

HOUSE OF ASSEMBLY**Tuesday 3 February 2009**

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

FROME, MEMBER FOR

Mr Geoffrey Graeme Brock, to whom the oath of allegiance was administered by the Speaker, took his seat in the house as member for the district of Frome, in place of the Hon. R.G. Kerin.

SELECT COMMITTEE ON THE KAPUNDA HOSPITAL (VARIATION OF TRUSTS) BILL

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:02): I move:

That the select committee have leave to sit during the sitting of the house today.

Motion carried.

UNIVERSITY OF SOUTH AUSTRALIA (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

CIVIL LIABILITY (FOOD DONORS AND DISTRIBUTORS) AMENDMENT BILL

The Legislative Council agreed not to insist on its amendments to which the House of Assembly had disagreed.

DEVELOPMENT (PLANNING AND DEVELOPMENT REVIEW) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (11:04): I move:

That this bill be now read a second time.

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

Leave granted.

On 19 June 2007 the Government announced the Planning and Development Review. The objective of the Review was to achieve the most competitive planning and development system in Australia and New Zealand, without compromising the liveability or sustainability of the State.

On 2 June 2008 the Government endorsed the recommendations of the Planning and Development Review and endorsed an implementation plan for those recommendations.

A key legislative change flowing from those recommendations is the *Development (Planning and Development Review) Amendment Bill 2008*.

This Bill is intended to establish a legislative framework to ensure the key elements of the Planning and Development Review (including an increase in the level of complying development) can be achieved.

In summary these elements relate to the following.

Red Tape

The Bill will facilitate a reduction in red tape across the South Australian planning system, which will result in a benefit of above \$75.6 million to applicants and Local Government by realising savings:

- to private citizens of about \$16.6 million through a reduction in the time it takes to have basic renovations and basic house construction approved and completed (through a reduction in the interest paid on loans during the planning approval and construction processes);
- to the industry of about \$49.6 million through more timely approvals and \$4.0 million through improved land re-zoning times, to enable the industry to better meet market demand, particularly when housing demand outstrips supply as is currently the case; and
- to Local Government of approximately \$5.4 million through a reduction in costs associated with administering the South Australian Planning system.

The reforms are also expected to deliver benefits to the following beneficiaries:

Applicants

The reforms will provide for a development code that will be a single document explaining how the assessment of residential development operates and setting clear performance standards for residential development. This reform should:

- reduce the time taken to process applications in the merit and complying development categories from 17 weeks to 6 weeks (a 65 per cent reduction, or 11 weeks); and
- provide estimated interest savings per application of between \$1,576 and \$5,517 for private investors and \$16,500 for large commercial developments due to a reduction in the time taken to process development applications; and

Local Government

The reforms should allow councils to:

- expand the range of complying development by converting 50-70 per cent of all merit-assessed residential applications to exempt, building rules consent only or complying development; and
- provide administrative cost savings to councils of \$5.4 million per annum (based on current activity levels).

The State

It is expected that the reforms will also:

- lead to an approximate increase of \$3.4 billion to \$4.9 billion in Gross State Product (GSP) or 1.08 per cent to 1.51 per cent over the next five years (or approximately \$689 million—\$992 million per annum on average); and
- lead to an opportunity cost saving of \$62 million per annum by reducing total cost of stop the clock events each year. That is, based on the value of building works delayed each year, \$62 million will be available to be invested elsewhere in the economy.

Finally, there are potentially a number of follow-on effects from minimising such delays. For applicants and builders this includes the introduction of more certainty and predictability into:

- the construction labour market, where skills are highly sought after due to a shortage of these skills; and
- construction contracts, by reducing any premium costs associated with the risks brought on by delay.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Development Act 1993*

4—Amendment of section 33—Matters against which a development must be assessed

These amendments serve 2 purposes. New subsection (4a) of section 33 will provide a mechanism under section 33 to prescribe classes of development that will not need to be granted development plan consent. New subsection (4b) will provide that where a development only requires building rules consent and the council is the relevant authority, the council must issue a development approval if or when it issues the building rules consent.

5—Amendment of section 35—Special provisions relating to assessment against a Development Plan

These amendments relate to the assessment of *complying* development under section 35.

New subsection (1b) will provide that a development that is assessed by a relevant authority as being a minor variation from *complying* development may be determined by the relevant authority as *complying* development in any event and assessed accordingly.

New subsection (1c) will provide that if a proposed development meets all but 1 of the criteria for *complying* development, it must be assessed as such and the balance of the development will then be assessed as *merit* development. However, subsection (1d) will make it clear that subsection (1c) will not prevent a relevant authority from deciding not to grant development plan consent on account of its assessment of the balance of the development and under subsection (1e) this provision will not apply if the development, from an overall perspective, falls within a category of *non-complying* development.

6—Amendment of section 37—Consultation with other authorities or agencies

This amendment relates to cases where an application is refused, or conditions are imposed, on account of a direction of a prescribed body under section 37. Under the current provisions of the Act, the prescribed body is constituted as a party to any appeal. The amendment will provide that the prescribed body will be the *respondent* to any appeal and the relevant authority may, on application be *joined* as a party to the proceedings, if the relevant authority has been directed to refuse an application. If an appeal relates to a condition that has been imposed at the direction of a prescribed body, both the prescribed body and the relevant authority will be respondents to the appeal.

7—Amendment of section 38—Public notice and consultation

These amendments basically serve 3 purposes.

Firstly, it will now be possible for the regulations to assign various forms of development to Category 1 or Category 2 with the effect that the assignment by the regulations will prevail over any inconsistency with the relevant Development Plan unless the regulations provide otherwise.

Secondly, the regulations will determine which forms of development will be Category 2A (compared with the amendments made by section 10 of the *Development (Assessment Procedures) Amendment Act 2007*).

Thirdly, in the case of a Category 1 development, the Act will provide that the relevant authority must not, on its own initiative, seek the views of the owners or occupiers of other land in connection with deciding whether or not to grant or refuse development plan consent.

8—Amendment of section 39—Application and provision of information

The amendments will establish various rules associated with the extent to which a relevant authority may request information with respect to certain categories of development. Another amendment will 'stop the clock' for the time within which a decision on an application must be made by the relevant authority if the applicant requires additional time to address various issues associated with the application.

9—Amendment of section 41—Time within which decision must be made

An applicant will be able to serve a notice on a relevant authority that has not decided an application that relates to a development that is a *complying* development within the prescribed period. In such a case, it will be taken that the relevant authority has refused the application and, subject to the regulations, the relevant authority will be required to refund the application fee.

10—Amendment of section 88—Powers of Court in determining any matter

This is a consequential amendment.

The Hon. P.F. CONLON: I move:

That standing orders be so far suspended as to enable the bill to pass through its remaining stages without delay.

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

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

Motion carried.

Mr WILLIAMS (MacKillop) (11:07): The way in which this house works is interesting. The minister comes in here, seeks the leave of the house to have his second reading explanation inserted in *Hansard* without his reading it and gets leave of the house to do so. He then stands up and moves that the house pass the remaining stages of the bill forthwith. The minister did not inform me as lead speaker for the opposition that he intended to do that. If he had approached me, I may have suggested to the minister at that point that it would be appropriate for him to read the second reading explanation. It is a matter of process. We will debate all stages of this bill yet the minister has not had the courtesy to read the second reading explanation to the house. My colleagues, who are now reading the second reading explanation which has been handed out, will be expected to be on their feet in a few minutes to respond to the government's second reading explanation. I make that point about the process that the government is using.

I will make a few more comments about the process in relation to this particular bill. My understanding is that there was undue haste with the parliamentary process in the other place late last year in relation to this bill. In fact, the other house had to sit an extra day in the optional sitting week in order to complete this bill because the government introduced it very late, apparently, and then kept changing its mind about the residential code. The other place refused to proceed through all stages until it had what it believed was a final version of the residential code, before it would pass the bill through all stages.

Not only has the government displayed what I could only term extreme arrogance in the other place in the latter part of last year, but I think the government should reflect on the way that it handles the business of the house in this place as well and just reflect on what this parliament is

about. I will continue on that theme for a few moments because this piece of legislation, an amendment to the development act, is actually a piece of enabling legislation.

It is a piece of legislation that allows for the establishment of a residential code. It is designed to streamline the planning and development process, and the opposition supports that. However, many times in this chamber, I have raised the issue of making law through regulations. That is what this legislation does. It makes law by enabling regulations, and they are not simple regulations.

I can understand the principle. In some instances, you would have the power of regulations for day-to-day administrative things, and there are plenty of them. Notwithstanding that I do not enjoy the parliament not having a say in those matters, I think it is a bad way to govern the state where the parliament absolves itself from its responsibility to oversight the laws that govern this state, and that is what we do when we give powers to make extensive regulations and regulations on important matters.

Notwithstanding that regulations are a disallowable instrument and notwithstanding that the parliament has the opportunity to review them, I would wager that the vast majority of members of this house and the other place do not consciously review regulations as they are tabled from time to time. I know the shadow ministers—my colleagues—pick up the regulations and we have a look at them. I know that the Legislative Review Committee has a look at them.

As members of parliament, we absolve ourselves on a regular basis from being responsible for the laws that we foist upon the citizens of this state by passing this sort of legislation and handing the power to make law by regulations to the minister and, by and large, I would argue, to the bureaucracy.

I see my role, to some extent, as protecting the citizens of South Australia from the bureaucracy, because their interests are not necessarily in the same place. The bureaucracy has a large interest in ensuring that the administration of the department that it is involved in is simple and straightforward. There is nothing wrong with that, but that does not necessarily always serve the same interest as the community's.

We, as members of parliament, are somewhere between the community and the bureaucracy. I think that our responsibility actually lies in protecting the community from adverse impacts, and we can name any number of them. All of us regularly get complaints from constituents about the way an overenthusiastic bureaucracy has impacted on individuals. In a way, I am glad that my colleague the member for Stuart is not here, because I am sure that he would be able to embellish a number of stories reflecting the point I am making.

Mr O'Brien: I'm not sure I would use the word 'embellish'.

Mr Griffiths: Even though it would take some encouragement to stand up.

Mr WILLIAMS: Without the encouragement that, it is suggested, he needs from time to time. Notwithstanding what I have said, the opposition supports this bill. In fact, it reflects the very position that the opposition put out almost 12 months ago to streamline the planning process. I was involved in local government way back in the mid-1980s when local government first became the planning authority and we first went down the path of establishing plans over the council areas and going through all the process of working out how we were going to manage, control and, indeed, approve development at the local council level. We have come a long way.

I suggest that for most of the period between, I think, 1985 or 1986—somewhere around there, maybe even a little earlier—when I first became experienced with planning and development control and until this piece of legislation, the planning system has become more and more complicated. It has become more and more onerous and there have been more and more hurdles to jump, and that comes with a cost. It comes with a cost largely caused by delay, but it also comes at the direct cost of proponents of development having to go out and get expert advice, having to employ planners and lawyers to ensure that they jump all those hurdles in the minimum of time.

There has been a huge amount of discussion over the years about the problems with the planning system and whether there is corruption within the planning system. It is—to put it quite simply, and to use the sort of language I would use at home—somewhat of a dog's breakfast, and has been for some time.

I know that there is conflict between the state government and local councils. From time to time I hear ministers from governments of all persuasions say that the best way for democracy to

work is to have decisions made as close as possible to the impact of those decisions. I guess that is why local councils have been the planning authority for so long.

What we are doing here is shifting the goalposts somewhat and lessening the influence of local councils on planning decisions. That seems to be the way that this government is going per se with regard to planning and development in this state. Quite often developments get major development status, which puts those developments into a different system and removes the local council from the decision-making process.

Under this bill, the state can, in many cases or situations, override the local council. In fact, there are clauses in this bill that actually state that, if there is a conflict between what the state wants to happen with regard to a development and the way it is assessed and what the council wants, it is the state that prevails. As I said, the opposition accepts that.

My colleague the Hon. David Ridgway in the other place has spent a lot of time on this matter. I am not going to take too much of the time of the house because most of the issues that the opposition initially raised were addressed by the government in the other place in the latter part of last year. There were a number of issues, and I know that the Hon. David Ridgway has been working closely with people in the industry, the Housing Industry Association, the Property Council, developers, etc., on this piece of legislation. It was debated thoroughly in the other place and I am happy to say that the opposition was delighted that the government took on board virtually all the concerns it had and amended the code.

It was interesting that, within a 24-hour period during the debate in the other place, the draft code went from version 7 to version 10. That is why I made those comments earlier about the haste with which the government was going through this process, and that caused a fair bit of difficulty for our colleagues in the other place, being under that pressure with continual changes.

Notwithstanding that, I think that the work that the opposition wanted to put into this bill to make it a much better piece of legislation and to meet the needs of the industry that is going to be impacted by it has been done in the other place. So, I indicate to the house that, at the moment, I have no interest in going into a third reading debate. I do not know whether any of my colleagues or anyone on the government side have, but I doubt it very much.

What currently happens is that developments are lodged with the council and are judged on their merits, and a significant proportion of development applications that go into the council are fairly mundane and straightforward. This piece of legislation effectively says that if you are building something that has already been built by every other householder in your street and around the corner—basically, across a suburb—then why on earth should we go through all the red tape and pain of the exercise of reapproving it in the way that we have, a way that is long, drawn-out and, as I pointed out earlier, costly.

The bill will enable the residential code to be established by regulation, and the residential code will basically say to the developer that, if their application meets all the criteria, if it is within what the code says it should be—the setbacks are the right distance from the front of the block, the impact on the neighbours because of the setbacks, or the distance away from the fence, or the height of the building adjacent to the fence—if all those sorts of things are all met and the boxes all ticked, it is virtually automatic approval.

I believe that what will occur is that, in a lot of those instances, where people are putting up, say, one of those sun shades in their backyard, or even a garage or those sort of outbuildings, those sorts of developments will, by and large, be designed to meet the code and will get virtually automatic approval. The application will be lodged, the boxes will be ticked, and it will be approved.

I imagine that even in cases of new developments—say, building a new house—the design of the house will largely be made to ensure that it also meets the code. So, even if you are redeveloping a block—or, in the case of urban infill, even if you are establishing two townhouses where there was a bungalow on a block in one of the inner suburbs—the developer, through this legislation, would be encouraged to pick up the code, look at it, look at his block, and actually plan his development so that it meets the code. That will save those weeks and weeks of going through the process of having it assessed by council and assessed by the development assessment panel, when he might have to wait six to 10 weeks to get an answer.

We accept not only the principle of what has been established through this legislation, but we also (and as I said, a considerable amount of work was done in the other place) accept the code. I think the final one we got was version 10. We take the minister at his word that, if the

legislation goes through the house as he proposed it, that will be the final word on the code; that that is how it will be.

I have no doubt that as we move forward there will be amendments to the code, there will be additions and subtractions from time to time. I understand that the Local Government Association has been trialling the code in a few council areas to see exactly how it works in the field. That was part of the government's consultation process, and hopefully it gave the government the opportunity to iron out the teething problems that always come up with a new process and that the code's application will run relatively smoothly as from 1 March (which is, I think, from when the government intends to have this in operation). Hopefully, it will have an easy introduction and will run smoothly and achieve its ends.

As I said, I have no doubt that there will be amendments, that whoever is in government from time to time will find ways to streamline it even further and that there will be amendments made. Harking back to my earlier comments, I certainly hope that, when amending regulations, members will take the time to closely scrutinise any such amendments.

I represent a largely rural electorate, where development matters do not often receive the sort of public attention they do in some city electorates. My colleague the member for Unley is not in the chamber, but I know that he and his predecessor get very excited about development matters in their area. I note that the code will allow for areas to be declared exempt from this process. So, in areas such as Unley, where a council may deem, under its development plan, that an area is of significant heritage or has a heritage flavour, the merit-based system of development approval will continue. I point out that the pre-existing system will continue to run in parallel with this.

I know that the Minister for Urban Development and Planning, when introducing the matter in the other place, talked extensively about the cost savings. He has obviously done a lot of work (no doubt taking experience from other jurisdictions) on the percentage of applications that will, indeed, be worked through under this process, rather than the previous process. I conclude my comments, and I commend the bill to the house.

Mr O'BRIEN (Napier) (11:27): On 19 June 2007, the Minister for Urban Development and Planning (Hon. Paul Holloway) announced a review of the South Australian planning and development system. In essence, its terms of reference were to provide this state with the nation's most efficient and effective planning system. I was tasked with the responsibility of chairing the review and delivering this outcome.

Subsequent to the government's overwhelming endorsement in June last year of the recommendations made by the review, the review committee was reconstituted as the Implementation Committee, with an additional three members nominated by the Local Government Association. The Implementation Committee meets on a monthly basis and assists the Minister for Urban Development and Planning in implementing the recommendations of the review. Our overriding focus since June last year has been the process of consultation over the residential code such that it would be ready for implementation on 1 March—the timetable recommended by the review.

This legislation is the enabler for the implementation of the code and the ancillary matters the review deemed essential for the streamlining of the state's planning and development system. Before touching on the matters contained in this legislation, I will briefly outline the economic benefits that will flow to South Australia if this legislation is passed in its pristine form by this chamber.

We estimate the reduction in red-tape costs to be the vicinity of \$75.6 million a year—more than half the reduction sought by government across all economic activity in this state. The savings will be realised in the form of savings to private individuals of \$16.6 million a year, through the streamlining of the planning approval process; savings of \$49.6 million to industry, again through streamlining; plus \$4 million in savings a year, through improved land rezoning times; and \$5.4 million in savings to local government, through a reduction in costs associated with administering the state's planning system.

In terms of housing affordability, particularly for first homebuyers, the review is of the view that the reforms set out in this legislation, when combined with recommendations 19 to 23, which set out a new approach to managing land supply, collectively will allow industry to provide the most affordable land and house packages on mainland Australia.

Melbourne currently enjoys a \$31,000 absolute price advantage over Adelaide on house and land packages, and it was the review committee's view that the Victorians' impressive economic development record was in part propelled by that state's ability to attract and hold young skilled workers through provision of well-priced new housing.

For those in the chamber who may be mystified as to where and why these efficiencies can be obtained, it is worth casting a quick eye over the planning system as it currently stands prior to the passage and implementation of this legislation. As a starting point, very little uniformity exists across each of the 68 local government authorities in this state which has led to a bewildering 17,000 pages of regulation that our citizens and building industry must navigate to obtain planning approvals.

The South Australian planning and development system is also bogged down in minor, low-risk matters. In the financial year to June 2006, for every 1,000 people, South Australia handled 42 planning applications. Victoria's planning system handled 29.26 applications; Western Australia, 24.09; and New South Wales, 17.27. In rounding out these figures—42 applications for South Australia, 29 for Victoria, 24 for Western Australia and 17 for New South Wales—put simply, our system is clogged up with matters that would not even be considered for assessment elsewhere in Australia.

The value of matters for assessment in South Australia is also less than in other states. South Australia had an average value of only \$50,937, whereas the average was \$106,226 in Victoria and \$151,246 in Western Australia. Evidence received by the Planning Review from the Planning Institute of South Australia also indicated that vacancies for qualified planners in local government are clearly running at around 20 per cent. In other words, on average, on any given day in South Australia, one in five planning positions in local government is vacant and cannot be readily filled because of the shortage of qualified planners.

As a consequence of South Australia's having too many low-value, low-complexity matters for determination in the planning system, combined with a shortage of qualified planners, the processing times are extremely slow. Systems indicators currently do not provide information on average or median assessment time for merit assessment. Recommendation 38 addresses this issue. Therefore, the review's conclusion in relation to the speed of assessment process was based on data obtained from a representative sample of local councils.

This data indicates that, across all categories of development in all regions, councils on average have not met their regulated deadlines in issuing consents for merit development. In the metropolitan area, less than half of all applications are assessed on time. The case for reform is overwhelming and, on this point, the opposition appears to be fully concurrent with the government. Similarly, the opposition generally concurs with the direction of reform set out in this legislation, particularly as it relates to the code.

The opposition spokesperson in the Legislative Council, the Hon. David Ridgway, has raised the concerns of the Planning Institute in relation to issues of sustainability not being contained within the code. It was the view of the review that the code was not the place to address these matters for the simple reason that, at the individual building level, these issues largely relate to the selection of building materials and choice of construction design and, as such, were being addressed through possible changes to the Australian Building Code.

There is a COAG process which is currently underway which is looking to review the Australian Building Code to place environmental sustainability considerations at the centre of the building code in much the same way as New South Wales has done with its BASIX system. At the neighbourhood and suburban level, it was the expectation of the review committee that the environmental sustainability issues would be addressed in the plan for greater Adelaide which is currently being prepared by a consortium made up of Connor Holmes, KPMG and other consultancies.

The review lay the basic framework for sustainability with a recommendation that the organising principle for distributing population, housing and employment growth for new and existing areas should be focused on Adelaide's network of transport corridors. This is the transit-oriented development organising principle for the future growth of Adelaide.

Review recommendations for master planning of major new developments should be reflected in the plan for greater Adelaide in terms of the urban design of new suburbs and neighbourhoods being based on the capture and reuse of stormwater and orientation of streets and allotments so as to maximise solar access. Density issues will also be addressed in the plan for

greater Adelaide and will result in constraining urban growth on the fringes of Adelaide to 30 per cent, with 70 per cent of all new growth occurring predominantly in transit corridors in the form of transit-oriented development. Many of the guiding principles in the plan for greater Adelaide will also be incorporated in plans for regional South Australia.

On the issue of infill, which has been specifically earmarked for transit-oriented development by the review, there was some initial concern that the residential code, if applied across our inner suburbs, could result in increased densities and loss of suburban character. This misconception was based on a poor understanding of the density recommendations for the plan for greater Adelaide which were designed to bulk up population densities adjacent to transport corridors thereby providing a patronage underpinning to a \$2 billion investment in electrification of our rail system and to protect our inner character suburbs from inappropriate medium density development.

To further strengthen our protection of inner-ring suburbs, the review recommended that minor additional codification be permitted in agreed character areas in recognition of the need to preserve unique neighbourhood character and that these additional requirements must be quantifiable and confined to streetscape, setback, building materials and landscape requirements.

The residential code will come into operation on 1 March, and until 31 March will apply only to alterations and additions. Local governments have until 31 March to submit to the minister those neighbourhoods or suburbs to be considered for neighbourhood character status. The code will then apply to new houses in areas zoned residential but not under consideration for neighbourhood character code.

This outcome of the Planning Review is significant in so far as no formal structured protection of character currently exists in a uniform manner across the state. Norwood, Payneham and St Peters council has developed a notion of contributory items to protect properties and streetscapes that contribute to the character of a neighbourhood. But I have been advised that designation has caused some confusion for home owners who equate it with the restrictions pertaining to heritage listings.

Similarly, Unley council has devoted considerable resources over a two-year period to mapping the character of its suburbs and has been supported in this endeavour by the state government. This work will provide invaluable assistance to other councils in mapping and ascribing suburbs and precincts they believe may merit character codification, while Unley will benefit from a code framework that allows protection for character while allowing orderly, sympathetic development to occur with the surety and timeliness of a code-based assessment system.

Several members of the Legislative Council, most notably the Hon. Mark Parnell, have erroneously claimed that limited consultation occurred with the preparation of the residential code and this is a harbinger for the future. The opposition in the Legislative Council also moved an amendment seeking to ensure that future changes to the code undergo a process of consultation that involves notification to the LGA and consideration of any submission by the LGA within a period of three to six weeks.

First, on the issue of initial consultation, I advise the house that it was my proposal to the Review Committee that we commission the preparation of a code framework for community and industry discussion. I did not want the review final report to contain nothing more than a series of recommendations for further work.

Instead of a recommendation that a code be introduced, I proposed that we commission the writing of a code outline so that local government, the development sector and the community could actually understand what we meant by a code. Those members who have tried to access the Victorian residential code (Rescode) will find that it does not exist as a discrete document but is scattered in discrete packages through myriad documents.

The planning consultancy GHD was commissioned to prepare a draft code in collaboration with Planning SA and KPMG. I attended several meetings to keep abreast of the code's development. It was always intended that the draft code would be further and probably significantly refined after extensive consultation with local government, the development sector and the planning industry. Half a million dollars was allocated by the government to the Local Government Association to allow it to run this process of consultation and refinement. Heynen Planning Consultants assisted the LGA in this process and ran a road testing of the code, as recommended by the planning review.

The major intent of road testing was to quantify the reach of the code and matters moved to building only consent, such that the target of 50 to 70 per cent of all matters being deemed complying would ultimately be reached. The road test found that the code would potentially affect 37 per cent of all development applications, and a further 54 per cent of all applications could now be assessed only against the building code. Potentially, 55,000 development applications annually could be streamlined by the bill before the house. The road testing also suggested issues that needed to be addressed within the draft code.

The process of consultation has run over many months and resulted in 10 different iterations of the residential code. The minister has taken the unprecedented step of sending, in late December, a copy of the residential code to all members of the House of Assembly in the form of the Development (Residential Code) Variation Regulations 2009. The fact that the regulations are available in advance of the legislation attests to the degree of consultation and collaboration that has gone—

Mr Venning: Because we asked for it.

Mr O'BRIEN: And I am giving you full credit for that—into the preparation of the code and the determination of the government to get it right. It also attests to the good intent of the government in not asking the opposition to buy a pig in a poke on a matter of such importance to South Australians.

Returning to the issue of future changes to the code and the LGA's desire for consultation, as set out in the Hon. David Ridgway's amendment to the Legislative Council, let me not shirk from the fact that the review saw the code as a living document. It recommended an annual review of the code to ensure that it and building consent-only matters continued to capture 50 to 70 per cent of all planning matters. This was to prevent the slow stultification of the planning reform as matters slowly returned, unnoticed, to full merit assessment and, in the process, unwound the efficiency gains made by this bill.

The review recommended the formation of a code advisory committee to monitor the effectiveness and efficiency of the code; to take submissions from relevant bodies about the code provisions; and to provide the minister with an annual update of code provisions for possible inclusion. The minister has decided that the Development Policy Advisory Committee (DEPAC) perform the function and, on my reading of the Development Act 1993, it is clear that the act directs DEPAC to conduct the very process of consultation sought by the LGA.

Not having the time available to explain every clause in the bill, I will briefly explain the rationale behind clause 8, which relates to 'stop the clock'. The current ability of local government to stop the processing of an application while additional information is sought from the applicant, the review believed, sat at the heart of the inefficiencies within the system. The state is saddled with 68 different approaches for the processing of development applications, reflecting, in large part, the professionalism of the councils concerned. For applicants, this can be highly frustrating, with applications delayed for months, if not years, while additional information is prepared and submitted to council.

The LGA was of the same view as the review, and I am pleased to note that the opposition is similarly minded, in seeking a common approach to the processing of applications. The \$500,000 that I mentioned earlier—which is being matched with a similar amount from the LGA—will also be used to prepare a developer's handbook and a uniform processing methodology for all of the state's 68 councils. Councils should no longer have to deal with inadequately prepared development applications—in fact, they should refuse to accept them—and developers should not have to face the frustration of having their applications disappear into limbo while council repeatedly calls for additional information.

I will briefly comment on a concern expressed by the Hon. Rob Lucas in the Legislative Council regarding the code regulations, which the opposition insisted it must have before it could deliberate on this bill in its party room. That concern related to the code stipulation in respect of building on side boundaries. The minister dealt with the honourable member's concerns in a thorough and methodical manner.

I wish to add this particular observation. Increasingly, in Melbourne in particular, architects are designing houses to maximise solar access. On blocks running east-west, architects are choosing to push houses to the southern boundary to maximise the amount of sun falling on the northern side of the house. That is where they are placing courtyards, large picture windows and living areas. For new subdivisions, this strategy clearly makes a lot of sense. Rather than centring

all houses on their block in a new suburb, those with an east-west alignment could be located on the southern boundary. This proposition may fly in the face of commonly accepted planning wisdom as it currently stands, but it is a logical proposition if we are to embrace environmental sustainability. As the code will have its largest impact in greenfield development, I hope the Hon. Rob Lucas and the opposition see the good sense in the provision of the code. I support the bill.

The Hon. I.F. EVANS (Davenport) (11:47): The house might recall that, prior to entering parliament, I had the pleasure of being in the building industry for 10 to 15 years as a licensed builder and running a building company. So, I come to the house with that experience behind me. I have a degree in building technology, so I have always had an interest in the building and construction sector.

I support the principle of a residential code for the reasons outlined by the member for MacKillop and the members of the government who have spoken. I want to use my time to raise some concerns in the regulations about the code. We will not necessarily get to debate all the regulations, so I will simply raise the matter about which I have concerns. When the review is held in a year's time, perhaps the government can look at fixing what I think are some of the issues.

Coming from the building industry, I can understand why the industry supports this code, because one of the great frustrations of the building industry—particularly the housing industry and the development industry of the residential market—is the enormous amount of time it can take to get through local councils. I remember a case involving a council which I represent which had a hills face zone. One lady went back to the council seven times to get approval for her paint colours. She ended up walking into the council, throwing the Dulux cards on the table and saying, 'Well, you pick the colour.' She duly painted it that colour and, about four years later, repainted it the colour that she wanted, and that solved that.

Some councils are pretty slow in processing what are normal housing and addition applications. The concerns I have are all technical, and I do not expect the minister to be able to answer them today. I am simply putting these concerns on notice so that those within government can go away and look at exactly what they are doing, and whether they really mean to be doing it. Most of these concerns come out of my electorate. The Coromandel Valley Residents' Association put in an excellent submission, and I think the Blackwood and Belair Residents' Association also had some concerns about the introduction of the code and the detail within the code.

The reason those two resident groups have concerns is that it is a far more complex issue to build in the Hills area than it is on the plains. Builders know that it is more expensive because you have to level the ground or build up and have a different footing structure. A whole range of things are different when building in the Adelaide Hills or the Mitcham Hills than when building on the flats.

The first issue the government needs to be aware of is that it creates problems. This is a problem in my backyard at home: we are about two metres lower than the house next door, which is built more than 900 millimetres off the boundary. According to the residential code, my neighbour can now put up a solid wall eight metres long and three metres high. His house is already two metres higher than mine so, when I go out into the backyard to have a barbecue, I will be looking at a wall that is eight metres long and five metres higher than my backyard. As his neighbour, I think I should have some say about that.

I think there are some issues in the Hills areas about allowing people to build eight-metre long walls three metres high when there is a difference in the level of the blocks. My block, with a difference of two metres, is not, by any stretch of the imagination, the biggest difference you are going to get between adjoining allotments. However, if this goes through, as from 1 March, I could wake up one Monday morning and find that my neighbour is building an eight-metre wall which is three metres high on his property but the effect on my property is that it is actually five metres high.

For those who are wondering, five metres high would be to the top of the tapestries in the House of Assembly, and eight metres would be from the Speaker's chair to about where the member for Unley is sitting. I do not think a solid wall right down a backyard is an attractive option that should be allowed without some scrutiny. It is now currently allowed under this provision. Coromandel Valley, Eden Hills and other suburbs in the Mitcham Hills area are very hilly and up and down, and many homes are going to suffer a similar scenario to that I have just described.

On page 5, new clause 3(g)(iii) talks about outbuildings. In the case of a carport, you do not have to get approval for a whole range of reasons. However, all of a sudden, you do need to get approval for a carport if it is going to go onto an alley, a lane, or a right of way. I do not understand

the difference. If a carport does not need approval if it is going onto a primary road, for example, why does it suddenly need approval if the access is going to be from an alley, a lane or a right of way? Surely, if the vehicle is going to use an authorised access point under the Local Government Act, then it should be treated the same as a front access. I do not see the difference. However, for some reason, there is a difference within the bill.

