performance are anticipated as funding is received from the commonwealth Elective Surgery Waiting List Reduction Plan, stage 2. The commonwealth provided South Australia with an additional \$13.6 million for 2008 to undertake an additional 2,262 elective surgery procedures by 31 December this year, and a further \$8.1 million has been committed by the commonwealth, with South Australia receiving \$3.1 million in 2008-09 and \$5 million in 2009-10.

These funds will be aimed at assisting hospitals to increase elective surgery in line with the commonwealth Elective Surgery Waiting List Reduction Plan and the South Australian Health Care Plan. This is a really great example of what it means to have a Labor government in Canberra—great cooperation and great coordination between the two levels of government, which has been unseen for years.

A considerable portion of the money I have just described will be directed to the Modbury Hospital, including \$1.15 million for additional ward capacity and \$763,000 to buy more surgical equipment. In addition, with the support of the commonwealth Elective Surgery Waiting List Reduction Plan, I advise that from February next year Modbury Hospital will reintroduce a plastic surgery service with the appointment of a visiting medical specialist. A fifth general surgeon has also been recruited, and he or she will also commence in February next year.

The increase in general surgery capacity has been planned to accommodate an increase in referrals, including cancer-related surgery. Waiting times for Modbury general surgery outpatient appointments and elective surgery are less than 90 days, which is a benchmark across the state. We are also securing the long-term future of the hospital by undertaking necessary infrastructure improvements to bring the hospital back to the standard the South Australian public health system had before it was privatised by the then Liberal government.

We have already undertaken works which include \$1.7 million on upgrading the plumbing and \$280,000 on removing asbestos and installing fire sprinklers. These may not be high-profile or glamorous additions to the hospital, but they are important in providing quality safety and care for all patients. In addition, we have committed a further \$12 million to upgrade the facilities at Modbury.

Modbury Hospital has a strong future, and it is integral to South Australia's Health Care Plan, which will ensure that South Australians continue to have access to world-class health facilities well into the future. I commend the staff of Modbury Hospital once again for their great achievements.

GOULBURN AND MURRAY VALLEY PIPELINE

Mr WILLIAMS (MacKillop) (14:32): My question is to the Premier. Can Victoria withdraw from the intergovernmental agreement, signed on 3 July, if the Sugarloaf pipeline project does not proceed? If that is the case, is this not proof that the states have retained their veto powers?

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) (14:33): That would have to be the dumbest question I have heard or seen in 23 years.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Just think about this: in exchange for a substantial monetary commitment by the federal government, each of the states is handing over its constitutional powers.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I will explain this and really spell it out for you. There was a Constitution of Australia. That constitution, which was formed when we became our own federation in May 1901, spells out that the states had control over the rivers, and therein lies the problem for the last 100 years because, rather than its being run as one river, it has been run in four parts. So, what the Howard government did (and I will go back over what I said yesterday) was offer \$10 billion, some of which was going to go to Western Australia, which I did not really understand because I did not think the River Murray went that far.

Mr Williams interjecting:

The SPEAKER: The member for MacKillop will come to order.

The Hon. M.D. RANN: That \$10 billion was being offered in exchange for us handing over our powers, through legislation, to the federal government.

Mr Hamilton-Smith interjecting:

The SPEAKER: The Leader of the Opposition will come to order. The Premier.

The Hon. M.D. RANN: The Leader of the Opposition just said that the Howard offer was a phony exercise—and he was right. He was dead right! I am pleased that they are now turning on their former hero, because the fact of the matter is that the Howard offer—and let us go back to that meeting on Melbourne Cup Day 2006 and the two meetings in February 2007—involved us handing over constitutional powers from one group of politicians to another that would be under the influence of the rice and cotton growers upstream.

We could not see the point of that, which is why I fought for an independent commission which, by the way, the South Australian Liberals did not support. They wanted me to sign up to anything because it was John Howard's plan—not one that was in the interests of South Australia. They put their party before their state.

An honourable member: Shame!

The Hon. M.D. RANN: Yes; shame. I do not usually respond to interjections, but shame. The fact of the matter is that what Kevin Rudd did was make a massive offer of about \$13 billion to the states, and that involves the \$610 million that we are spending down around the Lower Lakes and other parts of the River Murray in order to re-engineer the Lower Lakes and so on.

The point of the matter is that what was signed up for with the IGA was that, in exchange for that funding commitment, each of the jurisdictions would hand its powers over to the independent commission, and over to the federal government. However, if your mates in the Senate are trying to abort the deal—

Mr Williams interjecting:

The SPEAKER: The member for MacKillop.

The Hon. M.D. RANN: —then that means you will prevent, for the next 100 years, an independent commission running the River Murray. What you are trying to do is to abort the deal. If you are successful in that, you will stand condemned—

Mr Williams interjecting:

The SPEAKER: The member for MacKillop will come to order.

The Hon. M.D. RANN: —by generations of Australians for failing to support the rescue of the River Murray.

EMERGENCY SERVICES MEDAL

Ms SIMMONS (Morialta) (14:36): My question is to the Minister for Emergency Services. What has the government done to recognise emergency services personnel who have gone above and beyond the call of duty?

The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (14:37): I thank the member for Morialta for her question. On Monday I had the pleasure of acknowledging the courage, passion and dedication of 14 South Australians by presenting them with an Emergency Services Medal. I also had the honour of presenting 18 other recipients with a ministerial commendation.

The South Australian Emergency Services Medal is given to an individual who has demonstrated distinguished and/or meritorious service of the highest order, in recognition of his or her significant contribution to the emergency services in South Australia, while a ministerial commendation recognises significant effort, bravery or service and is awarded for meritorious or courageous action. This year's recipients come from the Country Fire Service, Metropolitan Fire Service, State Emergency Service, Volunteer Marine Rescue, Surf Life Saving South Australia, and the South Australian Ambulance Service.

The awards have been running for eight years and reflect the exceptional acts of bravery and outstanding service that volunteers and paid staff make to the emergency services sector and

to community safety. These awards recognise people like Peter Marshman of South Brighton, an aerial services officer from Surf Life Saving SA, and a constituent of the member for Bright. Peter has served at the state level for more than 34 years. Also recognised was Wayne Atkins of Athelstone, a commander of the CFS Brukunga Unit, who was responsible for the safe medivac of a number of firefighters who were injured at Willunga earlier this year. I understand he is a constituent of the member for Morialta.

Whether it involves rescuing someone from a bushfire, a cliff face or treacherous seas, or finding new and improved ways to better service and protect the community, these 34 individuals and groups have helped to build community resilience and make South Australia a safer place. Since 2002 the government has significantly increased funding from the Community Emergency Services Fund to all of our emergency organisations, and it continues to provide strong support to all emergency services personnel. As the backbone of the state's emergency services capacity, our emergency services personnel are a formidable force that focuses on the safety and security of all South Australians.

WATER RESTRICTIONS

Mr WILLIAMS (MacKillop) (14:39): My question is to the Minister for Water Security. Why can the Victorian and Queensland governments maintain water restrictions based on volume of use per household but the South Australian government cannot? In Queensland and Victoria an amount of water is allowed per household. Our Minister for Water Security has dismissed this system. She says this is because, 'It would be a very difficult administrative exercise to bring that into play'—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order, the Attorney!

The Hon. M.J. Atkinson interjecting:

Mr WILLIAMS: I am reading verbatim from struggling grammar. She continues:

There are a whole heap of complications there. How many people are in each household; how many people move house during the course of the year; how do you keep track of household use?

The opposition is informed that in Queensland and Victoria households often have different sizes, and people also, from time to time, move.

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:41): It never ceases to amaze me how a little bit of the information can be interpreted so incorrectly. One of the problems with the shadow minister is that he fails to understand what is happening in other states—first and foremost—and then asks a question about what South Australia's opinion is to something completely different to what Queensland and Victoria are doing.

Queensland and Victoria are not making allocations to individual households; they are not doing that. It is as simple as that. They are not allocating water to individual households or individuals. They are not applying an individual allocation. What they are doing is setting a target, and saying, 'Let's try to get to this amount per household.' They are not setting an allocation. The question that I was asked, and answered, that the shadow minister has now quoted into *Hansard*, was about providing an allocation to households, that each individual in each household should have an allocation—very different to having a target.

If you were to endeavour to allocate a certain amount to each person, it would be a highly complex system to actually administer, and it would have all those problems of householders changing, the number of people in each house, householders moving, and all those sorts of things. What they have done in Queensland and Victoria is set a target. They have said, 'We'd like to see on average across the board'; they are not going in and saying, 'You choose whether you use water inside or outside the house. We'll give you an allocation per person, and you choose whether you use it inside or outside the house.' What Melbourne is actually doing is saying, 'We're still going to have level 3A restrictions, but we want you to try harder, and if you can we want to get the average across this state down to around about 150 per person.' Great; it is a terrific target. It is not an allocation to each individual person—a very different thing; and I think the shadow minister should understand that.

EDUCATION AND CHILDREN'S SERVICES LEGISLATION

Ms THOMPSON (Reynell) (14:43): My question is directed to the Minister for Education. What progress has been made to reform education and children's services legislation?

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:43): I thank the member for Reynell. I know that she has been very active in responding to all our consultation processes and has been involved in commenting on and supporting the formation of the important legislative reform agenda that this government has undertaken in order to bring our education system up to date after more than two decades of little reform.

Already, the government has been involved in listening to and working with a range of communities across all the education sectors—parents, unions, communities, and school councils—to improve our legislation to support the education and care of today's children and future generations.

The feedback that we have received through these consultations has been really invaluable and has allowed us to develop new laws which have already paved the way for better child protection systems; sound standards for registering teachers, with a new teacher's registration board; a new SACE board to oversee the new South Australia's Certificate of Education, which is being introduced to year 10 students from the start of next year; and new compulsory education learning or earning laws, which will support young people to remain in school or relevant training until their 17th birthday, or until they achieve their SACE or an equivalent qualification. And this, of course, will be introduced into the community next year.

In September, my colleague the Minister for Early Childhood Development, Jay Weatherill, and I announced a new discussion paper that invites education and early childhood communities and organisations to contribute their views on the proposed legislative change. This discussion paper is the third in a series and covers a diverse range of issues that relate to the administration and operation of our services.

The views and feedback obtained from this discussion paper will help inform the development of a draft bill which will again be consulted on and introduced into the South Australian parliament during 2009. Written submissions will be received until 5 December and I encourage all those interested in this agenda to log onto www.edlawreform.sa.gov.au where there will be copies of the discussion paper and a response and feedback form so that they can be involved in this debate.

LAFFIN'S POINT WEIR

Mr PEDERICK (Hammond) (14:46): My question is to the Minister for Water Security. Does the government support the proposal to construct a weir (or similar) at Laffin's Point, just upstream of Goolwa? The opposition is aware that the government is considering a proposal to block the river at Laffin's Point and fill the resulting weir pool between it and the Goolwa barrages with either fresh water or sea water.

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:47): I appreciate the opportunity to respond to this question because it misrepresents the situation.

An honourable member: Again.

The Hon. K.A. MAYWALD: Again. Surprise, surprise!

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: A point of order, sir: I think the minister is debating. How on earth can a question misrepresent a situation?

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: It is question time: it is not time for debating the question itself.

The SPEAKER: I would need to have a close look at the question and what the minister said. It is one of those areas that is a bit hazy in terms of what is debate and what is not. I think it is fair enough.

Members interjecting:

The SPEAKER: Order! Are members interested in my ruling or not? I am more than happy just to move on.

Mr Williams: I am interested to hear it, sir.

The SPEAKER: Then members will be quiet and listen to it. I do not think it is unreasonable if a minister is asked a question which has some basis in an assertion to question whether or not that assertion is correct. I do not think that is debate. I can see how in some circumstances it perhaps could be debate, but I will listen to the minister's answer. If I do think she is straying into debate, I will call her to order. The Minister for Water Security.

The Hon. K.A. MAYWALD: Thank you, sir. A number of community groups in Goolwa, one being the boating community and another being the Progress Association at Goolwa, approached their local council and, with the local council, they approached government to investigate on behalf of that community some options about raising the weir pool around the Goolwa community to assist the boating and tourism industries around Goolwa.

A number of the suggestions that the community put forward were an embankment at Laffin's Point, an embankment at Clayton—in fact, they put forward to the government a number of options for consideration. So, as this government is responsive to communities and to the needs of communities that are doing it tough as a consequence of this particularly extreme drought, we agreed to do those investigations. We are undertaking those investigations which include some drilling and understanding what is at the base of the river—what the riverbed is made up of and if it is possible or feasible to build any infrastructure in those areas to assist those communities.

In those investigations we are also looking at other options such as around Clayton, whereby we might be able to maintain a fresh water environment at the junction of the Finniss and Currency Creek inflows into the Goolwa channel. There is a lot of fringing vegetation around there that has extremely high biodiversity values, and at this time they are suffering from some points of acidification and salination that are of concern to the government and to the communities around that area, given that as the summer goes on those areas could be further put at risk.

In that investigation we are undertaking a number of investigations into different options that may enhance the environmental benefits around that region by managing the system a little differently but also by looking at ways in which we can assist the Goolwa community to have access to higher levels in the Goolwa channel. These are investigations which we are making on behalf of the community following requests from the community and requests from council. There is no secret agenda by government, and the implication—

Members interjecting:

The SPEAKER: Order!

The Hon. K.A. MAYWALD: The implication in the question asked by the member was that we were going to block off the channel. The government is not doing any such thing. What the government is doing is, on behalf of the community, undertaking investigations that we have been requested to undertake. As a responsible government that is the right thing to do. What the opposition chooses to do now is to try to play politics, again, with what the community has requested us to do.

Members interjecting:

The SPEAKER: Order!

The Hon. K.A. MAYWALD: We could do what the opposition does and we could do nothing and tell the community that we are not going to do anything.

Ms CHAPMAN: I rise on a point of order. The member for Hammond asked the minister, on this very important issue, a simple question: is she considering it; does she support it or not? Quite clearly she is debating the matter now. She has identified that she has not made up her mind yet.

