

## HOUSE OF ASSEMBLY

Wednesday 25 March 2009

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

### ECONOMIC AND FINANCE COMMITTEE: ANNUAL REPORT

**Mr RAU (Enfield) (11:03):** I move:

That the 67<sup>th</sup> report of the committee, entitled Annual Report 2007-08, be noted.

On moving that this report be received, there having been changes in the Economic and Finance Committee, on behalf of the members of the committee I express our thanks to the member for West Torrens who—unfortunately for us—has departed the scene to move on to other things. He will be greatly missed, but the good news is that the member for Taylor has come into the committee and was today appointed the chair of the committee; so there is good news and bad news.

*Mr Williams interjecting:*

**Mr RAU:** I am tidying up old business. In deference to the former chair who had a certain style—

**Ms Ciccarello:** Je ne sais quoi.

**Mr RAU:** Je ne sais quoi, as the member for Norwood expresses it. He had a certain style about the way in which he used to present reports to the parliament. So, as one last tribute to the member for West Torrens, I am going to attempt to present the summary of the report in the way that I think he would have liked to present it.

**An honourable member:** He's not dead!

**Mr RAU:** No, he is in a different, altered state. That is not death, I realise that. Anyway, this is the report that one might have received had the member for West Torrens been able to deliver the report. Members have to pretend I am the member for West Torrens to really get the full value out of this.

**Mr Griffiths:** Can we have it in Greek?

**Mr RAU:** I cannot give it in Greek. All I can say is kyries ki kyri, and after that I get lost. Anyway, I will come back to the main issue.

Mr Speaker, I present to the house the 67<sup>th</sup> report of the Economic and Finance Committee, the annual report for the year 2007-08. Friends, South Australians, committee members, lend me your ears. I come to table the annual report, not to praise it. The evil that committees do lives after them. The good is oft interred with their reports. So let it be with this report.

Other committees have told you the Economic and Finance Committee is ambitious, as if it were a grievous fault—and grievously should the Economic and Finance Committee answer it. Here, under leave of the Speaker and the rest (for the Speaker is an honourable man—so are they all: all honourable men), I come to speak of the annual report 2007-08.

**Ms Ciccarello:** Not to bury it.

**Mr RAU:** Not to bury it; not yet! The committee tabled four reports in the reporting period, including major reports on consumer credit and franchising. Yet the other committees say we are ambitious—and other committees are honourable. We considered the emergency services levy, the application of the Sport and Recreation Fund, passenger service tenders under the Passenger Transport Act, and the budget of the Health and Community Services Complaints Commissioner. This is all very good stuff, as other members of the committee would be able to attest. Did this seem ambitious?

When the Australasian Council of Public Accounts Committees held its mid-term conference in South Australia in May, did not the Economic and Finance Committee host it and receive widespread acclaim from interstate and international delegates? Ambition should be made of sterner stuff. Yet other committees say the Economic and Finance Committee was ambitious—and other committees are honourable.

Did you not see the committee attach in appendix 3 of the annual report its findings on the impact of the second wave of tort reform legislation? Did you not see the committee recommend that the Treasurer provide an annual update on the movement of public liability and professional indemnity premiums; that the Office of Consumer and Business Affairs provide a report to the committee on the discussion papers process surrounding the reform of the Recreational Services Act; and that future committees review the availability and affordability of public liability and professional indemnity insurance? Was this ambition? Yet other committees say we are ambitious—and the other committees are honourable.

I speak not to disapprove of what others spoke, but here I am to speak what I do know. You all did admire us once—not without cause. What cause withholds you then admire us now? Oh, judgment! Thou art fled to brutish beasts. And men have lost their reason. Bear with me. My heart is in the bills and papers office with the annual report; and I must pause till it come back to me.

Mr Speaker, I recommend this report to the house, and it is possibly the last time a report of this type will be delivered by the Economic and Finance Committee.

**Mr GRIFFITHS (Goyder) (11:09):** I feel somewhat duty bound on behalf of the opposition to provide some comments also about the annual report of the Economic and Finance Committee, being one of its more dedicated members who always tries to ensure that he is there at the commencement time, unlike some others—and I mean that for both sides. I am a punctual person.

We are a reasonable mix of people, and I enjoyed the investigations we carried out in the 2007-08 financial year. There was certainly a lot of detailed work that went into the franchises investigation that we undertook, and also into consumer credit. These are important issues, and it is appropriate that the member for Enfield, as part of his presentation of the report on behalf of the member for West Torrens as previous chair, should highlight those. It was obvious to me in the submissions received that there are some South Australians who have benefited from franchises—there is no doubt about that—but many others have been significantly disadvantaged. However, I do not want to focus on just the one issue. I do take this opportunity to commend Dr Lobban, as executive support to the committee, on his efforts over the 12 months. It is obvious to me that Dr Lobban is a man who tries to ensure that good debate occurs; certainly, the detail of the reports that he provides is exceptional and, I think, well researched and prepared.

I also commend him for the planning that went into the mid year ACPAC conference that South Australia had the honour of hosting. Again, unfortunately not all of us who are part of the committee were able to be there, for a number of reasons (and I certainly understand that), but I believe that the members who were involved appreciated the opportunity to host our guests from interstate and overseas. It was an opportunity for us to showcase what South Australia provides via a reception in Parliament House and then a day and a half at McLaren Vale—which was, I think, enjoyed by all. The dinner that evening was also very nice, and allowed the opportunity for social interaction to occur between the various members from all political persuasions and nationalities, from which I think we all benefitted. I know that a lot of planning went into that event; I respect the fact that the parliament provided some additional financial support to our committee to enable that hosting to occur, and I thank the parliament for that.

However, the last 12 months has reinforced to me that while the term 'all powerful Economic and Finance Committee' is used quite liberally by many members—and I admit that I believed it prior to coming into this place, which was why I held a desire to be appointed by the opposition to that committee—I wish the committee actually was all powerful, and I wish it was prepared to investigate things that are important to South Australians.