New clauses 5 and 6 deal with spa pools, and new clause 8 deals with water tanks above ground. The reason I bring these three elements together (and this is interesting) is that, in relation to building a spa pool or a swimming pool, it does not state that they should be five metres from the boundary; it states five metres from the dwelling. It may well be that the adjoining dwelling is two metres from the boundary; so, the pump can be within three metres of the boundary. The problem with that is that in Belair or Eden Hills, if a spa pump is going on the side of the hill, it echoes straight into the neighbour's property. This provision will allow spa pumps and pool pumps to be put anywhere within five metres of a house. It does not matter where your windows and bedrooms are. There was an incident in Blackwood last year, when a young couple who moved in had an outside spa and, because they loved partying late at night, at 1am and 2am, the spa pump was going and the noise carried to the family next door, straight through the bedroom windows so they could not get to sleep. That is now unregulated under this bill. You can put them where you want, as long as you are five metres from the house.

The other issue is shade sails. For some reason, new clause 7(c) talks about shade sails being no more than three metres above the ground or floor level, depending on where it is situated. In other areas the regulations talk about the roof being no more than five metres. So, if you are using the shade sail as a roof—for example, as a pergola—is it three metres or five metres? Why is it you can put up an iron roof at five metres without approval but you cannot put up a shade sail at five metres without approval? That is what the provision allows. If you are putting up a shade sail roof over your pergola, it is unclear to me whether the three metre provision or the five metre provision applies. I am not sure why there is a difference.

Then we come to water tanks in new clause 8(d). No part of the tank is to be higher than 4 metres above the natural surface of the ground. That is interesting, because what happens if you are using rainwater tanks as your fence? Stratco and such places now sell rainwater tanks to be used as fences. According to this regulation, you can have fences that are eight metres long and three metres high without approval. If you are using a tank as your fence—which is quite legal, and promoted by government departments, Stratco, Fielders and others—what provision applies? Is it the eight metre by three metre provision, or the four metre provision? There is confusion there.

Solar photovoltaic cells are dealt with in new clause 10. The panels are to be fitted flush with the roof. In the building industry 'flush with the roof' means that the surface is flat so, in other words, the solar cells would have to be inside the roof so the top of the cell is flat with the roof. My understanding of the way they are installed is that they sit on top of the roof; they do not sit flush on the roof. They are not installed flush, as such, but they are installed flat on top of the roof. So, I do not think this will cover solar photovoltaic cells as it is written. I think what is meant is that the solar panels are not elevated; in other words, sitting up. I think that is what it is trying to achieve. I do not think the wording is necessarily right.

Then we get to the internal building work, which is under new clause 11. This is where I think there are some gains for developers. Anyone in the development market or with rental property should look at this clause properly. It says this: as long as you do not alter the outside of a home, you can do what you want to the inside. So, people in Bedford Park who provide rental accommodation for Flinders University and Flinders Medical Centre can have what is currently a three bedroom home and not change the external walls but demolish the inside walls and convert it to a six, seven and eight bedroom home by using bunks and all sorts of things. What is the implication of that? The implication is that there is no car parking. This bill allows the internal dimensions of a house to be totally changed so you can accommodate as many people as you want inside the house without any consideration of the car parking issue.

I have some concerns with that because Bedford Park residents have had a gutful of developments at the Flinders Medical Centre with no consideration to their parking requirements. Twice I have asked the government to set up a task force to deal with it, and twice the government has refused to do it. But those people who own a private rental property will be able to demolish the inside of a house, put in as many bedrooms as they want and not have to worry about an increase in the car parking capacity. So, I can understand why the building and development industry would want that particular provision.

There is then the issue of not needing approval for the internal building work as long as there is no alteration to the external appearance of the building to any significant degree. What does 'to any significant degree' mean? I can see that we will get 68 definitions (one for each council) across the state as to the meaning of 'alteration to the external appearance to any significant degree'.

There is a reference to work undertaken in a historic conservation zone. Approval will not be needed if there is no alteration to the external appearance of the building. So, a person cannot change a window without development approval. Theoretically, I do not think they can paint it without getting approval, because they are changing the external appearance of the building. I am not sure whether that is what the government intends but, on a strict reading of it, that is what this is doing. If you went from a heritage green to an L.J. Hooker yellow with your paint colours, you have changed the external appearance. You cannot do that without approval. I am not sure whether the government really wants to regulate it to that extent, but it has done so.

A number of clauses talk about wall heights. They talk about a room of 60 square metres (a garage, for instance), as long as it does not have a wall height three metres above the natural surface. With respect to someone in the Adelaide Hills with a sloping block, is the level of the natural surface that is being talked about the high side of the block or the low side of the block when the structure is being built? What is the level that is being talked about?

There could be a one metre fall from one side of the block to the other. So, clearly, the level of the ground is higher at one corner of the building than the other. The builder either digs it in or builds it up, depending on what the client wants. If they build it up, where is the three metres measured from? Is it measured from the natural surface on the build-up side or the natural surface on the non-build-up side? As a builder, there is some confusion in my mind, and I would be asking what that actually means.

This issue is dealt with in some clauses. I refer to proposed regulation 7, Variation of Schedule 4, Complying Development, section (4)(2)(i), with the wording 'any excavation or filling associated with the development does not exceed a vertical height of one metre'. So, you can have filling up to one metre high. What I am asking is whether it is one metre plus three when you have a sloping site or three metres on the other side. To me, there is some confusion about that aspect.

On page 13 it talks about alterations and additions and, for some reason, includes the wording 'if any side wall of the dwelling faces south'. I am wondering what the importance of that is. Why south? South is generally the shaded side of the house, but I can see no explanation as to why, if the side wall faces south, there is a different development approval process than if the wall faces north, west or east. That is simply unclear to me, and it is not explained in the second reading speech. There may be a very logical explanation for it, but I cannot see it in the bill.

I have outlined those concerns on behalf of my electorate. However, the opposition generally supports the principle of a residential code. I note that there will be a review in the future, and I hope that in that review the government will look at the issues I have raised on behalf of my electorate, because I think that some elements that are confusing will be exploited by the building industry, and I do not think that was necessarily the intention of the government. The intention of the government and the opposition in this case, I think, is to try to simplify the planning process. However, in doing so, I do not think we need to put the character, if you like, of some of our suburbs at risk, and I believe that in some clauses of this bill we have still left the door open in that regard.

Mr VENNING (Schubert) (12:05): I will not go on at length and repeat what has been said by the shadow minister and the member for Davenport, who has a good hold on this subject because of his previous vocation in the building industry, in which I believe he still has an interest. I come from a background of over 10 years in local government, of which planning comprised a large part, and seven years as presiding officer of the Environment, Resources and Development Committee, a key area of which involves planning. This is one of the reasons my hair fell out at a young age! Indeed, the planning issue has been a continual problem in local government and in this place, and it is open to all sorts of conjecture—even corruption—about who gets to know what.

Without naming any particular council, there have been some delicate issues. In one case the CEO was put before the court, but I will not go into that. The whole area of planning is a contentious issue. As the member for Davenport said, the building industry supports this code as it will cut down on delays, and anything that does that we will all support. I appreciate what the member for Napier said in relation to our not wanting it to pass the bill until we saw the regulations,

and the government has provided them. That is what it is all about: cooperation and getting an outcome—it is working, and I am pleased it can happen and that we can support that.

Getting approval to build or alter a building has degenerated into a farcical, ridiculous situation. Notwithstanding some of the anomalies the member for Davenport just mentioned, I believe we can expedite the process. I support the general tenor of the bill, which specifies by regulation the various planning guidelines, for example, the specs for a carport, so that a council planner can receive the application, assess that it complies with the regulations and send it straight back to the applicant saying yes or no, without having to wait for the council's planning body to sit in judgment on it before seeking another opinion. I have known cases where it is two to three years before applicants are told. I know a person who applied to build a shed; the shed is up there, but there has been no response from council. For the sake of a basic farm shed, if it is a category 3 shed and meets the requirements of the act, and if it is to be built by a recognised builder, why should there be nine months delay in getting approval?

A service station in one of my towns has been waiting for 2½ years for approval. In this heat these people are working in appalling conditions in a little hut by the fuel bowsers. An application went in 2½ years ago, but still nothing has happened. I cannot believe this has happened. I am happy because this area of planning is always a very difficult area: as soon as you try to improve a building there is always somebody who will complain, whether because of the view, the noise or general living amenity. The old NIMBY principle is alive and well, so we need strict guidelines to be laid down. People need the ability to improve their houses but, particularly when they are building upwards and obstructing somebody's else's view, there will always be a contentious issue. I have been there and done that.

In dealing with council, the guidelines must be there. With as many bureaucrats and boffins in the local government area as there are in the minister's office, I am not being too critical here. When I was chair of ERD, I appreciated the cooperation with the minister and his staff in relation to planning. We tried as much as possible to do things on time, get it back to the minister, make the recommendations and get on with it.

Only yesterday the Victor Harbor DPA matter came before the ERD Committee. It is a very difficult issue, and the Victor Harbor council came back with a very strong position in relation to its planning for the future. Of course, the minister has overridden that. We are in a very interesting position with that. We are sitting where we are, as an ERD Committee, in relation to the council's planning issues with respect to key areas down there, particularly in relation to major developments. I understand that the minister has changed many of the planning decisions and this has caused some angst.

This committee, I must say, is operating very well at the moment, and the politics do not seem to come into it. We sat in judgment, and we were scratching our heads—more hair falling out—over what happened here. How can a council come up with its plan in relation to its areas (particularly its key areas with major development status) in terms of infrastructure, roads and bulky goods depots—all these sorts of things that put Victor Harbor under much stress?

The council comes up with that. Of course, it got the approval from all the relevant bodies that would be involved through the department of planning and, then, at the last minute, the minister—who I do have a lot of time for—comes out with a contra plan across council's desires. The council came into the ERD Committee and put its case. I must say that, even though I have been lobbied heavily on this subject, I could not come up with the answers, particularly when, after the Victor Harbor council representatives left, the Planning SA people could not answer the question as to why the minister had overridden the council's position. They could not answer that question.

I feel sorry for the two people who came in. They were junior officers. It ought to have been the minister's staff who came in. I think that Mr Vanco should have come in and answered these questions and we might have got somewhere but, as it has turned out, we questioned what happened—he is in the building; he looks at me and waves his hand. Well, I wave back! I felt very sorry for these two people who came in. I would never accuse this minister of anything untoward—never; not at all. I just have difficulty sorting this one out, particularly when you understand that big business is involved here. Some of the planning has involved thousands of dollars, and some of that money has been paid by developers.

My whole point about raising this matter is that the opportunity (I will not say 'corruption') to make things happen by various people with clout (that is usually dollars) must be stamped out, it

must be regulated and it must be totally transparent so that we can all see what is happening here. It is a difficult area when you are planning something in a place such as Victor Harbor. It is a lovely area, just like the Barossa—the pristine Barossa. People want it to stay the way it is without destroying its soul and character, but development also wants to come and cash in and provide the people with all those wonderful facilities they are told they need to have.

So, here we go; we have got the conflict. This is where the planning thing comes in. It is a fascinating area. I would be pleased if Mr Vanco could come and tell the committee why this has happened in Victor Harbor. I have spoken to the local member and, indeed, I spoke to the mayor yesterday, and it is fascinating; very fascinating. It will be interesting to see the outcome.

We do support this bill. I am very pleased, as the member for Napier said, that the government has provided these regulations. It will not solve the issue; I am sure it will not but, as long as it goes a long way to expediting the processes by which people can improve their houses—they want to build carports and put in swimming pools; regulate it all, and, if it meets the regulations, they can get the approval inside 28 days—that would be a fantastic result for this legislation, and the opposition is pleased to support it.

Mr PEDERICK (Hammond) (12:14): I rise, too, to support the Development (Planning and Development Review) Amendment Bill. I note that this bill implements a residential development code, and it is understood that, if they do not fit into that code, developments can still be assessed under the normal merit-based processes; therefore, the code will simplify the planning system and not enforce further restrictions.

Some of the amendments in which the opposition was interested included block size, heritage character and setbacks. These are believed to have been addressed in the regulations. I refer to block size. The regulations state that if a site does not comprise an entire allotment, the site must meet the minimum site area prescribed in a council's development plan. This gives local councils the ability to determine what its council area will look like in terms of infill. Where the allotment is divided—that is, where you might demolish a bungalow and erect two or three flats—councils will set the minimum size allotment.

Regarding heritage, parts of the regulations will also address additions and alterations, outbuildings, carports and verandahs, swimming pools, spa pools, shade sails, water tanks, solar voltaic cells, internal building work and demolition. These things will not apply if the development is on a site where a state heritage place or a local heritage place is situated. This will ensure that local government does its homework and manages its local heritage and character issues. As we said earlier, certainly there are plenty of these issues throughout the metropolitan area, for example, Unley and Colonel Light Gardens, which is a heritage suburb, and people have to comply with the various rulings.

As far as consultation is concerned, most stakeholders were generally happy with the regulations. Some people think they may need some minor changes, but it was mentioned previously that this legislation (if enacted) will be live and need plenty of discussion moving forward, as planning matters have over time. Two issues not involved in the current version of the regulations are sustainability energy efficiency and the appearance of buildings to the street. In the earlier version of the regulations, the opening to a garage could be up to 50 per cent of the frontage. This has been changed to seven metres. Some of these issues may need to be resolved through further consultation with the government.

The Local Government Association indicates that the current version of the regulations incorporates most of its important concerns. They include very important issues to local communities of minimum allotment size, as I indicated earlier, front and rear setbacks, the nature of cladding used on outbuildings, etc., and many other matters of planning detail where changes have also been made to version 10 of the code on the advice of councils and the Local Government Association, because obviously local government is at the forefront when managing development. Other issues may have to be worked through, with further negotiations with the government. Other people have said that the move forward is very positive.

In general terms, sometimes development can be a controversial issue. Certainly plans need to be in place—good plans—but sometimes we get bogged down in the nitty-gritty of getting something to happen. In this world, you will get people who do not want to change a thing, but if we did not change anything, we would all still be living in caves. We must have not only good development, good and proper planning and protection for heritage sites but we must also

remember that we do need to move forward as well. Sometimes this can be controversial, but I think the new code will help cut through some of the issues.

I have concerns about some local councils. If you want to see plans for an allotment adjoining your property, you cannot have them faxed to you. I live in the country at Coomandook and I have a property in Adelaide where I reside when I am in Adelaide. I guess I am an absent landholder, and it would be far easier for me to have something faxed to me. That is a local council issue. Fax machines are now old technology. In this world of technology, an email—which is instantaneous—could be sent to me. Mind you, it takes a while to crank it up on the wireless broadband at Coomandook.

A few of those matters could be picked up at a local government level, especially in relation to people who are absent landholders; and it could be the other way around for people in the city who have property in the country. Several members in this place would have property in the country. In order to streamline planning issues and enable consultation it needs to happen. Proper consultation should be undertaken, especially when multistorey developments are being built, in order to enable neighbours to know where the decks, entertaining areas and windows will be situated. Most of this is covered through local councils and I do urge that it continue. If it is not happening in some areas, then it should be enforced.

A few developments are occurring in my electorate. I note that the racecourse development on the southern side of the freeway near Murray Bridge is up for discussion as we speak. If it goes ahead, it will increase Murray Bridge by 50 per cent as we move forward. I commend the Murray Bridge Racing Club on the initiative and for funding it mainly on its own, if not totally on its own. It will be a great boon for the area. The minister is well aware of an ongoing proposal to develop the railway land. That proposal is being held up with negotiations at a local level with some local stakeholders, but I hope it moves forward in an appropriate manner. I hope to see a conference centre and a five-star accommodation centre being built in Murray Bridge.

There is a long way to go with that proposal, and there will be discussions around what old railway houses remain and what do not remain. I refer to my earlier remarks: we need to consider what we need to retain—and be sensible about what needs to go—and manage it. I know there will be plenty of discussion, but there is an opportunity in the future as long as water is flowing down the great River Murray—because that is the location of this site. I urge all governments to do whatever they can to get more water down that river—but that is an aside. The development of this land will be a great boon, not just for Murray Bridge but also for tourism in the area. Everything needs a lift down there. I commend the bill and note that the opposition supports it.

Mr GRIFFITHS (Goyder) (12:24): Given my previous involvement in local government and my interest in planning development matters, I take this opportunity to make a contribution. I recognise the member for Napier and the work he has put into this bill. I know it has been a big job for him. I enjoyed hearing his 20-minute commentary about some of the history of this matter, the effort that has been put into it, the issues that were considered, the solutions that were determined and the challenges for the state in the future in order to ensure that the regulations and bill that are enacted place the state in a good position.

In his second reading explanation, the minister talks about the economic benefit potential for the state, and that is very important. With the economic crisis, the global downturn in financial matters and the pressure that so many households, small and large business and governments of all levels are under when it comes to managing their finances and ensuring that they get the best possible return on their investments and expenditures, it is important that we have in place a development and planning approval process that gives people some surety and allows development proposals to be considered in the most appropriate and quickest possible time frame while still ensuring that all the necessary checks and balances are in place, thus ensuring that the job opportunities that come from those development chances occur as soon as possible.

It is interesting that, in one of his contributions, the member for Napier talked about a 20 per cent vacancy rate for qualified planners within local government. Having worked in that industry for 27 years, I can only support those comments. We have discussed development matters in this chamber in the past as part of a suite of reforms—and I like that word 'suite' that has been used; I am not sure about the application of it, but it is used quite a bit—and I do understand that there are several stages that the government intends to go through to enact legislation to improve things.

A key concern for me has always been that, if you have the development plan right, everything else flows from that, and I know that members from both sides have spoken about the fact that, with 68 different councils, there are differences of opinion and differences in how proposals will be considered within those development plans. I am actually a believer in the fact that there is some degree of individuality among areas, and it is impossible to assume that one development plan for the whole state can actually capture all of the needs of every community that exists within South Australia.

I note that the member for Napier is nodding his head in agreement with this and there is recognition for that but, in making my comments, I do respect that, while there is a need to recognise individuality, it is also of absolute importance to ensure that there is commonality in the agreement in as many clauses and areas as possible because it gives people surety.

Those of us who represent areas that are growing—and I hope that all members of parliament represent areas that are growing—would be inundated quite often with people contacting them about the fact that, in their eyes, the council within their area is stifling an opportunity for development to occur. Within the Goyder electorate, there are five local government areas, and I have tremendous respect for all of them. I have more detailed knowledge about some than others, but I see them try their absolute best to make the best decisions they think are possible and necessary for their communities.

The Copper Coast area is having enormous development pushed upon it from people who see the opportunities that exist for that area—people making lifestyle choices—but it is putting pressure on the council to ensure not only that it can provide the infrastructure and services needed for this influx of people but also that it gets the planning processes right. Similarly, in Yorke Peninsula, which probably includes about 800 kilometres of coastline in the Goyder electorate, there are people now from the baby-boomer generation making that lifestyle choice, in many cases wanting either to have a holiday home or to move permanently to coastal areas to enjoy the lifestyle that that provides.

That is putting pressure on the ability to develop properties that are appropriate and allow for the heritage character or the uniqueness of that community to be preserved and, importantly, properties that allow for the infrastructure that services those communities to still meet those demands. In my time in parliament I have talked a lot about water. Water will continue to be a pressure point, but it goes beyond that, too.

In my review of the development plans—and I have had to read some of these quite diligently in the past, because I have been involved in organisations that have had to interpret development plans—I was disappointed to see the words 'may' and 'should' because, to me, that opens up things for conjecture. It is open to individual interpretation. An officer of a council or an elected member of a council or development assessment panel may have an opinion while a property owner or developer may have a different opinion, and that is where the dispute occurs.

I have always preferred to see the words 'must' and 'shall'. However, I understand that, in preparing development plans that include that sort of prescription, it is important that community consultation is as diligent as it can possibly be because the worst thing is that, when people come in to lodge an application for a proposal, they find that there is a very strict provision in a development plan that directly affects land that they may have owned for many years, and they will say that they have no knowledge of it.

I know that the regulations ensure that some level of public consultation occurs. I have always been personally disappointed in the fact that there has not been greater acknowledgement of the need to engage every person who is potentially affected by development zoning change, and I would encourage further consideration being given to that issue in the future.

It reinforces my view that you need to get the development plan right, as I have continually said. If the development plan is correct, especially under the current situation with the delegated authority that exists from the Development Assessment Panel down to planning and development control officers, therefore ensuring that development applications are considered and approved at a far greater rate, then everybody knows what the game is.

If people who want to lodge an application do their homework properly, reviewing the plan, understanding what the implications for them are and ensuring that their application is factored around that—still meeting their needs for the development on the site, of course—then everybody wins out of it, and that is what we want to see happen.

The second reading contribution from the minister acting on behalf of the Hon. Mr Holloway today certainly informs us of the financial benefits that can exist for South Australia with the implementation of this bill and the attached regulations. I am fully supportive of that and believe it is important that we do this, thereby reducing the time taken to consider applications and providing an opportunity to shorten construction periods.

Those of us who have built homes—in my case I have built three, as I have moved around the state—would understand that once a decision is made for a development to occur within a household, or a business, all we want to do is utilise that development as quickly as possible. So, legislation that provides that ability and ensures that councils only have to consider the relevant applications is to be supported.

The member for Napier commented on the fact that in relation to other states South Australia considers far more applications. I think it was Victoria that he was comparing it against, in terms of not only the number of applications per thousand of people but also the value of those applications being considered, and that does reinforce the fact that structural change needs to occur.

I am very pleased that the Liberal opposition has indicated its support for this measure. It is an important step forward which I have no doubt will be embraced by the 68 councils and thousands of staff who work within local government. I am pleased that some trial councils have indicated that they are going to try to work with it, see what modifications might need to be made and then make some improvements.

I commend the member for Davenport for his contribution. He undoubtedly brings a practical application to many things that this house debates. I was interested to note the line-by-line opportunities within the regulations that he saw as being potential risks. I think that everyone who listened to the member for Davenport would support his practical comments. He cited examples of otherwise well-intended regulations that might actually create an area of concern. It is those sorts of things that need to be continually reviewed.

It is a good thing that the government has agreed that after 12 months the regulations will be reviewed to ensure not only that they are appropriate but that they are keeping up with the demands of our modern society. I think this bill demonstrates that the parliament actually does work well.

Having made some preliminary notes on what I might say this morning, I changed my initial comment somewhat. I was going to say that it is quite easy to become disheartened by this place and everything that goes on around it. However, when you have people who stand up and speak about important issues and who do not continually repeat what somebody else has said, they—and South Australia as a whole—actually win from that.

I think the debate that has occurred this morning, and the effort the government has made to ensure that it has consulted so many groups across South Australia to get the best possible act and regulations, are a good sign, and this is something that needs to occur far more often in the future.

In recognising the effort of the government on this matter, I acknowledge members of the opposition who have also indicated their support, including the contribution of the shadow minister in this house acting on behalf of the Hon. Mr Ridgway, and express the hope that this bill becomes law very soon.

Mr PISONI (Unley) (12:34): It is well known that Unley is an area that is very proud of its heritage. The heritage and character homes in Unley are sought after and there is contention whenever there is a loss of an historic home. Currently, at last count, we are losing a couple a week in Unley, which is a matter of major concern. Prior to being elected, as the Liberal Party candidate in the seat of Unley I was made very aware of the heritage and character issues and concerns within my electorate.

It was something I was very pleased to take up, because when we moved into the area some 16 years ago I did, in fact, buy a house that was destined for demolition, a deceased estate in Hyde Park. I was bidding against a developer and in the end was able to outbid them. Subsequently, and with our very young children, we spent the first 10 years of our lives there restoring and then extending what was once a very small cottage to make it a lovely family home. That sort of thing is happening right throughout the City of Unley area (and I will talk about the

development plan shortly) as well as the Burnside area in the suburbs of Glenunga, Frewville and Glen Osmond.

The interesting thing that has developed in this debate about Unley is that character is an important and valued issue. Look at what people talk about when they visit different cities around Australia: those that visit Sydney, for example, will talk about the Opera House and the Harbour Bridge; those visiting Melbourne tend to talk about the trams and the footy stadiums; and if you ask someone who has visited Adelaide what it is that stands out about the city they will talk about our beautiful stone homes.

There is a lot of growth pressure on the urban areas of Adelaide; people like the idea of living closer to town and, of course, there is the requirement for retirement accommodation as well as empty-nesters moving out of bigger homes into smaller ones. There is enormous pressure for urban consolidation in the inner suburbs, and I have to congratulate the City of Unley for being aware of this early on and working with the residents of Unley to develop a plan that allows for the preservation of heritage and character, but that also allows for development and recognises the fact that there is a government policy to expand the population of Adelaide and that the bulk of that expansion is to occur in urban areas.

I do not think the City of Unley is unrealistic; nor are the heritage groups in Unley. The Friends of the City of Unley Society Incorporated have written to today's local *Eastern Courier Messenger* saying, in part:

The Friends of the City of Unley Inc is a group of residents passionate about preserving Unley's heritage and character. FOCUS commends the City of Unley mayor, CEO, staff and elected members on the Development Plan Amendment: Stage 1 (DPA1): (Residential Historic Conservation and Streetscape Character Areas Pilot). This plan is the result of five years of hard work and persistence. It expands and revises the Residential Historic (Conservation Zone) and introduces a new Residential Streetscape (Built Form Zone) which gives the council demolition control and ensures that new developments complement and reinforce the desired character of the area.

As you can see, they are very positive about preserving the character and heritage of Unley whilst also being realistic about needs for the future, and are working with council to ensure an outcome that works well for all those interested.

The interesting thing, of course is that, in the lead-up to the mayoral election in November 2006, the former Labor candidate for the seat of Unley—the then mayor of Unley who was up for re-election—signed a pact with the minister (Hon. Paul Holloway) to introduce heritage protection in Unley. This was obviously a way to try to boost the heritage credentials of the then mayor of Unley, and that pact included demolition control.

After two years of negotiations and meetings with the minister, only late last year was an agreement reached. It was a huge compromise on behalf of the council. The minister would not honour the promise he made regarding demolition control, and he put some quite strict conditions on demolition control. So, we have a watered down version of demolition control in Unley, but we do have some demolition control, and I congratulate the council on getting the best that the government was prepared to offer in that situation.

Local government development plans will only work if they are signed off by the minister. There are three stages of the plan and this is only stage 1, and it took the government over two years for the government to honour its promise. You can do the maths: with two dwellings per week being knocked down as a result of demolition applications, the council was not allowed, on any grounds, to disallow and a heavy toll had to be paid by the City of Unley because of the procrastination and politics of the minister regarding this issue.

With the old demolition applications, there was no grounds on which the council could stop demolition. At least now we have a situation where applications to demolish buildings will be assessed on merit, taking into account the quality of the replacement or the structural condition or level of compromise of the original character of the existing buildings.

The council needs to be assured that what is going to replace that demolished building will be in keeping with the surrounding area or the character zone. Character zones are very important. It is no good saving a house in isolation if the houses alongside are demolished and replaced with buildings of an ad hoc nature that completely change the look, the feel and the character of the area. It is important that we look at streets, suburbs and districts to ensure that we have these conservation and heritage zones—and the City of Unley has certainly done that.

The minister has praised the City of Unley for the work that it has done, and I am pleased to praise that work as well. It is important to remember that demolition applications are not

foolproof. We can still determine what will happen in a situation where a demolition application is approved based on what is going to replace the building. The developer might go out of business or sell and a new developer might come in with a different idea.

I refer to the classic example of what is happening with the Fisher Street building at the moment where developers can use very heavy-handed tactics. Approval was given to a consortium of developers a couple of years ago for 111 retirement units to be erected on the site of the old Fisher Street building. It was sold by this government to a developer without condition—that is, without any condition about what could go there or in what time frame it needed to be developed. It was sold for the highest price in the open market—which is fair enough, I suppose, if you are after a return for the government—but that did not take into account what effect it might have on the neighbours.

A consortium of business people purchased this Fisher Street development. They got approval for demolition and for the construction of a retirement village of 111 units. They had difficulty raising the money, so for two years it sat there being vandalised. I think there was a period of about six months when copper was at a very high price and thieves were coming in with ladders, cordless drills and hammers at all hours of the night dropping gutters and other copper fittings down five flights of stairs, waking up the neighbours at all hours. Of course, vandals moved in and there is also evidence of drug transactions happening on this site.

The short version of the story is that 2½ years later the building was transferred to a wealthy Queensland developer who purchased the rights of the building but then wanted to increase the density of that development substantially, obviously for their own commercial reasons. Consequently, even though they planned to start demolition earlier this year, it has now been delayed as the democratic process of notification is going through the council.

Some residents object to the higher, denser development and, of course, this has meant that the developer now has further delays and the developer is using those delays and activities to disrupt people in the evenings as a way of putting pressure on those concerned about the development to withdraw their concerns so that the developer can move faster. It is an example of a well-resourced developer being very heavy-handed in pushing onto the community what they want without sabotaging the public consultation process that developments of this scale tend to have that have impacts on those in surrounding areas. That shows that this is not a foolproof situation and we may still see beautiful buildings in Unley demolished with the promise of something in its place that is never delivered. That is obviously a concern for those in the focus groups and other areas.

I think the main point is that it is important we have consistent development rules across the state, but we also need to recognise that some areas in the city and country require the standard rules to be tweaked. Unley is an example of where that tweaking works and where it enhances the community and still allows for development.

I must disagree with the member for Napier when he suggests that there will be less work for council planners to do because, if councils can now stop spending time assessing very simple applications as proposed by this bill, they could spend time developing their own development plans so that, when people invest in the area, they fully understand what outcome to expect in the surrounding houses and streets for the investment they have made. Hopefully, we will see an increase in the use of planning departments in councils to look at the big picture for their cities rather than at individual applications, which they have done in the past, so that they can put development plans forward and consult with their communities.

I encourage the City of Norwood, Payneham and St Peters and the City of Adelaide (particularly for its residents in North Adelaide) to do this immediately, and certainly Holdfast Bay and Port Adelaide. There are plenty of areas we need to recognise as important to our heritage and also as great tourist attractions in South Australia. We boast about having a great lifestyle in South Australia, and it is important that we retain that and identify with and enjoy our history and pass it onto other generations.

Mr HANNA (Mitchell) (12:51): I am speaking today in relation to the Labor government's planning and development reforms. The essence of it is that this is legislation that will allow the government to publish a new residential code, and that, in turn, will determine a great variety of detail in relation to the process for people building or changing things on their residential properties.

The devil is in the detail, as they say. We do not have a confirmed residential development code to debate here in parliament today; we just have the legislation, which is essentially an

enabling device. The concerns I have are set out in a submission I put to the department of planning last year. I will read briefly from that. It states:

I oppose

- 3m walls—1.6 metres is high enough and allows sunlight and the view of the sky.
- Sheds at the front of properties.
- 60% coverage and 70% site cover for row dwellings where there is no adjacent open space.
- Shade sails being installed without planning approval to check impact on neighbours.
- Any housing/accommodation being built without local government approval.
- Unplanned medium density housing that is not adjacent to open space or public transport.

I support

- Use of permeable pavers to reduce stormwater runoff.
- Promotion of stormwater collection.
- Local and community input to every development planned to maintain sensible decision making.
- Use of solar power.
- Use of rain water tanks.

Due to the permanent nature of building and impact on neighbours it is more important to get things right rather than get things done quickly.

That gives people an idea of my concerns in relation to what the government is proposing. There is also a matter that has been brought to my attention by the Local Government Association. It would like to see an amendment that requires the minister to consult with the Local Government Association before any future changes to the residential code are made. That seems to make a lot of sense to me, because the LGA represents a range of councils, and it is the councils who ultimately oversee individual development taking place in their various areas. There are planning experts available to the LGA to consider the impact of any future changes to the residential code, so I am surprised that that type of consultation clause has not been supported by the Labor government.