The SPEAKER: Order! The deputy leader can take her seat. Yes; the minister is now debating the matter.

The Hon. M.J. ATKINSON: I rise on a point of order. I heard the member for MacKillop audibly refer to the minister as a goose and I ask him to withdraw it, as it is unparliamentary.

Members interjecting:

The SPEAKER: Order! The house will come to order. I did not hear the remark. I have heard such epithets being exchanged across the chamber. I urge members not to engage in childish name calling. The Minister for Water Security.

The Hon. K.A. MAYWALD: The question was whether or not we support a proposal. What we do is that we support the community in undertaking these investigations. You cannot make a decision before the investigations are undertaken. It is stupid and foolhardy to say whether you support something or not without having first undertaken a full investigation into whether or not it is feasible.

We have a concept; we have an idea that has been put forward by the community. We are going to investigate; we will look at whether it is feasible, and then we will make decisions with the community as to whether or not a project like that should go ahead. There are also implications in relation to funding and who is going to fund it and the like.

So, I think that, rather than making a decision before we have actually investigated it, as the opposition always does—they did with the desalination plant: \$400 million and we were supposed to plonk a desalination plant there without a pilot plant, without anything. That is its idea of how you make decisions. What this government will always do is the proper and thorough investigations before making—

Mr WILLIAMS: I rise on a point of order.

The Hon. K.A. MAYWALD: —a decision as to whether we will support a project or not.

The SPEAKER: Order! The Minister for Water Security will come to order.

Mr WILLIAMS: The minister is now entering debate. She is making things up.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The house will come to order!

Members interjecting:

The SPEAKER: The member for MacKillop does not have a point of order and, if he uses points of order to attempt to make debating points, I will not give him the call when he rises to make a point of order in future. The member for Morphett.

GIFT OF LIFE GARDEN

Dr McFETRIDGE (Morphett) (14:55): Thank you, Mr Speaker. I did not think we were going to get to this. Will the Minister for Transport confirm that it is the government's intention to bulldoze the Gift of Life Garden as part of the tram extension to the Entertainment Centre? The Gift of Life Garden was established—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: The Attorney will come to order!

Dr McFETRIDGE: The Gift of Life Garden was established as an expression of gratitude and to pay tribute to the many people who have donated organs and tissues, honouring their commitment to help others in our community. Families have used the garden as a place of reflection and remembrance since its creation in February 2000. Commemorative roses have been planted by the former governor Sir Eric Neal, health ministers Dean Brown, Lea Stevens and John Hill. TransAdelaide representatives have now advised those people connected with the Gift of Life Garden that it will be removed from the current site to make way for the tram extension to the Entertainment Centre, which, as those representatives have said, 'has to be built before March 2010'.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:56): If you observe carefully the difference between the question and the explanation, the question was: are we going to bulldoze the garden of remembrance; and the explanation was that we went to talk to these people about relocating it. Can I ask this: have you been there? Tell me honestly: have you been there?

Members interjecting:

The Hon. P.F. CONLON: No, because I make that point.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: They hate it when they're caught out, don't they? The old glass jaw—you can hear it tinkling. You can hear the tinkle of broken glass. The point I make is this: if you do go there, you will see that the garden of remembrance is in the middle of a very busy road and is not frequented as often as it deserves to be, given the importance of it. We believe—and some other people—

Ms Chapman interjecting:

The Hon. P.F. CONLON: Well, have you been?

Ms Chapman: Yes, I have.

The Hon. P.F. CONLON: Oh, yes. Come on, hands up, tell the truth. We've got two.

Mr HAMILTON-SMITH: Point of order, Mr Speaker.

The Hon. P.F. CONLON: 'I've been there!'

The SPEAKER: Order!

Mr HAMILTON-SMITH: The minister is just making an absolute fool of himself. I mean, please save him.

The SPEAKER: Order!

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order, Minister for Transport! I repeat what I said to the member for MacKillop to the Leader of the Opposition: it is not in order for the minister to try to elicit interjections or answers, or anything like that, from the opposition. The Minister for Transport.

The Hon. P.F. CONLON: Thank you, sir, and I will return to it, but I do point out that when they howl interjections like banshees it does try the patience of even the most patient man. But don't you like the tinkle of that glass jaw? Don't you love it? He can't stand an iota of ridicule.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Put him down. I look forward so much to March 2010 and the slogan, 'Marty Ta Ta 2010' when the Premier takes yet another scalp. How many is that now, sir? Eight?

An honourable member: Five.

The Hon. P.F. CONLON: Five.

An honourable member: The arrogant copycats.

The SPEAKER: Order!

The Hon. P.F. CONLON: I do have this approach to my politics: I do not have the short-term memory of a goldfish. I do remember what I said a minute ago. Did you see him—he could not bring himself to apologise even though he knew he was wrong.

The SPEAKER: Order, the Minister for Transport! The Minister for Transport needs to return to the substance of the question.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: It is our intention to work with the people and to relocate it to a spot superior to the one which it occupies at present and which will allow a more reflective use of an important garden. I point out that if members opposite believe that being in the middle of Port Road, with trucks and traffic going in both directions, is the most reflective spot in which to put such a garden, then I simply do not agree with them. It is utter nonsense and a piece of dishonesty to suggest that we are bulldozing the gardens. Nothing could be further from the truth. We will work with those people to put them in a better place.

EASLING, MR T.

The Hon. I.F. EVANS (Davenport) (15:00): My question is to the Minister for Families and Communities. Does the minister stand by her statement in the house in regard to Tom Easling that 'we had people going into that house and finding semi-naked boys in his bed'?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:01): I answered this question yesterday when I said that I used my own words to summarise information that I had.

Mr Venning interjecting:

The SPEAKER: Order, member for Schubert!

The Hon. J.M. RANKINE: I stand by my statement to this house yesterday.

EASLING, MR T.

The Hon. I.F. EVANS (Davenport) (15:01): I have a supplementary question. Will the minister explain to the house why she will not stand by her earlier statement that 'we had people going into that house and finding semi-naked boys in his bed'?

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:01): Alas, the member for Davenport has not paid sufficient attention to Justice David's summing up in the Easling trial. He has not paid sufficient attention to the trial transcript. He has not paid much attention to the article by Jamie Walker in *The Australian* where he interviewed Tom Easling about this very matter. If he paid attention to those matters, he would see that there is a more than adequate substratum of fact for anything that government ministers have said in this house. An inquiry is being conducted by the Crown Solicitor himself into this matter. I will report to the house in due course. The report is not yet with me.

EASLING, MR T.

The Hon. I.F. EVANS (Davenport) (15:03): My question is to the Minister for Families and Communities. In answering a question about Tom Easling on 30 October, where she claimed that 'we had people going into that house and finding semi-naked boys in his bed', did she accurately summarise the information in her possession?

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:03): I think the parliamentary Liberal Party must be suffering great trepidation each time it hears the member for Davenport rise to his feet on this matter. They must wonder what they are going to be lumbered with at the end of the process.

Ms Chapman interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. M.J. ATKINSON: The answer is that anyone who with a fair mind reads Justice David's summing up, the trial transcript and the documents provided to the defence in the Easling case would understand that everything said by government ministers in this house has a more than adequate substratum of fact. The member for Davenport would know exactly the incident in the trial and the summing up to which the minister was referring. One thing the member for Davenport never mentions is that some of those verdicts were majority verdicts.

YUNTA RURAL SCHOOL

The Hon. G.M. GUNN (Stuart) (15:04): I direct my question—

The Hon. I.F. Evans: Have a good Christmas, Michael.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The member for Stuart.

The Hon. G.M. GUNN: My question is directed to the Minister for Education. Can she give an assurance that there will be no changes to the Yunta Rural School without the agreement of the parents whose children attend that school? I have received a letter from the chairman of the governing council of that school, which states:

The Yunta community is proud of its school, which is seen as the 'hub' of the community—and, indeed, a vital asset to our small remote town.

Another letter states:

Our community strongly supports the continued provision of R-7 education at Yunta Rural School for the district. Despite the current student enrolments being low, we believe student numbers will increase in the next few years.

I point out to the minister that there are some 80 kilometres between Yunta and Peterborough.

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (15:06): I thank the honourable member for his question. He is a great advocate for the schools in his constituency. He has on many occasions brought to my attention problems, which I have endeavoured to resolve and have occasionally succeeded in resolving for him.

The Yunta community is one that has had shocks over the years. It has had declining enrolments and services have changed, with council amalgamations, and a whole range of things have happened over many years. I think that that community is a very hardworking one, with a very good school. If the member believes from the evidence he has that there will be more enrolments in the future, I am delighted, because we certainly understand that even small regional schools deserve the funding to maintain viability. Of course, there has been much debate about various funding models over the years and I have always said that, irrespective of how we fund large or medium-sized schools, small schools, particularly in regional areas, will always receive a larger per capita overall allocation of funding because they do not have the economies of scale.

I will reassure the member that that policy has not changed. We understand that small regional remote and distant schools clearly cost more money to manage, and we will continue with those increased allocations of funds to support those small schools. I hope that the Yunta community has a good Christmas and manages to engage more young children and enrol more children, and I wish the community well.

GRIEVANCE DEBATE**YORKE PENINSULA**

Mr GRIFFITHS (Goyder) (15:08): I wish to talk about two events or activities that have taken place on Yorke Peninsula (an area that I represent) in recent months. The first involves minister Caica, for which I thank him, and it relates to broadband. Yorke Peninsula has been quite aggressive in this respect, and 19 August this year was a great day for the peninsula when Stephen Conroy, the federal minister, and minister Caica were both at Minlaton on Yorke Peninsula to officially launch the broadbanding of Yorke Peninsula project.

It was the result of a lot of hard work that brought us to that day, and it had stemmed from a need within local government to at least be able to communicate between the four offices and the fact that Telstra, which had been contacted numerous times, unfortunately, was not very willing to invest in the infrastructure that we needed to have broadband available on the peninsula.

However, through the availability of federal and state government grants and also a significant contribution from the Yorke Peninsula council (and I pay tribute to the elected members who were brave enough to make the decision), and primarily because of the fact that a company by the name of Agile Internode was chosen to undertake the project and also invested money, Yorke

Peninsula is now one of the very few regions in South Australia and across the nation that has such wide-ranging coverage for broadband.

It was not an easy decision to make for all the parties. In total, since 2004, some \$2.75 million of federal and state government funding support was provided for it. I put on the record the fact that Simon Hackett, as Director of Agile Internode, has always been a passionate supporter of telecommunication opportunities within regional South Australia, and what the company has done in the Coorong area of the state has also been very well received. He drove his staff, and they were quite magnificent in ensuring the best possible coverage.

There were some issues about the funding available for connections to individual homes. Minister Caica took a lead role, and I know that, when the Liberals were in power, he flew to Sydney one day with his chief of staff to talk to the federal representatives about it. The situation improved, and I congratulate all those involved.

Certainly, during estimates this year, when I asked the minister about the number of connections, he could tell me that, at that stage, there were some 788 connections on Yorke Peninsula, which is outstanding. I know that a lot of other areas in the state also want to move forward to that. This shows that when the people doing the connections, the community who want to purchase the service and local, state and federal governments work together, some wonderful outcomes can be achieved. Well done to all those involved.

The second issue I want to raise in the brief time I have is an area of concern because it is creating considerable angst in the community, and it relates to a development proposal for Owen Terrace in Wallaroo. I am not sure whether members of the house have noted this issue, but it has been reported in the media, certainly in the local press, and it is also been on radio quite a bit.

The council and the community recognised that the central business district part of Wallaroo was in need of redevelopment, and they developed a vision for it. It is currently used as a bowling club and a croquet club, and everyone recognised that there was opportunity to move those clubs near to the golf course. Luckily, they managed to attract some \$250,000 from the Australian Water Fund—a Liberal coalition government initiative—to assist with saving water. They are using the money to replace the greens with synthetic greens and, by using those funds to contribute towards redeveloping the golf club, everybody wins.

Importantly, some would say that the proposal to redevelop the area from recreational use to a commercial zone has really divided the community. A public meeting was held in September, which was attended by 500 people who, it is fair to say that, whilst supporting the development, did not want the proponents selected by the council to undertake it. It is important that I put on the public record that council sought expressions of interest from a wide range, and I know that they received six. My understanding is that five were seriously interviewed and, from those, one was chosen. During this time, some negotiation occurred about the level of financial return to the council for the transfer of the land, which in turn was to be used to relocate the croquet club and the bowling club.

It is important that we understand that the community is upset. I respect enormously the fact that people should be able to express opinions. There are people on the Copper Coast who want the development; there are some who do not. Everybody wants the development to occur; it just depends on who is chosen. The developers who have been chosen have Woolworths as their core tenant, whereas Foodland has been in the community for many years, and there is no doubt that it has been a tremendous sponsor of the Wallaroo community. So, a difficult decision has been reached.

My great fear is that this is creating tensions between people who have been friends for many years. I hope that we all manage to move forward. I know that this matter has been the subject of debate in the other place, and last night a notice of motion was considered for an investigation to be undertaken by the Ombudsman.

Time expired.

WORLD AIDS DAY

Ms CICCARELLO (Norwood) (15:13): In 1988, the World Health Organisation declared the first World AIDS Day in response to the epidemic that was continuing to sweep the globe. In a concerted effort to raise public awareness about HIV and AIDS issues, as well as to highlight the need for the continuing development of education and prevention initiatives, World AIDS Day was to serve as a reminder to everyone that this problem was far from going away.

Next Monday, 1 December, marks the 20th anniversary of World AIDS Day. Unfortunately, its message is still as relevant and necessary today. The statistics are sobering, and I am sure that most people are aware of the current AIDS crisis in sub-Saharan Africa, a region that accounts for 67 per cent of all people living with HIV and 72 percent of AIDS deaths in 2007. While this seems to garner the most press attention and global government intervention, as obviously it should, it does tend to overshadow the state of HIV and AIDS in Australia, so it is important to spend a brief moment outlining the history of HIV and AIDS in our own backyard.