As a matter of interest, I recently submitted a proposal for an investigation which was not supported. I was frustrated by that and, while I respect that that is how the numbers balance out on the committee and it is the way that it is structured, I think the issues that we sometimes attempt to highlight as being worthy of investigation are indeed issues on which South Australians want the parliament to have greater knowledge. That was the intent of those motions.

I am pleased that the committee increased its workload significantly in the last financial year. I was quoted as being somewhat sceptical of the fact that in the previous annual report the period for which we sat was relatively minor. This year it is a very different case, as it should be. Meetings were held out of sitting weeks, and we were involved in visits to different areas, at times taking submissions from people electronically—and it was interesting doing that—via video conferencing. A lot of people came to address us in the formal part of our meetings, as well as

there being the informal discussions that take place after them. So it is true that the committee actually worked much harder in the last 12 months.

I hope that continues with the appointment of the Hon. Trish White as chairperson. This morning, at our first meeting, I asked her what was her vision for the committee, and I am sure that she wants to ensure we look at some of the important issues that are occurring in this state. The honourable member is nodding her head, and I appreciate that.

**An honourable member:** She's a very good chair.

**Mr GRIFFITHS:** I have no doubt about that. So, I look forward to moving forward as a committee over the next 12 months—while, hopefully, our membership stays within its current structure—continuing the relationships that exist and, importantly, working for the benefit of South Australia. I commend the report to the house.

**Mr RAU (Enfield) (11:13):** I thank the honourable member for his contribution. As he was not limited by an attempt to format himself in the same way as the member for West Torrens would have done, he covered many things I wish I had covered. I would particularly like to echo his remarks about Dr Lobban, who has provided outstanding support for the committee. His skills run not only into all the matters the committee deals with directly, but also to the point of having some modest contribution to speeches of the type you heard a little while ago. That is an extraordinary and perhaps underrated skill around here; I have found that there are not many people who write speeches like that.

I endorse the remarks made by the member for Goyder, because he quite fairly summarises some of the interesting things we have done. I think that it is probably something we all look forward to: being able to do meaningful work in the balance of the parliamentary term remaining for us. I commend the report to the house.

Motion carried.

#### **ECONOMIC AND FINANCE COMMITTEE: ETHICAL PUBLIC SECTOR SUPERANNUATION SCHEMES**

**Mr RAU (Enfield) (11:15):** I move:

That the 68<sup>th</sup> report of the committee, entitled Ethical Public Sector Superannuation Schemes, be noted.

Again, I stand in the stead of the honourable member for West Torrens. I believe this is his swansong in terms of contributions from the committee, and I will not burden people with another rip-off of William Shakespeare.

*The Hon. I.F. Evans interjecting:*

**Mr RAU:** Indeed; very good. This report is entitled 'Ethical public sector superannuation schemes'. This inquiry was referred to the committee by this house, and I am pleased to report back on behalf of the committee in relation to its findings. The committee was asked to investigate and report on the principles and application of ethical and sustainable superannuation and investment options for state public sector and parliamentary superannuation schemes.

Members will accept, I suggest, that the primary objective of those who invest and manage superannuation funds is the attainment of maximum returns for their clients. Most people have been disappointed in that respect over the past 12 months.

The Funds SA Act, by which I refer to the relevant legislation, provides Funds SA as the entity to determine the investment strategy of public sector superannuation in this state and tasks it with achieving the highest return possible on investments. The committee sought to understand whether and, if so, how ethical considerations operated within these established parameters.

The committee heard that socially responsible investing (SRI) developed as a niche segment within the investment and superannuation sector during the 1980s and has flourished in the years since. In broad terms, this involves building an investment portfolio out of only those companies and investments that meet a set of prescribed ethical or sustainable criteria.

These funds are offered on the basis that investors will opt in and choose them to the exclusion of other funds, essentially because they have some sort of commitment to these. In the superannuation context, this means providing a particular fund and giving investors the ability to opt out of the default funds.

The committee was told by Funds SA and Super SA that, while surveys reveal high consumer approval for these funds being available, the actual take-up rate is very low. Funds SA told the committee that the typical take-up rate was below 1 per cent. Super SA and Funds SA told the committee that their preferred approach was one, in effect, that makes the default option an ethical one.

The committee was told that environmental, social and governance (ESG) investing represents a more holistic approach to investment funds that does not require the construction of often narrowly defined portfolios; after all, one person's ethical portfolio is not necessarily the same as another's.

Both Funds SA and Super SA recommended the United Nations Principles for Responsible Investment which were promulgated in 2007 and which have been signed up to by some of the funds managers. These are voluntary and aspirational principles which provide a menu of possible actions for incorporating these issues into mainstream investment decision-making and ownership practices. The principles are:

1. Incorporating these issues into investment analysis and decision making.
2. Being active owners and incorporating these issues into ownership policies and practices.
3. Seeking appropriate disclosure.
4. Promoting acceptance and implementation of these principles within the industry.
5. Working together to enhance effectiveness in implementing the principles.
6. Reporting on activities and progress towards implementing the principles.

I am not sure I understand what all that means, but that is what the United Nations came up with.

Part of the practice on the part of fund managers was to exercise their corporate voting rights as investors with these principles in mind, in effect, to encourage enlightened behaviour on the part of companies in whom they invest. The primary principle of active investment is engagement rather than exclusion.

The committee received evidence to the effect that fund managers who operate under these principles strongly believe in the positive effects of such an approach. This applies over a range of areas from environmental impacts to the attitude of companies to minority shareholders and other corporate governance issues. In the committee's opinion, the approach adopted by Funds SA of incorporating ethical concerns into the wider range of factors considered when building investment portfolios and strategies is both sound and effective.

If this is to be considered as a serious element of the public sector superannuation industry, and the committee accepts that the public sector, in this regard, as in others, should aim to operate as a model citizen, then a more comprehensive approach than that offered by circumscribed opt-in options must be adopted.