Secondly, I have received submissions from the LGA that express concern about the number of draft residential codes they have seen in the course of the consultation process. The point here is that the government has been constantly reviewing the proposed residential code, and even between now and the ultimate implementation of this reform there could well be further changes.

That makes it harder for effective consultation to take place, because people do not know what the final shape of the residential code will be. Some of the concerns I raised in my submission last year to the planning department have indeed been addressed. So, the good news is that the government has been listening to some of the submissions that have been put to it, yet the problem is that we do not really know what the government will come out with as a final proposal.

What I find with planning and development law is that it is very hard to imagine the actual impact upon individual people simply by looking at what the planning laws may or may not allow. For example, in the Marion council area, there was extensive revision of the council's development assessment plan some time ago; perhaps a couple of years ago. I had a look at it at the time, before it was implemented, and there was a lot that made sense, and I could not see too many things to which objection could be made. However, in practice, it allowed much higher density of development, and it meant that, next to traditional homes, people were seeing blocks divided to erect two, three or four townhouses, with an overshadowing and overlooking aspect, and with substantially less open space on the block itself. These things are really irksome to neighbours who live in traditional quarter acre blocks—people who enjoy sunbaking or lazing around in their backyard, and who do not want the imposition of a two-storey townhouse next to them. So, these sorts of changes can make a real difference in people's lifestyle and their quality of life.

The changes that are proposed under the residential code, as best we can tell, given that we do not really know the final form of the residential code, will have an impact in a similar vein. If it means that people can erect all sorts of relatively minor structures without having to go through an elaborate approval process and without even consulting their neighbours, we will have aggravation between neighbours, and we will have instances where people's quality of life will be affected. So, I

do have concerns about the legislation or, more particularly, the residential code, which the government will publish. We will have to wait to see the actual impact on individuals, as people build in accordance with the new residential code.

Having expressed those concerns, there is no point in my moving amendments to the legislation. The real point of contention that some members of parliament have in relation to this issue is with the potential residential code and not with the legislation itself. With those remarks, I conclude.

Dr McFETRIDGE (Morphett) (12:59): This is an important piece of legislation, and the regulations that come out of it will be very important for all South Australians. When you leave this place and drive down North Terrace and south along West Terrace, you will see a great big sign saying 'Historic Glenelg'. Well, that is true in the actual history of Glenelg, but some of the buildings down there really do not reflect the historic nature of Glenelg, and that is something that was of great concern to me even before I came into this place.

I actually lived in a state heritage-listed house on the beachfront at Glenelg. Next to that house, on the southern side, were a set of Art Deco flats, and next to that was another state heritage-listed property. Any property that was to be built between those two properties had to be in sympathy with the state heritage nature of those properties. However, every plan that has ever been put forward, because of the five-storey height limit zoning, has been such that there has been no sympathy for it, including six storeys of glass blocks that look like a car carrier. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

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

STATUTES AMENDMENT (BETTING OPERATIONS) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (POWER TO BAR) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BULK GOODS) BILL

His Excellency the Governor assented to the bill.

NURSING AND MIDWIFERY PRACTICE BILL

His Excellency the Governor assented to the bill.

CIVIL LIABILITY (FOOD DONORS AND DISTRIBUTORS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

UNIVERSITY OF SOUTH AUSTRALIA (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (MEMBERS' BENEFITS) BILL

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as might be required for the purposes mentioned in the bill.

PUBLIC SCHOOLS

Ms BEDFORD (Florey): Presented a petition signed by 40 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.

WATERFALL GULLY ROAD

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 43 residents of South Australia requesting the house to urge the government to support the removal of obstructing vegetation and the commencement of a major resurfacing project at Waterfall Gully Road.

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

DISABILITY SERVICES, INCONTROL PROGRAM

33 Mr HANNA (Mitchell) (30 September 2008). What is the government's assessment of the United Kingdom's 'Incontrol' program which allows disabled persons, particularly those with intellectual disabilities, to manage their own support and services funding?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I provide the following information:

The UK 'Incontrol' program operates as a partnership between families, individuals, services, government and local government. The system is administered by 90 local councils throughout the United Kingdom. Within this system, people with disabilities are assisted to set up their own self directed support plans with individual budgets which are paid directly to them.

'Incontrol' is one of a number of successful models of self-managed support operating in jurisdictions internationally and interstate. 'Direct payment' provisions are also contained within UK legislation. Under the legislation, any person eligible for support services and capable of managing direct payments (with or without assistance) can receive direct payments.

AUTISM SPECTRUM DISORDER

38 Mr HANNA (Mitchell) (30 September 2008).

1. How many South Australian children have been diagnosed with an autism spectrum disorder and how has this number changed over the past decade?
2. What level of funding does a child diagnosed with an autism spectrum disorder receive?
3. How does this compare with Western Australia and New South Wales?
4. Does a family with a child diagnosed with a autism spectrum disorder and not reliant on the services provided by Autism SA receive any financial assistance from the government to be paid directly to their chosen accredited therapist and, if not, why not?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): In 2007-08 541 children were diagnosed with an Autism Spectrum Disorder (ASD) in South Australia. These diagnoses were made through assessments conducted at Autism SA, with private practitioners and in the public health system. 266 of the children were diagnosed with autism and 275 with Asperger syndrome. This compares to 136 diagnoses of ASD made by Autism SA in 1998 according to Autism SA.

In South Australia children with an Autism Spectrum Disorder are able to receive a range of disability, education and health services in addition to services from Autism SA. It is not possible to indicate a specific level of funding for a child with an ASD as services are provided and prioritized for children with an ASD on the basis of individual need not on a pre-determined level of funding. Not all children with an ASD will require the same level of service. However, the following provides an estimate of the level of funding per child for early childhood intervention services funded by the Department for Families and Communities.

Please note that this does not reflect total funding for all services available to children with an Autism Spectrum Disorder in South Australia, as it does not include services that they may receive from the South Australian Department of Health, the South Australian Department for Education and Children's Services, the Federal Government or non-government agencies.

In 2007-08 Disability SA spent approximately \$2.1 million on early childhood intervention services for children aged 0-8 years. Disability SA provides early childhood intervention services to children 0-8 years that possess significant developmental delay and/or intellectual disability. This includes children who have ASD. While early childhood services are provided up to 8 years of age, more intensive services are targeted to pre-school aged children. However it is not possible to differentiate average funding levels for children aged 0-5 and 5-8.

As at 8 October 2008 Disability SA is providing services to 1108 children 0-8 years. 491 of these children have Autism Spectrum Disorder (44%).

On the basis of this figure, average funding for early childhood intervention is approximately \$1895 per child. However, as stated previously this is an average based on total funding and the actual level of services received by each child varies according to their individual needs.

The Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) recently requested additional information from each State regarding services for children with an Autism Spectrum Disorder including any estimates of funding per child with an Autism Spectrum Disorder. This level of information is not provided by all States at this time but is in the process of being compiled.

Children with Autism Spectrum Disorder can access early intervention therapy services from Autism SA, Disability SA or Community Health Services. The State Government does not provide payment to private therapists.

The introduction of the Commonwealth Helping Families with Autism package there will now be greater flexibility for families. As outlined previously, families of children prior to school entry will now be able to access Commonwealth funding of \$6000 per year for 2 years to access services from members of the early intervention provider panel. Providers must be multi-disciplinary practices or individual who have formed consortiums to ensure a multi-disciplinary intervention. Families will also be able to access a Medicare rebate for 20 therapy services. Many families may also be able to access intervention with a Medicare rebate under the Better Outcomes in Mental Health Initiatives.

LOW INCOME HOUSEHOLD SUPPORT

45 Mr HANNA (Mitchell) (30 September 2008). Given the reduction in anti-poverty services and financial counselling services by the department and the inability of NGOs to meet this demand, what other measures will be taken by the government to support low income households in financial stress?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I provide the following information:

The Department for Families and Communities has the lead agency role in government for providing emergency financial assistance and financial counselling to people who are in need due to financial distress.

The Anti-Poverty Program focus is for continued development of anti-poverty services across government and non-government sectors to ensure resources are targeted and delivered in a collaborative and coordinated manner to the most vulnerable people.

In January 2008, changes in Anti-Poverty policy saw priority access given for families with children under 18 years where poverty is a factor. The aim is to enhance positive outcomes for children and to reduce the risk of children entering the care and protection system.

The Anti-Poverty Program did provide Emergency Financial Assistance to 27,000 people in 2007-08.

In addition to there being a targeting towards families with children, there has also been a change in direction to offering an enhanced assessment of their financial issues, rather than just a focusing on resolving the immediate crisis only.

This means that the Community Support Workers are taking into account wider issues in the client's current circumstances with a view to working with the client to effectively ameliorate the longer term effects of poverty. The activities undertaken within the interview can include; developing short-term money plans, negotiations with creditors, establishing realistic payments plans and payment of assistance.

In regard to financial counselling, anecdotal evidence indicates that there were some regular clients of services, who had become reliant on small amounts of money such as a bus ticket or small cash payment. These clients have been offered a substantial interview aimed at resolving their budget issues, so that they do not need to present as often to the Families SA District Centre nor to non-government organisations.

Secondly, during 2006-07 and 2007-08 it was noted that energy debt was a major factor, however, since the introduction of Hardship Programs by Energy Retailers, who work in collaboration with the Anti-Poverty Community Support Workers, there has been a marked decrease in the expenditure to clients due to energy debt.

Thirdly, there has been a strengthening of the government/non-government anti-poverty support network. The Department for Families and Communities provided just over \$1 million (\$1,034,500) to non-government agencies to support individuals and families in the community who experience extreme financial difficulties.

It is intended that the refocusing of the Anti-Poverty Customer Services teams to more intensive work in initial interviews will enhance the outcome for clients and their families.

HOUSING SA

51 Mr HANNA (Mitchell) (30 September 2008). For each month during 2007-08:

- (a) how many people were there on the Category 1 waiting list for housing with Housing SA;
- (b) what was the number of vacant houses owned by Housing SA; and
- (c) what were the most common reasons for these vacancies?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability):

(a) The number of households on the Category 1 waiting list for Housing SA accommodation varies each month. On average, in 2007-08 there were 2890 households in Category 1 waiting for Housing SA accommodation. Please note however that these figures include both new applicants and current residents seeking transfer.

(b) The number of vacant houses owned by the SA Housing Trust (Housing SA) varies each month. On average, 1586 homes are vacant in any given month. This represents approximately 3.5% of total stock.

(c) Common reasons for these vacancies are:

- Properties being reinstated for reallocation,
- Properties identified for demolition through urban renewal programs,
- Properties being sold through the Affordable Homes Program.

LE FEVRE PENINSULA MASTER PLAN

72 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). How much more land will need to be acquired for the Le Fevre Peninsula master plan and what will be the cost to the taxpayer?

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): I have been advised of the following information:

In 2006, the Government approved the consolidation of government owned land holdings on the Le Fevre Peninsula, Gillman and Torrens Island to a central agency in Defence SA (formally Port Adelaide Maritime Corporation).

Consolidation of land holdings in the area to a single government authority was considered essential to enable the State to develop a holistic masterplan for industrial land use on the northern Le Fevre Peninsula, an important industrial region that has potential to generate significant further economic development.

Further, the consolidation effectively established Defence SA as the State's 'one-stop-shop' for all maritime and defence-related businesses with potential interest in establishing within Techport Australia (and surrounding areas), initially focussed on supporting the \$8 billion Air Warfare Destroyer build and the multi-billion dollar Collins class submarine maintenance programs.

Defence SA has an 'Option Agreement' for one additional parcel of land, which may be of future strategic value to the northern Le Fevre Peninsula masterplan. Defence SA has not yet determined whether this option will be exercised.

COMMON USER FACILITY

73 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). How much has been spent on the common user facility to date and when will this facility be completed?

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): I have been advised of the following information:

The Government has made substantial commitments to build an internationally competitive shipbuilding precinct at Port Adelaide to assist ASC Shipbuilding Pty Ltd to build the Royal Australian Navy's next generation of warships and attract other shipbuilding and repair opportunities.

Techport Australia, representing the core of the State's commitments, will be developed adjacent to ASC Ltd (formerly Australian Submarine Corporation) at Osborne.

The Common User Facility (CUF) project involves the development of a world-class national strategic asset at Techport Australia in support of South Australia's Defence Industry Strategy.

This critical piece of state-owned infrastructure has a primary and key role in assisting ASC Shipbuilding to build the state of the art Air Warfare Destroyers (AWDs).

The CUF forms the centrepiece of the State's contractual commitments to the Australian Government in support of the AWD program, which will have priority use of the infrastructure.

The multi-access nature of the infrastructure however will allow the State to market and attract other shipbuilding and repair and complementary opportunities to Techport Australia.

The development cost for the CUF project is estimated at \$260.1 million including planning, design and construction. This figure reflects the Commonwealth Government's requirement for an extended dry berth for which they have provided an upfront payment.

As at 31 August 2008, \$136.4 million has been expended.

Construction of the Common User Facility is well underway and on schedule to meet AWD program requirements. The wharf is due to be handed over in March 2009, the dry berth completed by June 2009 and the shiplift will be available from February 2010.

INTERNATIONAL SOLAR CITIES CONGRESS

78 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What is the role of Plevin and Associates in the International Solar Cities Congress, what is the extent of the government's liability to this firm, who is responsible for the marketing of this congress and how much funding has the state government already committed to this project?

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): I have been advised of the following information:

Plevin and Associates were the Congress Organisers. They were selected through an open tender process in 2006, and have been paid on a fee for service basis.

The marketing of the congress was managed within Government.

The Government committed \$45,000 in sponsorship and \$150,000 as an under-write to the congress. The Government's total contribution to the Congress, including sponsorship was \$60,679.

SUPER SCHOOLS

86 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). Will the government's proposed super schools program require fewer teachers and school services officers under the existing staffing formula arrangement and, if so, what will be the extent of the savings generated?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations): The Minister for Education has provided the following information:

As is the case with all State Government Schools, the six new schools to be built as part of the Government's \$216 million Education Works initiative will be staffed in accordance with the relevant industrial agreements in place at the time.

LAND VALUATIONS

104 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). With respect to the 2008-09 budget papers, the papers indicate that residential valuations have increased by 14.5 per cent over the previous year, 20 per cent for commercial land and 34.5 per cent for industrial land, while the Valuer-General gazetted new valuation increases on 29 May 2008 as 15.68 per cent for residential valuations and 28.01 per cent for commercial/industrial valuations, what are the reasons for the difference in the respective valuation increases?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations): I am advised that the estimated growth rates for land values (site value) used in the 2008-09 budget were based on preliminary estimates provided by the Valuer-General as at 7 April 2008.

At the time the 2008-09 budget estimates were formulated, the Valuer-General had not completed the annual valuation update including uploading all of the new values on to the Valuer-General's database.

On 29 May 2008, the Valuer-General notified, by a Gazettal notice, completion of the annual valuation. Differences between the preliminary estimates (as at 7 April 2008) used in the 2008-09 budget compared with the position at 29 May reflect the finalisation of all updated land values and their incorporation into the land valuation system.

While the annual valuation process was completed in May, the valuation database continues to be updated, post gazettal, to reflect new records being created for land divisions (due to time delays between final approval and creation of the valuation record) and the outcome of objections to property values. Both of these impact on the growth in land values.

SUSTAINABILITY AND CLIMATE CHANGE

106 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). With respect to the 2008-09 budget papers—sub-program 3.2: sustainability and why was there an increase from \$3.516 million to an estimated result of \$13.040 million in 2007-08?

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): I have been advised of the following:

The variation is largely attributable to the Government's decision to provide \$8 million to the rooftop photovoltaic installation at the Showgrounds.

The remaining variance of \$1.524 million is funding for projects managed by the Sustainability and Workforce Management Group within the department relating to Sustainability and Climate Change (\$0.331 million), WorkCover Review (\$0.968 million) and consultancy funding for the report on managing excess employees across government (\$0.225 million).

ECOLOGICAL FOOTPRINT TARGET

108 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What plans has the government implemented to reduce South Australia's ecological footprint by 30 per cent by 2050?

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): I have been advised of the following:

An implementation plan has been developed for the Ecological Footprint target in South Australia's Strategic Plan (T3.7: reduce South Australia's Ecological Footprint by 30% by 2050). The achievement of a 30% reduction in South Australia's Ecological Footprint is closely related to the achievement of the State's 60% greenhouse gas emissions reduction target. The implementation plan for the Ecological Footprint target acknowledges the close connection with greenhouse emissions reduction strategies.

The implementation plan draws the links between a broad range of programs and initiatives across agencies and includes the following:

Energy (links to Greenhouse SASP target)

Greenhouse Impact Assessment

Supporting the purchase of accredited GreenPower

Improving energy efficiency of residential dwellings and commercial buildings

Increasing public transport patronage

Promoting sustainable transport

Increasing fuel efficiency in the Government Fleet

Reduce waste to landfill, and improve the sustainability of our consumption behaviours Implementing SA's Waste Strategy

Achieve changes in food systems and diet by:

Influencing food consumption towards NH&MRC dietary recommendations

Increasing awareness of the impact that food choices have on the Ecological Footprint

Promoting sustainable purchasing/consumption

Developing strategies to improve goods and services supply chain resource efficiencies

Aligning ecological footprint and food policies

Achieve improvements in Adelaide's urban form by:

Implement a footprint calculator as a planning tool for urban development

Managing urban growth boundaries to maximise efficiencies in infrastructure and service provision

Planning for new sustainable built environments while optimising previous investment in social and physical infrastructure

Improve community understanding of the Ecological Footprint concept and facilitate new behaviour patterns by:

Developing and implementing a climate change behaviour change program

Improving the understanding of Ecological Footprint through education and awareness programs;

Improve the effectiveness of the ecological footprint calculator by:

Reviewing and, if appropriate, revising the Ecological Footprint calculation methodology and recalculating South Australia's Ecological Footprint

SECTOR AGREEMENTS

114 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). How many sector agreements were established in 2007-08, and how many will be established in 2008-09 and with which sectors?

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): I have been advised of the following:

Three Sector Agreements were established in 2007-08.

The first voluntary sector agreement was signed by the Premier with the South Australian Wine Industry Association Inc. and the Wine Grape Council SA Inc. at the London Wine Fair on the 22 May 2008. The agreement is focussed on an industry commitment to accurately track and reduce greenhouse gas emissions.

The second and third agreements with the Local Government Association of SA and the Property Council of Australia Limited respectively, were launched on Wednesday 4 June at the opening of the Local Government Climate Change Summit. The State/Local Government sector agreement will facilitate a collaborative approach to climate change issues, including; regional and

community impact assessment; energy efficiency in the built environment; and community education and behaviour change. The Commercial Property Sector agreement provides for Government and industry to work together to position the Adelaide commercial building sector at the forefront in energy efficiency innovation.

A number of potential sector agreements are at different stages of development. Negotiations are in progress with the following sectors: Automotive; Regional Development Board; Cement; Electronics; Faith; Foundries; Mining/Oil and Gas/Renewables/Geothermal; Tourism; Transport; Universities; Waste; Water Industry and Wine Industry Suppliers.

SECTOR AGREEMENTS

115 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What are the details of the government's memorandum of understanding with Business SA to facilitate sector agreements with industry?

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): I have been advised of the following:

The Tackling Climate Change Memorandum of Understanding with Business SA, dated the 3 September 2007, sets out a collaborative framework for addressing Greenhouse Emission Reductions and the business implications of climate change. Respective commitments of the South Australian Government and Business SA are described under the following headings:

- Manage business risks associated with greenhouse and climate change
- Reduce greenhouse gas emissions while driving and enhancing business competitiveness
- Target commercial opportunities and develop products and services of the future
- Development of sector agreements

These objectives reflect the Government Action Plan for the South Australian Greenhouse Strategy.

With respect to the development of sector agreements the Government is required to assist Business SA to facilitate sector agreements and to provide resourcing to assist that process. A number of possible candidate sectors are being explored by Business SA in consultation with the Department of the Premier and Cabinet.

BLACK BALLOONS CAMPAIGN

117 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What is the total cost of the 'Black Balloons' climate change awareness campaign and how is the government assessing the impact of the campaign?

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): I have been advised of the following:

The Government committed to developing a statewide community awareness and behaviour change program, to encourage individuals, households and the community to reduce their greenhouse gas emissions.

\$675,000 was allocated to this in 2007-08, and a further \$500,000 has been allocated for 2008-09 to extend the program.

The program includes a media campaign ('black balloon' advertisements) highlighting the link between energy use in our homes and the greenhouse gas emissions that cause climate change.

Campaign research has been undertaken by an independent market research company. A telephone survey was conducted prior to the commencement of the media campaign, with a further survey conducted at the conclusion of the 2007-08 campaign. The survey was based on initial research undertaken by the Government in 2005.

The conclusions of this research found that:

Climate change and global warming is considered an important environmental issue by the community—and has grown significantly in importance since the initial survey was conducted.

There has been an increase in community understanding that there is something they can do to personally to reduce the impact of climate change.

The belief that climate change will have a direct personal impact has steadily increased since the initial campaign.

The overall understanding of the facts about climate change has increased.

The majority of people surveyed could recall advertising about climate change in the last six months. Of those who could recall climate change advertising, the majority could recall the main messages from the 'black balloons' campaign.

In addition, website visits to the State Government's climate change website—where the community can access further information on what they can do to reduce their impact on climate change—are being monitored. Since the campaign commenced, visits to the site have increased by more than 200 per cent.

These positive findings reinforce that the black balloons campaign has been making steady progress since its commencement.

CLIMATE CHANGE GRANT SCHEME

118 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What are the details of the 'climate change—building efficiency grant' scheme?

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): I have been advised of the following:

This entry in 2008-09 Budget Paper No.3 refers to the \$2 million Building Tune-ups 2012 program announced on 4 June 2008.

This project will enable the State Government and the commercial building industry, through its peak body, the Property Council of Australia to work together on the challenges of improving the performance of commercial buildings.

The Building Tune Ups-2012 Project will improve the performance of all eligible commercial office buildings in the Adelaide CBD and has the potential to reduce greenhouse gas emissions by approximately 70,000 tonnes a year.

This project will stimulate innovation so that Adelaide's commercial buildings sector is the most progressive in Australia.

Through this project South Australia will continue to be home to the highest number of green buildings in the nation, by upgrading existing buildings, rather than focussing solely on new developments.

The Building Tune Ups-2012 Project will see grants provided to maximise green rating gain for eligible buildings. The Director of the Property Council in SA, Mr Nathan Paine, said that the agreement and the building tunes up program would place the Adelaide commercial building sector at the forefront in Australia for energy efficiency innovation.

Mr Paine said, 'The council is delighted that this mechanism is being provided for government and industry to work together and the Council will be looking to replicate it in other States'.

A tender has been called for supply of technical advice for the purposes of preparing the program guidelines. This will be followed by a tender process for procurement of services for the program.

COOBER PEDY SOLAR POWER STATION

119 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). Who are the investors in the Coober Pedy solar power station and how much is being contributed by each?

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): I have been advised of the following:

As outlined in my announcement on 19 February the Coober Pedy Solar Power Station is a \$7.1 million project, to which we are contributing \$635,000. The Commonwealth is providing \$3.55 million under the Remote Renewable Power generation Program.

The balance of funds is being provided by Wesfarmers subsidiary Energy Generation Pty Ltd (enGen)—the company with the long term contract with the District Council of Coober Pedy to generate electricity for the Coober Pedy community.

ICFAI CAMPUS

124 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). What is the status of ICFAI plans to establish a campus in Adelaide and how much state government funding in total will be provided?

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): I have been advised of the following:

ICFAI is considering establishing in Adelaide in a joint venture arrangement with the University of South Australia, in order to offer a number of post-graduate programs. The first program under consideration is a Master of Business Administration (MBA) that would be conducted concurrently with the UniSA Master of Management degree.

Contrary to the newspaper article in the *Adelaide Advertiser*, 18 March 2008, the State did not sign an agreement with ICFAI. I as Premier witnessed the signing of a Memorandum of Understanding between ICFAI and the University of South Australia.

ICFAI is a business and if it wishes to sponsor a university in Adelaide it will have to meet the rigorous Australian regulatory approvals which all universities must undergo.

Financial Issues:

There is no budget allocation required for this project.

Current Status:

ICFAI has contacted the Quality Branch of the Department of Further Education, Employment, Science and Technology for advice regarding the required accreditation process.

SOUTH AUSTRALIA'S STRATEGIC PLAN

126 Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (30 September 2008). In relation to South Australia's Strategic Plan, how many of the 12 regional plans have been developed?

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): I have been advised of the following:

After more than thirteen public meetings across the state, communities in the Limestone Coast, Murray and Mallee, Yorke and Mid North, Far North and Eyre and Western regions of the State have developed their regional plans. The process involved a number of local people, who freely gave of their time to work for their community in identifying SA Strategic Plan targets relevant to their region. The result is a regional expression of South Australia's Strategic Plan for these regions. The regional targets can be found on the SA Plan website www.saplan.org.au.

The country regions of Fleurieu and Kangaroo Island, Barossa and the Adelaide Hills are going through a similar process now, over the October—December 2008 period. This will be followed by the metropolitan Adelaide region.

Regional plans reflect the important contribution communities make to achieving overall state targets and we are grateful for the contribution that many in the community have made towards this exercise.

RADIOACTIVE WASTE

177 Dr McFETRIDGE (Morphett) (21 October 2008).

1. What are the recommendations of the EPA audit of radioactive waste material stored in buildings and public hospitals throughout South Australia?

2. What strategies are the government undertaking to ensure the protection of people and the environment from the harmful effects of radiation associated with radioactive waste material?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): All of the recommendations may be found in the 'Audit of Radioactive Material 2003' report, released on 4 December 2003 at http://www.epa.sa.gov.au/pub_radiation.html#audit.

The EPA has determined that the radioactive waste stored in South Australia is safe and being stored in accordance with the Radiation Protection and Control Act (1982) (the act) and the Radiation Protection and Control (Ionising radiation) Regulations 2000 (the regulations). The strategies which the act and regulations provide, and which are currently used to ensure the protection of the people and the environment, are:

Licensing and registration of radiation users, radioactive sources and premises.

The requirement for all organisations which use unsealed radioactive material to submit a radioactive waste management plan to the EPA for assessment every year.

To regularly review the current radioactive waste holdings of the companies identified in the Audit.

ERNABELLA ABORIGINAL COMMUNITY UPGRADE

202 Dr McFETRIDGE (Morphett) (21 October 2008). With respect to the contract CHP07705A for the six upgrades at the Ernabella Aboriginal community:

- (a) has this project been completed and, if so;
- (b) was it completed on time;
- (c) was it completed within budget;
- (d) who was the successful contractor; and
- (e) who 'signed off' on the completed project?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): With respect to contract CHP07705A for the six upgrades at the Ernabella Aboriginal Community:

The project has not been completed;

The project is currently under construction, being delivered within the programmed time frame and is due for completion by November 2008;

The project is being delivered within approved budget;

The successful contractor was Pimba Building Contractors Pty Ltd; and

The completed project will be signed off by the principal or the principal's representative, on behalf of the Department for Families and Communities.

YALATA COMMUNITY PROPERTIES

203 Dr McFETRIDGE (Morphett) (21 October 2008). With respect to the contract HAS014936 for the demolition of six properties at the Yalata community:

- (a) has this project been completed and, if so;
- (b) was it completed on time;
- (c) was it completed within budget;
- (d) who was the successful contractor; and
- (e) who 'signed off' on the completed project?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): With respect to the progress on HAS014936 for the demolition of six properties at the Yalata Community:

the project has been completed;

the project was completed on time and within a four week time frame;

the project has been delivered within approved budget;

the successful contractor was Royal Park Salvage Pty Ltd; and

the completed project was signed off by the principal's representative on behalf of the Department for Families and Communities.

APY LANDS SUBSTANCE MISUSE FACILITY

208 Dr McFETRIDGE (Morphett) (21 October 2008). With respect to the contract DTEI-BM20 for the Anangu Pitjantjara Yankunytjatjara lands substance misuse facility:

- (a) has this project been completed and, if so;
- (b) was it completed on time;
- (c) was it completed within budget;
- (d) who was the successful contractor; and
- (e) who 'signed off' on the completed project?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): The number quoted by the honourable member is a Department of Transport Energy and Infrastructure (DTEI) reference number (not contract number) for a contract to build staff housing associated with the APY Lands Substance Misuse Facility in Amata.

Yes, the project has been completed.

No. The contract was due for completion on 29 August 2007. Actual completion was 30 November 2007.

Yes, the project was completed within budget.

The contract was with Chapman Building Industries.

All practical completion certificates are issued by DTEI Building Management.

TJILPI TJUTA KANYINI COMMUNITY

211 Dr McFETRIDGE (Morphett) (21 October 2008). With respect to the contract DFC921 relating to the Tjilpi Tjuta Kanyini Community:

- (a) has this project been completed and, if so;
- (b) was it completed on time;
- (c) was it completed within budget;
- (d) who was the successful contractor; and
- (e) who 'signed off' on the completed project?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): Tjilpi Tjuta Kanyini (looking after old people) under the auspices of the Umoona Aged Care Aboriginal Corporation based in Coober Pedy provides HACC services to approximately 25 Aboriginal people on a daily basis. These services include centre based day care, meals, transport, social support activities, personal care etc.

Funding is provided by the Department for Families and Communities, through the Office for the Ageing, under contract DFC 921 from the Home and Community Care (HACC) program.

HACC is a joint Commonwealth and State program that provides services that support frail older people.

The project is on-going and receives recurrent funding via a three year contract. The contract that was executed on 1 July 2003 expired on 30 June 2006. Following review of the contract, signed off by the Director, Office for the Ageing, a new three year contract commenced on 1 July 2007 and expires on 30 June 2010.

UNDERSPENDING

212 Dr McFETRIDGE (Morphett) (21 October 2008). For all departments and agencies reporting to the minister, what under spending on projects and programs in 2006-07 were not approved by cabinet for carryover expenditure in 2007-08?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): In the Aboriginal Affairs and Reconciliation portfolio all submitted carry over requests from 2006-07 to 2007-08 were approved.

UNDERSPENDING

213 Dr McFETRIDGE (Morphett) (21 October 2008). For all departments and agencies reporting to the minister, what is the estimated level of under expenditure for 2007-08 and has cabinet already approved any carryover expenditure into 2008-09 and, if so, how much?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): I have been advised of the following:

Information on the level of under expenditure in 2007-08 and associated carryover expenditure into 2008-09 for all programs and activities within the Premier and Cabinet Portfolio that the Minister for Aboriginal Affairs and Reconciliation is responsible for is provided below:

Program 11 Community Services:

This program exceeded its expenditure budget by \$0.138 million in 2007-08 mainly as a result of higher than anticipated leave accruals and the impact of a historic debt write-off. A carryover of expenditure into 2008-09 was not sought for this program.

Program 13 Aboriginal Affairs and Reconciliation:

This program was underspent by \$1.786 million in 2007-08 mainly as a result of delays associated with the APY Central Power Station and Umuwa Solar Power Station upgrade. The following carryovers into 2008-09 have been approved:

\$0.818 million reflecting an outstanding commitment for the APY Central Power Station.

\$0.943 million reflecting unbudgeted Commonwealth funds received late in June 2008 for drug and alcohol rehabilitation programs and infrastructure (carryover sourced from higher than budgeted revenue).

\$0.058 million reflecting unspent Commonwealth funds provided for the development of a youth engagement strategy (carryover sourced from higher than budgeted revenue).