Between 1981 and 2007, 27,311 diagnoses of HIV infection were made, and there were 10,230 diagnoses of AIDS and 6,767 deaths following AIDS in Australia. The estimated number of people living with HIV infection in Australia in 2007 was 16,692. The candlelight memorial held last night was a sad but proud reminder that we must honour every death and value every life.

It is a fact that Australia continues to have one of the lowest rates of HIV diagnosis among similarly developed countries. It is also a fact, and an alarming one, that, over the last few years, the overall rate of new diagnoses in Australia has increased and that, last year, there were 1,051 new cases of HIV diagnosis. Whether that is as a result of complacency, a lack of awareness, a misguided belief that treatment exists which relegates HIV and AIDS to a mere annoyance in an otherwise healthy life or a peer and familial reluctance to discuss a disease that has always had an inevitable accompanying stigma, I am not sure.

It is over two decades since we saw the federal Labor government commission the infamous grim reaper advertisements on TV; an extremely confrontational campaign which brought the issue of HIV and AIDS to the forefront of people's minds, especially young people. However, the youth of today have never seen this campaign. They have never been exposed to the harsh reality brought home so vividly by the campaign; that it is not just the person you are having sex with but all that person's previous partners as well. It may, therefore, be a telling factor that the number one age group that has registered an increase in these new cases of infection are those under 30 years. That is why World AIDS Day is so important. It is recognised by millions of people in more than 190 countries around the globe. It is a stark reminder that there are still serious and current challenges posed by HIV and AIDS.

The theme of this year's World AIDS Day is: Enjoy life. Take Control. Stop HIV/AIDS. It is a theme about personal responsibility, of awareness about your own choices and how they might impact on others. Importantly, though, it also emphasises that HIV/AIDS is not a moratorium on passion and fun. You can still enjoy life and have a great time but, like anything in life, it must be balanced with judgment and personal responsibility.

The peak body for HIV/AIDS is the AIDS Council of South Australia which is located in Norwood. I am honoured to say that it is another one of the many fantastic groups in my electorate which dedicate their time and commitment in promoting health empowerment to the community. The AIDS Council was formed in the mid-1980s as part of the overwhelming community response to the HIV/AIDS crisis. Its vision is simple: a future free of HIV. Its mission is essential: to improve the health and wellbeing of its clients and prevent the transmission of HIV.

Its strategic directions—to prevent transmission, advocate change, maximise health and wellbeing, provide a leadership role and to increase the council's sustainability and independence—continue to form the backbone of the considerable challenges confronting the council. The AIDS Council is not just about safe sex campaigns (which are, of course, important) but also about advocacy, education programs, personal development skills building, information and referrals. All these are vital for effective health promotion to the community and I am pleased that the AIDS Council does this with such commitment and passion for the cause. To Gary Spence, the acting executive director, and his fantastic team: a job well done.

World AIDS Day is a time for maximising public awareness about HIV/AIDS and, in particular, how to prevent its spread. However, it must also highlight the need for support and understanding for people living with HIV/AIDS. Discrimination and stigma associated with this disease must stop and people living with HIV/AIDS deserve to be and must be treated with compassion and understanding. Fortunately, there are many wonderful organisations in South Australia that provide this support and assistance, and I give my heartfelt thanks to them all.

The red ribbon, the international symbol of HIV and AIDS awareness, represents support for those living with HIV/AIDS and their caregivers. I encourage everyone to go to Rundle Mall tomorrow to purchase one. Wear it as a sign of respect, a show of support and a blazing reminder

to everyone that HIV/AIDS has not gone away and will not go away without the entire community getting involved

Time expired.

MITCHAM HILLS FIRE SAFETY

The Hon. I.F. EVANS (Davenport) (15:18): I wish to comment on a public meeting that I hosted on Monday with the CFS and the local mayor, Ivan Brooks, in relation to fire safety in the Mitcham Hills. This is not a new topic to the government or, indeed, the house, as I have raised my concerns about bushfire in the Mitcham Hills a number of times.

The most telling contribution on the night came from the local Sturt commander, Mike Pearce, who I have the greatest of respect for. He is a long-time firefighter. I think he is a member of the MFS as well as the CFS. He is a very experienced firefighter. When people like Mike Pearce get up and say that the Mitcham Hills has 26,000 residents in 9,000 homes but only seven escape routes and that, on the lightest day of fire two of those escape routes are likely to be blocked because of the action of the fire, and evacuation is, therefore, a major issue, I think the community and authorities need to listen. As luck would have it, Euan Ferguson, the head of the CFS was there. These arguments were not new to Mr Ferguson, as I have been raising them with him for a number of years now.

We had about 200 at the meeting. I sought four meetings with the CFS late in winter, and we managed to get one. I hope to get more meetings next year, because there is a real issue in the Mitcham hills. Mike Pearce describes the Mitcham hills as one of the highest fire risk areas in the world, not dissimilar to California; and we have seen what has happened to California this week.

The real concern is that the Mitcham hills as a community has not seen a bad fire, as in an Ash Wednesday-type fire, for well over 50 years, so in some quarters there is a complacency and an assumption that the CFS will be there. If my memory serves me right, there are only 12 appliances across the Mitcham hills. They rely on an agreement with the MFS and, of course, aerial bombings have been very successful.

One of the reasons the community has not seen a bad fire is because of the excellent work of the CFS and MFS and the aerial bombing techniques. The CFS's message is right, but I think you also have to plan for what the community is likely to do. The CFS message is: prepare your property early, and then plan whether you are going to stay or go. If you are going to go, go early before the fire starts. If you are going to stay, then make sure you are prepared with all the right equipment, clothing and those sorts of things.

With 9,000 households there, what is the likely response from those households if an Ash Wednesday-type fire comes through? I suspect that a lot of them will panic, and a lot of them will seek to evacuate. If they seek to evacuate, I do not think the road infrastructure will carry them. As I said on the night, if you have ever driven in the Adelaide Hills in fog, then driving in smoke during a bad fire is a very similar, if not worse, experience.

I am pleased that the CFS has held public meetings there; I really hope it holds four or five next year. I think that, with other members of the community, the CFS needs to doorknock the households in the area over a period of months, eyeball the property owners one-on-one and explain to them the fact that the CFS will not be at every house—they will not even be at every street—and really make sure the households are focused on the danger they face, particularly this year, which is the third or fourth year of drought. There is a very dry fire load there waiting to go up.

I do appreciate the CFS's support. Five or six of the upper echelons of the CFS and probably 20 local firefighters were there supporting the community and trying to get the message out. The CFS does a fantastic job but, ultimately, it will be up to the residents. The safety of the residents will largely come down to how well prepared they are, how good a plan they have in place and whether they can hold their nerve in the face of what will be a pretty serious fire one day through that district.

HENLEY BEACH ROAD

Mr KOUTSANTONIS (West Torrens) (15:23): I wish to bring to the house's attention a piece of infrastructure—Henley Beach Road—which I have been lobbying for on behalf of the local council in my electorate, the City of West Torrens. Along with the Hon. John Trainer, the Mayor of the City of West Torrens, I have had many meetings with Mr Les Buckley of the South Australia Police local service area covering the area of West Torrens in relation to Henley Beach Road.

Despite what many people think, Henley Beach Road is not necessarily a straight road. There are bends and chicanes in Henley Beach Road. Just recently, at a chicane or bend near the May Terrace intersection, two cars lost control and veered into local businesses, causing death and injury. Make no mistake: I do not say that the road is the cause of this accident. The cause of this accident was fuelled by excessive speed.

Excessive speed, even on the straightest of roads, can cause injury and death. Notwithstanding the level of driver training, the time of night and conditions, they do not make for safe driving if you are exceeding the 60 km/h speed limit. When you are hitting speeds of 110km/h or 120km/h, if not higher, these vehicles become projectiles and the people inside the car are at grave risk, as are those in businesses nearby. The small business proprietor of Joe's Pizza Bar on Henley Beach Road, who runs a family business, is getting sick and tired of going to work in the morning and finding a car smacked into the front of his shop. We have looked at solutions. We are looking at ways of stopping this. Unfortunately, the Fox solution of bollards will not work—

Ms Fox: Not in this case.

Mr KOUTSANTONIS: —because the bollards could become projectiles. The council does not support bollards and neither do I. I also do not support unseemly and unnecessary guard railing which, of course, may work but we cannot get guarantees from experts that at excessive speeds these guard railings will not be projectiles themselves.

So, we are running a 'not-so-covert' speed camera operation in the area where we informed *The Messenger* and local residents that this area will be surveilled at night at extraordinary hours where usually speed cameras are not in place. Now I am lobbying for a permanent red light speed camera there. I understand that there is only one other permanent speed camera in operation in South Australia on Portrush Road at a pedestrian crossing.

I am not saying that this is the solution to bad behaviour but it is a deterrent, and I believe that SAPOL will eventually support my proposal. The good work done by Mayor John Trainer is alleviating some of the concerns of local residents. I am working very closely with him, as we often do, given that we represent the same constituents albeit at different levels of government.

Coming up to the Christmas and holiday period when a lot of young people are on school holidays and enjoying a night out, the message is: please do not drink drive and please do not speed. Unfortunately, as we have seen with a lot of these young children, they are driving cars that are extremely powerful, and God knows why people allow young children to be in charge of such powerful cars. The message is that it is not often that the driver is at risk but rather the passengers in the car, pedestrians and nearby residents, especially those on a main road, who are at risk.

I did some work on a committee with the Hon. Diana Laidlaw. I did some research and we found that young men who are involved in these accidents do not really care about what happens to them but, when faced with the fact that if they survive and must confront the parents and loved ones of those they have killed, they alter their behaviour when confronted with that. That may be a message for our campaigners in the drafting of advertising.

Time expired.

COOMANDOOK AREA SCHOOL

Mr PEDERICK (Hammond) (15:29): I wish to bring to the attention of the house a matter causing grave concern for the community in my hometown of Coomandook. While I speak here of this specific community, it is not unreasonable to think that this situation and others like it may be occurring around the state.

The Coomandook Area School is typical of most schools around rural South Australia. It serves a widespread community consisting mainly of farming families and others used to making the best of what they have and getting on with the job. I attended this school myself for most of my school life. Rural communities like Coomandook are renowned for being patient, resilient and self-sufficient but they cannot do it all on their own.

I want to relate the details from a letter sent recently from the school's governing council to the education minister, a copy of which was sent to me. Eight years ago the department decided that the school had too many buildings and ordered the removal of the junior school building. The council's concerns as stated in the letter are:

- The junior school block was earmarked for removal eight years ago and still nothing has been done about taking it away or demolishing it.

- During the past eight years no funding has been provided by the Education Dept to maintain the building.
- No funding has been allocated by the Education Dept to modify our existing buildings to accommodate our junior school children in another part of our school.

This raises many serious issues for the school community, most importantly health and safety. It is obvious that the building is unsafe for staff, students and visitors. Wood rot is rampant, resulting in unsafe flooring, insecure windows and easy access for dust and vermin.

Birds, bees and flies enter at will, as there are no screens. Airconditioners are old and inefficient. Lack of proper maintenance raises the possibility of Legionnaires' disease. Carpets are filthy. There is no point in sweeping anything under them, as the government appears to be doing.

The most unpleasant and threatening problem is caused by mice, which have open access as a result of holes and gaps in the timber building. Mice faeces and urine are ever present, in all manner of books and equipment but, most disturbingly, in school bags. Any child who has not carefully sealed his or her lunch box and properly closed their school bag is likely to find their food contaminated. The letter details the associated risks: salmonellosis, leptospirosis, Seoul virus and Murine typhus. A further side effect is that snakes have proliferated, inside and outside the building.

The governing council has stated clearly and unequivocally that it is no longer prepared to accept liability for any future problems, as the situation is beyond its control. This is premised on the following facts:

- The department has stated the building needs to be removed.
- It has not provided any funds to demolish or remove it.
- It has not provided any alternative area for the junior school.

The council has demanded the department declare in writing that the duty of care to staff and students rests with it.

Like most rural communities, the parents and friends group takes great pride in the school. Having been advised that the building's removal was imminent they raised funds for playground equipment to occupy the vacant space. The department's years of dithering have deprived the children of a new playground—the equipment for which is currently gathering dust and mouse droppings in a private shed—and disheartened the community who worked so hard to make it happen.

The community's frustration is tinged with anger at the way the department has handled this fiasco. The governing council understands that a quote to remove the building was withdrawn by the contractor, probably on realising the enormity of the task and the lack of salvage value. The council also believes a subsequent recosting of the job has been done and assumes the department has balked at the amount.

But what price children's safety? What price the health and safety of teaching staff? What price a reasonable quality of life for the school community? And what price school pride and department reputation?

This has gone on long enough. I challenge the Premier, who will no doubt find a way to talk up how much he cares about country SA, and his education minister, who needs to lift her city-centric gaze above the roofs of metropolitan super schools, to get down to Coomandook and explain to its citizens just why their health, education and wellbeing have been ignored.

This situation is a prime example of this government's miserable and disgraceful neglect of at least one-third of the state's population. You can bet that whatever money is needed to rectify this shameful state of affairs is earmarked for pork-barrelling in the increasing number of seats this government faces losing in 2010.

PARLIAMENTARY SERVICE

Ms BREUER (Giles) (15:33): Over the last few months I have been questioning what I am actually doing in this place. I have been here for 11 years and I look back on what I have achieved in that time—what have I actually been responsible for in my electorate. It was interesting to see the exit of the Hon. Rob Kerin and the Hon. Sandra Kanck, and I pay tribute to them both. They were good members and certainly worked very hard in their time here. The Hon. Rob Kerin was a very good local member as well as holding the position of premier and various portfolios.

It was interesting to see them go and I wonder what they think about their time here and how much they think they have achieved. I think about what the party structure actually allows you to do. It was very good when we were in opposition because it was free-for-all, you could say what you liked when you liked, and as a country member I found it was easy to monopolise the country airwaves and continually carp and criticise, as do the Independent members in this place. Of course, it is not as easy to do that now because I cannot criticise the government publicly.