The committee is encouraged by the evidence that these principles form part of the general matrix of risk and return factors considered by investment managers. It is only when these principles obtain an operational equivalence with the more established financial and economic indicators of performance that investment and, as consequence, corporate behaviour will change.

When these principles in the past have been seen, superficially at least, as contrary to the primary objective of the investment process—that is, maximizing returns—the integration of these principles into the investment industry enables them to have maximum effect whilst retaining fidelity to the achievement of best returns. Really, this was the tension between the so-called 'green' options or 'sustainable' options and high returns. Do you go for a green option that returns very little or nothing, or do you go for the highly profitable and, perhaps, unethical investment? This is a method of finding a way through that maze, I guess.

It is further arguable that a strategy that encourages maximal financial and ESG returns is actually adding value—and value beyond financial indicators—which was not previously achievable or even quantifiable. In an historical moment, where environmental and social priorities are imposing themselves on the economic landscape, and with the future introduction of regimes such as emissions trading, any investment process that integrates ESG into its calculations will be on surer footing as the economic terrain changes.

With respect to the operation of current ESG policies within Funds SA, the committee is of the opinion that the engagement of which Funds SA spoke should be enhanced and, in some respects, prescribed. The committee recommended to the Treasurer that:

1. Investment managers are encouraged to sign up to the United Nations Principles for Responsible Investing.
2. As an alternative, or in addition, a consistent set of ESG principles be adopted by Funds SA and prescribed as policy.
3. Funds SA requires its investment managers to exercise their votes with respect to the entities in which they invest according to ESG principles.
4. Investment managers submit voting policies and reports of their voting activities.

As a postscript, I note to the house that the Treasurer's reply to the committee indicated that, while the relevant legislation prevented him from giving direct instructions to Funds SA as to how it should manage its investment strategy, Funds SA would, nevertheless, be aware of the committee's concern.

This seems to have been the case in a curious way, since, as of this month, Super SA has begun providing a stand-alone SRI option for those customers who want to opt in. While this seems to contradict its submission to the committee, one can only assume that bringing this issue to its attention, through an agent as credible as the Economic and Finance Committee, has made it reflect on its previous attitudes.

Given the above, and pursuant to section 6 of the Parliamentary Committees Act 1991, the Economic and Finance Committee recommends that parliament note this report. In doing so, again I would like to express my thanks to all the members of the committee, in particular, Dr Lobban, who, as always, did an outstanding job in relation to the provision of support and the writing of the report that was presented to the parliament.

**Mr GRIFFITHS (Goyder) (11:24):** I will be brief on this. Given that I spoke in support of the motion of the member for Ashford to recommend this issue to the committee, I think it is appropriate that I make some brief comments.

I enjoyed reading the submissions received by the committee on ethical superannuation investment options. I certainly respect very much that the world has changed enormously since the motion was first put before the house. While in prosperous times it is quite reasonable for many people to make conscious decisions as to how they would like their funds invested within superannuation and to take up that option, be it in very small numbers across the board, I believe that, in terms ethical superannuation, now more people are interested in what their dollar return will be when they retire. They want to ensure that the best investment choice is made for them.

It is obvious to me that there are some difficulties attached to ensuring that a range of options is available for people to make decisions upon. I am pleased, though, that I think all members of this place would have received a letter recently as part of the superannuation membership which talks about an investment option being established which I think does define some socially responsible choices.

It shows that, while our recommendations went through to Funds SA in some way, the issue raised by the member for Ashford has indeed moved forward, and there is now some choice out there for people to make. I commend the report to the house.

Motion carried.

#### **PUBLIC WORKS COMMITTEE: GLENELG WASTEWATER TREATMENT PLANT POWER SUPPLY UPGRADE**

**Ms CICCARELLO (Norwood) (11:25):** I move:

That the 312<sup>th</sup> report of the committee, entitled Glenelg Wastewater Treatment Plant Power Supply Upgrade, be noted.

In 2002, upgrades implemented at the Glenelg Wastewater Treatment Plant increased the power demand at the plant. Prior to the upgrade, power to the site was principally being met with on-site generation using digester gas and natural gas with daily short duration peak demands supplemented by externally supplied grid power.

Since the upgrade, the increased power demand requires continuous use of both on-site generation and external grid power. If one of these supplies is unavailable, there is not enough power to run the plant at full capacity and treated wastewater quality deteriorates. Investigations commenced in 2005 into the security and reliability of the existing power supplies and optimisation of energy provision to the plant.

It has been anticipated that a project would be required to upgrade the ETSA power supply and the on-site power generation system. The Glenelg to Adelaide Parklands recycling plant, which is to be commissioned during 2009, includes construction of a new filtration plant and pumping station on the plant site that will further increase the level and complexity of power demand.

Upgrading the power supply is necessary in order to seek capital delivery cost efficiencies and site power integration opportunities associated with the supply to the Glenelg Wastewater Treatment Plant and the future Glenelg to Adelaide Parklands plant. It is proposed to upgrade the Glenelg plant's power supply so as to provide supply contingency to enable it to adequately process wastewater flows during the loss of on-site generated power or during loss of the primary ETSA supply to the plant.

The proposed scope of works is to install a new high-capacity external primary power source from the Plympton substation, retain the current on-site generation facility as a second primary power source, retain the existing primary ETSA feeder from the Glenelg North substation to operate as a backup power source and decommission the existing backup ETSA feeder from the Henley South substation.

This project also provides funding for the new ETSA feeder to provide power to the Glenelg to Adelaide Parklands re-use project. The express ETSA feeder route from the Plympton substation to the Glenelg Wastewater Treatment Plant will be beneath roads except at the Sturt River Creek where the feeder will pass through council property. Council will be notified prior to the commencement of works.

The power supply upgrade objective is to ensure full plant capability during a failure of either of the two primary sources. The strategy chosen to deliver the objective effectively and efficiently is to provide a new appropriately sized ETSA supply and to improve the capability of the backup ETSA supply.