\$0.018 million reflecting unspent Commonwealth funds provided for the delivery of Aboriginal governance training (carryover sourced from higher than budgeted revenue).

APY Lands—Additional Services (Administered Item):

This administered item was underspent by \$0.403 million in 2007-08 mainly due to outstanding contract work associated with staff housing and the building of new police stations on the APY Lands. The following carryovers have been approved:

\$7.5 million in 2008-09 (\$4.5 million in 2009-10) reflecting unbudgeted Commonwealth funds received late in June 2008 for the building of an additional police station at Mimili, staff

housing for social workers and an administration and court complex at Umuwa (carryover sourced from higher than budgeted revenue).

\$0.153 million in 2008-09 reflecting outstanding contract work to complete staff housing for the Amata Rehabilitation facility.

\$0.075 million in 2008-09 reflecting the unspent balance associated with a service coordinator program on the APY Lands.

\$0.038 million in 2008-09 reflecting outstanding contract work to complete the swimming pool projects on the APY Lands.

\$0.132 million in 2009-10 reflecting outstanding contract work for the building of police stations on the APY lands.

Chr(13)Commonwealth Essential Service Capital Works Fund:

This administered item was underspent by \$2.923 million in 2007-08. Various Aboriginal infrastructure projects funded from the Commonwealth through a bilateral Housing and Community Infrastructure agreement were delayed partly due to the late release of Commonwealth funds. A \$2.923 million carryover into 2008-09 has been approved.

APY LANDS, CAPITAL WORKS PROJECTS

216 Dr McFETRIDGE (Morphett) (21 October 2008). For each capital works project listed in the budget papers for 2008-09 and which are the responsibility of the minister, how much has been spent to date on each project?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): I have been advised of the following:

The 2008-09 Budget Papers do not separately list any Capital Works projects, for which the Minister for Aboriginal Affairs and Reconciliation is responsible.

The 2008-09 Budget Papers however separately disclose an annual investment program for the Department of the Premier and Cabinet of \$1.521 million. Whilst not separately identifiable in the Budget Papers, this encompasses the following capital initiative that falls with the responsibility of the Minister for Aboriginal Affairs and Reconciliation:

\$0.3 million associated with the construction of a house to accommodate the Manager of the Central Power Station on the APY lands. \$0.55 million has been expended on this initiative as at 31 October 2008.

APY LANDS PERMITS

217 Dr McFETRIDGE (Morphett) (21 October 2008). What protocols are in place for the application of permits to end the APY lands?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): The conditions under which an application for permission to enter the lands must be made are set out in Section 19 of the Anangu Pitjantjatjara Yankunytjatjara Lands Rights Act 1981. An application for permission to enter the lands:

may be made by an applicant on the applicant's own behalf, or on behalf of a group of persons;

must, unless the Executive Board otherwise allows, be in writing and lodged with the Executive Board; and set out : the purpose for which entry to the lands is sought; the period for which entry to the land is sought; and the time and place at which the applicant, or the group on whose behalf the application is made, seeks to enter the lands;

be accompanied by the prescribed application fee;

furnish such further information as requested by Anangu Pitjantjatjara Yankunytjatjara which it reasonably requires to determine the application.

Anangu Pitjantjatjara Yankunytjatjara (APY) has established protocols for the applications for entry to the APY Lands.

Permits are available in four categories: general, employee, research and media. Those applying for permits under the employee or research categories are required to provide a police clearance certificate.

For media permits, applications require further information describing the protocols for filming on the APY lands, an agreement to film on APY Lands, and a written application responding to a number of assessment criteria. The application is then assessed by PY Media that then makes a recommendation to APY Executive.

ABORIGINAL PROTECTION

222 Dr McFETRIDGE (Morphett) (21 October 2008). What liaison has been undertaken between the department and the Office of Consumer and Business Affairs to ensure that the Aboriginal people have protection under the Fair Trading Act and are translated financial services contracts now available?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): Consumer protection and education is principally the responsibility of the Office of Consumer and Business Affairs (OCBA). The Department of the Premier and Cabinet (DPC) has liaised with, or worked alongside OCBA on some specific issues and the general education of Aboriginal people regarding their rights as consumers under the Fair Trading Act.

Both agencies are represented on a Working Party that is exploring initiatives to address the exploitative supply and sale of motor vehicles including differential pricing, overpriced and unroadworthy cars and unlicensed dealing to Anangu. OCBA is the lead agency for this initiative that has been identified as one of the 8 key priorities in the National Indigenous Consumer Strategy.

DPC is aware that, as part of the Mai Wiru Stores Policy, OCBA visited the stores on the APY Lands and provided training to the store managers on their rights and responsibilities as well as those of the consumer.

DPC has provided feedback and are assisting with the distribution of the 2008 OCBA publication 'Talk About Shopping' specifically targeted at Aboriginal Australians.

DPC are also assisting OCBA with the development of a new consumer education campaign targeted at those living in remote areas and with low English literacy skills.

OCBA is a member of a DPC Financial Literacy Working Group supporting a 12 month pilot project to develop a Financial Literacy program to be delivered in three communities on the APY Lands. This program is being specifically designed to raise awareness of Anangu to their rights as consumers and to identify and encourage reporting of illegal business practices.

Neither the Office of Consumer and Business Affairs, nor DPC are aware of any translated financial services contracts being available.

ABORIGINAL AFFAIRS AND RECONCILIATION DIVISION EMPLOYMENT NUMBERS

223 Dr McFETRIDGE (Morphett) (21 October 2008).

1. How many Aboriginal and Torres Strait Islander persons are currently employed in the department and what are their roles?

2. How many non-Aboriginal and non-Torres Strait Islander persons are currently employed in the department and what are their roles?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): As at 27 October 2008 there were 17 Aboriginal and Torres Strait Islander persons currently employed in the Aboriginal Affairs and Reconciliation Division. Their roles are listed as follows:

Principal Project & Policy Officer—2

Principal Project Manager—1
Policy and Programs Officer—1
Administrative Services Officer—4
Community Liaison Officer—1
Service Coordinator—2
Executive Officer—1
Executive Director—1
Senior Project Manager—1
Human Resources Support Officer—1
Programs Officer—1
Ministerial Liaison Officer—1

As at 27 October 2008 there were 48 non-Aboriginal and non-Torres Strait Island persons currently employed in the Aboriginal Affairs and Reconciliation Division. Their roles are listed as follows:

Registrar of Sites & Objects—1
Manager—5
Senior Programs Manager—1
Executive Consultant—1
Policy & Programs Officer—3
Project & Executive Support Officer—2
Service Coordinator—2
Senior Policy & Programs Officer—7
Senior Project Manager—1
Project Manager—1
Human Resources Support Officer—1
Senior Heritage Officer—1
Procurement & Contracts Officer—1
Principal Heritage Officer—1
Project & Executive Officer—1
Senior Project Officer—2
Project Support Officer—5
Officer Manager—1
Principal Project Manager—1
Records Officer—1
Regional Service Coordinator—1
Heritage Officer—3
Senior Solicitor—1
Senior Administrative Officer—1
Community Advisory (Pt Augusta)—1
Team Leader APY Lands—1
Director—1

INDIGENOUS STRATEGIC INTERVENTION PROJECTS

224 Dr McFETRIDGE (Morphett) (21 October 2008).

1. What special government and strategic intervention projects were undertaken in 2007-08?
2. Were these projects undertaken by departmental officers or were consultants employed?
3. How many officers of the Social Inclusion Unit were involved in these projects?
4. Was there any funding allocated by the Social Inclusion Unit to the department to encourage school attendance?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): In addition to its ongoing suite of programs and services designed to assist Aboriginal South Australians, the State Government directs resources to intervention initiatives aimed at addressing specific emergent issues.

Some are coordinated responses through the APY Lands Task Force, others are implemented as Social Inclusion Initiatives and still others respond to Government reports such as the To Break The Cycle juvenile justice report prepared by Monsignor Cappo.

The following initiatives were delivered by the State Government in 2007-08:

through the APY Lands Task Force, a range of petrol misuse, family and youth support and environmental health programs; rehabilitation services; a positive behaviours unit; and training of Aboriginal health workers;

also through the APY Lands Task Force, community capacity building and economic development and employment initiatives, particularly in art based tourism, land management and bush tucker;

through Social Inclusion Initiatives, a range of health and education interventions, including the South Australian Aboriginal Sports Training Academy; a joint prevention and early intervention program with the Alcohol Education and Rehabilitation Foundation to address substance misuse which supported a Carclew Youth Arts 'Celebrating Healthy Communities' APY Lands alcohol prevention program and the 'Wiltanendi' Adelaide drug diversion program; and school retention initiatives through the School Retention Action Plan (further details below); and

in response to the August 2007 To Break The Cycle report, the Government established the Youth Justice Cabinet Committee and appointed a Special Coordinator to oversee the implementation of the recommendations—over \$5.5 million was allocated for 4 years from 2008-09 to support the Government's response. Aboriginal-specific initiatives include development of a young men's cultural program in partnership with Kurruru Indigenous Youth Performing Arts (Aboriginal Boys' and Young Men's Program) and an Aboriginal Sports and Cultural Festival, one was held in October 2007 and the next is scheduled for December 2008.

These intervention initiatives are funded and coordinated by the State Government. While community service providers have at times been used in the delivery of specific initiatives, they remain Government-run programs.

Initiatives are coordinated in the Department of the Premier and Cabinet by Aboriginal Affairs and Reconciliation Division and Social Inclusion Unit officers. In direct response to Dr McFetridge's question, I can advise that 3 Social Inclusion Unit officers manage initiatives under the Aboriginal Health reference and these officers also provide input and policy advice on components of other Social Inclusion Initiatives as these relate to Aboriginal people.

On the matter of encouraging school attendance, the South Australian Government launched 'Making the Connections' in October 2003, as part of the Social Inclusion Initiative. This was a strategy to increase school retention rates and was to be implemented via a series of School Retention Action Plans.

The Government invested \$28.4 million over four years to roll out the first stages of Making the Connections. At the completion of this funding, an additional \$2.5 million was provided to continue various program elements to December 2007.

In 2008, the State Government committed a further \$10.5 million over 4 years to continue the School Retention Action Plan programs for an additional 4 years.

Since the beginning of the Plan, over 15,600 young people, including more than 3,000 Aboriginal young people, have been involved in School Retention Action Plan programs.

Further details of the initiative are contained in the School Retention Action Plan Stage 3 Evaluation Report, November 2007. This document is available from the Social Inclusion Board's website.

BUSINESS FUNDING

231 Dr McFETRIDGE (Morphett) (21 October 2008). What amount of funding is directly provided to assist business enterprise centres, the Office of Small Business and the Small Business Development Council, respectively, in 2007-08 and 2008-09?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations): The Minister for Small Business has provided the following information:

The amount of funding directly provided in 2007-08 to the Office for Small Business was \$3,343,756. From this amount, Business Enterprise Centres were allocated \$1,442,000 and the Small Business Development Council received \$45,000.

The amount of funding directly provided in 2008-09 to the Office for Small Business is \$3,518,000. From this amount, Business Enterprise Centres will receive \$1,409,000 and the Small Business Development Council will receive \$70,000.

MARALINGA LANDS

373 Dr McFETRIDGE (Morphett) (17 November 2008). When does the state government anticipate that the lands known as 'Section 400' will be handed back to Maralinga Tjarutja?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management): A draft hand back deed and land management plan have been prepared for the return of section 400 to Maralinga Tjarutja (MT), the traditional owners. The South Australian Commonwealth Governments and MT have agreed the majority of the deed and plan.

Under the provisions of the deed, after the hand back MT will be responsible for controlling access to section 400 and for ensuring the heritage aspects of the site are preserved. There will also be some monitoring and reporting responsibilities under the land management plan.

The main outstanding issue is finalising a process for the contingency that at some future date MT may be unable to fulfil its obligations under the deed and land management plan.

Once agreement has been reached with MT, it will be necessary to incorporate the changes in the deed and, subject to Cabinet approval, introduce a Bill to amend the Maralinga Tjarutja Land Rights Act. The hand back is dependent on the passage of this Bill.

In light of these outstanding matters, it is unlikely the hand back will occur before mid-2009.

CAPITAL WORKS PROJECTS

In reply to **Mr HAMILTON-SMITH (Waite—Leader of the Opposition)** (25 June 2008) (Estimates Committee A and B).

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations): I have been provided with the following information:

The attached table lists the total amount of expenditure that has been capitalised for each project listed in Budget Paper 5 up to 30 June 2008.

Capital Works Projects

Total Expenditure to 30 June 2008

Department/Agency	Total amount spent to 30 June 2008 \$000
Premier and Cabinet	
Adelaide Film and Screen Hub	—
Hindmarsh Stadium Replay Screen	—
Purchase of land for the safe storage and destruction of explosives	145
Adelaide Festival Centre Upgrade	—
AM Ramsay International Rowing Course Upgrade	127
Cabinet ICT Infrastructure	126
Lion Arts Centre upgrade	112
Purchase of Mini Wind Turbines	—
Art Gallery Board of SA	
Gallery Lighting and Air-conditioning Upgrade	—
SA Museum	
Biodiversity Gallery	—
Defence SA	
Northern Le Fevre Peninsula—Masterplan	62,060
Secure Electronic Common User Facility (SECUF)—Stage 1	30
Techport Australia—Commercial and Education Precinct and Supplier Precinct	18,224
Techport Australia—Common User Facility	108,537
Treasury and Finance	
Shared Services SA—Accommodation Fitout	648
Tax Revenue Management System Project (RISTEC)	2,273
SA Police Department	
Closed Circuit Television (CCTV) Custody Management Development Program	1,419
Outlaw Motorcycle Gang Task Force Information Technology System	—
Police Academy Redevelopment	1
Amata and Ernabella Police Stations with Court Facilities and Police Housing	168
Christies Beach Police Complex—Accommodation Consolidation	44
Communications Infrastructure	1,322
National Exchange—Police Data	1,462
Recruit 400	1,288
Road Safety and Speed Detection Equipment	610
Roxby Downs Police Station	43
Second-hand Dealers and Pawnbrokers Initiative	42
Unregistered/uninsured Vehicles Initiative	—
Vessel Replacement—STAR Group	2
	Total amount spent to 30 June 2008 \$000
Attorney-General's Department	
Accommodation Refurbishment	—
Expanding DNA Services	181
Attorney-General's Department—Administered Items	
Criminal Case Backlog Reduction Program	—
Bail application and information system	102
CAD Project	343
Video Conferencing Equipment	165
Correctional Services	
Prison Bed Spaces—Additional Accommodation	2,616
New Prisons & Secure Facilities—Public Private Partnership (PPP) Project	—
Port Pirie and Noarlunga Community Corrections Centres	27
Prison Kitchen Upgrades	2,347
Prison Security Systems—Stage 3	341
SA Metropolitan Fire Service	
Seaford Fire Station	—

Department/Agency	Total amount spent to 30 June 2008 \$000
Paradise Fire Station	547
Port Lincoln Fire Station	227
Port Lincoln Firefighting Appliance	123
Primary Industries and Resources	
Fisheries Accommodation	—
Brukung Mine	2,548
Marine Innovation SA	152
Transport, Energy and Infrastructure	
Aldinga Land Corridor	—
Central Government Critical Network Infrastructure	—
Chain of Responsibility Legislation for Heavy Vehicle Compliance	—
Channels and Access—Strengthening Government Single Entry Point	—
DTEI Building Assets—Maintenance and Upgrade	—
Intelligent Access Program (IAP)	—
International University Precinct in Victoria Square	—
Land Titles System	—
Light Rail Extension	—
Marine Safety	—
Rail Revitalisation—Gawler Line Upgrade	—
Tall Ships	179
Victor Harbor Road/South Road Intersection	—
Green Triangle Railway	—
Advanced Traffic Management System—Phase 2&3	422
Auslink	193,126
South Road/Sturt Road Underpass	—
Broadband Strategy	1,919
Building Management Accommodation	50
Bus Fleet Replacement Program	75,198
DFC Connected Service Centre Mount Gambier	315
Disability Discrimination Act Compliance	2,335
e-business Enhancements—Transport	993
Flood Damage to Roads	22,485
Glenelg Tram Crossing Overpass	1,438
Government Employee Housing	3,739
Increased detection of unregistered/uninsured vehicles	82
Land Services Business Reform	847
Level crossing safety upgrade	8,014
Marine Infrastructure—A Safe Marine Transport System	1,213
Northern Expressway	98,119
Northern Expressway—Land Acquisition	—
Old Stock Exchange Building	4,896
Overtaking Lanes Program	40,106
Port River Expressway—Road and Rail Bridges	158,014
Public Transport Infrastructure Upgrade	2,191
Rail Reliability	—
Rail Revitalisation	4,180
Rail Revitalisation—Tram Air-Conditioning Upgrades	534
Rapid Bay Jetty	1,214
Relocation of Rail Yards	1,689
Replacement of rail track points and crossings	1
Road Safety—Reaching the Target	5,537
Road Safety—Reaching the Target	5,537
Roadside Rest Area Strategy for SA	1,353
Rural Freight Improvements	3,129
Rural Road Improvement	3,402

Department/Agency	Total amount spent to 30 June 2008 \$000
Rural Road Safety Program	2,464
Safe Railway Pedestrian Crossings	451
Shoulder Sealing Program	40,407
South Road Underpass of ANZAC Highway	71,694
State and Public Safety Communications Infrastructure	1,653
Strategic Regional Roads Program Projects	212
Upgrade/replacement of bridges on the Metropolitan rail network	140
Upgrade vehicle inspection facilities and checking stations	3,753

Department/Agency	Total amount spent to 30 June 2008 \$000
Health	
Berri Hospital Redevelopment	—
BreastScreen SA—Replacement of Country Mobile Units	—
Community Mental Health Centres	—
SA Ambulance Service—Additional Equipment and Vehicles	—
Supported Accommodation—Outer Metropolitan	—
Whyalla Hospital Redevelopment	—
Whyalla Hospital Redevelopment	—
Women's and Children's Hospital—Children's Cancer Centre	—
Ceduna Health Service Redevelopment	10
Country Intermediate Care Facilities	—
Forensic Mental Health Facility	870
Lyell McEwin Hospital Redevelopment Stage C	1,025
Marion GP Plus Health Care Centre	—
Metropolitan Intermediate Care Facilities	1
Noarlunga Hospital Mental Health Unit	250
Royal Adelaide Hospital—Ward Upgrade and Increased Capacity	34
The Queen Elizabeth Hospital—Mental Health Unit	—
Ambulance Stations—Career Staffed	4,037
Ambulance Stations—Country Volunteer Staff operating	90
Ambulance Stations—New and Upgraded	2,428
Clinical Nursing & Midwifery Information System	663
Flinders Medical Centre MRI & CT Scanner Building	—
Flinders Medical Centre Redevelopment	28,736
Glenside Campus Redevelopment	1,402
Improving Care for Older Patients in Public Hospitals	5,341
Lyell McEwin Hospital Redevelopment Stage B	27,238
Marjorie Jackson-Nelson Hospital—PPP	3,761
Port Augusta Renal Dialysis	160
Replacement of Linear Accelerators	6,371
The Queen Elizabeth Hospital Redevelopment Stage 2	52,403

Department/Agency	Total amount spent to 30 June 2008 \$000
Education and Children's Services	
Cowell Area School	—
East Adelaide Schools	—
Eden Hills Primary School	—
Kensington Centre	—
Littlehampton Primary School	—

Department/Agency	Total amount spent to 30 June 2008 \$000
Playford Primary School	—
Willunga High School	—
Woodville High School	—
Yalata Anangu School	—
Yankalilla Area School	—
Allendale East Area School	67
Birdwood High School	3,655
Blair Athol Primary School	1,006
Callington Primary School	104
Ceduna Area School - Phases 3 and 4	912
Children's Centres	3,598
Craigmore High School	1,815
Education Works—Stage 1	11,940
Education Works—Stage 2	931
Flagstaff Hill Schools	96
Gawler High School	75
Gordon Education Centre—Stage 2	380
Henley High School—Redevelopment	7,586
Kadina Primary School	409
Kapunda High School	2,260
Kingscote Area School	5,828
Lameroo Area School	—
Linden Park Schools	4,885
Marryatville Primary School	90
Meadows Primary School	1,017
Millicent High School	148
Modbury High School	139
Mount Gambier High School	85
Norwood Primary School	2,274
Oceanview College Stage 2	111
Pipalyatjara Anangu School	1,222
Port Lincoln Schools	2,224

Department/Agency	Total amount spent to 30 June 2008 \$000
Roseworthy Primary School	238
Salisbury High School	1,992
The Heights School Stage 2	963
Trade Schools	65
Victor Harbor High School	1,532
Walkerville Primary School	70
South Australian Tourism Commission	
New Office Accommodation	—
Families and Communities	
Fitout of Riverside Building	—
Client and Case Management System	—
Community Residential Care Facilities	115
Connected Service Centre—Mount Gambier	281
Metropolitan Domiciliary Care	—
New Prisons & Secure Facilities—Public Private Partnership (PPP) Project	—
Reorganisation of services relating to Independence and Community Connection	—
Strathmont Centre	2,242

Department/Agency	Total amount spent to 30 June 2008 \$000
Environment and Heritage	
Adelaide Living Beaches	—
Belair National Park Visitor Facilities Upgrade	5,602
Innes National Park Infrastructure and Facilities Upgrade	858
Museum of Economic Botany	132
Environment Protection Authority	
Accommodation Fit-out	—
Water, Land and Biodiversity Conservation	
Budget Management Information System	—
Further Education, Employment, Science and Technology	
Student Information System	—
Victor Harbor—New TAFE Campus	114
Adelaide Campus Atrium	1,024
IT Systems and Infrastructure	8,051
Marleston TAFE Campus—Stage 1	3,560
Narungga Redevelopment	48
Minor Works	815
Bio Innovation SA	
Thebarton Biosciences Precinct Extension	1,754

Department/Agency	Total amount spent to 30 June 2008 \$000
SA Water	
Aldinga Waste Water Treatment Plant Capacity Upgrade	158
Desalination Plant	11,417
Greenacres—Mullers Road Water Trunk Main Relay	105
Morgan to Whyalla Pipeline—No1 Replace Main	—
Mount Pleasant Water Treatment Plant Increase Capacity	87
South Para Reservoir Dam Safety	—
Southern Urban—Reuse Project	552
Woolpunda Filtered Water Project (Water Treatment Plant)	421
Bolivar Waste Water Treatment Plant—Energy Use Optimisation	57
Christies Beach Waste Water Treatment Plant—Capacity Upgrade	11,528
Glenelg to Adelaide Parklands Project	3,201
Little Para Reservoir Dam Safety	2,491
Morgan to Whyalla Pipeline—Replace High Voltage Switchboards	2,509
Myponga Water Treatment Plant—Improve Water Quality	1,656
Records Management Program	3,272
Strategic Accommodation	29,463
Tod River Reservoir Dam Safety	—
Torrens System Upgrade	19,527
Virginia Angle Vale Reuse Extension	700
Environment Program	119,955
Improve Business Program	32,900
Information Technology Program	17,432
Maintain Business Program	172,407
Safety Program	31,643
System Growth Program	166,608
Water Quality Program	18,735
Water Security Program	—

SURPLUS EMPLOYEES

In reply to **Mr HAMILTON-SMITH (Waite—Leader of the Opposition)** (25 June 2008) (Estimates Committee A and B).

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations): As at 30 June 2008

Deputy Premier

Department/Agency	Position Title	Classification	TEC Cost
South Australian Motor Sport Board 0 Surplus employees	Nil	N/A	N/A
			TOTAL: \$Nil

Treasurer

Department/Agency	Position Title	Classification	TEC Cost
Department of Treasury and Finance 0 Surplus employees	Nil	N/A	N/A
			TOTAL: \$Nil

N.B. Excluding data relating to the State Procurement and Supply Operations and Shared Services Reform Office (responsibility of former Minister for Finance)

Minister for Industry and Trade

Department/Agency	Position Title	Classification	TEC Cost (includes employer superannuation)
Department of Trade and Economic Development 10 Surplus employees	Marketing Officer	ASO2	\$37,664 (80%)
	Project Officer	ASO3	\$32,545 (0.6FTE)
	Project Officer	ASO3	\$21,696 (0.4 FTE)
	Finance Officer	ASO3	\$54,241
	Project Officer	ASO4	\$61,126
	Project Officer	ASO4	\$60,570
	Finance Officer	ASO6	\$48,069 (0.6 FTE)
	Area Manager	ASO7	\$89,627
	Area Manager	ASO7	\$90,450
	Project Manager	ASO8	\$48,369 (0.5 FTE)
			TOTAL: \$544,337

Minister for Economic Development

Department/Agency	Position Title	Classification	TEC Cost
DefenceSA 0 Surplus employees	Nil	N/A	N/A

HOME FOR INCURABLES TRUST

In reply to **Mrs REDMOND (Heysen)** (28 October 2008).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I am advised:

Documentation to support the operations of the Trust thus far includes:

- the Julia Farr Services Board resolution to resign and appoint the Minister for Disability as trustee ;
- the gazettel notice of 28 June 2007 where the Governor dissolved Julia Farr Services;
- the original Trust deed;

- the Supreme Court Trust variation scheme, which established current purposes of the Trust;
- relevant property titles;
- all physical assets are recorded on the asset register in accordance with the Department for Families and Communities accounting policies; all transactions pertaining to the Trust and separately recorded in the general ledger under Administered Items;
- Crown Law advice regarding the powers of the Minister relating to which tasks can be delegated has been noted and acted on. The Department will prepare annually or otherwise, recommendations for the Minister for Disability as Trustee, pertaining to the use of Trust assets and income consistent with the Terms of the Trust Deed.

As per advice from Crown Law, for 2007-08, recommendations were made to the Minister for Disability as Trustee, pertaining to the use of Trust assets and income consistent with the Terms of the Trust Deed.

This is in addition to documentation accumulated during the extended history of the Trust.

In relation to financial accounting and reporting, the Department Families and Communities has:

- created an interest bearing deposit account for the Trust with the Department of Treasury and Finance to record revenues received and expenses incurred within the Terms of the Trust;
- deposited all funds resulting from the sales of Trust property with the South Australian Government Financing Authority (SAFA) in an interest bearing account; • reconciled all transactions pertaining to the Trust and has recorded these transactions as part of Administered Items;
- prepared detailed working papers for the Auditor-General (2007-08) that support the financial transactions of the Trust; and
- included the Trust in Administered Items in the statutory report for the Department of Families-and Communities.

Further, internal management reports are produced and reviewed on a monthly basis by Financial Accounting. The Minister for Disability will be provided with quarterly management reports on the operations of the Trust, and each year, a separate financial report on the operations of the Trust will be prepared for the Minister.

AUDITOR-GENERAL'S REPORT

In reply to the **Hon. I.F. EVANS (Davenport)** (28 October 2008).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I am advised that the asset disposed of, was vacant land at section 776 Brookway Drive, Campbelltown. This land was transferred at no cost, to another South Australian Government Department, the Department for Environment and Heritage. It was subject to land division and ultimately transferred to the Land Management Corporation.

Unfortunately there was a misunderstanding of the question and response during the examination session. The property in question did have a carrying value (book value), however, as stated above, the land was transferred at no cost to the Land Management Corporation.

DISABILITY SERVICES GOVERNANCE RESTRUCTURE

In reply to **Mrs REDMOND (Heysen)** (28 October 2008).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I am advised:

Under disability governance reforms the former disability health units incorporated under the SA Health Commission Act, namely the Independent Living Centre (ILC), the Intellectual Disability Services Council (1DSC) and Julia Farr Services (JFS) were dissolved and the functions and staff of these health units were transferred to the Department for Families and Communities.

Disability Services was formed within Disability SA, a division of the Department, on 1 July 2006, following the dissolution of the Boards of IDSC and ILC on 30 June 2006. The Board of JFS, incorporating Brain Injury Options Coordination (BIOC) and Adult Physical and Neurological Options Coordination (APN) was dissolved on 30 June 2007.

Savings in excess of \$1 million have been achieved in the provision of corporate services, by integrating these functions into the department. Most of the savings have been as a result of process improvements and the creation of job efficiencies, with the resultant need for less staff. Savings have been achieved across all corporate services areas including, finance, human resources, payroll, information and knowledge management, procurement and facility services. It should be noted that reduction in staff numbers has been achieved through natural attrition or through placement of excess staff in vacancies in other areas of the Department.

The dissolution of the governing boards of these health units has enabled the government to improve accountability and control over operations. Three Chief Executives have been replaced by one Executive Director. Consolidation of services has taken time to achieve and business process improvements are still on-going.

Prior to the formation of Disability SA, the former health units operated independently with different sets of policies and procedures, resulting in different outcomes for clients. The new Disability SA provides consistency and equity of service through a single set of operating policies and procedures.

The new system aims to deliver a single system of government provided, disability services that is easy for individuals and families to understand and obtain assistance from. It has resulted in significant improvements to client and carer outcomes.

A single point of access has been established for Disability SA services, includes a call centre for enquiries and referrals and a central intake team. As a result, waiting times for assessment have reduced from a previous high of twelve months in some areas to less than one month. Where a person contacts Disability SA with a need that can be addressed by the provision of information or brief assistance, this is provided immediately without the person having to be placed on a waiting list or having to meet any eligibility criteria. Eligibility is now determined more on the basis of the person's functioning, with less emphasis on the need meet specific diagnostic criteria, and consequently fewer people are falling through service gaps.

An across-disability focus rather than a diagnostic specific focus, enables one service coordinator to work with a family with different needs rather than multiple coordinators as a result of different diagnoses.

Brokerage budgets have been devolved directly to regional offices. These funds are used to purchase services for clients. This has meant that regional managers have considerable flexibility and delegation, to be able to respond to client needs, irrespective of disability type. As a result, response times in providing services have improved, particularly for country clients.

Prior to the formation of Disability SA and the Accommodation Placement Panel, there were multiple waiting lists, contact points and criteria for accessing supported accommodation. This did not always result in the person with the highest need receiving the next available vacancy. Under the new arrangements, Disability SA has developed a single process and the allocation of accommodation places to those in greatest need through the Accommodation Placement Panel. Since its inception the panel has found accommodation services for 149 people. Approximately half of these people assisted were in hospital, waiting to be discharged to the community.

A new state-wide equipment service has been developed resulting in more repairs being done in the home and simpler processes resulting in reduced volume of repairs and waiting times.

In the first year of operation as the single system of government-provided disability services, there was a 62% increase in the number of clients of disability services (from 8,598 in 2005-06 to 9,128 in 2006-07) and a 4.9 % increase in occasions of service provided by disability services (from 10,278 in 2005-06 to 10,777 in 2006-07).

SPECIAL INVESTIGATIONS UNIT VOUCHER PAYMENT

In reply to the **Hon. I.F. EVANS (Davenport)** (28 October 2008).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): The

Honourable Member refers in his question to a 'voucher' paid by Special Investigations Unit, however, without being specific an accurate response to the question is difficult to provide.

In the absence of dates or details, it has not been possible to locate the 'voucher' in question or to identify if it relates to manual, BasWare or petty cash payments, BasWare is essentially an invoice processing software package. Business units use a web based application for approving, coding and communication with Accounts Payable. BasWare IP (Invoice Processing) was implemented to streamline the way invoices are processed. Financial delegations within BasWare are assigned to appropriate officers to ensure that any invoices approved online in BasWare by that officer are within their financial level of delegation.

Furthermore we are unable to determine if it relates to the 2007-08 financial year.

I am advised, however, that the Department for Families and Communities has in place policies and procedures respecting the authorisation of payments and that these policies—and procedures have been—reviewed-to-ensure-the issues raised by the Auditor General have been addressed.