We have what I see as a very wrong situation: the Hon. Nick Xenophon has gone to Canberra and is now able to hold the government there to ransom. The implications of the changes that he has imposed to the water bill will mean some very real problems, particularly for regional areas. It strikes me as shameful that somebody can be elected and hold a whole government to ransom when the majority of people in Australia have not voted for him.

I come back to the changes to my community that I have been able to initiate. I am a backbencher, I have always been a backbencher, and I have to say that I am very satisfied with my lot. I have such a huge electorate that I do not think that I would have time to be a minister, but I do get distressed and angry at the media and community perception of what backbenchers do. I was very upset recently at the recent attacks on my colleague the member for Morialta and those shameful allegations that were made about her. She has had no real means of rebutting them. People believe what they want to believe.

This is the sort of dirty politics that I hate, and it should not be part of our system. It has really distressed the member for Morialta and her family. It should not happen in this place. We have a job to do, and we should leave the personal out of that. I do not think that there is any occasion when it should be brought in. Politicians are human. We all have foibles—some good, some bad—but, basically, I believe that the majority of politicians in this place are decent people who have come here because they want to help their community.

I have seen many changes in the community of Whyalla over the past 11 years in this place. It has gone from an area of very high unemployment and uncertainty to what is now a relatively secure community, although the recent downturn in the world economy is a bit of a worry with the steel industry. However, we still feel quite comfortable that we are fine in Whyalla. We have come on. Our unemployment has gone from a very high rate down to a quarter of what it was five or six years ago.

We now have building going on everywhere in the town, and I thank the government for its intervention and its indenture act. There are now new proposals for a jetty and for desalination, and people know my beliefs and feelings on that. So, where does one sit with one's political party? I shake my head at many issues that my political party handles, and I fully support others. I am grateful for the things that it does, and I swear about lots of other things. However, I note that it is—warts and all—the ALP for me. I know we are doing good things; maybe we are not telling people enough.

This week, I had the community of Oak Valley in here. One of the things that I have been able to do for them over the past couple of years, against all odds, is support them, because they have had some troubles with management, etc. I was able to support them and stand up for them, and I think that is honestly what we really have to do for our constituents. We have to support our constituents and stand up for them.

Recently, there has been a lot of comment about the Labor Party and some ructions. I sometimes read the paper and think I do not know which state I am living in, because that is not the way that I see it. We have our foibles and our squabbles, as does any other political party or organisation, but we are still true believers. We stand together and we work together. So, it is interesting to think back at what I am doing here and what changes I have made and I think, really, all we can do as members of parliament is take small steps and fight for our local community. For me, it is issues such as education and health in my country community. It is really important for me to keep my principles and values and take those small steps—not to get into the backstabbing, the venom—and work hard for my community.

Time expired.

EASLING, MR T.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:39): I seek leave to make a personal explanation.

Leave granted.

The Hon. M.J. ATKINSON: During question time, in response to the member for Davenport, I remarked that I had not heard the member for Davenport make reference to six of the verdicts of acquittal in the Easling case being majority verdicts. I have now found in *Hansard*—amidst his 12 speeches and questions on the Easling matter—that, in his Address in Reply on 11 September 2008, the member for Davenport said:

I am sure that the Attorney will tell members that there were 20 counts: two counts were acquitted under instruction of the judge; 12 counts were acquitted unanimously; and six counts were acquitted by majority.

I therefore apologise to the member for Davenport and correct the record: in his 12 speeches and questions he has once mentioned, through the per medium of attributing it to me, 'The Attorney would say that there were six majority verdicts.'

HEALTH CARE (COUNTRY HEALTH) AMENDMENT BILL

Received from the Legislative Council and read a first time.

AUDITOR-GENERAL'S REPORT

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development) (15:41): I move:

That standing orders be and remain so far suspended as to enable the Supplementary Report of the Auditor-General for the year ended 30 June 2008 entitled Agency Audit Report—November 2008, to be referred to a committee of the whole house and for the Minister for Agriculture, Food and Fisheries, Minister for Forests and Minister for Regional Development to be examined on matters contained in the report for a maximum of 30 minutes.

Motion carried.

In committee.

Mr PEDERICK: I refer to the Supplementary Report, page 2, 'Expenditure', dot points Nos 4, 5 and 6. Given the department's decision not to implement an electronic workflow system in anticipation of the introduction of Shared Services, why was appropriate contract delegation not implemented before the 2007-08 follow-up audit?

The Hon. R.J. McEWEN: There is no reference to the fact that we did not appropriately follow procedure in relation to that matter.

Mr PEDERICK: Dot point No. 4 clearly states:

a review to evidence that appropriate contract delegation was exercised prior to committing the department to expenditure had not been implemented.

The Hon. R.J. McEWEN: There was no evidence one way or the other. There was no evidence to say that we were not doing it appropriately.

Mr PEDERICK: Why were spot checks of invoices to ensure that they were appropriately authorised not implemented until May 2008?

The Hon. R.J. McEWEN: That is a good question. We were implementing controls, and it took some time to fully implement it. So, we were responding in an appropriate manner, but we did not fully implement it until May.

Mr PEDERICK: Why has the review of financial management still not been formalised, and when will it be done?

The Hon. R.J. McEWEN: They were doing it: it just was not in a formal policy. However, that matter has now been corrected.

Mr PEDERICK: Given these matters, what assurance can the department give that it did not remain at risk from further invalid payments?

The Hon. R.J. McEWEN: There are two points here. The first is that it is very low risk, because we are talking about very low levels of expenditure; less than \$2,200. Secondly, there has been no evidence of any fraudulent behaviour. So, it was considered—although we obviously take every direction of the independent audit and examine it in an appropriate way—that it was a very low order issue, in terms of risk.

Mr PEDERICK: I refer to the Supplementary Report, page 2, 'Expenditure', the seventh dot point (and I note that the minister has referred to the \$2,200 figure). The department advised

that 'Regular reporting would be established to identify purchases greater than \$2,200 that do not have a purchase order or the purchase order date is later than the invoice date.'

I have two questions on these lines. First, what assurance can the department give that contractors who accept orders from departmental staff in good faith will not suffer loss or delayed payment as a result of the subsequent refusal to authorise or delay issuing the order?

The Hon. R.J. McEWEN: Our policy has always been that any invoice is paid in a timely manner, as long as it can be verified that the goods or service were received.

Mr PEDERICK: Will the department compensate any contractor who suffers a loss as a result of the refusal to authorise an order after work has been done or materials ordered?

The Hon. R.J. McEWEN: That has never arisen. I explained the process in answering the previous question. If we found ourselves in those circumstances some time in the future, we would take crown advice.

Mr PEDERICK: I refer to the Supplementary Report, page 4, 'Cash'. The last paragraph states that the operating account reconciliation as at 30 June 2008 was performed using an inappropriate reconciliation methodology. Why was it that an inappropriate reconciliation methodology was used in the first instance?

The Hon. R.J. McEWEN: The word 'inappropriate' was a word used by the Auditor-General. We believed that we were doing it in an appropriate way but, obviously, after further consultation with the Auditor-General, we have amended the way in which we do it. However, we never believed that what we were doing was inappropriate.

Mr PEDERICK: So, with advice from the Auditor-General, reconciliation is not carried out in an appropriate manner, according to the Auditor-General; is that what the minister is now telling me?

The Hon. R.J. McEWEN: No; the methodology we were using, which we believed was satisfactory to them, was not, so obviously we have done it in a different way.

Mr PEDERICK: I refer to the same line. Was this the reason that the report was not delivered with the rest of the Auditor-General's Report on 14 October 2008?

The Hon. R.J. McEWEN: It was because it was a minor matter and therefore it was missed by three days.

Mr PEDERICK: I refer to the Supplementary Report, page 5, 'Legal Compliance'. The first paragraph states that in previous years Audit has recommended that the department implement a legal compliance framework that focuses on several areas of concern. The 2007-08 report noted that the framework that had been introduced remained incomplete and/or unsatisfactory in two areas, to which the department replied that it had either implemented the required changes since then or still intended to do so. Given the long time frame since they were first noted, why were the auditor's earlier recommendations not satisfactorily implemented in full before the 2007-08 report was prepared?

The Hon. R.J. McEWEN: The legal compliance framework was new both to us and to the Auditor-General. So, we were working with the Auditor-General through the implementation of that to his satisfaction. At the time of the last report, there were still two units that had not fully implemented the procedure to his satisfaction. Those matters have now been resolved.

Mr PEDERICK: I refer to the Supplementary Report, page 7, 'Highlights of the Financial Report—Controlled Items', and item 2, 'Grants and Subsidies', with further reference to the last paragraph. Grants and subsidies increased from \$34.1 million in 2007 to \$85.4 million in 2008. The explanation lies largely in the payment of \$39 million for the Exceptional Circumstances/Drought Assistance program. Can the minister detail where the other \$12 million was applied, given that by itself it represents a 35 per cent increase on the 2007 figure?

The Hon. R.J. McEWEN: I can quickly explain where most of that comes from, but I can certainly give you all the details. About \$1 million was PACE, \$1.5 million was FarmBis 3 and \$6.5 million was drought recovery money. However, you are right; if you put all that together, you will see that there was an increase of 150 per cent over the year before.

Mr PEDERICK: There is still a gap of several million dollars. Do you have any more information at this stage?

The Hon. R.J. McEWEN: There are quite a few other little rats and mice in there. I have already indicated on the record that I will reconcile the whole lot, but 20 or 30 other small grants have come in that constitute the rest of that.

Mr PEDERICK: I refer to the Supplementary Report, page 8, 'Statement of Administered Expenses and Income', at dot point 2. Administered revenue from fees and charges increased by \$8 million, attributable partly to fishing licence fees received by the Fisheries Research and Development Fund. Will the minister detail precisely what amount was realised from licence fees and how it compares to the previous year and, if it differs, why it differs?

The Hon. R.J. McEWEN: I will need to take that on notice. If you go to page 26 in relation to the previous question you will see the whole list of grants there. The \$85.405 million is set out there and you can see the difference because the \$34.072 million in 2007 is in the other column. In relation to the increase here it is not listed so I will get that for you.

Mr PEDERICK: I refer to the Supplementary Report, page 30, 'Bad and Doubtful Debts'. The department has recognised the bad and doubtful debt of \$143,000 in the income statement. Will the minister detail what debt or debts are contained in this amount and how did those bad debts come to be incurred? That is to say, were they caused by the unfortunate circumstance of the debtor or were they a product of poor credit management processes?

The Hon. R.J. McEWEN: No, obviously it is not a case of poor management on our part—and I know that you would not even seriously suggest that. However, there are quite a few small debts there. We do follow up in an appropriate way ourselves and, if necessary, we use the Crown in that regard. Again, because I get a few minutes and because my staff are on their toes, I can indicate that on page 52 you will find the answer to the previous question in relation to the increase in fishing licences. However, I will still get you a further summary of that.

Mr PEDERICK: I refer to the Supplementary Report, page 26, 'Grants and Subsidies Paid or Payable'. Item 5 is exceptional circumstances and item 25 is state drought 2006. The amount paid in 2008 was \$49,038,000 and \$6,830,000 respectively. It was understandably higher than the previous year's figures of \$9,603,000 and \$250,000 respectively. The condition that caused those increases remain dire, or even worse. My question is: has the government factored this in its calculations for this coming year and, if so, what amounts have been set aside for this contingency?

The Hon. R.J. McEWEN: \$100 million has been set aside. Obviously, that is partly state and partly federal in relation to our joint programs, where we pay 10 per cent. We have set aside \$15 million ourselves in terms of the other matters which relate directly to us.

Mr PEDERICK: I am done, Madam Chair.

The Hon. R.J. McEWEN: The examination is complete, and I thank my team for the fact that this year we have received an unqualified audit of the 2007-08 financial statements.

MOUNT GAMBIER HOSPITAL HYDROTHERAPY POOL FUND BILL

Adjourned debate on second reading.

(Continued from 12 November 2008. Page 884.)

The Hon. R.J. McEWEN: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:03): I indicate that the introduction of this bill and the attempt to resolve this issue are welcomed by the opposition. The bill's objective is to allow donations which were made for a hydrotherapy pool for Mount Gambier to be returned, particularly in light of the circumstances that the development of the hydrotherapy pool plan has been aborted because insufficient overall moneys were raised. My recollection is that, although \$270,769 was raised, it needed some \$1 million in order to proceed for that purpose.

After returning donations to those who felt that, in light of the abortion of that plan, the donations should be returned, the second part is that it enables the Commissioners of Charitable Funds under the Public Charity Funds Act 1935 to identify an alternative purpose for the application of the remaining capital. In principle, the objectives of the act are to return funds to those who no longer wish to make a contribution and to identify another worthy objective for the funds that is meritorious.

The history of this matter, as the opposition understands it, is that the fundraising program was undertaken with a fundraising committee. I think the program was supported even by professional fundraisers. The objective of the exercise was to build a hydrotherapy pool in Mount Gambier for the benefit of the residents of Mount Gambier and its surrounds. My understanding is that, having considered various potential sites for such a facility, the Mount Gambier Hospital was selected. For those members who are not aware, the Mount Gambier Hospital is a very significant regional hospital in South Australia—probably the newest of country hospitals in South Australia in the sense of a complete build—and, whilst it has had a bit of notoriety, the hospital has magnificent grounds, of which the local community in Mount Gambier is rightly proud.

The Mount Gambier Hospital having sufficient infrastructure and a significant number of people within the hospital community—that is, inpatients and outpatients—whom such a facility could assist, therefore, I am sure that it would not surprise any member that it was the ultimate choice of location in Mount Gambier for this facility.

It must be remembered that these moneys were raised by the residents of Mount Gambier for the people of Mount Gambier, not just those inpatients and outpatients of the hospital. In fact, these funds were raised for the broader community.

The Hon. R.J. McEwen: This is totally wrong.

Ms CHAPMAN: No, just wait. This is the information that has been presented to us.

The Hon. R.J. McEwen: This is totally wrong. I don't know why we are doing this.

Ms CHAPMAN: Madam Deputy Speaker, other members have an opportunity to contribute to this debate, and I welcome those, as I am sure the minister would.