This work specifically involves: ETSA utilities installing an underground express feeder between the Plympton substation and the boundary of the Glenelg plant including boring to feed the cables beneath Tapleys Hill Road, the Sturt Creek and the Patawalonga; on-site works to trench and lay underground cables and install new metering cubicles located between the site boundary and the high-voltage switchboard; reconfiguring the existing primary ETSA feeder to operate as a backup ETSA feeder; and connecting new underground cables to the high-voltage switchboard.

Normally, operation power will be consumed from both the on-site generators and the new feeder. The operational risks that the upgrade will manage relate to the failure of each primary supply. If on-site generation fails, there is sufficient capacity to meet the full power demands of the plant and meet the majority of the power demand of the Glenelg to Adelaide Parklands plant. If the feeder fails, demand is met from the on-site generation and the ETSA backup feeder with no impact on wastewater quality, but there could be a temporary inability to water the Parklands.

The one scenario not covered by the proposal is simultaneous failure of the primary and back-up ETSA feeders. Due to their relative independence (sourced from Plympton and the Glenelg North substations), this is considered to be highly unlikely and would occur only if much of the metropolitan power grid failed.

The key aims of the project are to provide a reliable power supply to the Glenelg waste water treatment plant site that meets all electrical energy demands; to enable the effective management of risk to plant operation during periods of primary grid-supplied power outage and on-site generated power outage; and to ensure that the waste water treatment plant operating licence conditions continue to be met.

It is important to note that, under its operating rules, ETSA will not allow simultaneous use of the two ETSA feeders. None of the available energy sources can individually supply the required average power demand of the plant. The committee has been told that this project is necessary to ensure that SA Water continues to comply with the requirements of the Environment Protection Act.

The project will also provide a secure power supply to the strategic infrastructure of a waste water treatment plant which services a population of 200,000 and which will enable consolidated supply of power to the Glenelg to Adelaide Parklands recycled water filtration plant. The upgrade will minimise the risk of high nutrient load outfalls into the marine environment during sustained loss of on-site power generation or during a loss of the primary ETSA supply.

Consolidation of power supplies to the plant and to the Glenelg to Adelaide Parklands facility will support an increase in recycling and reduce demand on the River Murray flows due to the resultant supply contingency available to the GAP facility. The capital cost associated with this project is \$5.249 million, and it will not require any additional Community Service Obligation subsidies to be paid to SA Water.

SA Water will contract the project to ETSA Utilities to design and deliver as the sole provider of electricity services. This will ensure that all risks associated with meeting design standards and risks associated with construction will be addressed through ETSA's terms and conditions. Based upon the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

**Mr PISONI (Unley) (11:32):** I just want to make a couple of quick comments. This is not a terribly sexy project. Some interesting projects do come before the Public Works Committee, and a back-up energy supply is not terribly sexy, although it could have been made sexier with the introduction of some form of green power. I was interested to know whether any investigations had been made during the procurement process of this project about the use of renewable energy. According to *Hansard*, when that question was asked by the committee, they said that they did not know and that they could not answer that question. Certainly, there was no direction from the government to look for green power alternatives for this project.

We know that at any one time 20 per cent of the power will still be coming from the grid, and obviously that is a situation that could have been dealt with by using some form of renewable energy. However, the government chose not to pursue that path, and I am not sure it was explained well enough in the committee report as to why that did not happen. Perhaps the Premier was burnt by his purchase of the wind turbines for the State Administration Building when it was exposed that the wind turbines do not work, although it was quoted in *E-mission* (the government's climate change newsletter) in September 2006 that these mini wind turbines were part of the government's Capital City Project and that it was another example of the government's commitment to renewable energy initiatives.

From my point of view, the frustrating thing is that we had a situation here where there was an opportunity to introduce some green energy, and there were no instructions from the government during the procurement process for this even to be investigated. What the government says about its green credentials and what it actually does are two different things. When the government has an opportunity to make a song and dance about green issues, it will do that. However, when the government actually has to do the hard yards and work out how we can use green energy more often and make more use of it, it goes into the too hard basket, and this is a classic example of that happening.

Motion carried.

#### **PUBLIC WORKS COMMITTEE: RAILCAR DEPOT RELOCATION**

**Ms CICCARELLO (Norwood) (11:35):** I move:

That the 313<sup>th</sup> report of the committee, entitled Railcar Depot Relocation, be noted.

The government's intention to construct the new RAH on the 10 hectare site utilised by TransAdelaide for the maintenance and stabling of its railcar fleet requires the existing facilities to be relocated.

A number of sites for railcar maintenance, cleaning, fuelling and overnight and interpeak stabling facilities were considered and assessed against planning, community, staff impact, environmental, economic and operational criteria.

The preferred outcomes are: to establish a new site at Dry Creek as a new major maintenance, cleaning and fuelling facility, along with stabling capacity for overnight and interpeak storage of railcars; and to expand the existing stabling facility at Lonsdale to provide increased

overnight and interpeak capacity to act as a second fuelling facility and a minor maintenance facility.

Other minor works, such as line crossovers, breakdown sidings and additional smaller stabling sites may be needed to achieve operational flexibility and efficiencies. To ensure compatibility with new depots, upgrading of the Operations Control Centre, situated at the eastern end of the proposed hospital site on North Terrace, is also required. At Dry Creek, there will be five sidings giving the capacity for stabling over 70 railcars.

The main maintenance facility comprises five railcar roads that extend the full length of the building, a number of specialised workshops, an integrated warehouse facility, administrative facilities and staff amenities. Activities in this facility include the planned and unplanned maintenance of the railcar fleet, removal and replacement of railcar components, overhaul of major components and carriage works.

Facilities will be provided for the cleaning of railcars. This will include regular spot cleaning of cars to ensure that appropriate conditions for carriage of customers are maintained. Facilities will also be available for railcars to be spring-cleaned as part of the ongoing maintenance program. Railcars will be scheduled for an exterior wash on a regular basis. On average, it is anticipated that up to 50 railcars per day can be washed using the facilities.