PAPERS

The following papers were laid on the table:

By the Speaker—

Employee Ombudsman—Report 2007-08

Reports of Committees which have been received and published pursuant to section 17(7) of the Parliamentary Committees Act 1991:

Environment Resources and Development—

63rd Report—Desalination (Port Stanvac)

Public Works Committee—

315th Report—Rail Revitalisation Project—Stage 2 (Goodwood—Lynton)

316th Report—Auslink Strategic Regional Program (Gawler—Tarlee)

317th Report—Techport Australia (Stages 3 and 4) and Osborne North

Industrial Precinct

318th Report—Tramline Extension City West to the Adelaide Entertainment

Centre

319th Report—Lower Lakes Irrigation Pipeline—Jervois to Langhorne

Creek and Currency Creek

320th Report—Wellington Weir—Preliminary Works

321st Report—Glenside Campus Redevelopment (Health Facilities—

Enablement Works)

322nd Report—Christies Beach Police Complex Upgrade

Statutory Officers Committee—Report 2007-08

Pursuant to Section 131 of the Local Government Act 1999 the following annual reports of Local Councils:

Adelaide Hills Council—Report 2007-08

Alexandrina Council—Report 2007-08

Barossa Council—Report 2007-08

Berri Barmera Council—Report 2007-08

Burnside, City of—Report 2007-08

Campbelltown City Council—Report 2007-08

Ceduna, District Council of—Report 2007-08

Charles Sturt, City of—Report 2007-08

Clare and Gilbert Valleys Council—Report 2007-08

Cleve, District Council of—Report 2007-08

Coorong District Council—Report 2007-08

Copper Coast District Council of—Report 2007-08

Elliston, District Council of—Report 2007-08

Flinders Ranges Council—Report 2007-08

Gawler, Town of—Report 2007-08

Goyder, District Council of—Report 2007-08

Grant, District Council of—Report 2007-08

Holdfast Bay, City of—Report 2007-08

Kangaroo Island Council—Report 2007-08

Karoonda East Murray, District Council of—Report 2007-08

Kingston, District Council of—Report 2007-08
Light Regional Council—Report 2007-08
Lower Eyre Peninsula, District Council of—Report 2007-08
Loxton Waikerie, District Council of—Report 2007-08
Mallala, District Council of—Report 2007-08
Marion, City of—Report 2007-08
Mid Murray Council—Report 2007-08
Mitcham, City of—Report 2007-08
Mount Barker, District Council of—Report 2007-08
Mount Gambier, City of—Report 2007-08
Mount Remarkable, District Council of—Report 2007-08
Murray Bridge, Rural City of—Report 2007-08
Naracoorte Lucindale Council—Report 2007-08
Northern Areas Council—Report 2007-08
Norwood, Payneham & St Peters, City of—Report 2007-08
Onkaparinga, City of—Report 2007-08
Playford, City of—Report 2007-08
Port Adelaide Enfield, City of—Report 2007-08
Port Augusta City Council—Report 2007-08
Port Lincoln, City of—Report 2007-08
Port Pirie Regional Council—Report 2007-08
Prospect, City of—Report 2007-08
Renmark Paringa Council—Report 2007-08
Robe, District Council of—Report 2007-08
Roxby Downs Council—Report 2007-08
Salisbury, City of—Report 2007-08
Southern Mallee District Council—Report 2007-08
Streaky Bay, District Council of—Report 2007-08
Tea Tree Gully, City of—Report 2007-08
Unley, City of—Report 2007-08
Victor Harbor, City of—Report 2007-08
Wakefield Regional Council—Report 2007-08
Wattle Range Council—Report 2007-08
Whyalla, City of—Report 2007-08
Yankalilla, District Council of—Report 2007-08
Yorke Peninsula, District Council of—Report 2007-08

By the Premier (Hon. M.D. Rann)—

AustralAsia Railway Corporation 2007-08

By the Treasurer (Hon. K.O. Foley)—

Final Budget Outcome Report 2007-08
Motor Accident Commission Charter
Regulations under the following Acts—
Emergency Services Funding—Revocation
First Home Owner Grant—Non-conforming Interest
Land Tax—Prescribed Associations
Payroll Tax—Deductions
Public Corporations—Land Management Corporation
Southern State Superannuation—Insurance
Stamp Duties—Spoiled or Unused Stamps
State Procurement—Prescribed Public Authorities
Superannuation—
Exclusion of Remuneration
Murray-Darling Basin Authority

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

Development Act—Development Plan Amendment Report—

City of Unley—Village Living & Desirable Neighbourhood Development Plan
 Amendment Stage 1 (Residential Historic Conservation & Streetscape Character Areas
 Pilot)—Amendment by the Council
 Regulations under the following Acts—
 Development—
 Exclusions
 Unley Development Plan
 Motor Vehicles—Return or Recovery of Number Plates
 Passenger Transport—General

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

Rules of Court—
 District Court—
 Civil—
 Amendment No. 6
 Amendment No. 7
 Amendment No.5
 Criminal and Miscellaneous—
 Amendment No.5
 Amendment No.6
 Amendment No. 7
 Magistrates Court—
 Amendment No. 33
 Civil—Amendment No. 32
 Supreme Court—
 Civil—Amendment No. 6
 Corporations—Amendment No.5
 Criminal—
 Amendment No.23
 Amendment No.24

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

Death in Custody—Grant Austin—Coronial Inquiry, Actions taken—Report 12 January
 2009
 Leigh Creek Health Services Inc—Report 2007-08
 Mannum District Hospital Inc (incorporating Mannum Domiciliary Care)—Report 2007-08
 Murray Bridge Soldiers' Memorial Hospital Inc—Report 2007-08

By the Minister Assisting the Premier in the Arts (Hon. J.D. Hill)—

Carrick Hill Trust—Report 2007-08
 Country Arts SA—Report 2007-08
 State Opera of South Australia—Report 2007-08

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

Regulations under the following Acts—
 Firearms—Fit and Proper Person

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

Regulations under the following Acts—
 Education—Rules and Criteria
 SACE Board of South Australia—Fees

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

Regulations under the following Acts—
 Environment Protection—Fees and Levy
 Plastic Shopping Bags (Waste Avoidance)—Waste Avoidance

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

Citrus Industry Act 2005 (SA) Review of the Operation of—January 2009

Regulations under the following Acts—

Primary Industry Funding Schemes—

Apiary Industry Fund

Cattle Industry Fund

Riverland Wine Industry Fund

By the Minister for Water Security (Hon. K.A. Maywald)—

Regulations under the following Acts—

Waterworks—Water Rates

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

Community Benefit SA—Report 2007-08

Local Government Finance Authority of South Australia—Report 2007-08

Local Government Superannuation Board—Report 2007-08

Local Council By-Laws—

Coorong District Council

No.1—Permits and Penalties

No.2—Roads

No.3—Local Government Land

No.4—Dogs

No.5—Moveable Signs

Karoonda East Murray, District Council of

No.1—Permits and Penalties

No.2—Roads

No.3—Local Government Land

No.4—Dogs

No.5—Moveable Signs

Light Regional Council

No.1—Permits and Penalties

No.2—Moveable Signs

No.3—Roads

No.4—Local Government Land

No.5—Dogs

No.6—Cats

No.7—Nuisances Caused by Building Sites.

Regulations under the following Acts—

Land Agents—

Revocation

Temporary Exemption from Registration

Liquor Licensing—

Adelaide—Bonython Park

Adelaide—Elder Park

Alexandrina Council

Angaston

Brighton, Glenelg and Seacliff

Clare

Glenelg

Morgan

Peterborough

Port Adelaide and Semaphore

Robe—Dry Areas

Robe

Waikerie

Walleroo

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

Regulations under the following Acts—

Dangerous Substances—Dangerous Goods Transport

Gaming Machines—Ministerial Exemptions

Workers Rehabilitation and Compensation—Rehabilitation and Return to Work
 Coordinators
 Rules—
 Workers Compensation Tribunal—Rule Twenty A: Expert Evidence

By the Minister for Science and Information Economy (Hon. P. Caica)—

Australian Centre for Plant Functional Genomics Pty Ltd—Quarterly Report—July 2008 to
 September 2008
 Playford Centre—Report 2007-08

PUBLIC WORKS COMMITTEE

Ms CICCARELLO (Norwood) (14:11): I bring up the 323rd report of the committee, being the report on the Queen Elizabeth Hospital Redevelopment Stage 2B.

Report received and ordered to be published.

HEATWAVE

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) (14:12): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: Not since 1908 has South Australia suffered through a heatwave as long or as enduring as the one all of us are experiencing at present. New records have been set. According to my information, the minimum overnight temperature of 33.9°C recorded on Thursday last week is the highest on record. A maximum temperature of 45.7°C on Wednesday last week made international headlines around the world. Temperatures remained high on the following days—up to 43.4° on Thursday, then 43.1°, 41.1°, 40.6° and, yesterday, 38.8° (hardly a cool change). The forecast for the remainder of this week is continued high temperatures, peaking at 40°C on Friday.

While the week before last Adelaide had been the focus of news reports across the world for the brilliant Tour Down Under featuring the comeback race of cycling legend and cancer survivor Lance Armstrong, last week international focus was on our record high temperatures. This heatwave has had an appalling impact, especially on the elderly. It appears that some of them have tragically succumbed to the extremely high temperatures impacting on their already vulnerable conditions. Our hospitals were stretched but have coped well with the estimated 550 people who presented to our metropolitan hospitals over the past week with heat-related problems. Obviously, extra doctors, nurses and beds were needed, and surgery was brought forward. There were 87 people admitted to our hospitals between Friday last week and Monday this week with heat-related illnesses.

Train lines buckled as the steel tracks reached temperatures of greater than 75°C and, while trains were forced to slow down and commuters delayed, transport staff have been handing out more than 4,000 bottles of water each day to customers. Trams became overheated, particularly last Wednesday during the peak of the heatwave, and some were taken off line during off-peak periods to cool down. Local power transformers blew from overheating as everyone sensibly reached to turn on their air conditioners.

Hundreds of trees across Adelaide began shedding limbs, blocking roads and rail lines and bringing down powerlines. And people—many volunteers, good-hearted neighbours, emergency services officers and work crews—began rallying to help the elderly, staying out all night to fix rail lines, donning heavy duty clothes to remove the tree limbs, climbing Stobie poles to fix transformers, and others cared for the old and the young and distressed pets.

This heatwave has brought out the very best of people and their care and consideration for others. On behalf of all South Australians, I thank all those heroes of the heatwave for their kindness and spirit of community in thinking in the plural rather than the singular.

Daily briefings of operational government departments and emergency services in the State Emergency Centre occurred from Wednesday to Saturday last week and again for the last two days. To ensure a well-coordinated and comprehensive response, I spoke to emergency services and other agencies after Tuesday's cabinet meeting and then convened meetings of

cabinet on Thursday and then cabinet with the Emergency Management Council on Friday, Saturday and Sunday to coordinate our services and communications.

This government conducted one of the most intensive and extensive community outreach exercises to raise awareness, offer advice and identify people in need, and I gave a series of news conferences about heatwave warnings and our response across government last week.

Last week, we made sure that our government buildings were open to members of the public seeking respite and directed our front counter staff to keep an eye out for any heat-affected and vulnerable members of the public and to offer them a seat and a cool drink or to help people in need to obtain medical attention. For example, the cultural institutions on North Terrace have free bottled water available for the public.

Most importantly, we issued regular targeted messages to the community. The State Emergency Service informed me that these warnings made a real, noticeable difference. Over the past week, the state's Chief Medical Officer, Professor Paddy Phillips, has spearheaded a public health campaign on the excessive heat, warning people to drink plenty of water, avoid caffeine and alcohol, stay indoors in the air conditioning, avoid the sun and seek medical advice if they are feeling unwell.

Members interjecting:

The Hon. M.D. RANN: Can I just say I think it is outrageous to attack the Chief Medical Officer. If you think this is funny, then you are out of step with mainstream opinion in this state.

The SPEAKER: Order!

The Hon. M.D. RANN: While the Leader of the Opposition was asking to be on the catwalk, on the red carpet in New York at a party, people were getting on with the job of saving lives.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: To cope with the extra demand, our hospitals have opened extra beds, calling in additional medical and nursing staff, and opened extra emergency theatres over the weekend.

Members interjecting:

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

The Hon. M.D. RANN: SA Ambulance has been laudable in its efforts, attending an average of 580 emergency incidents and 798 non-emergency incidents during the heatwave each day, which is nearly 300 more attendances a day than normal. Unfortunately, it has attended an average of about 12 deaths a day compared with about four deaths a day normally, although it is not possible to say how many of those deaths were attributable to the heat until the Coroner's findings.

Metro Home Link, Domiciliary Care, the Red Cross and its wonderful volunteers, St Vincent de Paul, the Hutt Street Day Centre, Street to Home, Westcare Day Centre, the Royal District Nursing Service of South Australia and many other workers and volunteers were mobilised to call and home visit thousands of elderly, vulnerable and homeless people during this period to ensure that they are using their fans and air conditioners and are staying well hydrated and fed and staying cool. There have been thousands and thousands of home visits and also calls to people's homes.

Many of our backbenchers have been calling their local constituents over the age of 80 to ensure that they are staying cool and to feed out useful information to help them cope. I am sure that has happened on both sides of the house.

I want to commend not only those members I know on the government backbenches who issued statements and leaflets about how to stay cool in the heat but also those members who personally rang elderly constituents to offer a helping hand. The Animal Welfare Unit of the department of environment has provided advice and a public communications campaign on keeping pets and animals safe, while the RSPCA, the Animal Welfare League and vets have all been responding to calls from the public on specific cases, inquiries and issues around animals during the heatwave.

It was an unfortunate consequence of this extreme weather condition that stretched across south-eastern Australia that our power supply was affected through the national electricity grid. South Australia signed up to the national electricity grid during the period of the last government prior to the Liberal government later privatising our electricity assets. As it is now part of the national grid, South Australia is affected by events in Victoria, especially, and in Tasmania, unusually. At 2.35 pm on 29 January last week the Basslink interconnector between Victoria and Tasmania shut down. Basslink advised that the interconnector operated in accordance with its design in that a protective block shut it down as the ambient temperature at George Town in Tasmania raised above its limitation of 35° Celsius, which apparently had never been reached before.

The outage of the Basslink interconnector resulted in NEMMCO instructing that load shedding be undertaken in both South Australia and Victoria to ensure that the electricity system did not suffer a catastrophic failure. In fact, 10 minutes after the Basslink interconnector shut down, about 130 megawatts were shed in South Australia and 300 megawatts in Victoria in accordance with the 'sharing the pain' protocol, where load is shed in proportion to the demand in the respective regions.

At the time, South Australian demand was around 3,300 megawatts, while Victorian demand was around 10,400 megawatts. NEMMCO instructed that all load could be restored at 3.45pm following the Basslink interconnector returning to service. ETSA Utilities published a press release indicating that 95,000 customers were affected across 39 suburbs when it was directed by the national market operator to ration electricity supplies that afternoon. Localised faults unrelated to load shedding persisted with ETSA Utilities' distribution network as transformers blew up, and so on.

On the following day (Friday last week), as a result of the extreme heat tripping the Basslink interconnector, at approximately 12.50 pm NEMMCO instructed Victoria to shed 350 megawatts and ETSA Utilities was required to shed 90 megawatts in South Australia under the same 'sharing the pain' protocol. Again, ETSA published a press release indicating that 83 suburbs, representing 170,000 customers across all parts of Adelaide, were affected from 1.30pm to approximately 4pm. I share the view of many South Australians that we needed more information about where the load shedding would occur and what it would mean to individual households, given that this was the first time this had happened since 2002.

For instance, I believe it was important that people understood that load shedding meant that power in their homes would be shut down for a maximum of 40 minutes, but usually 30 minutes, during a day. I have today written to NEMMCO asking it to review its protocols for information sharing during periods leading up to and in the event of load shedding to see what improvements can be made about communicating with the public as quickly as possible. This heatwave will endure for the remainder of this working week. I am told that on Saturday we are in for a cooler change, so that by Sunday the maximum temperature is forecast to be a welcome 25°Celsius. There is no way of knowing whether we will get a recurrence of this heatwave again this season, next year or the year after.

As I said, this is the worst heatwave in 100 years. What I do know is that, after every major emergency event such as this, the government reviews its protocols, how it has coped with all its human services, its emergency services, its transport and many other services, and examines where it can make improvements; and this we will do. As a government we can always do better, and I am asking NEMMCO, ETSA and other companies to do likewise.

What will remain with me out of this heatwave is the extraordinary effort made by many thousands of people who have made such a difference to the wellbeing of others, even if it was just crossing the street to ask an elderly neighbour whether they were keeping cool and out of harm's way. The spirit of thought and giving is the sign of a healthy community, and every South Australian should be proud of their efforts during this time of extreme circumstances.

FINKS MOTORCYCLE CLUB

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) (14:26): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: On 16 December last year the Attorney-General received an application from the Police Commissioner to declare the Finks Motorcycle Club as an organisation which will be subject to the government's new Serious and Organised Crime Control Act 2008. This was the first application made under this nation-leading legislation. The job of the Attorney-General is to consider the application carefully in order to determine whether it meets the strict criteria set out in the act. He is still considering submissions and will make a decision as soon as he can.

In the meantime, however, we have seen lawyers, paid by organised crime gangs, and civil libertarians in an unholy alliance make an extraordinary attack on this groundbreaking legislation—legislation designed to break the back of the stronghold on crime by bikie gangs in this state. I will not now, nor will I ever, apologise for the strong action this government has taken to assist the police in tackling organised crime gangs. We have given the police extra resources. We have legislated to help the police dismantle bikie fortresses, prevent gang violence, and apprehend and prosecute those involved in peddling drugs to our young people. The government has legislated to ensure that those responsible for violent crimes are sentenced and punished in accordance with community expectations.

Outspoken lawyer, Craig Caldicott, who represents bikie gangs and their members in criminal proceedings, has been quick to attack the Police Commissioner's application about the Finks Motorcycle Club. In an extraordinary public relations exercise, Craig Caldicott has released his letter to *The Advertiser* opposing the Police Commissioner's application.

Mrs Redmond interjecting:

The Hon. M.D. RANN: Of course, the Liberals did not want Bevan Spencer Von Einem to be DNA tested; whenever there is some dirty crim, we see their civil liberties being defended by members opposite. In an extraordinary public relations exercise, Craig Caldicott has released his letter to *The Advertiser* opposing the Police Commissioner's application. Craig Caldicott would have us believe that members of the Finks Motorcycle Club are gentle, kind, fatherly individuals who lead blameless lives. In this almost fairytale concoction, one would expect Finks members to be awarded Australian of the Year or, at the very least, an Australian honour in the Queen's birthday list. In fact, nothing could be further from the truth.

The facts tell a different story from Craig Caldicott's *Alice in Wonderland* defence. Information collated by the police, based on investigations and reports, underlines the importance and necessity of the government's tough approach to dealing with criminal bikie gangs. Rather than running knitting circles or being some kind of men's support group, I will now detail what the Finks have been up to; and if members of the Liberal Party want to defend the Finks, let them go ahead and do so. Regardless of what the Attorney-General's decision may be, the information provided by the police details a litany of crimes that underscores the importance of this government's efforts to tackle and bring down these organised crime gangs.

The Finks Motorcycle Club was incorporated in South Australia on 4 September 1991 and, on its application form, it wrote that the association was formed for the purpose of 'establishing, carrying on, improving a community meeting place and promoting the interests of motor cycle enthusiasts within the local community'.

South Australia Police, instead, says that this seemingly innocent incorporated body has been using its organisation for the purpose of organising, planning, facilitating, supporting or engaging in serious criminal activity and that it represents a risk to public safety and order in our state. Police information shows that all members of this gang are, or have been involved in, serious criminal activity. I repeat—all members of this gang. These criminal activities, I am told, include but are not limited to theft, drug manufacture and distribution, offences of violence, firearms offences and blackmail. Breaking news for the opposition—fathers and grandpas can commit crimes, particularly if they have led a life of crime.

Police information also reveals many incidents where members of the Finks have committed acts of violence together against members of the public, but in many cases they have not proceeded to court because witnesses, including the victims, have been unwilling to go on with it. They have been too frightened to give evidence. Some potential witnesses have admitted, I am told, that they fear retribution if they were to maintain or give evidence against these gang members.

Police have recorded incidences of violence involving members of the Finks that have resulted in head injuries, internal bleeding, bleeding in the skull cavity causing the victims to stop

breathing resulting in permanent brain damage, broken ribs, internal and facial injuries. Police information indicates the Finks have, in recent years, allegedly been involved in:

- serious criminal trespass involving firearms and victims being seriously injured;
- the joint commission of rape;
- the unexplained death of a 26 year old woman;
- shootings;
- property offences including larceny, burglary, receiving and property damage;
- serious assault involving a road rage incident in which a baseball bat was used;
- possession, manufacture, take part and supply of drugs/controlled substances; and
- importing quantities of pseudoephedrine inside the covers of 96 children's books from Malaysia into South Australia for the purpose of manufacturing methamphetamines.

These are the grandpas that Craig Caldicott defends. These are the people that the opposition believes we are being unfair to.

Police have also located and dismantled nine clandestine laboratories and arrested 17 people with connections to the Finks for offences relating to the manufacture or distribution of methamphetamines in South Australia. Police have also searched the homes of members of the Finks bikie gang over recent years and located in one house alone not a knitting circle, not a men's support group, but the following:

- 1½ kilograms of cannabis in a suitcase in a lounge room;
- three pounds of cannabis under a bed in a child's bedroom;
- a further shopping bag containing cannabis under the doona of his teenage son's bed;
- five cannabis plants being hydroponically cultivated in a purpose-built grow room;
- .32 calibre ammunition; and
- 30 grams of amphetamines and \$10,400 in cash.

That member was a father—presumably, one of the fathers that Mr Caldicott was talking about. In August 2008, at the home of another Finks member, police allegedly found:

- unsecured ammunition inside a sock and a baton with a chain and weight attached to it concealed within the false bottom of a dining room wall unit; and
- a double-edged knife inside a pouch with an extendable baton.

At another member's house in August last year police allegedly found:

- a .32 calibre Browning handgun with the serial number removed;
- a magazine for a firearm under a couch in the lounge room and a quantity of ammunition; and
- \$14,400 in cash next to a plate containing white powder suspected of being amphetamines.

In that same month, at another Finks member's house, police allegedly found a Browning 9 mm pistol, 115 rounds of various ammunition behind an exhaust fan in a wall cavity, and a taser hanging from the laundry door. In July last year, in a Finks member's car, police allegedly found a concealed double-edged knife contained within a key ring and .357 magnum ammunition concealed in a sock located in the foot-well of the car.

There are many other reports of activities of Finks motorcycle gang members. Police have uncovered from Finks members, over the past two or three years, other items such as: knuckle dusters; an electric cattle prod; a loaded hand gun; a Fenaru semi-automatic hand gun; hundreds of rounds of ammunition for many types of weapons; ballistic vests; a loaded SKK assault rifle; substantial amounts of drugs, including methamphetamine, ecstasy tablets and LSD tablets; and thousands of dollars in cash.

I am particularly alarmed about information concerning involvement of the Finks in blackmail. I am told that proceeds obtained from blackmail are often referred to by the Finks as 'donations'. Donations are believed to be one of the principal forms of revenue for the Finks bikie gang, and I am informed that its members have used threats and assaulted victims and produced firearms to obtain money, property and businesses, often when children were present.

Since 2005, SA Police says it has recorded 111 allegations of blackmail involving bikie gangs, and 40 of those allegations involve members or associates of the Finks motorcycle gang. Several of their members were also reportedly involved in a violent outburst at a kick-boxing tournament in Queensland in March 2006 which, I am told, was about inter-gang rivalry between the Finks and the Hell's Angels. Seven gunshots were fired and the promoter of the event was shot in the ankle.

In reply to Mr Caldicott, let me say this: he might be proud of the people he represents, and that is his civil liberty. The Finks are not the kind of people I would describe simply, as Craig Caldicott has, as innocent people inside an association made up of grandfathers and aged pensioners. What an absolute falsehood! What a fairytale! What a pack of lies! They are amongst the most heinous criminals in our society, and the police need all the help they can get to rid our streets of these violent, drug-peddling criminals and thugs.

Honourable members: Hear, hear!

Members interjecting:

The SPEAKER: The Deputy Premier.

Members interjecting:

The SPEAKER: Order!

Ms Chapman interjecting:

The SPEAKER: The house will come to order!

The Hon. K.O. FOLEY: The shadow attorney-general is saying that she wants a fair trial for the Finks. She is a sympathiser for the Finks.

The SPEAKER: Order, the Deputy Premier!

QUESTION TIME

ELECTRICITY, LOAD SHEDDING

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:44): Has the Minister for Transport, Energy and Infrastructure been told to change his position on providing the public with advance information about power load shedding? Yesterday, the Minister for Energy defended the secrecy of these lists when he publicly said:

You don't want to go out and tell people that you think we're going to be load shedding this way soon because it's extremely unlikely.

Then, he repeated his opposition to the concept when he said:

...that's why it's not particularly good information for anyone. Anyone who gets that list is going to be misinformed.

Today, however, the Premier contradicted his energy minister of seven years when he told radio listeners (in answer to a question about whether the load shedding list should be made public), 'I think it should be publicised.'

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:45): As usual, the Leader of the Opposition has difficulty assembling the facts correctly. He should go to the press conference that he quotes me from. In fact, quite helpfully, *The Advertiser* had it on their website. You will find that I also said, during that press conference, that I had no problems with the list being released. I cannot remember the exact words but it will be on that website. I was repeating what the electricity planning council had told me. There has been an awful lot of misinformation from the Liberal Party in the past week—an awful lot.

I was very interested to find that the opposition spokesperson on electricity has discovered an interconnector with New South Wales as stated in his Port Pirie interview yesterday. For the benefit of the house, of course, the Liberal Party, when in government, moved heaven and earth to

prevent the construction of an interconnector with New South Wales and, instead, supported the Murray Link connector which has done nothing for South Australia. All it has done is export energy to Victoria. I was somewhat surprised to find that the opposition spokesperson yesterday had, in fact, discovered this interconnector with New South Wales.

I was also surprised to find the opposition spokesperson on transport telling us that Bombardier have sold trams to Iran and Egypt, apparently on the basis that he had asked Bombardier and they told him. However, maybe he got a different Bombardier, and not the one that I spoke to, because they say that they did not. I have a photograph here, for the benefit of the opposition spokesperson, of some Egyptian trams and they do appear to me to be about 30 years old, although I am not an expert. I just do not understand why they keep making it up. Why do they have to make it up? This is the opposition that we deal with in South Australia. They simply make it up.

Members interjecting:

The Hon. P.F. CONLON: Apparently, I should not be running it. That is what I have been told before; that I should have been recalled from—what was it?—a fishing holiday. He made that up. He sat around and said, 'What would sound embarrassing? I know, we will call it a fishing holiday.' He made it up. They make it up. They simply make it up as they go along. It is no wonder they cannot hang on to their own seats, let alone take ours, because they make it up as they go along.

Mr Pederick: So you don't like fishing then?

The Hon. P.F. CONLON: I do like fishing. I wish I could get to do it every now and then. I can assure you I went fishing once with my four year old. I bought a handline. If anyone has ever gone fishing with a four year old, it is about seven seconds before they ask, 'Have we got one yet? Can you pull it in?' Believe me, it is not what I would call a fishing holiday. I just do not understand why you have to make things up. Why isn't the truth good enough for you?

There is absolutely no difference. Again, I spoke to Mr Swift about the list. For the benefit of the Leader of the Opposition I will explain what happens. Residential suburbs that do not have hospitals and that can be remotely shed take it in turns. There is no mystery, no surprise. I did say to Mr Swift that I thought it would be best if he released that information because I think it is perfectly innocuous. However, I certainly would not direct him because I do not think it is proper. I said that again today. My understanding is that Mr Swift's latest position is that he would not do that without consulting the electricity industry. I point out that this board, established by the previous Liberal government—and may I say it is one of the things they got right because it is considered to be a very good model around Australia—still has the same chairman. I reappointed him and he is still there. It has an industry board and it is my understanding that they have concerns because the information does include location of feeders. So, they are reluctant to do that without talking to the industry.

My position is exactly the same as that of the Premier. I think the information in regard to suburbs is innocuous. It is well known that about the only thing you might discover—and it is not even particularly helpful, as I understand, in that regard—is which suburbs are not able to be remotely controlled, and which feeders. The feeders do not necessarily cover a whole suburb, anyway. That is why the view of the planning council is that it might misinform as much as it informs.

But I come back to the point that there is absolutely no mystery about it. The truth is that if you load-shed you cycle through residential suburbs. You do not close down hospitals (quite wisely), you do not close down institutions, and you try to avoid closing down industries where that would do serious economic damage.

But, above all, I say this. I have never seen the list. The Premier has never seen the list. I do not want to see the list and am not interested, because, whatever else, the politicians should not be calling the shots. They should be called independently. The way the opposition has set it up is the way we will continue to do it. That is the way it should be, and there is absolutely no contradiction between any of us.

SPORTS STADIUM

Mr KOUTSANTONIS (West Torrens) (14:51): My question is to the Premier. Can the Premier tell the house whether he would take the advice of the Leader of the Opposition and build a stadium instead of a hospital in the railway yards at the end of North Terrace?

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) (14:51): I have some breaking news. Do you remember how we have been told that we must have a brand new stadium like Western Australia's stadium? Do you know how they have been telling us—the Liberals and others (their fellow travellers)—that we have to have a stadium like Western Australia's giant new proposed stadium: that is what this state needs?

We have heard many versions of what the leader would like to do with the rail-yard land at the end of North Terrace, but the common theme at the present time (and, of course, it always may change again) is that he wants to build a massive stadium on that site. One report says that he commissioned consultants who told him a sports stadium could be built there for about \$520 million. The anonymous consultants' report apparently (according to the opposition) exposed the \$1 billion price tag for a stadium as a 'scare tactic'.

The \$520 million stadium—the Liberals' \$520 million stadium, the centrepiece of their policy for the next election—would, according to the leader, be built to FIFA World Cup standards, have the ability to close the roof, seating for 50,000 people, corporate facilities and car parking for at least 2,500 people and conference facilities for at least 1,000 people, and be able to accommodate AFL footy, soccer, rugby and cricket. It could be an oval, it could be a rectangle or it could be a circle. Who knows—it could be a velodrome as well! So, that is quite a stadium. It is no wonder the consultants refuse to have their names published and that the Liberals refuse to release the costings.

The government would welcome any approach by anyone who wants to fund and build a stadium of that kind, but not on that site. Needless to say, not one approach has been made to this government to fund any such project. No-one has come to me with such an offer. We keep hearing that the Liberals know of these people who say, 'Have I got the money for you! I will give you the money if you build the stadium.' I reckon Craig Caldicott must be writing his press releases. The leader has taken great—

An honourable member interjecting:

The Hon. M.D. RANN: That is very defamatory of Mr Caldicott, I know, to suggest that he is writing the fairy tales for the Leader of the Opposition. The Leader of the Opposition has taken great comfort from the Western Australian government's announcement that it would build a stadium—which was becoming increasingly unlikely as it became obvious that the cost of it would be well in excess of \$1.1 billion. That is what we have been told. We have been told in editorials and by commentators and the Liberals to follow Western Australia's lead. Today I am announcing that we have decided to follow Western Australia's lead in response to building a stadium. We have decided to follow the Liberals' lead in Western Australia. Today, Premier Colin Barnett announced that projects such as a football stadium to replace Subiaco Oval could not be justified when compared with services such as a hospital.