The DEPUTY SPEAKER: If you wish to raise a point of order, you—

The Hon. R.J. McEwen interjecting:

The DEPUTY SPEAKER: Order, minister!

Ms CHAPMAN: I just bring it to your attention, Madam Deputy Speaker, that I am trying to make my contribution.

The DEPUTY SPEAKER: Please proceed, deputy leader.

Ms CHAPMAN: Thank you, Madam Deputy Speaker. This was a meritorious objective. However, for the reasons we now know, it has not proceeded. Now, as I understand it, a number of discussions have taken place between some of the members of the original committee who were involved in establishing this fund and members of the hospital community, including employees and members of the hospital board (which has now been replaced by the Health Advisory Council). As I understand it, that advisory council is a body comprising not only members of the previous board (as has been the case in the transition for some hospital and health services in the country), but also others from local communities—a result of the new process of appointment by the minister after an election. So, we have a Health Advisory Council in place undertaking its role to advise government pursuant to the Health Care Bill and, in particular, to advise the minister on matters in the community.

In any event, this having been aborted, the funds, which are currently held by the Commissioners of Charitable Funds, are unable to be used other than to apply their interest. So, we have somewhat of a deadlock, or stalemate, as to how this is to be dealt with, and this legislation is designed to remedy that.

On the first matter of returning donations to donors who are identified and who seek the return of their donation, the opposition fully supports that. The process which the government proposes in this bill is that Country Health SA undertakes that process, presumably to advertise and invite people who want their money back, present receipts, or whatever is required, so that it can present to the commissioners a list of people and an amount of which they are to be refunded. That is an exercise which we accept be done by the government. The Commissioners of Charitable Funds do not have the resources and it is not within their current charter because it is not in their legislation to undertake that job, so we are quite happy to support the government's proposal in that regard.

The second matter is one which we are very concerned about, and on which the opposition has consulted widely, in the Mount Gambier community particularly, both to identify any resolutions that have been passed by their representatives through the Grant and Mount Gambier councils—

and I have viewed those and identified their wishes on this matter—other members who had been involved in the initial establishment of the fundraising exercise, and members of the clinical and lay community in Mount Gambier.

Universally, of those who have either come to us or of which we have sought some advice from them as to their view, the opposition finds that the overwhelming position of the community is that it has the opportunity, as a community, to make a decision about what replacement program, exercise or equipment for which the balance of these funds should be used.

Probably until we know how many of the donors ask for their money back, we will not know exactly how much is available, but assuming for the moment that there is a significant portion of this money left which can be applied to a significant project—we are talking a quarter of a million dollar project that could follow for the benefit of the people of Mount Gambier—and they, overwhelmingly, want to have a say about how this is spent.

The government's proposal in this bill is for Country Health SA, which is now a body of the Department of Health, to undertake or call upon the Health Advisory Council for it to then undertake a consultation process in any terms it sees fit for its community, and then in consultation that Country Health SA makes a decision.

Implied in all of that is that Country Health SA is the vehicle upon which the Health Advisory Council, after its consultation and deliberations, works with to make that decision. That is implicit but it is not explicit. At the end of the day, the ultimate determinant of what is going to happen will be a decision by Country Health SA. That is the provision in this legislation.

So, in considering whether that is adequate, obviously the opposition has taken advice from parliamentary counsel, to be able to say, 'Well, does this reflect the local community having a decision? If you do not have this structure what else should you have?' The only other reasonable structure is if the Health Advisory Council is the ultimate determining body as to the decision making, and that, as is already proposed in this bill, it consult with the community and make a decision on behalf of the local community about how those funds are applied.

In the last few weeks, I have attended a number of country regions—I think one with the minister and a number of other meetings in country South Australia—in respect of the future of hospital services. Most often they have been in the presence of Mr Peter Blacker, a former member of this house, who has been appointed, along with a number of others, to a task force to review the Country Health Care Plan and to identify and ultimately settle upon a plan for future health services in regional and rural South Australia.

During that exercise, Mr Blacker told meeting after meeting that, having pulled the original Country Health Care Plan, and having, I suppose, seen the error of their ways reflected in the delivery of services, they should develop up their plan to identify what services they need. Mr Blacker then referred to the importance of working out future health services with none other than the health advisory councils. After all, that is what the Health Advisory Council is supposed to be there to do: identify what is important in the community and do those consultations.

Having identified the error of their ways under this sort of centrally controlled bureaucratic health care proposal, they have acknowledged—even in that important exercise—the importance of health advisory councils. So, it is the opposition's view—and we will be moving an amendment—that the Health Advisory Council in consultation with its community should be making the decision as to how the balance of these funds are to be applied: into what exercise, what program or what equipment for the benefit of people living in the Mount Gambier area. The hospital, as we understand it, is the ideal site for this.

What is quite extraordinary—even though the opposition is told that it is important to be consistent with the Health Care Act and the structure of governance—is the claim that the structure that is being presented to us is consistent with that. It is one thing to talk about the Health Care Act and the structure and management of health services in this state when we are talking about taxpayers' money, but it is another thing entirely when we are talking about a local community's effort to raise money for its own purpose. That is the distinguishing feature here.

We are not talking about who should make the decisions and who should control the money for health care services in South Australia. The Minister for Health, I am sure, would say, 'Well, that is entirely consistent with what we've got in the Health Care Act, because we now have a new structure of governance. I'm in control; the buck stops with me. My CEO employs everybody,

and we make the decisions, and that's law.' That is to be noted. We do not agree with it, but we do not take issue with the fact that that is the case.

What we say here is that the \$270,000-plus that has been raised by the community of Mount Gambier—individual groups, corporates and community fundraising—is not taxpayers' money. It is from the local community people, and they should have complete control over what program or what equipment replaces it. So, the opposition will be moving the amendment which has been tabled to support that initiative.

Some may say that it is a bit of a fine line. It may be that Country Health SA—the bureaucrats—in consultation with the Health Advisory Council has a completely free rein to find out what the local community wants and, when it comes back, it has to make a decision which is consistent with what most of the community wants—not what the Health Advisory says but, rather, in an assessment unrelated to that obligation it will provide that. Clause 5(3) provides:

Country Health SA must not implement a funds proposal under this act unless Country Health SA—

- (a) having considered any submissions made under subsection (2) [the HAC consultation process] reasonably believes that the proposal is generally supported by the community in and around Mount Gambier; and
- (b) considers that the part of the fund that is not returned to donors in accordance with this act is an amount sufficient for the implementation of the proposal.

In other words, there is enough money to do what they want to do. Obviously, if the local community says that it still wants a hydrotherapy pool or something that will cost \$1 million, they cannot say, 'That's what we want so you cannot make a decision contrary to that. You tell them that's what we want, even though we have only one-quarter of the money.' Subsection 3(a) is important. It provides:

- (a) having considered any submissions made under subsection (2) reasonably believes that the proposal is generally supported by the community in and around Mount Gambier...

How will Country Health SA decide that? It does not say that the decision has to be consistent with the recommendation from the Health Advisory Council. It says that, having received and considered those submissions—whatever they might be—it must be satisfied that it believes that the proposal is generally supported by the community. How does it know that? It has an obligation under this legislation, surely, to go out and do it itself in order to make a judgment about whether what it is getting from HAC as a recommendation is consistent with a determination, by someone undefined, that the proposal is generally supported by the community.

This proposal is a complete nonsense. Therefore, it is important that the Health Advisory Council—the people who have been nominated by local people and ultimately appointed by the minister—should be making this decision, not Country Health SA in consultation with HAC, having received its submission and then making a determination about whether it is consistent with what the people say. That is a shambles.

It is important that we give back to the people of Mount Gambier—the people who raised this money—the decision as to what will happen with the money. I indicate that we will be moving an amendment.

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development) (16:23): I thank the opposition for its support in principle. I appeal to members opposite at this stage, for reasons I will make clear in a minute, that they do not proceed with their amendment at this time. If they feel we need to strengthen the words in relation to the proposal, we are prepared to do so between the houses. We believe the words (as set out) satisfy their requirements, to the extent that they can be satisfied.

I need to make it clear that the opposition does not understand the genesis of the appeal. I think the best way to do that is to table a document entitled 'Hydrotherapy Pool Appeal'. The document, signed by Ann Mulcahy, the Chairman of the Board of Directors of the Mount Gambier and District Health Services Inc., clearly establishes that it was the hospital from the outset that set out to raise this money, and used a subcommittee to do that on its behalf, and that Maureen Klintberg, who did a wonderful job and almost single-handedly was responsible for raising most of the nearly \$300,000, began by being employed by the hospital to do that for a very modest amount of time, and then went on in her own time in an enormous voluntary capacity to continue raising those funds. What happened at the end of that period is that it became clear that—

Ms CHAPMAN: Madam Deputy Speaker, I rise on a point of order. I do not want to interrupt the flow of the minister, but he is tabling the document and it is not a statistical record and, therefore, is not able to be inserted into *Hansard*. I do not have any objection to that, even if the minister is allowed to do it, on the basis that—

The Hon. R.J. McEwen interjecting:

Ms CHAPMAN: No, for the purposes of its being included in *Hansard* you want to table it, do you not? It is not a statistical record.

The DEPUTY SPEAKER: Order! The minister may table a document, and it will not be included in *Hansard*. It is statistical matter only that can be included in *Hansard*.

Ms CHAPMAN: Is that all that is being done?

The DEPUTY SPEAKER: The minister is tabling a document. That is all that is being done, yes.

Ms CHAPMAN: I ask that I be shown a copy of it.

The DEPUTY SPEAKER: That is the normal protocol.

Ms Chapman: Is there a copy?

The Hon. R.J. McEWEN: I can provide the member with one. The reason why I am tabling it is that, rather than delaying the house unreasonably, it is better that I table the document so that we can see going between the two houses the genesis of the whole matter and how it was set out, managed and authorised by the hospital board. It also quite clearly sets out the intent. I would be delighted if that could be made available to the Deputy Leader of the Opposition. I do that simply because—

Ms Chapman: That was not available yesterday afternoon when I asked for it.

The Hon. R.J. McEWEN: It was not?

Ms Chapman: No.

The Hon. R.J. McEWEN: Did you ask for it?

Ms Chapman: Yes.

The Hon. R.J. McEWEN: You did not ask me.

Ms Chapman interjecting:

The DEPUTY SPEAKER: That is sufficient debate across the floor. The minister will make his address in reply.

The Hon. R.J. McEWEN: The only reason why I am tabling it now is because I became aware of a conversation that the Deputy Leader of the Opposition had on South East Radio this morning. That was the first time that I became aware that she had not been well briefed, had not researched it and did not understand the whole thing. That is why I chose to simply—

Ms Chapman interjecting:

The Hon. R.J. McEWEN: We all assumed—

Ms Chapman: Tell the truth.

The DEPUTY SPEAKER: Order! The deputy leader will withdraw that remark.

Ms CHAPMAN: Withdraw the remark of 'You tell the truth'? I decline to do so.

The DEPUTY SPEAKER: I think the deputy leader is really aware that the implication is that the minister is lying, and that is not acceptable under parliamentary standing orders. So, the deputy leader needs to—

Ms CHAPMAN: I take issue with that, Madam Chair. In the history of this house, in the 35 years I have come in and out of this house to observe it—

The DEPUTY SPEAKER: Order!

Ms CHAPMAN: —I have never known of a ruling that to call on someone to tell the truth is deemed to be unparliamentary. If that is the case, I am happy to accept it.

The DEPUTY SPEAKER: Order! The member will take her seat while I take advice. The advice is that this matter is unparliamentary. The deputy leader may not have come across it before, but that is the advice. So, I ask her to withdraw the remark. Also, interjections are out of order. So, just withdraw the remark and we can move on.

Ms CHAPMAN: Madam Deputy Speaker, I am not sure now whether you are asking me to do it because it was an interjection or it is unparliamentary.

The DEPUTY SPEAKER: Order! I am asking you because it is unparliamentary.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:30): I move:

That the Deputy Speaker's ruling be disagreed to.

The DEPUTY SPEAKER: The honourable member must bring up her reasons in writing.

Ms CHAPMAN: I will do so.

The SPEAKER: The deputy leader has moved dissent. Does she wish to speak to it?

Ms CHAPMAN: As you were not present, Mr Speaker, I indicate briefly that I moved dissent to the ruling of the Deputy Speaker in her determination that the words 'tell the truth', which I uttered in this chamber and which were directed towards the minister on his feet at the time, were unparliamentary. She also indicated that interjections were out of order, which I entirely accept.

In respect of the former, I suggest that the declaration by her was that the words 'tell the truth' were unparliamentary and implied that therefore the speaker to whom they were addressed was either telling some untruth or that the words were being referred to as a lie. It is a bit like 'hypocrite' or 'to be hypocritical'. I therefore suggest that that is not the case, that is, they were entirely an independent reflection on the comment that was made, which I have acknowledged, and therefore were not unparliamentary and were not determined to be unparliamentary.

As I indicated to her, in the 35 years I have attended this house, not as a member but as an observer, I have listened to arguments about statements such as 'tell the truth'. There is no determination to confirm that that is unparliamentary. If I am in error, I am happy to hear it, as I invited the Deputy Speaker to identify. Certainly, up until seven years ago I was not here during the course of parliamentary debate every day. However, I can tell you I heard that phrase very often and very loudly, and it had not been determined as such. That is what I have to say on this matter.

The SPEAKER: Does anyone else wish to speak to the motion?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (16:34): I think we should acknowledge that the government supports the Speaker in the Deputy Speaker's ruling.

The SPEAKER: I draw the deputy leader's attention to page 386 of Erskine May, which states:

Reference and debate in either house of parliament must be courteous, and abusive language and imputations of falsehood uttered by members of the House of Commons against members have usually been met by the immediate intervention of the Chair to compel the withdrawal of the offensive words.

That is on page 386. When urging a member to tell the truth, I think it is fair to infer from that comment that it is an accusation that the member on their feet is not telling the truth, that is, that the member is uttering a falsehood. I add my support to the original ruling of the Deputy Speaker.