It is proposed that water used within this facility will include rainwater harvested from the site buildings. The water used during the wash-down process will also be treated and recycled, and waste products will be directed to the trade waste treatment plant.

The diesel maintenance facility will initially be utilised to support the program for the conversion of diesel railcars to electric drive and from broad gauge to standard gauge, but will transition to a diesel maintenance facility to maintain 12 remaining diesel railcars once the railcar fleet has been electrified.

Fuel storage has been located within a separate compound within a hard-stand area designated for receiving fuel via road tanker. The fuel storage area will include an above-ground purpose-built tank that will sit within an appropriately bunded area that is roofed to prevent the collection of rainwater within the bund. The fuel will be piped to the service and refuelling facility.

The yard has been designed to minimise conflicting movements of railcars, and roads will allow bypass of activities when busy, and as a contingency measure. Catchpoints have been designed at all entrance and egress points for railcar movements so as to eliminate the risk of a 'runaway train' entering the main line.

The Lonsdale site is owned by the Minister for Transport, with the exception of a small portion owned by the City of Onkaparinga. Council is willing to make this land available for the project. The site exists entirely within the City of Onkaparinga council area and is zoned industrial.

The Lonsdale site will include: a fuelling and service inspection facility; stabling facilities for the overnight and/or interpeak stabling of at least 30 railcars; appropriate rail track work linking the facilities to each other and to the main lines; storage facilities for fuel and other consumables; all appropriate drainage, trade waste management and water storage; a TransAdelaide operations building; and appropriate vehicular access roads, car parking and landscaping. Temporary fuel storage at Lonsdale is being investigated. Any facility constructed for fuel storage will be designed to the appropriate standards.

The various service areas will be provided with drainage via settling pits, silt traps, collection pits and sumps, which in turn will be piped to oil plate separator plants, whereby the contaminants are separated out for disposal off site and clean water directed to the sewer system.

The waste water treatment system will separate out grit, dirt, oil, grease and bacterial contaminants that will be generated by the wash process. Both sites will be designed to capture and use rainwater where practicable.

Significant service relocations, including overhead 66kV ETSA and high pressure gas, are required. Negotiations with service authorities will be ongoing during the design development phase of the project.

The receiving environment for stormwater leaving the Dry Creek site is the Barker Inlet Wetlands. Specific treatment measures will be necessary during the operational phase of the project. Treatments may include vegetated swale drains and/or sediment pond areas. The



Lonsdale site has a less sensitive receiving environment; however, similar treatment of stormwater will occur prior to release from the site.

Removing the existing railcar maintenance facility on North Terrace will greatly improve the amenity of this area adjacent to the River Torrens and the rejuvenated West End precinct of the city. It will also allow for the area to be rehabilitated of historic contamination and enhanced through the appropriate re-use of the land.

The general amenity of the Dry Creek area will also be improved by the construction of the new maintenance facility. This land is currently under-utilised as a storage area and rail siding. The construction and operation of the facility at this site will improve the security and economic activity of the Dry Creek area.

It is expected that the new facilities will enable future standardisation and electrification of the network and will allow for the growth of the metropolitan passenger rail fleet. The new facilities will also reduce the risk associated with the continued use of the existing site adjacent to the River Torrens on North Terrace for industrial use that includes fuel storage and management of trade wastes.

The estimated cost of the project is \$157 million, with work at the Dry Creek depot to be completed in 2010 and at Lonsdale in 2011. The key date aimed for is to be able to have the site available to the Department of Health by September 2010.

The project includes a number of benefits. It replaces a 25 year old maintenance facility with a new facility designed and constructed to current standards and practices. The facilities are purpose designed to accommodate an electric rail fleet and a standard gauge network. The facilities also have the capacity for future expansion to match anticipated growth in public transport patronage.

Based upon the evidence presented to it, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public work.

**Mr PISONI (Unley) (11:43):** This was an interesting Public Works Committee hearing to sit on, with the relocation of the works on North Terrace. A couple of things that I was interested in exploring included the increased travel time for trains for refuelling. When we talk about diesel locomotives, I think a lot of people do not think about the process that goes into refuelling.

When we drive our cars there is a petrol station on just about every main road, so we do not have to make a special trip to go to the petrol station; we tend to call into one as we pass. The significant difference here is that we will see—I think for the Belair line alone, which will remain a diesel operation—50 extra journeys to Dry Creek for refuelling only for trains that are using the Belair line. They will be crossing over road intersections more often, so we will see boom gates coming down more often which will obviously cause more restrictions and more chaos on our roads.

We already have bottlenecks at many of the crossing points where the Belair line trains need to cross main roads in order to get down to the refuelling depot at Dry Creek. Members should remember that the refuelling depot is there as a permanent fixture, so that will happen for as long as the Belair line remains on diesel. We are still unsure as to the commencement of the electrification of the rest of the system. It seems very strange to me, if it were to happen in the next couple of years, or even the next two or three years, why a temporary refuelling depot would be built at Lonsdale when we know that it would be ripped up and pulled out once the trains were electrified.

One has to question the government's method here: some would say that there is method in its madness, but I would suggest that it seems to reflect a bit of chaos in the way that the government is managing both this project and its hospital project. The time lines seem to be based more on political time lines than on time lines that get the best value for taxpayers' dollars.

We saw that also with the purchase of the trams that run down through the city. We saw it in the Public Works Committee hearing in 2005, which questioned the purchase of those particular trams. It was made very clear in that report that the sole factor considered for purchasing that particular tram was that it was the only tram available to be delivered before the election—again, a political timetable by this government. It was not a timetable for the best value and the best use of taxpayers' money or the best value for taxpayers.

We are paying the price for those trams now. We have the extraordinary situation where we have the widest tram tracks with the narrowest trams. I think the Premier would like to boast that that is another world first, as he is always quick to boast about world firsts. Another world first here in South Australia is the widest tram tracks and the narrowest trams. Again, we see the inconvenience—the permanent inconvenience—that that political decision has created for South Australians in the longer term.