Do you remember that, when I said that we will go to the people at the next election and they can make a choice between the Liberals' stadium and our \$1.7 billion world-class hospital, we had sneers from the opposition because they thought they were onto a winner. 'Just look over to Western Australia,' they cried.

Well, let me just say this. The following is a quote from Premier Barnett, the Liberal Premier of Western Australia, reported in today's media: '...the government makes no apology for putting schools and hospitals ahead of a new football stadium.' Like this government, the Liberal Barnett government has decided that its capital works priorities should be based on providing jobs and investment and delivering better services to the community. At least the Western Australian Liberal leader has a grip on what the people expect of their state governments and delivery of services and economic stimulus.

Unfortunately for the Liberal leader sitting opposite, he is yet to work out what he wants, but he does promise to make some announcement soon. Does this mean that we will get version No. 6 or 7, or even 8, of what he has already announced in terms of his stadium proposal, or his firm commitment to relocating the Keswick Railway Station so that our national rail runs underneath the stadium, and so on and so on?

Apparently, on the eve of the election, he is going to say, 'Trust me. Don't believe anything that I've said to you so far. Don't cost what I've said so far, because all the things I've said in the previous four years are non-core promises. Only believe what I say from today onwards.' While he

was on the catwalk in New York, a lot of people from Frome to Adelaide were saying, 'When does he mean what he says and when does he say what he means?'

Members interjecting:

The SPEAKER: Order!

ELECTRICITY, LOAD SHEDDING

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:57): My question is to the Premier. Before the current heatwave, was he or any minister in his cabinet aware that, under the government's electricity regulatory arrangements, systematic load shedding across Adelaide would occur without notice?

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) (14:57): I certainly was not informed, although I am told the Liberals have been briefing journalists that we were informed of this load shedding several months ago. So, somehow, because this is going to be the policy of the Liberal leader should he ever be elected as Premier, he will hold a crystal ball in his hand and say, 'Oh, yes, in two months' time there will be a bushfire in the Latrobe Valley and the interconnector with Tasmania will go down.' He now wants to criticise the electricity authorities.

I have some more quotes, because the great thing about this Leader of the Opposition is that he leaves a trail behind him. What did he say in parliament on 27 May 1998, when I was fighting the sale of our electricity assets—because in South Australia we used to own, operate and manage our electricity assets and our electricity system? He said—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: He does not want to hear his own words. We heard what he said. He wants to follow Western Australia on building a stadium. He said:

Selling or floating ETSA is the right decision for South Australia...I am confident that it will be successful and it is the best decision for the taxpayer...can you [the ALP opposition] just get out of the way and let us get on with selling the assets.

Mr Hamilton-Smith, member for Waite, House of Assembly, Wednesday 27 May 1998. Then he went on to say:

There is a strong argument for selling ETSA and Optima, and it focuses around the monopoly and competition issue. ETSA and Optima have, in effect, enjoyed a monopoly in South Australia for many years. There has been nibbling at the edges in terms of supply, but basically ETSA and Optima can call the shots. All that is changing.

He then went on to say:

The government does not need to own these assets in order to control and secure them for the people of South Australia.

He says:

...ETSA and Optima and the deregulated electricity market will come under increasing pressure...ETSA and Optima will simply become a liability to the taxpayer...a business (ETSA) with falling revenue and rising cost does not work, a point that seems to have consistently been missed by the opposition. How can we afford to upgrade the extensive facilities owned by Optima and ETSA in the years ahead without increasing taxes or cutting services?

And so it goes on. Of course, because we know that he—

An honourable member interjecting:

The Hon. M.D. RANN: Here we go, 27 May; this is why he supported it. He says here—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: He says:

First, I refer to the new environment in which we now live. The ALP seems not to have realised that the world is changing. The eastern bloc communist regimes have collapsed—the wall is down. All over Europe, Asia and the Americas private enterprise is flourishing. The world economy is freeing itself from the shackles of over-regulation, government ownership and socialist enterprise.

There he was, calling for the Wall Street free market that has torn down the world economy. He is prescient. His crystal ball was working that day as well. So, can I say this—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I have written to NEMMCO today and asked it to have an inquiry into the way—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —that it informs the public. It will come back and say, I know, 'Hang on a minute, we were faced with a crisis that was unprecedented.' It is the first time it has happened since 2002, or, I think, the minister said 2000. It is the first time it has happened in eight or nine years. Basically, either we had load shedding or we had a catastrophic breakdown across the country which would see pressure placed on hospitals. Basically, it did rolling load shedding for up to 40 minutes and, in some other cases, 30 minutes. So, I guess—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: We saw the announcements being made as well.

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: Yes, but the point is that there is the man who was part of the team that paid—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —\$100 million to a group of gringo consultants, with their cash in their hands—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —who were basically paid to sell off electricity assets in this state. No-one believes what you say anymore!

SOUTH AUSTRALIAN ECONOMY

Ms THOMPSON (Reynell) (15:03): Will the Treasurer advise the house what the government is doing to boost the South Australian economy during these uncertain economic times?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:03): These are very difficult times, as we are all well aware, and it is encouraging to see the response today from the federal government in terms of a major stimulus package.

Mr Williams interjecting:

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

The Hon. K.O. FOLEY: I would hope the house would give me an opportunity to talk about the economy without having to shout above members opposite, because this is a very serious issue and one that I hope can be dealt with in a more bipartisan manner than perhaps normally occurs. Today the government has tabled the final budget outcome for the financial year 2007-08, and, in doing so, we have recorded a major operating surplus to 30 June 2008 of some \$464 million—that is \$91 million above the then budget estimate for that financial year. We also had a net lending surplus to the end of June of some \$222 million—which is an improvement. What it means is that the cumulative surpluses which we had delivered in our six budgets to that point included some \$1.9 billion of accrued surpluses.

Mr Williams interjecting:

The Hon. K.O. FOLEY: I am glad the honourable member asked that question.

Mr Williams interjecting:

The SPEAKER: Order! I am happy to give the member for MacKillop leave to ask a question.

The Hon. K.O. FOLEY: The honourable member has asked, 'What are the accumulated borrowings?'

Mr Griffiths interjecting:

The SPEAKER: Order, the member for Goyder! The Deputy Premier will take a seat for a moment. If members have questions of the Treasurer I am more than happy to give them the call—they only need to stand on their hind legs and I will do so—but I will not tolerate members calling out questions while the Deputy Premier is providing his answer. The Deputy Premier.

The Hon. K.O. FOLEY: Thank you, sir. I think the would-be treasurer, the shadow treasurer, asked, 'Where has the \$1.9 billion surplus gone?' Well, we had that question and we had the member for MacKillop asking, 'What is the debt?' In fact, the surpluses were used to wipe out budget sector debt. At 30 June 2008 the state had no net budget sector debt. In fact, at 30 June we had a surplus position of financial assets of \$276 million. The accumulated surpluses we have accrued since coming to office have paid off remaining state budget debt which the former Liberal government left this state when it lost office.

Members interjecting:

The Hon. K.O. FOLEY: Well, it's a fact; it's a true fact.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The truth of the matter is that the surpluses have paid off outstanding budget sector debt. Members opposite, in particular the leader, have been saying that somehow we have squandered the surpluses and we should have had ourselves in a better budget position ahead of this downturn. Can members imagine if I walked in here today and said, 'Instead of a net asset position at 30 June of \$276 million, I had \$2.1 billion.' I would be under enormous pressure from members on my side to spend it and members opposite would be deriding me for hoarding this money for no useful purpose.

In fact, what has occurred since 30 June last year is the most significant wealth destruction that the world economy has ever seen. It has taken the state's budget position, as outlined in the mid-year review, from a surplus of \$464 million at 30 June to a forecasted deficit of \$112 million by the end of this calendar year. That is a massive turnaround—and that was prior to the Prime Minister's and the Treasurer's announcements yesterday that we are facing a further significant reduction in GST revenue. I do not think it is useful at this stage to give monthly updates on the financial position, but I will say that the state is facing a larger budget deficit than that which was predicted only a matter of weeks ago—which is the same language that the Prime Minister has used. Even in their estimates, since the end of November the world has continued to substantially deteriorate.

I have just returned from the United States and the United Kingdom where I have been briefed on the economy. The Leader of the Opposition shared in some of those briefings. I know as a result of our discussions that he is extremely concerned about what is occurring internationally, which is beyond the control of not just a nation but also a sovereign state government. We are continuing to maintain a significant fiscal stimulus as a government. The Premier is insistent that we maintain, wherever possible, our substantial capital commitment to building in this state. In fact, the budget for 2008-09 in capital expenditure is forecast to be some \$2.4 billion, peaking next financial year to \$2.9 billion. This is an additional stimulus of some \$1.5 billion in capital spending compared with 2007-08.

In total, over the forward estimates, the Rann Labor government will invest \$5.6 billion in general government spending and \$9.2 billion in total non-financial public sector expenditure. Our capital program is providing a significant fiscal stimulus over the forward estimates. In the current financial year, Treasury and Finance estimated that this spending is equivalent to around three percentage points of gross state product. This is up from the 2007-08 figure of some 1.6 per cent of gross state product. So, the fiscal policies and the stimulatory nature of our capital reinvestment

program are on track. The major projects (except the delayed prisons project) are up and running, and I do not need to list those projects as they are well known.

We maintain our AAA credit rating, notwithstanding the difficult times, because of our solid financial position. In the latest credit rating opinion, the ratings agency Moody's said that South Australia:

...is well-positioned to face the more challenging economic and fiscal environment that is unfolding in Australia as a result of the global downturn and credit crisis.

Moody's listed South Australia's credit strengths as:

A low debt burden

Surplus operations supported by revenue growth and prudent management

Large predictable transfers from the commonwealth government that support financial operations; and

A well-established institutional framework that provides fiscal flexibility.

In terms of the state's rating outlook, Moody's said:

The stable outlook reflects Moody's assessment that the state will prudently manage its financial operations and maintain its low debt burden.

Clearly, the continuation of the slide in the world economy will only put further pressure on this state budget, and it is an unknown quantity in terms of what the deficits will be when we bring down the budget later this year because we simply have not seen the end of this massive wealth destruction.

I was able to listen to a number of commentators, with the leader, who talked about the incredible gloomy nature of the US economy. I have to say that the United Kingdom's economy is of even greater concern. Both the UK economy and Europe are contracting at a much greater rate than the United States. The banking system in the United Kingdom is all but nationalised. European banks are under pressure from their own domestic constituents to stop lending money to overseas markets such as Australia and are repatriating those line facilities back to the United States and United Kingdom. That is putting enormous pressure on good enterprises here in Australia, particularly here in South Australia.

Good businesses and good projects are now facing serious difficulty in maintaining their lines of credit because European banks are heading back to a more protectionist position as taxpayers in those countries bail out their particular enterprises. But there is a continuation of unprecedented and unexpected consequences from actions that have been taken around the globe. This is an incredibly difficult and very uncertain time. It will be a period in which we must be very careful in what we promise and commit in terms of expenditure, and that discipline applies equally to the opposition and the government, as we head into an election year.

I say this to the shadow tourism minister, with his commitment on radio yesterday (it was a commitment) that the Liberal Party will shift the Keswick interstate rail station to the City West precinct if they are re-elected: preliminary costings from the Department for Transport, Energy and Infrastructure determined that project would cost \$1 billion. A \$1 billion commitment given by the shadow tourism minister on ABC 891 yesterday morning demonstrates that there is no fiscal discipline from members opposite. There is no strategic approach to the state's finances, nor is there any coordination about rolling out—

Mr Pisoni: The private sector.

The Hon. K.O. FOLEY: The private sector! The private sector is going to do it. I will ask the transport minister: has the private sector been knocking on your door saying, 'We want to build a railway station'?

The Hon. P.F. Conlon: Yes, they have been asking us for half a million dollars to fix it up.

The Hon. K.O. FOLEY: You know, Mr Speaker—

Mr Pisoni interjecting:

The Hon. K.O. FOLEY: So, he's predicted that they won't be in government at the next election. He just said that we will be building a hospital, so they cannot actually put it there because we will have built a hospital there. Is that your logic?

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The shadow tourism minister has said, 'We can make that commitment because we are not going to be in government; we won't have to deliver it.' You are a shambles of an opposition—

The SPEAKER: Order! The Deputy Premier will take his seat.

The Hon. K.O. FOLEY: The Liberal opposition is a shambles of an opposition; they cannot be taken seriously—

The SPEAKER: Order!

The Hon. K.O. FOLEY: —and I think the public deserves better.

The SPEAKER: Order! The Deputy Premier is now debating.

ELECTRICITY, LOAD SHEDDING

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:15): My question is to the Premier. Why has the Premier or the Minister for Energy not taken control of the current energy crisis? In the Premier's 2002 election policy, in relation to the state's power supply, the Premier said, 'Labor will not sit back and watch the system fail', but it took four days for the Premier to convene a meeting of the Emergency Management Council.

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order! The member for MacKillop is defying the chair.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:16): The Leader of the Opposition has suggested that we have not taken control. The truth of this matter is that South Australia has managed, in extraordinarily difficult circumstances, in a very strong way, in a way (with no disrespect to my Victorian colleagues) that is vastly superior to what has occurred in Victoria both in terms of energy and public transport.

The opposition again has been making up a lot of things—I went through some of them before—such as inventing New South Wales interconnectors and tram sales. The other thing they have been doing—they do not have the courage to say it openly—is running around the back door telling the media that we knew there was going to be load shedding, that we were told that it was going to happen, and that we did not do anything about it.

I challenge the Leader of the Opposition to provide some substance to his inventions. I challenge him to do that, because what occurred last week in the greatest heatwave, certainly in my lifetime, was that a town in Tasmania experienced a temperature which, I am advised, they have never experienced before, and it caused the Basslink interconnector to go down. No forecaster drew to our attention any risk of that because I do not think any forecaster thought there was a risk of reaching a temperature that had not been reached before. I think they now know that that can happen.

The load shedding event was nearly instantaneous; in fact, I think many people were taken by surprise when it occurred. We hope that we will not see a recurrence of such extreme temperatures in Tasmania, and we have every reason to believe that, in the near future, that is the case. I will come back to the point. What occurred was the first load shedding event, the first time since the year 2000 that supply was not sufficient to meet demand. It happened at a time when record temperatures were being experienced not simply in South Australia but also in Victoria and then, we found, in Tasmania as well.

A couple of other things occurred that we think are regrettable, and I will be talking to NEMMCO on Friday, and this will be an item at the ministerial council. It is regrettable that one generator, which I will not name at present and which in the forecasts available was listed to have 260 megawatts, was not able to generate more than 140, which also caused difficulties, when you consider that the entire lack of supply was only about 3 per cent of demand. That would have been very useful if they had actually met what they were supposed to produce. We are conducting an inquiry as to why that was not the case.

To put it in perspective, they cycled a load shedding through some residential suburbs, and I think that the maximum time any one customer was off was 45 minutes. I ask you to compare that event with what occurred on the eastern seaboard of the world's greatest superpower in 2003 when an event occurred. I believe one generator tripped, and it was not picked up by the system in sufficient time. It cascaded through the system and brought down for almost two days, I think, to a black-start condition the entire eastern seaboard of North America, Canada and the United States. People would remember the scenes of devastation and massive economic losses in New York. Despite the inventions—which is the kindest thing I can say—of the Leader of the Opposition, load shedding events are very likely to be unexpected and must be dealt with instantaneously.

What we have said to NEMMCO is that we understand that the engineering and the protection of the integrity of the grid must come first, but we believe it should review protocols, and it always will review circumstances after a major event. It should review the circumstances to make sure that the various bodies involved provide information as quickly as possible, because the difficulty, of course, is that, whenever there is a sustained heatwave, the network itself will have small, localised outages that might take a crew to identify and then get out there.

I put on the record that it is very important that people also ring ETSA. Sometimes people think that it is not helpful but, if they have an outage, they should make sure that they contact ETSA because, if it is a highly localised transformer—I note that one journalist has had a few of those not far from me in recent times—it is important that it knows about it so that it can get a crew out to fix it quickly.

The other thing that we are talking to NEMMCO about—and I come back to this bizarre invention of the Leader of the Opposition, where he says that we knew or should have known—is the planning council set up by his previous government and NEMMCO. Can I point out that I have consistently reappointed the same South Australian director to NEMMCO as has the opposition—again, it was one of those few rare things that they got right—an outstanding South Australian. Those bodies did not forecast a lack of reserve capacity. They are the experts. It would have been peculiar for us, as a government, to say, 'No, the planning council has got it wrong; NEMMCO has got it wrong. We know better.' This is just how palpable the nonsense sprouted by the Leader of the Opposition is.

The truth of the matter is that the Leader of the Opposition has been desperately thankful for a heatwave that has taken attention away from some of his own difficulties, which I will not go into, because I am much too polite a man. He is very grateful that this has taken away the attention. They do not have a media unit over there: they have a whoops unit. 'Whoops, first a press release goes out—we won.' Then, 'Whoops, we didn't win, but we are demanding a recount.' Then the next one is, 'Whoops, we can't demand a recount'—

Ms CHAPMAN: I have a point of order, Mr Speaker.

The Hon. P.F. CONLON: —'but it was a good result, anyway.'

The SPEAKER: Order! The deputy leader.

Ms CHAPMAN: Clearly, that is not relevant.

The SPEAKER: The minister is not speaking to the substance of the question.

An honourable member interjecting:

The Hon. P.F. CONLON: Major mistake. He is a colonel by rank and a major mistake by occupation.

The SPEAKER: Order! The minister will get on with his answer.

The Hon. P.F. CONLON: Sorry, sir. The point I make to the Leader of the Opposition is that, if these matters are not foreseen by the very bodies set up to foresee them—to forecast them—how on earth is a government supposed to second-guess them? I think the load shedding in South Australia—as much as we hate it happening; it is the first in eight years in very unusual circumstances; we do not expect to see it again; I get terrified every time I say it, but we do not expect to see it again—was handled as well as it could be in all regards except for the provision of information. We certainly did not see people evacuated in ambulances from hospitals as we did in some other jurisdictions, which I think was a very surprising outcome.

I want to pay tribute to the staff in my office, with whom I was in contact on a daily basis, as well as the Premier and the staff in the department and in TransAdelaide, who I think have done an

outstanding job in the last week. I was stopped in the street—which does not happen to me often—by an ordinary traveller who said that he thought TransAdelaide had been doing a very good job in the circumstances, and I echo those sentiments, although I am sure I might hear from other people who think otherwise. I think their response has been very good. On almost every occasion that services were interrupted, people were advised and, ultimately, bus services were provided. I believe they did a good job, and I think the Leader of the Opposition needs to move on to something else.

HEATWAVE DEATHS

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:25): Will the Attorney-General be directing and/or referring to the Coroner the investigation of all the sudden deaths, to be dealt with as a single issue, which have occurred during the recent heatwave; and will his office be providing adequate resources for that to occur? The Attorney-General told the media yesterday that he would be referring the unusual deaths to the Coroner—there are some 75 of them. Section 21 of the Coroners Act provides for the referral of deaths that are unexpected, unnatural, unusual, violent or of unknown cause to the Coroner and, indeed, gives the power to direct the Coroner to undertake those investigations but also provides that an inquest be held to ascertain the cause or circumstance of more than one event.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:26): We have an outstanding Coroner in South Australia. His appointment was criticised roundly by the opposition. He was vilified by the opposition in his previous vocation. I believe he is a first-class judicial officer and he will act in accordance with the Coroners Act. With the direction that parliament has given to him, he will act according to law. As I understand it, he has already approached the Minister for Health's department for the information he requires.

HEATWAVE DEATHS

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:27): Will the Minister for Health now apologise for his public statement on Saturday 31 January, regarding the sudden death of people in Adelaide during the recent heatwave, in which he said that probably for people who were very ill the heat may have brought it forward, but that it was going to happen anyway.

The Hon. J.D. HILL (Karna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:27): The Deputy Leader of the Opposition trawls very low from time to time. This is another one of her low acts. I do not have in front of me the quotes that I gave to the media. I assume she is talking about the article that was on the front page of *The Advertiser* on Saturday morning. That report came from a conversation I had with both the journalist who wrote the story and the editor of the paper who talked to me about the number of deaths. They were asking whether or not these were heat-related deaths. I went through what I knew because, as I said, when the ambulance officers collected the bodies they, of course, were not able to determine the cause of death. That was properly within the province of the Coroner. As the Attorney-General said, the Coroner has already begun investigations and, indeed, as I understand it, has contacted the health department. I understand that he is looking to see if there is a connection between some of the deaths.

In my conversations with the journalist and the editor, I said that the number of deaths the Ambulance Service normally picks up on a day is three to five, or in that order. Over the Thursday and Friday at that stage—Wednesday, Thursday and Friday (I cannot recall)—there had been a much higher number of deaths. We did not know what the cause of deaths was. However, speculation—

Ms Chapman interjecting:

The Hon. J.D. HILL: You asked the question and I am trying to give you the information.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: If you just listen you will hear what I said. I said one can only speculate as to the cause of death but there is likely—

Ms Chapman interjecting:

The SPEAKER: The deputy leader will come to order.

The Hon. J.D. HILL: —to be a couple of types of persons who will have succumbed to the heat in these circumstances. There was a range of people who died which had nothing to do with the heat: there was a car accident and a variety of other things. I said there were two possible types of deaths that will have occurred: one will have been elderly people who will have died as a result of dehydration or as a result of confusion, perhaps caused by having dementia or being in the early stages of dementia and not fully appreciating how hot it was and not properly hydrating themselves. Since that time we have heard of at least a couple of deaths where elderly people have become confused and have not been able to properly use their air conditioning units. In fact, tragically, I have heard of at least one case where a person switched the air conditioner to heat rather than cool and presumably fell asleep and then died. So there is that class of persons who will die—those whose deaths can be directly related to the heat.

Then there is the second class of people, that is, those who were very ill and in end-of-life, anyway, and who had vulnerable systems, and the heat itself could have caused that death to be brought forward. That was a purely factual description of what may have happened. As I said to them, this is purely speculative because the Coroner would have to go through the causes, but they are the likely kinds of things that will have occurred.

I am further advised by the Attorney that the State Coroner has refused to be drawn on whether he will stage a mass inquest into an estimated 57 sudden deaths during this month's heat wave.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is warned.

The Hon. J.D. HILL: In a statement released today, Coroner Mark Johns says it is 'not possible to determine how many people died from heat-related causes until further inquiries have been carried out'. He also declines to speak further on the matter, saying he will:

...not be granting any interviews. The Coroner's Court routinely holds model or subject inquests when it is believed persons are linked by a common cause of death. These have included inquiries into petrol sniffing and the like.

Ms Chapman interjecting:

The SPEAKER: Order! The Deputy Premier.

The Hon. K.O. FOLEY: Mr Speaker, I think the Deputy Leader of the Opposition's shouting across the word 'gutless' to government ministers is not dignified language in this place, and I ask her to apologise and withdraw.

The SPEAKER: Order! There is no point of order. However, I do point out to the deputy leader—

An honourable member interjecting:

The SPEAKER: Order! I do point out to the deputy leader she has been warned, and I would hate to have to name her. The Minister for Health.

The Hon. J.D. HILL: I will try to conclude, Mr Speaker, but I am offended by the tone of the question by the Deputy Leader of the Opposition. I am very disappointed that she, as a senior officer in her party and the opposition and an officer of this parliament, would seek to make political capital out of the tragic death of a number of South Australians over what was a terrible period of time.

As the Minister for Health, I put on the record my great compliments to the officers of the health service—the ambulance officers, emergency department officers, doctors and nurses, and so on—who worked very hard to look after a range of people who were affected by the heat, and those who had to collect the bodies of those who had died. It is hard and difficult work and must be very stressful. Obviously, any death is a tragedy to the family from whom that person is taken, and I can assure the house and the public that the sympathies of the government are extended to those families.

I must say, interestingly, that when I was speaking to the journalist at *The Advertiser* he quoted to me a statement made by the Deputy Leader of the Opposition who said something very similar. She said, 'It is a tragedy and our sympathies go to the families of those who are lost, and we advise people to look after their elderly neighbours,' and she made substantially the same sort of comment in her statement that I had made. I said that I congratulate the Deputy Leader of the

Opposition on being non-political about this and providing bipartisan support for the approach the government was taking—

The Hon. J.W. Weatherill interjecting:

The Hon. J.D. HILL: —but, as my colleague says, she just cannot resist going that extra inch. I suggest she goes back to being sensible about dealing with this issue, being respectful for those who have lost their lives and the families who have lost their loved ones, and understand that extensive heat has caused difficulties for a range of people, some of whom have succumbed. What I was trying to do was explain the nature of the circumstances which may have meant that a certain group of people died. Certainly, I was not insulting or attempting to demean any of those persons, as any sensible person would realise.

HEATWAVE TEXT MESSAGE

Mr WILLIAMS (MacKillop) (15:34): My question is also to the Minister for Health. Can the minister advise whether his explanation of the SMS text message to householders last weekend is correct or whether the Premier's office's version is correct or whether both were wrong?

When recipients of the message rang the identified phone number they heard a recorded message state that the message had been sent in error and that they could complain during business hours. On Monday, the following statement from the Premier's office was read out on ABC Radio: '...the decision to send out those texts was not made by the government, it was made by a police officer.' Two hours later, on Radio FIVEaa, health minister Hill said that it was a government decision. He said: 'We'll learn from this and if we were to do this again to identify people of an emergency situation then it'd be much better to have a different number.'

The Hon. R.J. McEwen: Who the hell do the police work for?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:36): As the minister for agriculture said, who the hell do the police work for? I think they work for the people and the government of the state. I am very pleased to try to give the information—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. J.D. HILL: I am very happy to give the deputy leader the best information I can in relation to this issue, because it did create some interest and comment in the media over the course of yesterday.

The facts are that the police decided to send out a message to South Australians. They had spoken to Telstra. Telstra agreed to send out the message, I understand, as a community service announcement. The government generally was wanting to communicate the message, which I essentially referred to in my last answer, about which the deputy leader had made some comment as well. We wanted to get the message out to as many people as we possibly could that they should look after vulnerable people, particularly young people and infants, but especially elderly people who might live by themselves.

As a result of the deaths that we had seen in previous days, we were mightily concerned that that message was to get through to the general public. We had a whole range of media and a whole range of processes to deal with that, which the Premier has outlined. A whole range of individuals and services were being rung, but we wanted to get the message out to the general public. Of course, we took out advertisements in the paper.

The police communications unit, which is responsible for communications in emergencies, I understand (I might be wrong in that, but I think that is generally the way it works), decided to send out a message and they drafted the language of that message. They were, as I understand it, obliged by Telstra to provide a telephone number. They chose to use the telephone number of HealthDirect. Unfortunately, HealthDirect was not aware that that had occurred and, when the message was sent out, despite the fact that the message said, 'Do not ring', a number of people chose to ring—a relatively small number out of the total number who were contacted. HealthDirect then lodged a message saying that that should not have been the case, and so it was.

The point I made on the radio when I was asked about this was, 'Look, this exercise occurred.' There were many benefits to it. A lot of people got the message and, anecdotally, we have heard many people say that it was a great thing to have done—it is a pity that it was at

11 o'clock at night, but it was a great thing to have done. I must say that, as part of the health department's planning in relation to such issues as potential bird flu pandemics, it is a system of communication that we might wish to use in the future, because of the compelling ability to get to so many people so quickly.

There are obviously a number of lessons that we have learnt. One of them, I think, would be to be careful about the time of day that you send it. You make sure that you have a telephone number as a return phone number if people want to ring back which is not a HealthDirect call number or an emergency call number, and it probably would have been better if a statement had been made in advance that this was going to happen. But they are the things that you learn in the process of trying to do good things in a difficult situation. The police were trying to do the right thing in a difficult situation. I think that many people in South Australia who got the message appreciated the fact that they were given some helpful advice and an expression of concern; and if it helped to save just one life then, clearly, it was worth doing.

HEATWAVE

Mr WILLIAMS (MacKillop) (15:40): My question is to the Minister for Transport, the Minister for Energy and the Minister for Infrastructure. Minister, were you, your office or your acting colleague told in advance of the media release advising South Australians that they should turn off their air conditioners last week? The Transport, Energy and Infrastructure Department's Energy Division's press release said that residents should close curtains and use portable or ceiling fans instead of air conditioners during the heatwave last week.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:40): I cannot tell you who knows without checking but I can tell the honourable member my understanding of what occurred. My understanding is that this was something it does annually according to a timetable.

Mr Pisoni interjecting:

The Hon. P.F. CONLON: I am answering the questions, mate, so, if you have got one in a minute—

The SPEAKER: Order!

The Hon. P.F. CONLON: There they go, sir. They just want to keep telling lies because they cannot do anything else.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The minister will resume his seat for a moment. Members will calm down. The member for Unley is warned.

The Hon. P.F. CONLON: I will say this: I was not on a fishing holiday—nor was I mincing down the red carpet while I was dropping seats back home!

The SPEAKER: Order!

The Hon. P.F. CONLON: I was not mincing down the red carpet in New York while I was dropping seats back home, either!

The SPEAKER: Order! The minister will get to the question, please.

The Hon. J.D. Hill interjecting:

The Hon. P.F. CONLON: No, Kevin was not dropping seats back home.

An honourable member interjecting:

The Hon. P.F. CONLON: He was not on the red carpet, either. I do not think he tried to pull those strings. My understanding is that this message is put out annually, and they picked an unfortunate time to do it.

The Hon. M.J. Atkinson: It wasn't a serious error, was it?

The Hon. P.F. CONLON: I don't think it is falling under a bus. I don't think it is a major error. I have to say that I love this major error test. Don't worry, she'll tell you what the major error was once you've done it! I can tell members what Iain's major error was—that was trusting her!

The SPEAKER: Order!

The Hon. P.F. CONLON: The dream team!

The SPEAKER: Order! The deputy leader.

Ms CHAPMAN: The question was clearly as to the minister's knowledge of a press statement of the department.

The SPEAKER: Order! The minister will answer the substance of the question.

The Hon. P.F. CONLON: It is a bit rich, though, to get constant interjections off the subject and then insist that I should stick to it. Anyway, I will try not to make any more major or minor errors.

The Hon. K.O. Foley: Watch that bus!

The Hon. P.F. CONLON: I'll stay away from buses! My understanding is that the department generates these annually. Can I say that they did a marvellous job at other things during this period when things started becoming difficult. I will say that I think it was unfortunate timing. It was not in any way, as I understand it, intended to relate to the period of the heat: it is simply something that is put out in summer.

Ms Chapman interjecting:

The Hon. P.F. CONLON: Gosh, she's inane, she really is—got a voice like a power tool. There is not really much more to it than that.

ELECTRICITY SUPPLY

Mr WILLIAMS (MacKillop) (15:43): My question is, again, to the Minister for Transport, the Minister for Energy and the Minister for Infrastructure. Minister, what action have you taken to address the shortfall of electricity for South Australia identified in the June 2004 annual report of the Electricity Supply Industry Planning Council and similar issues identified in subsequent reports? In a media release dated 15 June 2004, the Minister for Energy stated:

I understand that tomorrow the Electricity Supply Industry Planning Council's draft annual report will show a 188 megawatt shortfall in the reserve margin required for South Australia and Victoria's electricity supply next year.

The executive summary of the most recent report, published at the end of June 2008, states:

Calculation for the combined South Australian/Victorian region shows that, while there should be sufficient capacity to meet demand, the combined region will not have as much of a safety margin as the industry would like.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:45): A little bit of knowledge is a dangerous thing. One of the things I do is talk to the industry all the time. I am reliably advised that the shadow minister has never met Lew Owens or met with ETSA. He has never met Lew Owens or met with ETSA and that is why he does not know a great deal.