Motion negatived.

MATTER OF PRIVILEGE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:36): I now raise a matter of privilege. The matter refers directly to the statements made by the minister in this debate. During the course of the debate—again, while you were absent, and we do not have the benefit of direct *Hansard*—the minister, in his presentation in response on behalf of the government, having identified himself as the minister responsible to conclude the debate, indicated the genesis of the project (and the topic we are talking about here is the raising of funds for a hydrotherapy pool in Mount Gambier), and he tabled a document, which I now have a copy of, to suggest that the purpose of this fund was other than as had been presented in my contribution to the debate. I am happy to hand you a copy of this document.

On page 5 of the hydrotherapy pool appeal, which is the document the minister has tabled and referred to, under the heading of 'Who can benefit from hydrotherapy?' Mrs Anne Mulcahy clearly stated:

The pool will be available for the use of hospital inpatients, community health clients and community members of the South-East region under the care of health professionals.

It then goes on to list a group of people with respect to access to the pool which had incited my comment and which was the subject of a matter that you have just ruled on. I am happy to forward a copy of that.

The SPEAKER: I take it that the deputy leader is seeking a ruling that it is a matter of privilege in order to enable her to move a motion forthwith. Is that what the deputy leader is seeking?

Ms CHAPMAN: Yes; I should have formally said that. Thank you, sir.

The SPEAKER: Yes. I do not rule that the matter be given precedence. As I have said on previous occasions, the threshold for something being a matter of privilege is an attempt by a member—or any person, whether they be a member of parliament or outside the parliament—to, in some way, pervert the decision making of the parliament. If there is some inconsistency or apparent inconsistency between something the minister has said and something in a document elsewhere, that does not of itself make something a matter of privilege. If there is an inconsistency between what the minister has said and a document that has been tabled there is ample opportunity for a member who believes that there is an inconsistency to raise it in the course of the debate and for the minister to perhaps account for that inconsistency. An inconsistency of that nature does not constitute a matter of privilege.

MOUNT GAMBIER HOSPITAL HYDROTHERAPY POOL FUND BILL

Debate resumed.

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development) (16:41): I apologise for causing a delay to what I thought would simply be a brief matter. All I was attempting to do was to indicate that the genesis of the fund was the hospital, because I felt that the Deputy Leader of the Opposition had suggested that the fund was a community fund at arm's length from the hospital. That is all I was attempting to do; I was not reflecting on the purpose of the fund. I believe I said 'the genesis of the fund'. All I was saying was that the fund originated from a decision of the board, which then set up the appeal, and I was describing the wonderful job that Maureen Klintberg had done in terms of raising that money.

I thought that was important, because there was a perception that this appeal committee was at arm's length from the hospital; it was not. It was set up by the hospital, which, I might add, at a later date made a decision that not enough money had been raised; therefore, it could not continue with the original purpose. I thought it was important that that was on the record.

The other thing I was saying was that we support what the deputy leader is saying in terms of it being the responsibility of the local Health Advisory Council to consult with the community and determine the best way to use that money. If the bill is not strong enough in that regard, I indicated that the government would be prepared to have another look at it between the houses. But, I then said that the amendment proposed by the Deputy Leader of the Opposition goes further than that and does something which is not possible.

My reading of the Deputy Leader of the Opposition's amendment is that it now gives total responsibility to the Mount Gambier and District Health Service Advisory Council, which it cannot do because we cannot give the funds to that council, because it does not have a tax ruling and it does not have deducted gift receipt status. So, what we are trying to do is have the local body make the decision but then have a process where other funds can then legally be applied to that purpose.

What I was attempting to do was say to the Deputy Leader of the Opposition that we are comfortable with her suggestion in relation to the decision being made locally and consultation occurring with the local community, but we do not have the power to then vest the money locally. So, we do need to leave that with Country Health SA. Even if she did gain support from her amendment, it would not be possible to do as the amendment suggests.

We are delighted that we have arrived at this point; we are delighted that we have the support of the opposition. We agree that it is time for this community now to make a decision about the best possible way within the hospital to use this money, hopefully, to achieve a similar end for the same client group that the hydrotherapy pool was originally attended for, so that we can say, then, to about half the donors who can be identified, 'Do you now wish that money to be used for that purpose, or do you want your money back with interest?'

We know that about half the money cannot be identified, and this bill now quarantines that money to the extent that it can be used for a purpose decided locally, and the process is set out in the bill. We know that, as to the other half, we can identify who the donors are, so this bill says to them, 'You now can have your money back with interest or we have another wonderful thing very similar to what you wanted to do in the first place. Would you now consider to use it for that purpose?'

I believe we have now established that it was the hospital board that set up the process originally. It set up the process to collect the money; it had to be spent in the hospital for a specific purpose. It was then established that it could not be spent for that specific purpose. We now think we have done as best as we possibly can in reflecting the intent of those who gave money but also in acknowledging that this has taken an inordinate length of time, and I have to accept some of the responsibility for this not being dealt with in a more timely manner. We acknowledge all that. We want closure.

I ask that the opposition accepts that it is our wish that the local HAC make the decision and that Country Health SA then distribute the money to them for that purpose. But the amendment as it stands is not possible because we actually cannot give them the money at the moment as I have already explained. With those comments, I thank the opposition for its support. I ask now whether they will reconsider going into committee to introduce the amendment at this time and whether they would be prepared to have a further discussion between houses so that we can establish whether or not we need to firm up the words to reflect our shared intention in terms of the decision-making process.

Bill read a second time.

In committee.

Clauses 1 to 4 passed.

Clause 5.

Ms CHAPMAN: I move:

Page 3—

Line 2 [clause 5(1)]—

Delete 'Country Health SA' and substitute:

Mount Gambier and Districts Health Advisory Council Inc

Lines 3 and 4 [clause 5(1)]—

Delete 'in consultation with Mount Gambier and District Health Advisory Council Inc,'

Lines 7 and 8 [clause 5(2)]—

Delete 'and may make such submissions as Mount Gambier and District Health Advisory Council Inc thinks fit to Country Health SA following such consultation'

Lines 9 to 16 [clause 5(3)]—

Delete subclause (3)

I will not dwell on the matters I have raised during the contribution. I indicate that I am happy to speak only on my amendment No. 1 on the basis that all these are consequential. The objective of these amendments is to establish the Mount Gambier and Districts Health Advisory Council Inc. as the determining body of how the funds will be applied. The minister as raised in his reply his concern that, although the overall objective of this is supported, as a matter of facility, it is necessary for Country Health SA to receive the funds because it is not possible for the HAC in its constitution to be able to receive these funds.

We have already passed clause 4 which is the mechanism by which the funds are currently held under the Public Charities Funds Act by the commissioners. That fund is to be transferred to Country Health SA. Physically, with the passage of this bill, that money currently sitting in an

account with the commissioners will transfer into an account with Country Health SA. So, the mechanism by which the funds can be received, facilitated and distributed has already been dealt with.

We do not disagree with their physically holding the money for this reason: we have already consented to their having the job of identifying the donors and returning the money. It is just a physical job they will do under the prescription of this legislation. But in respect of the proposed reuse, rather than Country Health SA developing a plan for the purposes of a replacement funds proposal with this consultation structure, we are saying that the application of these funds by Country Health SA, out of the bank account, will be under the direction of what is determined by the HAC. So, they do not ever need to see the money: they do not have to count it; they do not have to put it in a bank account. They have no power to do that; we are not asking for any power to do that. We are saying that they should be the body that determines this. That is the difference between the government's proposal and ours.

I thank the minister for indicating that, in principle, we are on the same side on this; that is, that there be local community consultation. The difference is fundamental, though; the difference is who makes the final decision. It is not an issue about who handles the money. Physically, that is fine. There are only two ways we can deal with this. One option is that we change the Public Charities Funds Act, and there are probably a whole lot of other things that we should do in respect of that act while we are there, so that we empower the commissioners to do what we are actually directing under this legislation.

We could have done that, and there may be a time—sooner, I would hope, than later—that we do in fact fix up that act. In the meantime, the government has chosen to deal with this particular issue—it is pressing, and we accept that; it needs to be dealt with—by using this mechanism. The mechanism of the bank accounts, who is going to handle it and who is going to write the cheques, will be with Country Health SA—no problem; we are happy to accept that.

This is fundamentally about the decision: who ultimately has the say? We are 100 miles apart on that. I do not think I can put any other reason for it, other than to mention it, now that this other document has been tabled by the minister, which I thank him for. I place on the record, though, that I had a briefing on this matter yesterday afternoon and, in respect of identifying—

The Hon. R.J. McEwen interjecting:

Ms CHAPMAN: Excuse me? In respect of identifying the genesis, as the minister describes, of this fund and the original party, which has since disbanded, for the purposes of identifying this earlier material, I asked for a copy of any document which would identify that, and it has not been produced at all, between yesterday afternoon and now—about the same time yesterday.

I would make the point that we are trying to cooperate on this, and to find a way through it, but for whatever reason this had not been provided. The first time we have seen it is when it has been tabled here this afternoon. It does in fact confirm, first, one of the things the minister said, and that is that it was the hospital board, now defunct, which was the vessel by which this thing was actually brought into fruition. We have no issue with that.

What we do say is that it had a much broader proposed application for the community of Mount Gambier, and therefore it ought to be the community of Mount Gambier via its only other representative body, which is the Health Advisory Council. As the spokesperson on behalf of the opposition, I investigated other possibilities. That is, if it is a community exercise, should we be going to the local council, for example, or both the local councils, and they appoint some kind of body, as they are the elected members of the community, rather than the Health Advisory Council, which is now a much less powerful body than the previous board?

The opposition felt that, as this was a project which was clearly intended to be at the hospital site and which was to be a facility that would have an important continuing relationship with health services, now under Country Health SA, the most appropriate body was the Health Advisory Council. This is not a complete body that is elected by its own local community. There are nominees from various aspects in the community from whom the minister ultimately appoints.

It is not the pure elected group that perhaps would be desirable but, notwithstanding that the Minister for Health is the person who appoints this board, we felt that, on balance, this was the best we could get in the circumstances as to the body that would be making that decision and, therefore, should be invited.

That is supported by the Mount Gambier council, a resolution of which I have viewed, and it is also supported by the Grant council which, for the benefit of members, is in the surround of the Mount Gambier township. For those reasons I present the amendment.

The Hon. R.J. McEWEN: The government indicates that it does not support the amendment, for two reasons. The first is in terms of where the funds are invested and the other is that it is not consistent with the Health Care Act 2008. The last thing we want to do is create a set of circumstances that would then, in effect, give us exactly the dilemma that we had last time, where we had some people wanting to use the money for a purpose that it could not be used for. So obviously, at the end of the day, there has to be some consultation between the advisory council and Country Health SA, which is responsible for spending the money to achieve the objective that was agreed to by the Mount Gambier District Health Advisory Council.

The bill, as it stands, does exactly what I believe the local community asked for. Certainly the council, the RSL, and the Mount Gambier District Health Advisory Council itself, support the amended bill. I do not believe that the shadow minister has even discussed this matter with the Mount Gambier District Health Advisory Council.

I spoke to the Chair this morning to check that they were aware of exactly where all this is up to, and he certainly indicated that this process had their full support. The money is where it should be, and the local community is involved. The final decision needs to be made by Country Health SA. It runs the hospital; it then has to expend the money to achieve the objective that is consistent with the consultation process of the local community. Obviously, the amendment does not do that. The amendment is not consistent with what we support and what I understand the Mount Gambier District Health Advisory Council, the councils, and the RSL support. I have not spoken to key donors myself, but I understand that they have also been involved in discussions.

Amendments negated; clause passed.

Remaining clauses (6 to 9) and title passed.

Bill reported without amendment.

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development) (16:58): I move:

That this bill be now read a third time.

I want to thank everybody who has worked very patiently through this difficult progress. Obviously, when we set up a bill for a particular intent and then we find we unwittingly do something at odds with that, it is very difficult to rectify it. In closing, I acknowledge that, in hindsight, we could have done it in a more timely way, but we are delighted to now be at this point. Finally, I believe that, once this matter is dealt with by the upper house, we will have closure on this matter for our community, which is very important to us all.

Bill read a third time and passed.

KAPUNDA HOSPITAL (VARIATION OF TRUST) BILL

Adjourned debate on second reading.

(Continued from 12 November 2008. Page 882.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:00): This bill was introduced on 12 November 2008. For the reasons outlined by the minister it is meritorious and the opposition supports it.

The Hon. G.M. GUNN (Stuart) (17:00): I support the bill. It would be most unfortunate if this legislation was not passed through the parliament as quickly as possible. The difficulties which have arisen have been the result of people acting with goodwill and providing a service which is needed and which must continue. I support the bill.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (17:00): I thank the opposition for its support. I also thank the opposition for the timely way in which it has allowed the progress of this bill and the previous bill. I note that we gave only 24 hours' notice in terms of briefing, so I thank the Deputy Leader of the Opposition for that. I also thank Rob Smetak from the Department of Health and Jo Ryan, parliamentary counsel on this bill.

Bill read a second time.

The SPEAKER: This bill seeks to vary the trust to allow the trustees, the Eudunda and Kapunda Health Advisory Council Incorporated, with the concurrence of the minister to utilise the land which the hospital occupies for a purpose other than the functions of the hospital. The parliament has been requested to free the trustees from certain provisions of the trust deed to the benefit of these trustees and not all trustees generally. There was no private bill for the establishment of the trust or the indentures for the purpose of the transfer of the hospital land. However, this bill by its nature is a private bill, except that it is introduced by the government. Therefore, the application of the joint standing orders, as they apply to private bills, is not relevant. This leaves the provisions of the joint standing orders as they apply to hybrid bills.

The joint standing orders provide for two forms of hybrid bill. The first is a bill introduced by the government, whose object is to promote the interests of one or more municipal corporations or local bodies and not those municipal corporations or local bodies generally. The second is a bill introduced by the government, authorising the granting of crown or waste lands to an individual person, a company, a corporation or a local body. Clearly, the bill does not fit the second category, but it does fit the first category because it can be argued that the Eudunda and Kapunda Health Advisory Council Incorporated (the current trustees) are 'a local body'. Based on the precedents established by this house and the consistent application of the joint standing orders and the principles that guide the consideration of such bills, I rule the bill to be hybrid.