I am concerned that we are going to see an increase in greenhouse gas emissions for the Belair line. Do not forget that, at the moment, when the trains come into the Adelaide station the fuelling station is right there, so there is no additional travel for refuelling. My understanding is that refuelling has to happen every four or five hours, so the diesel trains will continue to make a number of trips a day to Dry Creek. It does not seem to me to be consistent with the public relations message the Premier keeps popping out there about his green credentials.

This is going to mean that a lot more diesel will be used in trips for refuelling. It will also mean that more cars are stopped at train crossing points, and up to 50 additional crossings a day were identified in the examination of the movement of trains from Belair to Dry Creek. For those who want to read *Hansard* on the parliamentary website, they will see that the Belair trains will need to use at least five more new crossing points to refuel than they use now. There are five more crossing points, each with 50 additional passes every day.

**The Hon. I.F. Evans:** Is that from Belair to Adelaide—50 a day extra?

**Mr PISONI:** That is from Adelaide to Dry Creek, 50 extra crossing points a day. The trains will go into the Adelaide station, out to refuel at Dry Creek and then back to Belair. That is what we will see. Those living in safe Labor seats will, obviously, be heavily relied upon to be patient. Those who use those crossing points might need to give themselves a bit more time to get to work because of the additional time they will spend queueing up at train crossing points.

Another interesting point raised was in relation to the remediation of the site. It was made perfectly clear by Mr Hook that that was the responsibility of the Department of Health. We understand the cost will be around \$200 million. It is confirmed by this report that the cost of remediation of the site of the former Marjorie Jackson-Nelson hospital, now the rail depot hospital, is actually \$1.7 million plus—\$200 million for the remediation of the site. So it is close to \$2 billion now for the new hospital.

I urge members to again look at the transcript of that hearing to see that confirmed. It is the responsibility of the Department of Health and DTEI will move out of this project, leaving a contaminated site for the Department of Health and the PPP partners to deal with—if we end up with a PPP for that project. As we know, the government is still undecided on how it will pay for the project, but we learnt from the hearing that the cost to clean up the site was not included in the cost of the hospital, nor was it included in the estimates for the electrification of the train track as well. I asked where the contaminated material was to go and there was no indication. It had still not been decided where the contaminated material would go, and the answer was along the lines that it is up to the Department of Health to deal with it, that it is its project and it has to deal with that.

I was interested to be reminded—I was told that this was announced when the electrification of the train tracks and resleepering was announced last year—that we are moving to standard gauge in our suburban network. That could cause some concern to people living near the tracks, because standard gauge is used by the national rail system, which is predominantly freight. So, there is some concern that we may be seeing freight on our suburban lines, but this has not been addressed in this report. I could not get an answer from Mr Hook along those lines, but I think the term he used was that the tracks would be 'freight ready'.

That is my quick analysis of the hearing. It is an exciting project, especially for someone like me who is very interested in trains. I found it interesting and fascinating, but I was frustrated at the apparent chaos surrounding this project that was exposed during this hearing.

**Mr VENNING (Schubert) (11:53):** Anything that comes before us with 'train' written in it or on it I will always have something to say about, because I have always been a great supporter of trams, trains and whatever. Figures released yesterday show that Adelaide has possibly the highest percentage of car parking spaces of any city of its type in the world. Why is that? It is because the public transport system has failed. We have become very car-centric here, and we must address this issue as it is causing all sorts of problems. Bring back trains, but make them more user friendly.

As the member for Unley said, trains are more than freight. Interstate freight is important, but they should not necessarily be going through our beautiful foothills when there is an alternative, namely, to go around and by-pass Adelaide. Freight does not need to come into Adelaide. In the future, when I am long gone from this place, if we cannot get freight to Port Adelaide without causing disruption to lovely suburbs like Unley, we need to consider whether we should have another port.

There is an alternative. The member for Goyder is sitting here, and that port is in his electorate. In the Mid North of the state, with deeper water than Port Adelaide, it is Mipony Point, just north of Tickera. It has been talked about for years. I am very sad to realise—

**The Hon. M.J. Wright:** It's a beautiful part of the world.

**Mr VENNING:** It is. I think that the freight should bypass Adelaide from Murray Bridge, up through Sedan and Cambrai and linking it around the back (there are two or three options to link into the main line) and then go across, with an existing rail corridor, I point out (which has been in the news in the last week, as the member for Goyder would know), from Snowtown across to Wallaroo. We hear that this connection is mooted to be closed. That part has been operated by the historic railway group from—

**Mr Griffiths:** The Lions Club of Yorke Peninsula.

**Mr VENNING:** Yes, the Lions Club of Yorke Peninsula Rail. I was pretty sad to hear they have closed it. The heat we had a few weeks ago buckled the tracks and they are no longer able to maintain that track. It is very sad, because the little community in Bute, which I know very well (my brother lives there), will be really hurt by the closure of that railway. The cost of keeping it up is probably in excess of \$1 million.

**Mr Griffiths:** It is \$2 million to repair.

**Mr VENNING:** The member for Goyder says that it is \$2 million to repair, but the government ought to say, 'Well, hang on, we ought to keep this railway open.' I am cross that that rail line closed for commercial traffic, and I blame not the government but the bulk handling authority, which did not renew the rail unloader at Wallaroo. I do not know why it did not do that. My father was at the company so I cannot be too tough about that. My father was a director at the time, and they did not renew it.

I believe there is no reason why, for the sake of half a dozen D9s, we cannot lower the grades through the Hummocks and that rail line could be reopened for commercial traffic, because there is a port on the other end of it. That would indirectly solve the problem here in the suburbs of Adelaide—and we are talking very much in the future here. I note that the ERD Committee, of which I am a member, has before it a reference on transport options, which I am sure will be a fascinating reference. We hope to undertake this task with the University of Adelaide's blessing, using the university's expertise and its professors.