Mr Williams: That is totally incorrect and untruthful.

The Hon. P.F. CONLON: That is my advice, but I will check it if you like. Is it as untruthful as the New South Wales interconnector?

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I do not know what you like more: my happiness or their pain. It is a finely run thing. The truth is that what occurred with the recognition of a lack of adequate reserves in the year before last was that NEMMCO operated a reserve trader provision, which caused an increase in the cost of electricity. This year, having seen the information from the energy supplier, having done its own assessment and having had the ANC's recent assessment on reliability, it did not believe there was a necessity for a reserve trader provision. That was not me, Mitch, but, rather, all those experts. Members may recall that I turned the sod at the quarantine station sometime ago, and I can say that very soon I will be going down there for the energising of Origin's new 120 megawatt peaker—which will be a welcome addition to our reserve capacity.

At the end of the day, the question of reserve capacity is addressed by a reserve trader. The experts did not consider that that was necessary. We have developed a proposal in South Australia to make a more nimble and responsive reserve trader approach, and we will be discussing that with NEMMCO soon. The other side of the equation is that you encourage industry to invest, but since your act of genius some years ago that is a private sector decision. Members opposite had one policy on electricity: sell it off and hope for the best! Then they ask, 'Why haven't we fixed it?' We will be going down there—

Mr Williams interjecting:

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

The Hon. P.F. CONLON: I feel sorry for the animals the honourable member raises down there. We only get him for question time. The truth is that if you look at that assessment South Australia—the place we govern—is probably going better for investment than Victoria in that regard, but it is always in a system—

Mr Williams interjecting:

The Hon. P.F. CONLON: Goodness me! I reckon after question time we should jump in a car with Mitch and drive out to the interconnector with New South Wales and find out why it is not sending us power. I cannot wait to get into a car with Mitch. He will be navigating because I do not know where it is! Members opposite never had a policy on energy other than to sell it and forget it. We have had to manage a system in difficult times. We have the best carbon footprint in mainland Australia. It is an outstanding outcome, given that we have no hydro—

Mr Pengilly interjecting:

The SPEAKER: Order, the member for Finniss!

The Hon. P.F. CONLON: We shed 3 per cent of the load for the first time in eight years as a result of a problem in Tasmania. That is the long and the short of it.

Mr Williams interjecting:

The Hon. P.F. CONLON: Apparently, we are also connected to Tasmania because that line goes to Victoria. The bottom line is that we are in a big complex grid. We have had a fine balance between supply and demand for some years. It has not been assisted by the refusal of the honourable member's colleagues in the former federal government to have a greenhouse policy, which has created a great deal of uncertainty for investors. It has not been helped by that at all but, fortunately, we have a new federal government that will take us into a more certain future. I can tell you that nothing has been helped by the opposition.

SOUTH AUSTRALIAN ECONOMY

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:50): My question is to the Treasurer, given his answer to an earlier question. By how much will South Australia's GST revenue fall in 2008-09 and over each year of the forward estimates since the forecast made in the South Australian Mid-Year Budget Review? Yesterday the federal Treasurer said that falls in commonwealth revenue included a \$10 billion fall in GST receipts over the forward estimates since the commonwealth Mid-Year Economic and Fiscal Outlook last November.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:51): We noted that statement by the federal Treasurer, and we are discussing with the commonwealth and other states what the effect would be. We have roughly 8 per cent of the population share, so it is not difficult to work out what that number is.

The advice of my Treasury office about the volatility in consumer behaviour at present and the effect of the stimulatory packages that the commonwealth is putting into place mean that a month-by-month approach to this is not something in which I have a lot of confidence. For example, today we have heard that the Prime Minister has announced major stimulatory measures, including the provision of \$950 to a large range of commonwealth card recipients, with whatever resulting consumer behaviour that might entice, together with the large stimulatory measures.

My understanding is that Treasurer Swan made the very obvious statement yesterday that finances, both in payroll tax receipts and general revenue received by the commonwealth, including GST, are substantially down on what they had themselves forecast in their mid-year review, which was the basis of our numbers. I can say that it is a significant further deterioration in GST receipts

to this state, in the many tens of millions, and we will be maintaining very close contact with all state governments and the national government as we track that deterioration in terms of what it means to our budget bottom line.

It would also be wise to acknowledge that, as we see increases in unemployment, we will also see deterioration in payroll tax receipts and a deterioration in other receipts. Commodity prices are down. Western Australia, which shares up to 70 per cent (if not more) of its royalty revenue with the other states of the commonwealth, has forecast a very sharp decline in commodity-related royalties, and that will have an effect.

So, our state is under serious financial siege, in a sense, from what is occurring both domestically and globally. There is nothing the state government can do to insulate ourselves from the effects of a global economic and financial meltdown. I have been saying that to the parliament since the middle of last year, and I was criticised by many for alerting people to what is occurring but, as the leader himself saw, when he was in the same briefings and forums as me in New York, this is arguably the most significant financial meltdown that the world has ever seen.

I will share something from a meeting I had with the Deputy Governor of the Bank of England just last week. He is head of monetary policy; that is that Deputy Governor's portfolio. He said that senior officers of the Bank of England had been war-gaming or presenting for their internal analysis Armageddon approaches to what may occur in the British financial system. He said to us that no-one in their Armageddon scenario had predicted anything close to what is occurring and unfolding at present in Europe and the United Kingdom. These are the most extraordinary of times, and being able to give precise numbers on what we are losing in revenue at this stage is too difficult an exercise. Obviously, with the budget coming up in a few months' time we will make the best forecast possible.

SOUTH AUSTRALIAN ECONOMY

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:55): As a supplementary question, given that a further fall in GST revenue is anticipated, can the Treasurer indicate what programs, projects or jobs may now need review or possible cuts?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:56): I am not in a position to make those observations. We are in the process of formulating the budget. As my Treasury officers often tell me: the easiest dollar saved is the dollar not spent. Clearly, one of the instruments to respond to this will be—and I can predict this—a very tight budget on the expenditure front and little capacity for us to embark upon new pre-election spending. My plea to opposition members is that they are faced with the same reality that we are and there is little capacity at all to offer new expenditure.

The government, as it does in the budget process, will look at obvious saving options that it has available. But, it has to be said that in our Mid-Year Budget Review we outlined a significant and very tough and strong array of saving measures that will see a reduction in the number of FTEs and a number of other saving measures.

One thing that we need to be mindful of is that this is a cyclical downturn, and it is fair to accept that there is a cyclical reduction in GST revenue. GST revenue is experiencing a cyclical downturn, and one would hope, obviously, that it is not a structural downturn; that is, when economies recover, the GST revenue will rebound. It is obvious that, as we go into deficit for a reduction in the cyclical downturn of our revenue stream, we will project forward, and those projections forward hopefully will see us coming back into strong surplus. The point of that comment is this: we cannot lock in unsustainable spending because history shows that, if you lock in unsustainable spending during this period, when the revenue rebounds and you still have the unsustainable spending it has a net negative effect on the budget. I accept that this downturn is cyclical and the budget papers will make note of that when we present them in June.

SOUTH AUSTRALIAN ECONOMY

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:58): My question is again to the Treasurer. As total commonwealth revenue has been revised down by the order of \$75 billion since November, by how much does the Treasurer expect health, education or other specific purpose payments in South Australia to decline, and can he rule out a decline in those categories?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:59): You cannot ask me that question; that is a question that your federal shadow treasurer, Julie Bishop, would need to ask of the commonwealth Treasurer. But the state government's—

Ms Chapman: You are the Treasurer.

The Hon. K.O. FOLEY: Well, I cannot answer for the federal Treasurer, but if you listen I will give you the answer. Just chill, chill!

Ms Chapman interjecting:

The Hon. K.O. FOLEY: No; you asked a question that would be more appropriately asked of the federal Treasurer. I will answer it from my perspective, and that is that state governments and the national government have binding agreements on special purpose payments. I think it would be fair to say—and members may not have caught up with this—that there will not be a reduction in education spending coming out of the commonwealth, because it has just announced over \$14 billion for every primary school in the nation to receive a gymnasium, or a library, or an arts centre—

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley will come to order.

The Hon. K.O. FOLEY: Labor is investing in the largest ever recapitalisation of our schooling physical stock this nation has ever seen. So, I do not expect a reduction; in fact, on behalf of the government, I am very thankful to be receiving what will end up being hundreds upon hundreds upon hundreds of millions of dollars of new expenditure in this state that we will have to expend over the next two years. It will be a mighty challenge, but we will do it. We will rise to the challenge.

I am very confident that, under the binding agreement between the states and the national government, there will be no reduction in SPPs. As we have heard today, there is a serious amount of additional money coming into this state.

FINKS MOTORCYCLE CLUB

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (16:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: On 16 December, I received an application from the South Australian Police Commissioner to declare the Finks Motorcycle Club under the newly created Serious and Organised Crime (Control) Act 2008. This is the first application I have been asked to consider under part 2 of the legislation.

The application is supported by a statutory declaration that outlines the evidential material that police rely upon in making the application. In particular, the statutory declaration sets out the background to the Finks Motorcycle Club operating in South Australia, membership of the organisation, its connections with interstate branches or chapters, rivalry between the organisation and other motorcycle gangs, and associations with other groups. It lists members of the organisation and the criminal convictions of 42 current members and six former members. In addition, it includes details of the involvement of those members and former members in serious criminal activity as defined in the act.

In the statutory declaration, SAPOL provides information about the structure of the Finks, the origins of its name, its rules and indicia of membership often worn by members participating in club activities. The police also include a wide range of offences and convictions that they allege were committed by people named in the application as members or ex-members of the Finks. The statutory declaration relied on by the Commissioner includes information about offences of violence, including common assault, assault police, assault occasioning actual bodily harm, endangering life, malicious wounding, wounding with intent to cause grievous bodily harm, robbery with violence, false imprisonment and rape. SAPOL alleges that, between 1967 and 2008, members of the Finks were convicted or found guilty of 167 offences of violence. Of these, 38 occurred after the offender was known by SAPOL to have become a member of the organisation.

Police claim that, between 1970 and 2008, members of the Finks were found guilty or convicted of 149 offences against public order, which includes disorderly behaviour, offensive language, and entering a licensed premises after being removed. The Commissioner also relies on 268 property offences, albeit that some were committed before the Finks were formed in 1969, including trespass, breaking and entering, burglary and damaged property. The statutory declaration states 15 occurred after the offender was known by SAPOL to have become a member of the Finks. Of the 268 property offences, 186 fall within the definition of serious criminal activity, and four of those were committed after the offender was known by SAPOL to have become a member of the Finks.

The Commissioner also relies on 215 drug offences, including possession, manufacture, sale and supply of drugs, including cannabis, cocaine, amphetamines, ecstasy, methylamphetamine, steroids and heroin. The statutory declaration states that 113 of those offences occurred after the offender was claimed by SAPOL to have become a member of the Finks. The statutory declaration also includes claims of firearm and weapons offences, such as possession of firearms without a licence, carrying a loaded firearm, possessing a silencer and discharging a weapon to cause injury or damage. SAPOL claim that 136 convictions or findings of guilt were recorded against members of the Finks and, of these, 63 were committed after the offender was claimed by SAPOL to have become a member of the Finks.

In addition to the offending that has been found proved by the courts, the statutory declaration supporting the application before me asserts that members of the organisation have also engaged in serious criminal activity where the matter has not proceeded to prosecution. In many of these cases, the matter has not proceeded owing to the fear of victims and witnesses of retribution by members of the organisation if they were to cooperate with police or give evidence in court. Lastly, SAPOL reports in the application that there have been shootings where members of the organisation have been alleged to have been involved but the victims have declined to cooperate in any subsequent police investigation.

As required by the act, I published a notice in the *Government Gazette* and statewide newspapers in December inviting the public to make submissions about the application for a declaration of the Finks Motorcycle Club. All submissions were to be in writing and to be sent to GPO Box 2852, Adelaide, South Australia 5001, by 5pm on Wednesday 28 January 2009. As this application from the Police Commissioner is the first under the new law, I provided the public longer than the legislative requirement of 28 days, to account for public holidays and the Christmas period. I am satisfied that, to date, the process as set out in the Serious and Organised Crime (Control) Act 2008 has been followed faithfully.

In addition, late last month I wrote to people who have been identified as members or ex-members of the Finks Motorcycle Club in the statutory declaration providing a further opportunity to make submissions about the application. I did so in accordance with the principles of procedural fairness required by common law. In my letter, I advised the members and ex-members that their solicitor can attend my office and read the statutory declaration redacted to omit criminal intelligence and material withheld on the basis of public interest immunity.

I also asked that any submission be sent by close of business on Friday 6 February 2009 and that I be notified by Thursday 29 January 2009 if they intended to make a submission. Twenty persons named in the application by the Police Commissioner have indicated their intention to make submissions, and their solicitors have inspected the statutory declaration. To date, I have received written submissions from 14 individuals.

Once the consultation period for members and ex-members has expired, I will have regard to SAPOL's statutory declaration, all the submissions I have received and the other matters specified in the act before I make a decision. I may need some time to consider them and seek further legal advice. I will make a decision as soon as I am in a position to do so. Declaration of the Finks is not a foregone conclusion. I must be satisfied that a case has been made out for an organisation to be declared under the act. I may make a declaration only if I am satisfied that members of the organisation associate for the purpose of organising, planning, facilitating supporting or engaging in serious criminal activity and that the organisation represents a risk to public safety and order in this state.

If I make a declaration, I must, as soon as practicable, publish notice of the declaration in the *Government Gazette* and in a newspaper circulating throughout the state. Honourable members and the South Australian public can be assured that I will be examining the Police

Commissioner's application most carefully and am mindful that I may declare the Finks only if I am satisfied that the stringent requirements of the act have been met.

GRIEVANCE DEBATE

CHILD SEX OFFENCE CHARGES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:11): On Saturday, a 57-year old man, known as Mother Goose in a number of media reports over the last few years, was formally charged with 25 counts of child sex offences, allegedly in respect of six victims between 1983 and 1995. I raise this issue today not because I am in any way critical of those charges having been laid but because on 19 July 2005 Commissioner Mullighan, in his inquiry in relation to child sex abuse, sent a letter to the Police Commissioner—

The Hon. M.J. ATKINSON: I have a point of order, Madam Deputy Speaker.

The DEPUTY SPEAKER: There is a point of order.

The Hon. M.J. ATKINSON: I believe it is true that a man has been charged with many serious offences, most of them indictable, and I am wondering if, under the rules of sub judice given that this will go to a jury trial should he be committed, it is appropriate under the standing orders and practice of the house for the member for Bragg to be running a commentary on that man and his trial.

The DEPUTY SPEAKER: I have not yet heard the direction that the deputy leader's remarks are to take, but I know she is well aware of the need for caution in these circumstances and I will listen attentively to remind her if necessary.

Ms CHAPMAN: Thank you, Madam Deputy Speaker. I will confirm, given the matter raised by the Attorney, that in fact everything I have said so far was published in Saturday's *Advertiser*, and I do not intend to traverse the issues in respect of his guilt or otherwise. What I propose to raise today is, in fact, the conduct of the Attorney-General.

This is a matter that had been referred to the police by Commissioner Mullighan, as I said, on 19 July 2005. The Premier was asked a question in parliament on 8 April 2008 relating to why this man had not been charged. On 10 April 2008 the Attorney-General provided a statement to this house in which he said:

Information provided by the Commissioner of Police establishes that Brad Shannon's complaints—

which is nothing to do with the identity of Mother Goose—

about police handling of this matter are without foundation.

On the same day, the Attorney-General was asked whether he knew Mother Goose had provided evidence of prosecution in 1996, to which he replied that he would get a report.

We have never had that report. We have never had an answer to the questions raised, and I ask the question again: why has the Attorney-General, having had notice of this matter by Commissioner Mullighan's referral of this in July 2005, and its having been raised in this parliament, not obtained that report? If he has, why has he not told this parliament (he had an opportunity today to do so if he had it) why it took 4½ years for this man to be charged? Where is that report? If the Attorney-General has the report, why has he not made that inquiry of the Commissioner as to the explanation for that? That is the question that remains unanswered. He has utterly failed to produce that report. He had an opportunity here today, if he has it, to table it. It has taken 4½ years for this man to be charged.

If it is dealt with in the same incompetent manner in which the Attorney-General told the house today that he is not even going to direct that the Coroner deal with 75 dead people in the last five days (if he is not going to do it already), then it is a shameful act on behalf of the Attorney-General. He needs to inform this house what is going on.

The second matter I want to raise is that, after the glory of the magnificent race that we have had with the cyclists and Lance Armstrong here, I want place the following on the record. We are told that \$1 million has been given to Mr Armstrong, and he is welcomed here and we have had a great event (this is a great Liberal event, I might add, that has continued). However, while that is going on and while the Premier is parading out there in relation to bicycle activity, we have had the third bicycle accident on Waterfall Gully Road since the minor repairs were carried out by this government in August last year following the death of a cyclist, which has been condemned

publicly. The member for Mawson had the audacity to stand in this house on 12 November last year and say this: 'The road is really a very good one to ride on', etc. The *Hansard* record speaks for itself, and we want some action—

Time expired.

HEATWAVE

Mr BIGNELL (Mawson) (16:17): I rise to congratulate the people of South Australia. The strength of a society is judged on how well it performs in adverse times, and during the past week we have faced some fairly difficult times, with record maximum and minimum temperatures, as we have worked our way through a heatwave that, hopefully, will end this weekend. I would like to congratulate the many volunteers from Metro Home Link, Domiciliary Care, the Red Cross, St Vincent de Paul, the Hutt Street Day Centre, Westcare Day Centre, the Royal District Nursing Service of South Australia and many other organisations for checking up on elderly people to make sure they are okay and also for going to visit these people to ensure that they were keeping cool and keeping up their fluid intake.

I also congratulate the many public servants in so many different departments—the ones that I have come across in the past few days as we have worked through the heatwave. The people in Primary Industries have worked around the clock over the weekend to try to get information and counselling to people in McLaren Vale who were, unfortunately, seeing their grapes shrivel on the vines in many cases because of the heat. The people in the transport department have worked as record heat buckled the lines and delayed our train and tram services. They were out there advising people of the delays and handing out free bottles of water. Our emergency services workers, who do such a great job—

Ms CHAPMAN: Madam Deputy Speaker, I take a point of order. As much as this is a very important and meritorious subject matter, the reason why I raise this point of order is that one of the members of the house (I think yourself) has presented a motion to the house, which is to be dealt with, I think, this week, congratulating volunteers on the work that they have contributed during this heatwave period. Therefore that is subject matter before the house and therefore it is out of order for it to be raised in a griève—

Mr Pengilly: It was a notice of motion.

Ms CHAPMAN: Yes, as a notice of motion, before the house—

The DEPUTY SPEAKER: Order! I understand the honourable member's point of order.

Ms CHAPMAN: —so perhaps the honourable member could move onto something else.

Mrs Geraghty interjecting:

Ms CHAPMAN: Yes, it is. It was moved today.

The DEPUTY SPEAKER: The member for Mawson may continue his remarks provided they do not anticipate debate on the motion moved by the member for Reynell.

Mr BIGNELL: Thank you, Madam Deputy Speaker. I ask that the clock be reset so that I can have my allocated time—

The DEPUTY SPEAKER: It has been.

Mr BIGNELL: —after that interruption from the member for Bragg, who, unfortunately, comes in here and knocks everything about this state. When someone does say some positive things on our side of the chamber she wants to knock it again. She is part of a whinging, whining and carping opposition, and we saw the result in Frome. Keep up that attitude and you will lose even more seats! The people in this state have done a fantastic job during unprecedented hot weather.

Mr PENGILLY: I rise on a point of order, Madam Deputy Speaker. The Attorney is not in a seat to speak, and I believe that the member for Mawson is debating the issue rather than making a griève.

The DEPUTY SPEAKER: Order! The Attorney has returned to his seat, and there was no point of order regarding the second matter. The member for Mawson's time has been restored.

Mr BIGNELL: Thank you, Madam Deputy Speaker. I have spoken to a lot of people in the electorate of Mawson during the past couple of days. I want to thank Kerry and Tim in my office

because, together, we have rung more than 640 people who are over the age of 70 in the seat of Mawson. The feeling amongst these people is that things have worked fairly well. They are experiencing hot weather. They have air conditioners and they are not afraid to use them.

They said that a lot of areas had the rolling blackouts last week. They said that they could cope with a half an hour blackout. They would not want much longer but they understand why that is a necessary thing. I commend the people of Mawson for their stoic attitude during these difficult times, not only for the way a lot of them have hibernated and stayed cool with their air conditioners but also because they are checking on other people. Some fantastic systems are in place whereby people are checking up on other elderly neighbours and other elderly family members. I spoke to several people aged in their 70s who are looking after their parents aged in their 90s and making sure they are all right.

I spoke to an 81 year old woman yesterday who told me that she lost her twin sister in the 1930 heatwave in South Australia. There are some remarkable stories of people who have survived heatwaves in the past and who are again getting through this one by staying cool and by looking after themselves, their neighbours and other family members. We spoke to a 92 year old woman who was having trouble with her air conditioner. I sent Tim from my office down to try to fix it and, when he could not, he contacted an electrician. Another gentleman in his late 80s had not eaten for four days because he had a throat infection and it was too hot to go to the doctor. We rang his doctor for him who was only too pleased to go around and pay a home visit and get him back into good health.

People are willing to help the elderly and help people in our society, which is a tremendous thing to see. I was worried to see over the weekend that so many South Australians had died or become seriously ill because of the heat and that their health had deteriorated. I thought that, as a local member, it was a good thing to get on the phone and ring as many people as possible. We will continue to do that during this week to make sure that, if anyone out there is suffering, we are able to help out people in some way and get them some advice so that they can keep cool and, indeed, survive these terrible conditions.

Time expired.

WIRRINA MARINA

Mr PENGILLY (Finniss) (16:24): I draw the attention of the house and that of the government to a deteriorating situation at the Wirrina marina on the Fleurieu Peninsula. The Wirrina resort, as I understand it, is changing hands. However, the Wirrina marina is in rather a diabolical situation. My view is that the government needs to step in to take decisive action to protect lives in and around St Vincent Gulf, and more particularly in the waters around the Wirrina marina by having the Wirrina marina operate in a proper and professional manner. The failure of the operator of the Wirrina marina to pay staff wages for some 3½ half weeks and the failure of the operators to have paid staff superannuation for over 12 months is outrageous. The appropriate authorities need to step in and take immediate action to remedy the situation.

I seriously question what has happened to the fees paid by boat owners and users of Wirrina marina and where the money has gone. Wirrina is a critical part of South Australia's coastal marine infrastructure. We cannot afford to have unpaid staff and we cannot afford to have Wirrina marina operating in the manner in which it is at present. Largely, a volunteer crew is doing its utmost to keep it going.

On Saturday afternoon at 6 o'clock two adult males and a boy in a tinnie were swept three miles out to sea from Wirrina. They were saved as a result of prompt action by the Sea Rescue squadron out of Wirrina. These people have kept it operating, and that is the only reason that they could get out there. Three lives could have been lost because of the failure of the company to run the facility as it should be run.

I heard the tourism minister squawking something about 'the Liberal government built it'. That is irrelevant. I understand that the government has the authority to step in under some lease arrangement. It goes further than that. Fuel companies have not been paid. It has now been unattended for two days while the poor beggar down there takes a couple of days off. I would like to see the government take some action. Wirrina itself used to be called Sunset Cove. It then changed to Wirrina Resorts Pty Ltd. The principal of that company is a gentleman named Mr Warren Turner.

I have corresponded today with the ICA group. I have had a phone call and received a letter from them. They have given indications that they will try to sort out the situation. In the interim I have given them the benefit of the doubt. However, they should get things done quickly. It is not appropriate. Even they say that there are unpaid entitlements of at least \$300,000. I also understand that Mr Brett Rankine, a member of one of South Australia's unions, has been involved. The Yankalilla council has finally received over \$300,000 in rates.

It is totally inappropriate for this situation to continue. I would like to see the government turn its attention to this matter and find out why staff are not being paid and why superannuation has not been paid. No-one can exist without their appropriate wages and entitlements. It is simply not on. I want Wirrina to be successful. I understand that Labor Party people held a love-in down there in the past 12 months, so they know what is down there. We need good news out of Wirrina, not successive runs of bad news. I think that is the last thing we want. It is in the best interests of South Australia to do something about this situation.

I will quite happily table a letter from the director, Mr Adam Huxley, of ICA Group, Post Box 448, North Sydney, which states:

Our company's involvement in this project has been as a purchaser for the underlying real estate and with the cooperation of the mortgagee MFS and the resort operator Stella Resorts as project managers generally...You would be aware that over the last six weeks council rates in excess of \$300,000 was settled through our existing finance arrangements.

Wirrina must be made to be a success. I call on the government of the day to step in, look at the whole shoddy mess and get it sorted out, investigate whether there are any inappropriate issues and tidy it up.

CYCLING

Ms CICCARELLO (Norwood) (16:29): It will come as no surprise that today I wish to speak about cycling. From the staging of the most successful Tour Down Under to the building of criterium tracks and bike paths, Adelaide can be considered the undisputed Australian capital of cycling. We are home to over 200,000 recreational and sporting cyclists. We have the highest percentage of people cycling to work of any capital city. A record number of amateurs—over 7,000—took part in the Mutual Community Challenge this year, and more than 750,000 South Australians turned out to make the 2009 Tour Down Under the most-attended sporting event in Australian history.

Whilst in the past I might have drawn some strange looks for being known as the polly who rides her bike everywhere come rain, hail or shine, I am pleased to see that many more people are following my example. I am delighted that South Australia has been so gripped with cycling fever, and I am proud to be part of a government which continues to invest in making sure that that fever never breaks.

The 2009 Tour Down Under has been a stunning success and an enormous triumph for South Australia. We have had record crowds, record visitor numbers from interstate and overseas and record dollars pumped into the local economy, which all adds up to a tour that was bigger and better than ever. It was fantastic to be at the Norwood Town Hall at the start of Stage 1 of the tour to witness Lance Armstrong's comeback.

There is little doubt that Lance contributed a great deal to the excitement and interest in this year's tour, and I am sure we all applaud his courage and commitment through his LIVESTRONG foundation to fight cancer globally. Although I am sure it was the dream of many and the stuff of legend that Lance would go on to win his first comeback race, it was not to be. However, it was a worthy win for Allan Davis from Queensland, who was the only person to have participated in every tour. We look forward to seeing all the cyclists and teams back again next year.

Although media publicity and excitement are important for a specific event, it is even more important to ensure that interest and enthusiasm are maintained all year round and this is where the Rann government has stepped up to the mark. Since we came to office in 2002, we have spent \$95 million (or \$13.5 million a year) on cycling related projects, not including the Tour Down Under. This year the government announced initial funding of \$1 million towards a 32-kilometre shared use path through the Adelaide Hills, from Oakbank to Mount Pleasant, and officially opened the 37-kilometre Coast to Vines Trail, between Marino Rocks and Willunga, to which it contributed \$1.2 million.

During our time in office, we have overseen a 50 per cent increase in bike lanes and paths in and around Adelaide, from 480 kilometres of tracks and lanes in 2002 to 720 in 2009, and we are committed to another 145 kilometres opening over the next two years. One project I was very pleased to see completed was the construction of stage 1 of the cycling criterium circuit in Victoria Park. This was a promise we made to the cycling community, and it is a promise that we have kept. The project involved constructing a 130-metre section of the circuit, connecting the existing east and west side of the motor sport track and providing a complete loop measuring 1,200 metres. The criterium was a great outcome for mums and dads wanting to teach their children to ride in a safe environment, as well as providing valuable and safe infrastructure for many cycling clubs throughout the state, which no longer will have to compete with heavy trucks on the roads when they are participating in the criteriums.

It has certainly been a great time for cycling in South Australia, with the Oceania Championships at the SuperDrome last November to the Tour Down Under last month. It is fantastic to see so many events coming to our state—and that is not all. This week we have the Australian Track Championships; in March, we have the Australian Junior Track Championships; and, in February next year, the Senior National Track Cycling Championships. They are all great events and all held at our magnificent SuperDrome. I encourage everyone to go and cheer on all those fantastic cyclists from across Australia.

As members are aware, I am passionate about cycling. Its benefits are many—from helping to maintain a healthy active lifestyle to the many positive outcomes it provides for the environment. I am thrilled that so many people are getting on their bikes and becoming part of the cycling revolution. I congratulate all who were involved in making the 2009 Tour Down Under the most attended sporting event in Australian history, when more than 750,000 South Australians participated.

FROME BY-ELECTION

Mr VENNING (Schubert) (16:34): I wish to briefly inform the house of my thoughts in relation to the recent by-election in Frome. Firstly, I congratulate the former mayor Geoff Brock on his election. Not only is his electorate alongside mine but he also represents the constituency I used to represent, where I spent my previous life, where I was born and where my family farm is. Therefore, I say to him that I am happy to support him in any issue that supports his country constituency and country regions generally. I have already spoken to him about certain issues of mutual interest.

We were disappointed by the result, but by-elections are strange creatures. I ought to know because I came into this place after one in 1990 with almost the same boundaries. Much political claptrap has been spoken and written about what happened, so here is my assessment, and I speak from personal experience. People do not like by-elections, having to go out and vote when they feel it is unnecessary, expensive and a waste of money. It happened in 1990 when John Olsen went off to the Senate. People protested and voted against both major parties then, as they did on 17 January 2009. I was elected on the preferences of the National Party, and its vote was 16 per cent. So, what happened in 2009? First, the National Party vote collapsed—10 per cent down to 6 per cent; and, secondly, the Nationals did not preference the Liberal Party.

Why did that vote collapse? Obviously, the National Party leader's support of the Labor government has upset their grass roots members. This vote has been consistently 13 to 16 per cent in this region for decades. It was the same when my father represented the area 30 years ago. This is the Brinkworth/Red Hill/Koolunga area, which is the heartland of the old Country Party, now National Party. So, what happened? I have never seen it as low as this. The candidate, Mr Neville Wilson, is a reasonable fellow. He was deputy mayor, now the acting mayor following Mr Brock's resignation, and he is my neighbour and friend. I believe that he would have done much better if he too had stood as an Independent and given his preferences to us. As one might say: 'You would say that'; of course I would.

I will not hear criticism of our candidate, Mr Terry Boylan, whose family and the campaign team—and I encourage them to keep on—did a great job worthy of a better result. Nor will I hear criticism of my leader. The team effort was one of the best that I have ever been associated with, because we all knew it was going to be difficult, particularly having a by-election in the middle of January. I must record that the Premier's tactic to have it then did not help them or us.

If any criticism is to be levelled it should be at me and my inability to convince my neighbour, Mr Wilson, to abide by the long-term tradition of swapping preferences with the Liberals.

After all, we are coalition partners federally. Mr Wilson, as deputy mayor, in association with his mayor, Mr Geoff Brock, was stronger and he was locked in before I had a chance to renew our alliance. To make it worse, he had a split Labor/Liberal vote for the third preference. It disappointed me greatly, and I do not think either of us will ever forget that.

Nor will I hear criticism of the previous Liberal government and its support of the Port Pirie District Council. As the member (and even when I was not) a lot of money came into that council. The trouble is that many of them would not know about it, although the previous mayor, Ken Madigan, would. He worked privately behind the scenes with me, and I in turn worked with the then minister for transport, Diana Laidlaw, all those years ago. Millions of dollars was targeted towards road projects, and mayor Madigan needs to be recognised for what he did. It has been a great secret; there was no publicity at the time.