The house appointed a select committee consisting of Ms Breuer, Ms Chapman, Hons G.M. Gunn and J.D. Hill, and Mr Piccolo; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 3 February.

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (17:02): I move:

That standing order 339 be and remain so far suspended as to enable the select committee to authorise disclosure or publication as it sees fit of any evidence presented to the committee prior to such evidence being reported to the house.

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

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

Motion carried.

ADMINISTRATION AND PROBATE (DISTRIBUTION ON INTESTACY) AMENDMENT BILL

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (17:08): Obtained leave and introduced a bill for an act to amend the Administration and Probate Act 1919. Read a first time.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (17:08): I move:

That this bill be now read a second time.

The Administration and Probate Act 1919 deals with deceased estates and includes provision for intestacy, that is, the distribution of the estate in the case where the deceased did not make a will or where the will disposes of only part of the estate—and I am sure that the member for Stuart has made a will (he strikes me as that kind of person), and he may even leave the state the district of Stuart in it! In the absence of a will saying what the deceased intended to happen to the property, the law leaves the estate to his or her closest surviving relatives.

The intestacy distribution is set out in section 72G. If the deceased left a spouse or domestic partner but no children, then the spouse or domestic partner inherits the whole estate. If the deceased left children but no spouse or domestic partner, then the children share equally in the estate. If, however, the deceased left both a spouse or domestic partner and also children, the section says that the spouse is to receive the first \$10,000 and half the balance of the intestate estate. The children will receive the other half of that balance in equal shares—what the member for Bragg would know as per stirpes.

The intestacy distribution reflects the generally accepted view that it is a spouse or the domestic partner who should be the primary beneficiary of the estate where the deceased failed to make a will. The first \$10,000 of the estate, which is left to the spouse or domestic partner, is sometimes called the statutory legacy. That amount was fixed in 1975 and has never been increased. The bill proposes to increase the amount to \$100,000 initially and to permit further

increases by regulation. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The present figure of \$10,000 is the lowest in Australia. The figure in New South Wales and in the Australian Capital Territory is \$200,000, in Queensland it is \$150,000 and in the Northern Territory, \$120,000 (although in the latter three jurisdictions, whether the spouse will receive half or only one-third of the balance of the estate depends on the number of children). In Victoria, the figure is \$100,000 and in Western Australia and Tasmania, it is \$50,000, though in these cases the spouse receives 1/3 and the children 2/3 of the balance. In New Zealand, the figure is \$121,500, although again the surviving spouse receives only one-third, not one-half, of the estate.

Different views exist about the purpose of the statutory legacy. One view is that it is meant to meet the spouse's needs while the estate is being distributed, which can take some time. It enables him or her to continue living for the time being as he or she is accustomed. Another is that it helps the spouse to retain the matrimonial home, where the home is not in joint names or where it is mortgaged. Another view is that it is a simple way of ensuring that, in the case of a small estate, the spouse will usually inherit the whole estate. That may be especially relevant where a small business, on which the surviving spouse depends, constitutes the main asset of the estate.

On any of these views, the amount of \$10,000 is now too low. Property values, and the cost of living, have increased substantially since 1975. Indeed, when the National Committee on Uniform Succession Laws considered the question in its 2007 report, it judged that the figures in all jurisdictions were too low and that the statutory legacy should be uniformly increased to \$350,000. No jurisdiction has, as yet, taken up this suggestion. As far back as 1985, the Tasmanian Law Reform Commission suggested that the figure of \$50,000 was too low for Tasmania, although the figure has not been increased.

The Government believes it would be reasonable to increase the figure to \$100,000, matching that in Victoria. The Government also believes that it would be wise to permit the amount to be increased in future by regulation, as necessary to keep pace with future Consumer Price Index increases. That is what this Bill would do. The transitional provision of the Bill ensures that this increase applies only to deaths occurring after the amendment commences, so there will be no effect on the distribution of any pending estate.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Administration and Probate Act 1919*

3—Amendment of section 72G—Distribution of intestate estate

Section 72G provides for the distribution of an intestate estate. Currently, in the event that an intestate estate is to be divided between a spouse (or domestic partner) and the deceased person's children, grandchildren or lineal descendants, the spouse (or domestic partner) is entitled to the first \$10,000 with the remainder being divided in two equal parts between the spouse (or domestic partner) and the person's children, grandchildren or lineal descendants. This clause proposes to increase the entitlement of the spouse (or domestic partner) to the first \$100,000 or a greater amount that may be prescribed by regulation.

Schedule 1—Transitional provision

This schedule provides that the amendments made in this measure only apply in relation to the estate of a deceased person whose death occurs after the commencement of the amendment.

Debate adjourned on motion of Ms Chapman.

ADJOURNMENT DEBATE

VALEDICTORIES

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (17:11): I move:

That the house do now adjourn.

I rise to thank the many employees who make the dispatch of business in this house possible. I thank the cleaners and the building staff, who keep this house as an ornament to the state of South Australia. Their cleaning and arrangement of the entire house, not just the chamber, make it something of which the public of South Australia are proud when they visit the parliament. I thank the caretakers for looking after the building around the clock. The member for Stuart would know that at one time, owing to the misbehaviour of certain members of the public, the exterior of this

house was not a good place to be. Owing to changes introduced by the member for Stuart, we can now come to and from the house unmolested, and the caretakers keep us safe around the clock.

I thank the cooks, the waiters and waitresses, who provide delicious fare each day the house sits. I thank the Clerk, the Serjeant-at-Arms and the other table staff for their profound knowledge of the procedure and history of the house and for their unfailing courtesy, patience and good advice.

The Hon. G.M. Gunn interjecting:

The Hon. M.J. ATKINSON: Forbearance, as the member for Stuart says, as they are sometimes harassed by angry members who dispute a ruling or procedural step. All is explained in time. I thank the Bills and Papers Office for the most efficient running of the house and, you, Mr Speaker—O wise and impartial! I know that the opposition will join in that accolade.

I thank the library staff who, in their corner of the building, have accumulated such valuable information and such magnificent works of literature and wisdom. It is remarkable the research they can do for members if only they are asked. They well deserve the members who are aficionados of the library: the member for Stuart is one and Hon. Bernie Finnigan, in another place, is another. I know that, in response to requests from the Hon. Bernie Finnigan, outstanding new periodicals have been brought into the reading room.

The Hon. G.M. Gunn: And kept some useful papers.

The Hon. M.J. ATKINSON: And kept some useful papers. I thank the finance manager for balancing the budget of the parliament.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: The member for Bragg says that they would not know whether the budget was balanced. Perhaps if her parliamentary Liberal Party colleagues had confidence in her to serve on the Joint Parliamentary Service Committee, she might find out.

Another conscientious branch of the parliament is parliamentary counsel. The lucidity of their legislation is second to none. I invite members to compare our bills and acts with those of other jurisdictions: parliamentary counsel can hold its head high. I also congratulate parliamentary counsel for its patience and equanimity in coping with a welter of government legislation yet still finding time to try to translate the sometimes inchoate purposes of private members into private members' bills.

I thank the police security staff who keep us safe. I thank the education officer for promoting the virtues of parliamentary democracy to students all over the state. I thank the attendants catering to all our reasonable needs in the chamber. I thank our drivers (those of us who have them) for their good humour, their great sense of direction and their discretion.

Mr Piccolo interjecting:

The Hon. M.J. ATKINSON: The member for Light thanks his train driver. I hope he waves every evening as he passes the first carriage on the Gawler Central platform. I thank our ministerial and electorate staff who try to keep us out of trouble. I thank the Hansard staff for turning our utterances into English and providing our sentences with a subject and a predicate. I read an article today which said that the President-elect of the United States of America, Mr Barack Obama, is finding difficulty in connecting with some Americans because of his insistence on having a subject and a predicate in each sentence and, indeed, speaking in sentences. He has been criticised for the same by none other than the Governor of Alaska.

The Hon. G.M. Gunn: A person of great talent.

The Hon. M.J. ATKINSON: Yes; indeed. I thank the opposition for their cooperation in the dispatch of business. It is a little known fact that, with the vast majority of business before the house, the opposition cooperates with the government in shepherding bills through both houses and across to the vice-regal representative, and I thank them for providing that much underrated service.

One would think, from reading the newspapers or watching television or listening to talkback radio stations, that this house was a scene of perpetual conflict between the government and the opposition. In fact, there is enormous cooperation. So I wish everyone a penitential advent from Sunday onwards and I hope that they comply with the wish of Holy Mother Church that on and from the Feast of the Nativity of our Lord Jesus Christ, for 12 days they eat, drink and make merry.

VALEDICTORIES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:20): Thank you, Mr Speaker. It is my pleasant duty, on behalf of the opposition, to extend to you and other members of the parliamentary family a very merry Christmas and joyful and peaceful forthcoming holiday period. I expect that, with by-elections in hand, it will not be entirely relaxing for many of us. There are many whom I wish to acknowledge on this occasion.

Many people in Mumbai, on the other side of the world, have just experienced a major terrorist attack—a devastating event. I am sure that it saddens all members of the house to hear of such a heartbreaking event, distressing as it is for those in that community. Sadly, it comes at a time when, in the Western world, we look to celebrate the forthcoming Christmas period as these devastating events occur. This is a sobering event, of course, and I acknowledge that we celebrate Christmas with some merriment at a time when others are suffering.

It is important, however, that today we recognise with appreciation the service of many. May I start with you, Mr Speaker. I thank you on behalf of the opposition for the extra duties you carry out in this parliament. As an elected representative of the parliament you have the special role of keeping us all in order, which you do quite diligently. Of course, from time to time, we have differences of opinion, but that is to be expected. We thank you for that, and extend to you and your wife and your large family—delightful as your young children are—a peaceful Christmas.

I also acknowledge the Clerk of the House, Malcolm Lehman, who has completed his first full year of operation with us. He is a veteran of this parliament, and he has taken up this job with aplomb. We thank him for his services. He is ably assisted by the Deputy Clerk, Rick Crump, who has also moved from other positions here in the parliament. He has served us well in his role.

I also acknowledge Mr Philip Spencer. He came to us as the head of Hansard. This is a very difficult task in this place because of the different accents and rapidity with which people present addresses and debates. Therefore, I especially thank Mr Spencer and his very hard-working team in the Hansard division of the parliament for the long hours of service that they provide to us and the excellent and prompt delivery of proceedings. I am not sure that I fully understand how to electronically retrieve proceedings under the new Hansard processes, but I am told that it is better and quicker. I am sure that I will eventually learn in order to keep up. We thank you. You can always identify Mr Spencer, because he is the one who walks around in very snappy suits. Keep up the high standard, Mr Spencer.

To the Clerk in the Legislative Council, Mrs Jan Davis, her contribution to this parliament, particularly the Legislative Council, is well known; it has been outstanding and has spanned more than 40 years. She has continued, in the preceding 12 months, to be courteous in her dealings with this side of the parliament and to ensure that there is a workable coexistence and cooperation between the houses. I am sure that you would agree, Mr Speaker, that our Clerk has been able to undertake his duties on this side of the chamber with the gracious goodwill and experience that she has brought to the parliament. I am not sure why I do not ever get the PNSG service in the list of people. They do not seem officially to sit under the parliamentary family, but I like to acknowledge them.

The Hon. M.J. Atkinson: Hear, hear!

Ms CHAPMAN: I hear the Attorney endorsing that. Lorraine Tonglee is usually the one who comes to the rescue in our office but she has a very hardworking team. She is a bit off-balance sheet with this because her division comes through a different process, but she and her team serve this parliament well.

I also recognise those who work in the library. Dr Coral Stanley is our Parliamentary Librarian and she has a team under the Manager of Library Services, Mrs Sally Dawson, and the Manager of Research Services, Dr Zoe Gill. I pay special tribute to them because of the service they provide to all members of parliament. I place on the record my appreciation for some excellent research work that has been undertaken by the library which has been made available to all members of the chamber in certain instances of important public policy. I think it is important that we be kept abreast of these issues even if there is no immediate proposed legislative reform. That is part of our education and I thank them for that.

As I also have the pleasure of serving on the Friends of the Library group with other members from the government and opposition, I think we have put forward some recommendations this year. In fact, we had the opportunity to view and have an occasion to celebrate during an

evening event a number of the rare books and records that are held in the library. We should be very proud of the library as South Australians, not just as members of parliament.

The finance manager, Mr Kent Nelson, and his team keep things in order. We do not know whether or not they balance the books because we do not see those records but I am sure there is some process here that keeps an eye on that. It is an important part of our services here.

I thank Denis Hixon, the building services manager, and his extensive team. I always see people walk along with carts, ladders and other implements for the purposes of restoring and maintaining our building. They do an excellent job. I join with the Attorney in saying that we have an historic, heritage-listed building here and how important it is that we maintain it at a standard on behalf of all South Australians.

We thank Creon Grantham and his team in the catering service—cooks, chefs and other assistants—for their refreshment and for ensuring that our sustenance is maintained. I thank him for that.

I also acknowledge, on behalf of the opposition, the hard working team within our offices both here and our electorates. A considerable amount of work is undertaken, as I am sure all members know and appreciate, by their electorate staff while we are in here undertaking services in our parliamentary role. Dawn Story is employed in my office. I always knew that she would be good because she survived my father and I think she is probably the longest serving electorate secretary who exists under the regime. I do not think even Mr Gunn has anyone who has outlived Mrs Story.

The Hon. G.M. Gunn: I trained her. She started up with me.

Ms CHAPMAN: She started with you. I see. Mrs Story also survived the Hon. Graham Gunn, the member for Stuart, so I am very privileged to have her services in my office. Of course, she is prohibited from retirement. She represents not necessarily longevity of service but the dedication of service that our staff give us. Having mentioned one person from my office, I will also mention Paul. He is a stunning young fellow who keeps my life in order and, again, I am sure other members will understand how important our staff are to our being able to function in the parliament. With those few words, I extend everyone a merry Christmas and I look forward to seeing you back here for the challenges in 2009. As it is 478 days until the next election, we have a fair bit of work to do.