I look forward to this being a very worthwhile exercise, as we need to have a good look at our transport options. In relation to the rail depot about which this motion talks, we need to look at the whole picture and its effects. We need to make the decisions now that will have long-term ramifications; because I agree with the member for Unley that it is not satisfactory hauling all the freight that comes from Adelaide to Melbourne up through the eastern suburbs—it is ridiculous—and then hacking it through the Adelaide Hills. We have restrictions with tunnels and corners, and it is not satisfactory. It is high time we decided, 'Well, enough of that.' If this government does not do it I am very confident that the next government will, because I think it is very important.

Finally, in relation to our transport system here, I am concerned that we are not manufacturing more of these vehicles in South Australia. We do have very good bus/coach builders here. We are saddled with these inferior trams we have out the front now. I do say that with some respect, but they are not the quality tram we should have had; they are the narrower tram. Why did we buy them? Because we could not get the wider body ones in time for the election in 2006, and that makes me cross.

I understand that the chassis can be bought quite readily. The chassis are available for these trams and we should build the bodies here. We have the builders here. Why did we not do that? Even if they cost marginally more, I do not care; I bet the quality would be superior. I can tell members that at least the air-conditioners would work—they can be assured of that. I ask the people in those positions of power who are doing the decision making to consider why we are not making these here—and not just trams: the trains could be built here as well. Over the years we

have had many very good coach building companies. Some are still around, even though they are only the remnants of the originals, and they ought to be looked at. It is sad to think that not all of us are using the tram. I wonder how many members came here today on public transport. Out of the 47 of us, I will bet there are not more than two.

Debate adjourned.

### **ELECTORAL (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 5 March 2009. Page 1924.)

**Mr VENNING:** Madam Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Mrs REDMOND (Heysen) (12:02):** I indicate that I am the lead speaker for the opposition. At this stage, I will begin with some comments on the various aspects of the bill. There are numerous different aspects and I anticipate that quite a number of members will be making some comments in relation to it because, unlike some of the bills that the Attorney and I manage in this house, this one contains a number of issues with which virtually everyone in the chamber would be familiar and about which many people will have some opinions. Probably the most remarkable of those is the proposition that we should basically do away with having corflutes or other electoral advertising material in public places.

With respect to many of the comments I have received in the public arena when discussing this bill, the instant response of people to the proposition that we not have corflutes put about when elections are imminent is that it is a blessed relief, in their view. They do not want to have this dreadful littering of our landscape with corflutes. I am no great lover of corflutes. I have to say that one of the worst parts of taking on this job is the fact that you have to have your photo on corflutes on Stobie poles all around the electorate, and when it comes to election time I like to try—

*Members interjecting:*

**Mrs REDMOND:** I think there is enough discussion going on without me even trying to make a speech. I do not like having to drive around the place seeing pictures of me on Stobie poles all around the electorate. I really find it one of the most awful parts of the job. It is almost as bad as fundraising, in fact—not that I resent going to fundraising functions but that headache of always consistently having to think about getting the money together for the next election. When you talk to many people about it, they do not realise that unless it is raised with them; that is, if you are in this game, it is expected that you will have pictures of yourself on these corflutes on every available Stobie pole. My electorate is about 1,000 square kilometres, so I can drive almost to Victor Harbor and still come across pictures of me on Stobie poles.

Then, of course, there is the joy of having to put them up and then take them down. I know that sometimes obscure places have been chosen and someone will say to me, 'By the way, there is still a picture of you up at a certain place,' and we have to send someone out to pick up a corflute that was not collected when it should have been. Indeed, after the election, on occasions, I have done the courtesy to other people of getting their corflutes down at the same time that we have taken ours down and returning them to the people. I know, indeed, that the member for Davenport has some rather lovely corflutes which some of his staffers collected after one his elections and which had been vandalised in such a way that they became really quite beautiful works of art. They were obtained by his staffers and I think block mounted and presented to him as a gift—and he did have them on the wall of his office.

Corflutes are no doubt the source of a lot of fun for some people. Certainly the guerrilla warfare tactics involved by some people in some electorates can be problematic. Many people in the community do not realise that they are relatively expensive to get organised and that it is problematic. I remember that, I think with my first election, many of my corflutes were taken. We complained to the police, and the next thing it turned up in a Neighbourhood Watch newsletter as though it was some great joke that there had been a complaint that the corflutes were being taken. I remember that, during the last election, the young Labor candidate was seen by one of my staffers to be taking down one of my corflutes. We contacted him and very politely pointed out to him that he might not be aware that that was an offence under the act, but that we were not going to take it any further—

**The Hon. M.J. Atkinson:** Why don't you make that allegation outside without parliamentary privilege? Make it outside.

**Mrs REDMOND:** I did; you can ask him. The Attorney suggests that I make it outside parliamentary privilege. The Attorney makes the mistake of thinking that I am making this up, but if you talk to your young Labor candidate from that election, you will find out that he did get a very polite and very nice phone call from us saying that we would appreciate—

**The Hon. M.J. Atkinson:** Well, he may have, but it may have been based on a falsehood.

**Mrs REDMOND:** The Attorney says that it may have been based on a falsehood. I can guarantee the Attorney that my PA (who has been my employee for the last 15 years) was the person who saw him doing it. We did not take any action or make any formal complaint; we simply took appropriate steps to have it dealt with.

**The Hon. M.J. Atkinson:** Yet another smear under parliamentary privilege. You have a reputation for it.

**Mrs REDMOND:** The Attorney makes the comment that I am making a smear—

**The DEPUTY SPEAKER:** Order! There is unnecessary innuendo flying across the chamber. Could the member please address the bill directly?

**Mrs REDMOND:** I certainly will, Madam Deputy Speaker, but the Attorney-General accused me of making another smear under parliamentary privilege. This is from an attorney-general who recently made an apology to the Deputy Chief Magistrate—we wonder why—

**The DEPUTY SPEAKER:** Order!

**Mrs REDMOND:** —and then an apology on radio.

**The DEPUTY SPEAKER:** Order! The chamber is not the place for gratuitous insults from either side. Standing orders are very clear about this. My duty is to maintain orderly debate, and I will do so. Member for Heysen, please address the bill.