Projects included the sealing of roads, particularly between Redhill and Koolunga, and Koolunga to Brinkworth, smack through this National Party heartland, with some 45 kilometres of road all being sealed. I do not want to hear any more claptrap. The result is zip, and we have accepted that result. In terms of former mayor Geoff Brock, now the member for Frome, I support any project he wants to put up on its merits.

PRESIDENT BARACK OBAMA'S ACTIONS

The Hon. S.W. KEY (Ashford) (16:39): I was very pleased to read in *The New York Times* on 29 January that President Obama was scheduled to sign the Lilly Ledbetter Fair Pay Act. *The New York Times* reported that Lilly Ledbetter spent many of her years working as a plant supervisor in a tyre factory in Alabama—the Goodyear Tire and Rubber Company. The story told is that, nearing retirement, Ms Ledbetter discovered that her male colleagues, who had been doing the same work, had consistently been paid a lot more than she had. I do not have time in this grievance speech to go into the various levels of legal wrangling that took place. Suffice to say that although Ms Ledbetter—who is now 70—will not benefit personally from this bill, it will symbolise the principle of equal rights and pay for women in the paid workforce. As mentioned in *The New York Times* article, it is also a triumph for the frequently underpaid lawyers who champion the many different causes of equal pay and rights for women in the workplace in the US.

The other matter that I think is worth mentioning is overseas aid. This is something in which I have been very interested in the Australian context, especially with regard to support for developing countries and for women and children in those countries. I was delighted to read that President Barak Obama has issued an executive order that repeals the global gag rule. Of course, the global gag rule prohibited family planning programs in other nations that receive United States aid from using non-United States moneys for abortion counselling, advocacy and referrals. The rule, instituted by President Ronald Reagan in 1984, was repealed, I am pleased to say, by President Clinton and then, unfortunately, was reinstated by President George W. Bush.

The global gag rule has inhibited women worldwide from accessing not only gynaecological examinations, AIDS prevention and treatment but also a whole range of contraceptive options. It has halted shipments of condoms and contraceptives, in particular, to more than 20 countries. The reports on this rule that I have read have said that it is predicted that more than 70,000 women die each year due to restricted access to reproductive health services and that women have been forced to seek what have become unsafe backyard abortions.

Some of the strongest feminist groups in the US have applauded President Obama for the Ledbetter equal pay bill and for repealing this absolutely dreadful global gag rule provision. So, one can only hope that other countries that have put this inhibition on aid for women and children—including Australia—make sure that there is an element of choice in the sort of support and information that women receive, particularly with regard to their reproductive health.

DEVELOPMENT (PLANNING AND DEVELOPMENT REVIEW) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 1237.)

Dr McFETRIDGE (Morphett) (16:44): I had just started my contribution to the debate on this bill before lunch, and I reiterate that we are supporting it. As I said, having lived in a state heritage home that was adjacent to a slightly more modern building, with another state heritage home next to that, the inconsistencies regarding what you could do in and around these buildings were quite amazing. The desire to have a coordinated approach to planning to preserve the historic nature of Glenelg and the buildings there was great in theory but, in practicality, it was not working.

We have seen many examples of this in and around Glenelg, unfortunately. Probably the worst examples were on Colley Terrace where a number of local heritage listed places there were potentially able to be restored to the beautiful historic homes that are visible in the photographs in the Glenelg Library. They could have been restored but, obviously, the economics were not there; developers bought the properties and these local heritage listed places were knocked over. There are some quite large buildings there now. In fact, I think Liberty Towers is the largest building by volume in the metropolitan area.

The thing that I really look forward to in this bill and the regulations is more consistency in the development of buildings, additions, changes and alterations throughout not just the metropolitan area but also the whole of South Australia. I am continually amazed by development in South Australia and the consistency of the inconsistency. The guidelines in development plans are being used to allow for a wide range of inconsistent developments. I see them throughout my electorate all the time.

It may be like the Caltex service station on Brighton Road at Hove. It is the only service station on the western side of Brighton Road from Christies Beach through to opposite the airport. It is the only servo there and yet, because of the council's attitude of strict adherence, that service station cannot be open 24 hours a day. Most of the residents around it do not mind that at all. There are a couple over the road who have been talked to by the owners and a compromise is available there, I understand. However, the council sticks to the fact that it cannot have that because a particular zoning is there, and yet there are other developments and changes of use throughout the City of Holdfast Bay which are quite incredible.

In other council areas in my electorate (Marion and West Torrens) we are seeing similar sorts of occurrences. Over at Glengowrie there is an atrocious development, in my opinion. I am no architect, but I think this is an atrocious development. The quality of the homes themselves might be good but where they are is atrocious. There were large quarter-acre blocks which had quite nice bungalows on them which had probably been built in the 1950s and 1960s and which were terrific family homes. What has happened is that a developer has come in and knocked over two of these homes and built some semi-detached, two-storey apartments which go wall-to-wall across the block. He has then filled in the whole back of it. He has destroyed the amenity not just for the neighbours but also for the whole community. It has changed the whole character of the area. This is something I am very concerned about.

Over in the City of West Torrens a house was knocked over and another house built on the site. The gutters on the house next door which, under the old regulations, were allowed to be on the boundary, are now squashed up against the side of the house by the side wall of the new development. It is really just an unforgivable way of dealing with developments to allow this sort of thing to happen. These are just two very small examples of the things that I hope this bill and the regulations will overcome.

The issue raised by the member for Davenport about the internal changes to buildings that are permissible is something that needs to be looked at. There was a case at Glenelg North, opposite St Leonard's Primary School, where there was (in some people's minds) an enterprising group of men who decided to change some three-bedroom homes into multiple-use dwellings. Every room in the house was used as a bedroom. They were rented out, at quite high rents, to people out of the mental health and prison systems. They had one toilet, one kitchen and no extra car parks, and it was a total disaster. Let us hope that under these regulations that sort of thing is not allowed to happen again.

There is a real need to make sure that councils have a good hard look at their development plans. I have to give some plaudits here to the City of Holdfast Bay. The City of Holdfast Bay do have character zones in place. At Glenelg East there were some real issues with property owners who had quite large homes (not new homes but the older-style bungalows) along Dunrobin Road and Maxwell Terrace. These homes were potentially able to be sold off and subdivided, and then homes which the residents there and I think would have been out of character for that area may have been permissible. But, thanks to the City of Holdfast Bay's common sense, that will not be allowed.

That is not to say I want to stop people subdividing their land if they want to sell a big home, subdivide it and move off into retirement, but it has to be done with some degree of communication, consultation and looking forward to the future so that, as I said at the start of my speech, the sign 'Historic Glenelg' on West Terrace really does mean there is something of the past there. Whether it is the bungalows of the 1950s and 1960s—and some from the 1940s—or the

homes dating right back to 1886, they need to be there. What I do not want to see is builders coming in and looking at the regulations and saying, 'This council will allow this and put up with this, so we will design a certain number of styles of homes for this particular area', so it will be one, two, three, four or five designs that suit all purposes for this particular council.

A few years ago I was in America in the outskirts of Los Angeles where there are what they call 'block developments'. There was a series of homes where occasionally the colour of the roof changed and occasionally the colour of the paint on the outside changed but, if you were not sure where you were going, you did not know which house was which, because they all looked almost identical. I would hate to see that happen under these regulations where a builder could say, 'We can get in this sort of home, so let's build a whole lot of these.' That would be a terrible thing. We need some flexibility and variation. We need to preserve the past and move forward, but also we need to ensure that planners, investors, home owners and builders can do this with a degree of certainty. Those who want to extend and improve their homes should be able to do so with a degree of certainty and also not have to wait out months of delay as we have often seen. We do not want that to continue to happen.

I support this bill and look forward to looking at the regulations, because the devil is in the detail, as the member for Mitchell said. The thrust of this legislation and the regulations, as I understand it, is going to be a great improvement on what we have, and I look forward to seeing the regulations in their final form.

The Hon. R.B. SUCH (Fisher) (16:52): This bill has caused me some concern in the sense that, whilst I welcome anything that will expedite planning approvals (which this bill seeks to do), I think until we see it in operation, when it becomes an act, we will not really know what the impact will be in terms of development. I appreciate that when you have 19 councils in the metropolitan area it is not surprising that you will have some complexities, delays and different approaches to planning matters, and I think that could be resolved in ways other than through this bill. However, putting that aside, it is not going to change in the short term, so legislation is required. I have some concerns, but it is a trade-off, ultimately, between expediting planning approvals and getting things right. There is little point in doing things in a hurry if you get it wrong. I will mention some of my concerns, and I hope these do not remain and are addressed over time.

The first is in relation to dealing with stormwater. Everyone in South Australia I think is aware that we have a problem at the moment with water and capturing stormwater yet, currently, we see a lot of developments that exacerbate the problem. In fact, in my electorate there is a development on one of the main collector roads where the whole front of the property—and it has been built only in recent times—is under pavers. Obviously, that is done to facilitate parking and also to minimise any gardening, but what often does not happen, and could happen, is using the option of employing porous pavers. I know of a business at Blackwood that has used porous pavers (and these porous pavers are able to withstand the weight of heavy trucks) and, as a result, a large red gum has survived and is thriving, because the proprietor of that business has had enough insight and commitment to provide porous pavers where the rain can soak into the ground rather than add to the flow of stormwater that we are already trying to deal with.

I would like to see a greater commitment and action by the government to encourage people to use modern technology by way of porous pavers so that we do not add to stormwater run-off. As I understand it, the situation in New South Wales is that commercial developments must deal with all their stormwater on site, and I think the government here is looking at that issue. I know it is not specifically part of this proposal, but I think it is very important that that issue be dealt with.

Another issue that concerns me, which I hope does not become a big problem over time, is that of landscaping. As people move away from gardening because of the cost and availability of water and a change of lifestyle, we are now getting big houses on small blocks. That often means that there is little or no room for trees. It is not simply about trees as air conditioners: trees reduce the ambient temperature by at least three or four degrees. Trees also prolong the life of bitumen roads by about one-third of their normal expectation of life. Trees, shrubs and grasses are also habitat. We often hear gardening experts saying, 'Plant this; it will save water.' That is fine, those plants will use less water, but people need to look at vegetation as habitat, because the existing habitat has been so diminished that there is a real threat to many of our species of birds and other animals.

Sadly, what I am currently seeing in the metropolitan area, and a classic example (and I am not picking on them for religious reasons), is the Exclusive Brethren building standardised

places of worship. There is one at Littlehampton near the Great Eastern Hotel, and two have recently been built in my electorate. I do not have a problem with their religious beliefs; that is entirely up to them. However, if one looks at the landscaping that has been done (and it is obviously legal), one will see that there has been a minimal effort around the edge. There is a tiny, pencil-thin strip around the edge of the perimeter of the property—obviously, to maximise car parking. They are, no doubt, conforming with the law, because they are law-abiding citizens. However, what you end up with is minuscule landscaping, which means that ultimately the character of the area is changed.

If members want to have a look, they can come to my electorate and visit places such as Nickel Drive and Black Road, where they will see two of these recent places of worship built by the Exclusive Brethren, or they can go to Littlehampton, and they will see exactly what I mean. I have nothing against their buildings; it is obviously a general issue, but it is highlighted by those developments. It is obviously not something that is limited to the Exclusive Brethren.

I think the government really has to look at the landscaping provisions (and I have written to the minister along these lines a couple of times recently), because some of them contain very poor, low-grade provision for trees and shrubs. People carry out minimal planting, and within a few months that vegetation is dead or dying. Ultimately, if we are not careful, particularly in the metropolitan area, we will end up with second-rate areas that look like something out of a Third World country.

Another point I want to make is that, in terms of developments, I believe there should be a requirement on developers to provide community facilities. A classic case where they have not provided them is Craighburn Farm (or Blackwood Park, which is its commercial name). There is not one community facility in a housing development that will have over 1,200 homes.

It is not in my electorate; it is in the electorate of the member for Davenport. However, I argued for something like a community centre. There is nothing. So, all those people who have paid a minimum of probably \$200,000 a block, or more, have no community facility whatsoever. I think that allows the developers to get away with a minimal contribution. When people buy a block in a development such as that, part of that money should go towards something like a community centre, where people can attend cookery classes and learn English if it is not already their first language, and so on.

If members want to see a good example of a community centre they should look at the one in Coromandel Valley built by the City of Onkaparinga. Another point that I think needs to be addressed involves retirement villages. I have several in my electorate and one of them has nearly 300 units in it. It is all on one title, so that they do not have to contribute to open space and make the contribution that I think they should make. Those issues need to be addressed. This bill will bring great benefit, particularly to the developers. I am not so sure that it will bring much benefit to the wider community.

I think that the claims of an increase in gross state product from \$3.4 billion to \$4.9 billion are probably exaggerated but, hopefully, some benefit will arise from this. The final point I want to make in relation to development—and I know this excludes aspects of heritage—relates to areas such as Hahndorf and other areas that have a special history. They should be protected by way of requiring development to fit into a theme, particularly in the main streets. They do it in Europe and England. If you want to put a KFC in the main street of a Hahndorf-type village somewhere in Europe they would say, 'You can do it but you must fit in with the heritage theme.' I think that we have been too easygoing here in relation to that matter.

I support the bill in general terms, and I hope that it works. I hope that it is not just a mechanism for those in the development industry to get what they want more quickly without a significant benefit flowing to the wider community, because otherwise I think that the community is being short-changed.

Mr GOLDSWORTHY (Kavel) (17:01): I would also like to make some comments on this bill because there are significant issues in the electorate I represent in this place concerning planning and development. I do not need to traverse the technicalities of this particular piece of legislation; I think that has been adequately covered by previous speakers in the house today and by the minister in his second reading explanation.

Planning development has needed some reform, obviously. It is an issue that is raised via my electorate office on a fairly regular basis because there are some frustrations with people lodging development applications and the way in which the development plan and development

assessment panels, as well as the Development Assessment Commission itself, operate. I know that the legislation does not necessarily go to streamline the whole process, but it does make some development applications easier to process and not get logjammed in the bureaucracy that currently is experienced.

As I said, I get quite a number of contacts in my electorate office from people frustrated with the process. It is a process that has evolved over many years. I understand the need for having all the 'i's dotted and the 't's crossed in local government development plans (under the Development Act, for which we are responsible), because some shoddy development has taken place through the decades. There is a bit of a wink and a nudge, and, 'You'll be right', and then down the track we see that the development that has taken place historically is not really that tremendous for the general amenity of that particular district.

The development plans have had to evolve to close those supposed loopholes in the process. However, like everything we see, there is a tendency for the pendulum to swing too far the other way. The argument in this case is that the pendulum has swung too far the other way, hence the need for this legislation. However, it does take me to some quite key issues that are faced in a particular district in my electorate, that being the Mount Barker, Littlehampton and Nairne areas.

We have seen significant development, both residential and commercial, in Mount Barker in particular, and also residential development in the Littlehampton and Nairne townships. We have seen a recent announcement by the government of its plan for Greater Adelaide in engaging consultants. I note the Minister for Planning and Urban Development taking interest in the debate today. We have seen the government's plan to engage the services of consultants in assessing that district of Mount Barker, Littlehampton and Nairne for further residential development in an effort to cater for the government's plan of population growth in this state.

So, whilst the government is conducting its own consultation, it has become apparent in my seven years in this place that the government's track record of community consultation has been particularly poor. I could give a number of examples of poor consultation that the government has undertaken, particularly in my electorate concerning the prescription of the water resources in the western Mount Lofty Ranges catchment area.

Under the guise of community consultation the bureaucrats from DWLBC came out and communicated the decision the government had already made. There was no real consultation, rather, telling the key community stakeholder groups what the decision would be, namely, to prescribe the water resources in the catchment area. We had a debate at the time and the government implemented its broad-brush, heavy-handed approach, and we are seeing as a consequence all the complexities that have come out of that issue in relation to trying to develop a water allocation plan in an extremely complicated water resource district.

The water resources in the Adelaide Hills in that area is extremely complicated when compared with the Willunga Basin and out through the Murray Mallee and the like. With underground water we are not tapping into a big underground basin in the Adelaide Hills. There are thousands of individual, separate rock aquifers and the department is struggling—to use the kindest description—to try to get a handle on how to properly measure that resource.

That job is far more difficult than assessing the catchment in terms of the dams and so on that catch water above the ground. That is one example, and it is not just me saying it but also the key stakeholders—the fruit and wine grape growers—who felt the consultation process was very poor. That was a specific example in my electorate and in the electorate of the member for Heysen.

On a statewide basis, the country health plan and the debacle that followed that in relation to the community consultation exposed how poorly the government undertook the community consultation in relation to the country health plan. We had the country communities revolting against the country health plan and the government arguably did not seek advice from country doctors, and so on. I am not sure of the actual title of the professional group, but the president of the association of rural doctors, Dr Rischbeth, strongly opposed that plan.

The Hon. R.J. McEwen interjecting:

Mr GOLDSWORTHY: I am giving an example of how poorly the government conducts its community consultation. Its track record relates to the question mark over community consultation and the consultation process that the government will undertake in relation to planning and development in the Mount Barker district. Minister, that is how it relates to this bill. Because the

government has got such a poor track record of community consultation, I am undertaking my own consultation process within the electorate.

I have highlighted it through the local media, and I will send out a survey form to every home and an extensive number of businesses in those three towns to seek feedback on what the local people believe should take place in the district. Do they want more houses built? Do they want to draw a line in the sand and say that, as a result of the current development of 800 new homes on the southern part of Mount Barker, enough is enough until the government is able to provide an adequate, satisfactory level of infrastructure and services in the community to support the increase in population? Anecdotal evidence is that people are telling me and local government people that we need to draw a line in the sand. That is what people are telling me, but I want to seek a broad range of comment from the community. Once that takes place, I will be able to measure it against what the government consultants release. We will be holding the government to account on what its investigations reveal and on what the consultants report.

At present the government is not satisfactorily putting services into the district to meet the demand. The maternity unit of the Mount Barker hospital is at capacity. I get a consistent flow of complaints from the local community about how the hospital is not meeting the needs of the community. The schools are struggling for resources. Mount Barker Primary School—one of two primary schools in the town—after many years of lobbying and fundraising is only now having a facility built where the children are able to undertake out-of-classroom activities. They call it an all-purpose facility. It is another name for a gym, but it is not just a gym. They can hold assemblies out of the weather and they can undertake recreational activities out of the weather. We know that the hills district is wet and cold in the winter, so it is not appropriate to have primary schoolchildren out in the weather during those cold winter months.

Ms CICCARELLO: I rise on a point of order, sir. I think the member is straying completely from the bill. What he is saying has absolutely nothing to do with the planning and development bill.

The SPEAKER: Order! I have to admit that I have not been following closely, but I will pay attention. If the member for Kavel is straying too widely, I will pick him up.

Mr GOLDSWORTHY: Thank you for that direction, Mr Speaker. Obviously I disagree with the member for Norwood because it is all about planning and development and the government supporting that planning and development in a satisfactory manner because, to date, it has not. If the government wants to open up more land in the hills for residential development, particularly in the Mount Barker district, then it has an obligation and a responsibility to provide the level of services to support the local area satisfactorily. It is of real relevance. I could further digress in my comments. However, I think I have made a number of key points. The government has a poor track record of community consultation. It needs to get it right. It needs to resource the district adequately with services and the like. To hold the government to account, I am conducting my own consultation process in relation to the development issue in that part of the district.

Ms CICCARELLO (Norwood) (17:16): I wish to make a few brief comments in relation to the current planning reforms proposed by the government and, in particular, I wish to comment on the development and implementation of the new residential code under the Development (Planning and Development Review) Amendment Bill. The government proposes to introduce the new residential code from 1 March 2009 for alterations and additions to existing homes, excluding heritage areas and places, and it is in respect of those heritage areas and places that I rise to make comment.

I state at the outset that I understand the government's intention in relation to the residential code, that is, to increase the efficiency of the planning approval process by exempting certain types of development from requiring council approval. I have no doubt that this move by the government will reduce unnecessary red tape experienced by South Australian families looking to undertake minor development on their property. I recognise that it is important for the government to balance what are reasonable expectations of landowners to develop their land for their benefit. I believe this to be a sensible legislative approach by the government.

However, many residents of the Norwood electorate have lived in the suburbs making up the Norwood Payneham and St Peters council area with an expectation that their built environment will retain that character which has been built up over many years. I seek the assurance of the government that the residential code proposed will not adversely impact on character areas within the Norwood electorate, where residents have a reasonable expectation that areas of character should be preserved. I am of the view that many residents within the Norwood Payneham and

St Peters council choose to live and raise a family there because of the unique character of the area.

I was encouraged by the comments made by the Minister for Urban Development and Planning during the committee stage of the Development (Planning and Development Review) Amendment Bill in the Legislative Council on 2 December 2008, when the minister stated that the protection of heritage and the uniqueness of Adelaide's suburbs is important to this government. The minister also stated:

This is the reason why the government did not adopt all the recommendations of the planning and development review steering committee, choosing to exempt historic conservation zones and heritage items from the application of the proposed residential code in recognition that development in these areas is sensitive and must be assessed on qualitative criteria.

The minister further stated:

Between now and 31 March 2009, councils will be able to nominate to me those areas which they consider to have character and which can be the subject of further work on how the development assessment process can be streamlined for landowners in these areas.

I seek the government's commitment that the City of Norwood Payneham and St Peters will be afforded every opportunity to identify areas of character to be excluded from the operation of the proposed residential code.

The Minister for Urban Development and Planning has indicated that he intends to release a suite of documents to assist councils to identify areas of character within their council districts. I look forward to seeing those documents and ask that the City of Norwood Payneham and St Peters make full use of this assistance. I am aware that the City of Unley has undertaken a comprehensive development plan amendment (DPA) to identify areas of character and that this DPA was well received by the government. I have every expectation that the government will provide the City of Norwood Payneham and St Peters the opportunity to identify areas of character. I take the opportunity to encourage the City of Norwood Payneham and St Peters to do this work without undue delay for the benefit of those families seeking to preserve areas of character.

I have had discussions with the minister and his staff since the code was first proposed. I will be writing further to the Minister for Urban Development and Planning informing him of my concerns and asking that he give due consideration to the comments I have made in the house today. The Norwood Payneham and St Peters council is very concerned about heritage protection, as was the former Kensington and Norwood council.

We put in place many historic conservation zones and, in fact, the whole suburb of Kensington was, in my time, made an historic conservation zone. Currently, the council has 600 local heritage places and 1,500 contributory items, not to mention 73 state heritage-listed properties in that area. I think that signifies the importance the council and the residents place on the area. With that, I conclude my remarks on the bill.

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (17:21): I want to contribute to this debate to place on the record how pleased the opposition is to support the measure. We often hear from the government that the opposition is opposed to this and opposed to that. It is the opposition's job to hold the government to account and critique it in order to ensure that both sides of every argument are fully explained and presented for the people of South Australia to understand and absorb. It is also the job of an opposition to come forward with positive ideas of its own and, where the government comes up with something that is worth supporting, to support it and that is why in respect of these planning reforms we are very happy to give it our support.

If anything, we would like to have seen these sorts of measures introduced much earlier in this government's time in office. The government came to office in 2002 and, for the first four years, I think it probably did not do much of substance. I know the numbers were different then, but not much was achieved, not many ribbons were cut and not many structural reforms like this were introduced. I think that is also true for the second term of this government. I do not think a lot has been done. A lot of things are on the drawing board now but, when you look back over the past seven years, I am not sure whether the government can claim many major achievements in the way of structural reform. Things are planned, if they get a third term, but that is a big if, isn't it?

This is a structural reform that I think is worth while. My understanding is that it has been handled reasonably well by the minister in the other place. I think the consultation between the two parties and the minor parties has been fair and reasonable. The minister understood that the opposition was very firm in its commitment to preserving our heritage suburbs and to ensuring that,

over a period of time, Adelaide as we know it does not lose its character and its special appeal. There is growing concern about the demolition of old homes even where they are not of heritage significance or even of local heritage significance. But still, where they are appealing and the streetscapes are enjoyable places to live, we want to see that situation retained.

In respect of the regulations, which are really the meat of this legislation, we will be keeping a very close eye on any changes in the future. The government proposed amendments to the planning systems through its Planning Review back in June—I think on 19 June 2007—with the minister keen to ensure that the Planning Review Committee would report to parliament by the end of 2007 and that the legislation would be introduced in 2008. As I mentioned, it is two years later that we are considering the legislation.

We actually went out there with our own policy document on 5 May 2008 because, frankly, we were tired of waiting. We flagged our position and got out there early and, in many ways, set the agenda. I hope that made it clear to the government what our position is and that it informed, to some degree, what has finally been brought to the parliament here in early 2009. It is indicative that we will get out there with our own agenda if the government dillydallies and fails to take action on its own account.

I am not going to repeat the contributions made by my colleagues earlier. I, simply, as Leader of the Opposition, signal to the government that if it is prepared to come up with more constructive and sensible structural changes that make the state a better place, the opposition is very happy to support it. If it is good legislation, we will support it. If it is sloppy and bad legislation, we will oppose it.

I believe there is definitely an argument that this legislation will expedite and streamline development applications and get things moving. They certainly need to get moving because there is too much bureaucracy, too much red tape and too much impediment in the way that developments are dealt with at present. I think this bill and the code that goes with it will make that situation better, so I look forward to seeing the bill pass into law, and we will monitor the future and finetune it as the occasion requires. I commend the bill to the house.

Mr PENGILLY (Finniss) (17:27): I also rise to support the bill and I am also very cognisant that a number of my colleagues have made substantial contributions and raised points both promoting the bill and opposing it. There is nothing quite so important to the future of South Australia as having orderly and proper development, progress and investment and, indeed, there are a number of aspects of this bill to assist in those matters.

Having had 17 years in local government and, for all of that time, sat on planning committees of council, I can tell you that the vast majority of scraps and fights that I had in council were over planning and development issues. Even now in my current role, I have increasing numbers of grumbles, grizzles and concerns expressed to me by my constituents over planning applications and the adjudication on planning applications before development assessment panels.

I do not know whether we are ever going to get this right. Somehow or other, we have to try to get things right. I am very much of the view that there are far too many instrumentalities and bureaucracies involved in development and development applications and, with a bit of luck, this bill may help. I am also of the opinion that, within the system, we probably have, just for one thing alone—pick out something like rural living—55 different names used by 68 councils, and it is arrant nonsense.

I know from bitter experience that there are far too many single-minded bureaucrats within government departments who have the opportunity to comment on development—and on many occasions negatively—and I can think of a couple who always oppose any application. There is a mindset amongst numbers of the bureaucracy that they are going to do everything possible in South Australia to stymie and stop everything. If I get their names from time to time, they may get a mention in this place. They are of no use nor ornament.

When you look at these things, quite often, planning officers within councils, for whatever reason—inexperience, concern for their own futures or minding their own backsides—will refer an application from 'Mr Smith' to numerous government departments when it is not a mandatory referral. They will just send it off, and that extends the time taken to adjudicate on development applications. Invariably, these government departments to which the application goes will come back with a list of questions, and it goes on and on. I think we are further encumbering the planning process and the orderly development of South Australia by giving these NRM boards more to say. That is just another obstruction.

The bill put forward by the government is an effort to try to assist this process. I know that the member for Napier agrees with what I am saying and is very much in favour of what is happening. As the leader said: good legislation is brought before the house by the government in the best interests of the state of South Australia, and I support that. I know that the minister in another place knows my views on this. Rather than go back over a lot of ground that has been covered before, I wish the bill a speedy path. I am sure that the government whip wants me to be speedy so that she can get home. However, the fact of the matter is that we are in here to talk about this thing. It is a good bill, and I commend it to the house.

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development) (17:31): I am delighted to close the debate where I have heard everything from the inability to give praise where praise is due, damning with faint praise, reluctant support to bold and statesmanlike bipartisanship; we have seen a range opposite. Great! In the end we move towards the ability to say, 'We support what you are doing because it is a damn good idea.' The only other problem I saw was that, by far, most of that said about the bill had nothing to do with the bill.

Mr Pengilly: That would be unusual in here.

The Hon. R.J. McEWEN: That would be unusual in here. In closing, I need to thank the team from the Department of Planning and Local Government that has done a lot of work on this. Obviously, I thank Ian Nightingale in his present position. I might add that we in aquaculture have reluctantly watched Ian move to a new role in which I think he will perform fantastically on behalf of the state. I thank Amanda Nicholls, John Hanlon, Simon Howes and Nick Buick. From the LGA, I thank, under Joy's leadership, Wendy Campagna, Victoria Gaillit, Michael Barry, and—do not forget—Felicity Ann Lewis, the Vice President, who has done a good job and Garth Heynen. We are pleased with the work Michael O'Brien did, along with Michael Hickinbotham and Fiona Roche, Stuart Mosley, Tim Jackson, Jamie Botten, Jennifer Westacott and Belinda Wood.

In terms of the industry groups, some of the criticism of the bill was in relation to the lack of consultation; I think on the contrary. The consultation here was as good as you could ever hope it to be, certainly with the support of the Property Council, the Urban Development Institute of Australia, the Master Builders Association and the HIA.

I think we have actually brought to this house a very good bill around development in this state in terms of moving forward and understanding the requirements of all stakeholders. The Planning and Development Review Amendment Bill 2008 at the conclusion of the second reading debate in this house is now well advanced in terms of being a good piece of legislation. I thank everyone who has contributed.

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

STANDARD TIME BILL

Adjourned debate on second reading.

(Continued from 29 October 2008. Page 702.)

Dr McFETRIDGE (Morphett) (17:34): I rise in support of this piece of legislation to change the time in South Australia from Greenwich Mean Time to Coordinated Universal Time. This bill—we can use all the time clichés—has taken a bit of time to get here, it is overdue and it will not take too much time at all to deal with it. The change from Greenwich Mean Time to Coordinated Universal Time is a necessary thing. The history of time is something that I have learnt a fair bit about in researching some of the background of this bill, but to say that it is time to move on is an understatement.

One of my colleagues said in jest to me that if we move to atomic time, which is really the basis of Coordinated Universal Time, using an atomic clock to accurately measure time, if we waste time will we be creating nuclear waste? I said no. And, because it is atomic time will time actually start to fly? I said no, it always seems to go quite quickly for politicians.

The Hon. R.J. McEwen: Can we actually call time out?

Dr McFETRIDGE: Sometimes we would like to have a time out, minister, but I think if I take any more time on this then the minister might think that my time is well and truly up in this place. We do support this bill. I encourage members to have a look at the history of the way time has been measured, because it is an interesting exercise. It will not take a lot of time. With this

short contribution, I offer my support to the legislation and look forward to a speedy passage through this house.

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) (17:36): I would thank the opposition and in particular Duncan for his contribution and, indeed, his support and his party's support of this most important bill, and I am grateful for the indication of their support. As has been mentioned, it will bring South Australia in line with all other Australian states. It has been a long time coming.

I too, like the honourable member for Morphett, have learned more about the passage of time and how it is calculated since being responsible for this important piece of legislation. In addition, the public and businesses that rely upon the precise measurement of time will benefit from the certainty in the use of uniform terminology in standard time legislation throughout Australia. It is an important piece of legislation.

I would conclude by thanking and acknowledging the staff from SafeWork SA for their work in the preparation of this bill and, indeed, parliamentary counsel for their assistance in drafting this bill.

Bill read a second time.

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) (17:38): I move:

That this bill be now read a third time.

Dr McFETRIDGE (Morphett) (17:38): Mr Speaker, I just wanted to know: if I spoke for a second time in the third reading, is that double time?

Bill read a third time and passed.

At 17:39 the house adjourned until Wednesday 4 February 2009 at 11:00.