VALEDICTORIES

The SPEAKER (17:30): Before we move on to the adjournment debate proper, I would like to add my thanks to the remarks made by the Attorney and the deputy leader. I would like to thank the Deputy Speaker, who is always extremely obliging. I try not to abandon her and leave her in the chair for overly long periods, but sometimes I do, and she is always far more cheerful about it than I have any right to expect, so I would like to thank her. I would also like to add my thanks to the Clerk, the Deputy Clerk and the Serjeant-at-Arms and the other table staff, who keep the place running. Finally, I would add my thanks to my assistant, Ms Mary Kasperski for the tremendous assistance which she gives to me.

ARMISTICE ANNIVERSARY

The Hon. G.M. GUNN (Stuart) (17:31): I am pleased to have the opportunity to add to what I said yesterday about the privilege I was given by the government and by parliamentary travel to attend the 90th anniversary of the signing of the Armistice at Villers-Bretonneux and to travel through, with an organised group, the Somme and the battlefields of World War I. It is a very chilling experience to think that thousands of young Australians (nearly a generation) was wiped out.

An honourable member: Terrible.

The Hon. G.M. GUNN: It is absolutely terrible—were wiped out in what is a beautiful part of the world in France; it is lovely agricultural country. They were all volunteers and, of course, the sad part of it was that many of them have never had a member of their family ever visit their grave. My mother said to me last night, when I was explaining to her about one of the graves I had visited, that her grandmother had said to her that when she saw the postmaster coming up the road with a telegram she knew what the message was that he was going to deliver and, of course, they never saw the grave of their 20 year old son.

It was a most chilling experience to walk through that Adelaide cemetery and look down that beautiful grove of trees and that lovely green countryside, as it is up on the hill at Villers-Bretonneux. The young Australian servicemen and women who were present excelled themselves in the way they carried out their duties. It was pleasing to see so many young people from Australia visiting those sites and paying tribute to the people who had given their lives in the service of freedom and democracy.

I sincerely hope that this parliament will continue to send a member to pay homage to those people, because they were young people from all over Australia. Most of them, of course, would have had no idea of what they were going in to. I think we also should be aware of what General Monash did. He changed the whole aspect of the fighting on the front when he used airplanes for the first time to drop ammunition. It was brilliant military tactics which assisted in the final outcome.

There were over 200,000 Australians on the front in the October, but they were pulled back at the insistence of Billy Hughes—who I think had had enough of the whole exercise—and were not actually at the front when the fighting finished. It took months and months to get them back to Australia because there was no adequate transport.

Another interesting aspect is that they had to pull those people who had served at Gallipoli out of the front because, if they had kept them there, there would have been none left to come back to Australia because of the intensity of the fighting. When you look along the Hindenburg Line and see those concrete bunkers and where they put the barbed wire, and then you think that people were ordered to go over the top in advance, it is absolutely mind-blowing and appalling, the results. When you walk along those cemeteries, you see headstone after headstone with no name, with 'Known only to God' written on them because they could not be identified. The medical facilities were inadequate where the clearing station was, and lots of lives were lost, clearly through not having adequate medical facilities. That in itself was a tragedy.

I also took the opportunity to visit the Scottish parliament. If members want to see how to look after themselves, they should pay a visit to that building—a building budgeted to cost \$40 million ended up costing \$400 million. I can say that it is not a building which is viewed with great enthusiasm by the constituents up in Scotland. They are not particularly impressed with the cost, because it is a clear example of what happens when you let academics and outsiders who have no experience make decisions that will affect the parliamentary process. They actually had architects and people building the parliament before they had any elected members of parliament. I will give you one example—

The Hon. M.J. Atkinson: Because they didn't know who they were going to be.

The Hon. G.M. GUNN: No. The windows in the building are all different sizes, so just imagine the cost. The library facilities are magnificent and the dining room facilities are great. There is a huge amount of space; it is all great, but I question the actual cost. I was very privileged to be taken to lunch by two members of the Scottish parliament. They explained to me the great things that they were doing, and it was most interesting.

The Hon. M.J. Atkinson: Did you find traces of your ancestors?

The Hon. G.M. GUNN: Well, no; my ancestors came from right up at the very top part of Scotland. They were crofters who were driven out.

The Hon. M.J. Atkinson: I hope they supported the Stuart Pretender in 1745.

The Hon. G.M. GUNN: They were not particularly keen on the British aristocracy. They were frugal, hard-working people and, like myself, of a conservative disposition.

The Hon. M.J. Atkinson: Supporters of the real royal family.

The Hon. G.M. GUNN: As a monarchist, we will have that debate. I also had the opportunity of visiting the Agent-General's office, and I must commend those people responsible for putting that window in the office. It depicts all the names of the towns around South Australia. I thought it was very impressive, and it will be very good when delegations are visiting and having meetings there. It is very prominent and I think it is an excellent facility and well and truly in the interests of the people of this state. I believe that the Office of the Agent-General plays a very significant—

The Hon. M.J. Atkinson: And you wouldn't refuse the appointment if asked.

The Hon. G.M. GUNN: I do not think I will get that privilege. I think the Premier will probably get it one day. I commend the staff there for the work they did and for the assistance they gave in making appointments for me. I wanted to talk to the Department of Agriculture and the National Farmers Union in relation to genetically modified crops, something which I think we will have to address if we want to look after mankind and make sure that we have adequate supplies of food and clothing. We need to closely examine and allow those developments to take place, because there is no alternative.

I was fortunate to have morning tea with the Deputy Speaker of the House of Commons. If one wants to see security, that is where it is. I never thought that I would see police officers walking around with machine guns in the House of Commons, but that is what we now have. You also get your photo taken when you go in, just as you do when you go into a government department. Your photo is taken as you go in and it is recorded, and you are under the strictest security. I have to say that I hope that it does not come to that here in South Australia.

I also had the opportunity of visiting the Commonwealth Parliamentary Association offices, and I am pleased to say that there is a painting of David Tonkin displayed there, recognising his term as Secretary-General of the Commonwealth Parliamentary Association. It seems that I entered parliament on the same day as David Tonkin. I was very pleased to be shown that painting and to be given a briefing in relation to the activities of the Commonwealth Parliamentary Association and its desire to improve the standard of parliamentary conduct, particularly to stamp out corruption and other anti-democratic activities which, unfortunately, some countries are involved in.

I commend them for the work they are doing. I did appreciate the opportunity to go on that occasion, as I believe that members of this house can learn a lot from talking to their opposite numbers around the world. I was taken to dinner at Edinburgh by Gavin Strang, a Labor member for Edinburgh who has visited South Australia. He and his good wife took me and my wife out to dinner, and he showed me some interesting things in Edinburgh. I greatly appreciated his hospitality. I sincerely hope he comes to South Australia so that I can return that hospitality.

Mr Speaker, I wish you and your family, and all members, the compliments of the season and hope you and they have a merry Christmas. I am looking forward to that particular time of the year, even though our time will be disrupted with other duties. Nevertheless, I am looking forward to the festive season. I sincerely hope that the economic downturn will not have the same effect here as it is having in the United States and the United Kingdom. I was saddened to see that 140 people lost their jobs yesterday. There are difficult situations in rural South Australia. I hope that they are dealt with compassionately and that common sense prevails and undue stress is not put on those people.

Time expired.

GAWLER SCHOOLS

Mr PICCOLO (Light) (17:42): I would like to acknowledge some people in my area, particularly in the area of education. Education has been of interest over the past few weeks in the media. I think that some good things which happen in schools are overlooked and not reported in the media. I take this opportunity to acknowledge a few people and some major events in schools.

I congratulate Helen Sands, the principal of Gawler Primary School, on her retirement. Helen is retiring after almost 40 years in the Education Department as a teacher at many schools and a language and arts adviser and, more recently, as principal of Gawler Primary School. Unfortunately, in the time available to me, I cannot do justice to Helen's career and the contribution she has made. Helen has something in common with the member for Stuart. She came from Scotland with her parents when aged 15. She has not had the opportunity to return there, but she intends to use her retirement to visit family and friends in Scotland.

During her career in education, Helen has had a strong sense of justice and been a hands-on principal and teacher. She loves working with children and has fostered a number of projects, where she has worked alongside 'her children'. She always refers to the students as 'her children'. She is always keen to engage her community and work alongside parents. She has quietly journeyed through her time in the Education Department. Helen has said that she would like to be remembered as a person who cared and made a difference. I have no doubt that she will be warmly remembered by not only the school community but also the whole Gawler community as a person who cared for both her students and people in the community.

This morning I had the pleasure to be a guest speaker at Immanuel Lutheran Primary School at Gawler. A breakfast was arranged for the graduating year 7 class. I congratulate the school for initiating this event because it is part of the right of passage for these students. The idea of the breakfast is to honour the students' contribution to the school and to assist them in their journey to the next stage of their life, that is, secondary education. I thank the school for inviting me. Hopefully, the school will continue with that event.

The third matter is that I would like to take this opportunity to honour a former teacher of mine at Gawler High School, the late John R. Chambers (not to be confused with his father, John H. Chambers). The reason I mention this is that I have had the privilege to be able to initiate an award in honour of John Chambers, the teacher. His widow and family have given me permission to initiate two awards to acknowledge his contribution: the John Chambers Memorial Award for Excellence in the Study of the Humanities and the Ploughshare Award for Effort in the Study of the Humanities.

John Chambers was my economics teacher when I was a student at Gawler High School. John was not only a great teacher but his support enabled me to go on to study at university, and it is no accident that I went on to study economics. With respect to my life in public office, I owe a lot to John's support and mentoring. I believe that teachers can have a major influence on the lives of their students in later life. In the main, they are very positive experiences—and there are some limited examples that are not so positive. However, like many teachers in my life, John certainly had a positive impact on my life.

John started teaching at Gawler High School in 1971, one year prior to my starting as a student in 1972. John started his career as a maths and science teacher but went on later to study economics at Adelaide University. Gawler High School was the first school where John taught economics, and I was one of his first economics students. Both John and I shared a passion for economics. I believe that every student should study economics, because the tools of analysis that you learn help you throughout your life, and an understanding of economics would certainly improve the quality of public debate in our society.

John was not only a great teacher but also a great human being. I was deeply saddened when John died of cancer at the age of 48. I have fond memories not only of John, my teacher, but also of Gawler High School, and the two awards seek to acknowledge the enormous contribution that John made to the school. Tomorrow I will have the chance to present the second award, the Ploughshare Award, in the presence of John's widow, Michelle, and his daughter, Fiona. It will be a privilege for me to be there to do that.

The other matter that I wish to raise, which is a really positive story, is that Gawler could have its first birth to year 12 school by 2012, located on the site of the existing high school. Over the past fortnight, the governing councils of Evanston Primary, Evanston Preschool and Gawler High School have all overwhelmingly voted to support the establishment of a birth to year 12 school on the Gawler High School site. The proposal will now go to a ballot of all parents of the participating schools for their approval.

A key feature of the proposal is the construction of a children's centre on the site, which will provide a range of allied health and education services to children up to the age of eight. The proposal is based on the 'schools within a school' model, which provides improved access to facilities and curriculum for the students within the traditional pastoral care groupings.

I think the school will be a boon for parents. It will offer a one-stop shop for all children within the family. The new school will also have enhanced facilities and services for children with disabilities. Importantly, it is planned that the new school will cater for children of all ages with disabilities. I believe that a single site for children with disabilities will enhance their learning opportunities and make it a little easier for the parents caring for them.

I was delighted to hear that the new birth to year 12 school, if it goes ahead, will provide new and refurbished facilities for the school community. Both Evanston Primary School and Gawler High School (two schools that I attended) and the preschool that my children attended (so, we have a connection with all three) were built in the 1960s and 1970s and require some upgrading. The new school will create a more flexible learning space and the school will be able to respond to changes in the community. I would encourage parents to become involved in the consultation process, which will start from now, and hopefully they will then be in a position to make an informed vote when the time comes.

I have taken this opportunity to raise these few matters because, as I said, it is important to highlight some of the very positive things happening in schools. I also take this moment to thank my family, staff and members of the government and the electorate for assisting me this year, and also members of the opposition. I wish everyone the best for the Christmas period.

VALEDICTORIES

Mr VENNING (Schubert) (17:49): As Opposition Whip, I want to thank all members and their staff for their cooperation during the year. I have been here for 18 years, and you need to be in this position to be able to understand the complexities and the mechanics of running this place, particularly in your position, Mr Speaker and that of our clerks. I thank them all for their cooperation, particularly you, Mr Speaker, and your patience with us. You have certainly brought youthful enthusiasm to the position.

I particularly thank very much the Government Whip (Robyn Geraghty). There has to be some trust in these jobs, and I think that between Ms Geraghty and me—

Mr Pederick: Does she trust you, Ivan?

Mr VENNING: I think she does trust me—I certainly trust her—but it is probably a two-thirds: one-third thing. We have a very good relationship. A fair bit goes on between us that a lot of people in this house would not know about—nor do they need to know about—in relation to pairs, who is here and who is not here, who slipped out when they should not have done and so on. It is a trust thing, and while it works it works.

I also congratulate my leader and his staff, who have had a very good year, and the cooperation they have given to me and my colleagues. They are all my friends. I have been here for 18 years, and I have to say that the group I work with now is as good as I have known, with a very good range of people. I thank all those unsung heroes in Parliament House who support us and put up with us and all our vagaries. There is nothing worse than having to put up with elected members.

Finally, I thank all those people in this house who serve us at all levels—those in the car park, the clerks, the librarians, the catering staff and those in the bar—to make this place a second home and very hard for us to leave. I thank you all for your cooperation and look forward to an interesting year next year which, of course, is prior to the election. I wish you all a safe and happy Christmas.

Motion carried.

At 17:52 the house adjourned until Tuesday 3 February 2009 at 11:00.