**Mrs REDMOND:** Well, Madam Deputy Speaker, I would ask you to maintain orderly debate in a fair and even-handed manner. I do not complain that, normally, you would not do that, but the Attorney-General for some minutes was attacking me on the basis that he claims that I make unfair smears against people and that I have a reputation for it. Now to deny me the opportunity to respond, when he has not been called to order over that attack—

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

**The DEPUTY SPEAKER:** Order! The Attorney-General will also maintain silence. I have called both sides to order over interjections. I will give a slight indulgence to the honourable member in order to explain herself but not to make accusations about other members of parliament. Please address the topic of the debate, with an indulgence to explain yourself.

**Mrs REDMOND:** Thank you, Madam Deputy Speaker. I was not attacking any other members of parliament but, rather, reporting the fact that during an election campaign in 2006 the Labor candidate in my area was observed to be taking down one of my corflutes; rather than taking any official action about that activity, we chose to behave in a very mild mannered and polite way. We approached him and reported to him that he had been seeing doing it, that it was an offence and that we would appreciate his not doing it again.

But for the Attorney-General's interjection, I would not have taken the discussion of that point further. The overall point I was trying to make was that in relation to corflutes the public at large, in my view, as an instant response to the proposal in this bill, says, 'That's a great idea because we think corflutes are litter on the landscape and we don't want to put up with them any longer.' It seems to me that there is more to corflutes than simply assuming they are litter.

My view as a sitting member is that the proposition that we get rid of corflutes except on private property has an attraction to all sitting members in that it gives an unfair advantage to a sitting member. As a sitting member, generally I have the capacity to get more publicity than someone who might want to mount a campaign against me, whether it be from within the Liberal Party or another party or as an Independent. I have the capacity to put out a newsletter, which I conscientiously do every three months, so that my name and my picture are out there. On the other hand, someone who wants to become a member of parliament—a candidate or would-be candidate of whatever nature—will struggle to get their name out there.

It seems to be a proposition that, while it has some attraction for the population at large, it is problematic for the nature of our democracy and the nature of freedom of speech. Freedom of speech extends beyond merely the ability to get up on a soapbox and sprout and spruik about whatever topic you might want to talk about. Very few people approach the political process in that way these days. As part of our political process, we are used to seeing the television news and images of things. In my view, it is fundamental to our political process that people have the right to put their name out there in the public domain.

This purports to say that no electoral advertising can be anywhere on a road or on other public property, that it will be restricted to private property. In my electorate there might be quite a number of people who would be happy to put a corflute on their fence that faces a road, and I might be able to get my message out to some extent in that way, but I think there are some difficulties with that approach as well.

I say that because I know that, on both sides of parliament—and, indeed, among people who support other parties—there are people who choose to quietly support their preferred political party or candidate but if, for instance, you are living in a country area and you are running a local business, be it a newsagency, butcher shop or whatever the business might be, you might have a very definite preference in your private political leanings for one candidate or another, but it is understandably potentially a risk to your business if you put someone's name out as your preferred candidate on the window of your business, for instance. That would be within the private property concept that is talked about in this legislation, and that is fine.

**The Hon. M.J. Atkinson:** Well, don't put it there. Don't do it.

**Mrs REDMOND:** The Attorney says don't do it then, and that is exactly the point. Whilst the legislation contemplates that notices can be put on private property, I think that, quite reasonably, many people, although they have a private preference for a candidate and may even support a particular candidate—may even do so to the point of doorknocking or handing out how-to-vote cards at the polling booths, or whatever it is—they may nevertheless feel reluctant about putting a sign on their fence or in the window of their premises. They may feel that that might expose them to the risk of vandalism, or they might simply feel that it might expose them to the risk that someone no longer wants to visit their business as a customer because of that political preference.

In this country we have voting which enables everyone's vote to be kept secret should they choose to keep it secret. They are at liberty to share it, but everyone can have a private vote. Our polling booths are set up to allow it and we are allowed to vote in private. By far the vast majority of the population do not go around talking about which side of politics, which party or which individual they support. Indeed, I think it is one of the peculiarities of the Australian culture that it is one of the topics that is of most interest and has most effect in the country, but it is a topic that is steadfastly avoided on a number of occasions.

So, in my view, the proposition put by this bill is—I will not go so far as to say dangerous—certainly heading us in a direction which I consider to be undemocratic. I think it purports to infringe upon our freedom of speech and our freedom of political action.

The proposition is not, of course, restricted to simply dealing with corflutes and not being able to put them on Stobie poles. The proposition in the legislation is that there be no electoral advertising allowed on any road. During election campaigns, for instance, I have, and have had since I first became a candidate, a little triangular sign that goes on the top of my car that says 'Isobel Redmond, Liberal for Heysen'.

**The Hon. M.J. Atkinson:** Exempted by regulation. No problem.

**Mrs REDMOND:** And the Attorney calls out across the chamber that it is exempted by regulation, but he has not tabled any regulation, nor is he intending to, and nor were his advisers at the briefing—and I thank the advisers and the Electoral Commissioner for the briefing. However, we have no guarantee about that whatsoever under the Attorney's proposition.

**The Hon. M.J. Atkinson:** Well, I guarantee it, on the record.

**The DEPUTY SPEAKER:** Order! The Attorney-General has the opportunity to respond in an orderly manner. There is no need for this continuing interjection.

**Mrs REDMOND:** During the briefing, I specifically asked about the new magnetised signs for the side of my car which simply say 'Isobel Redmond MP, Member for Heysen'. Is that electoral

advertising? It is on my car; it names me as the member for Heysen. The Electoral Commissioner and the advisers were unable to give a definitive answer to that question during our three hour briefing—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mrs REDMOND:** The member for Florey, for instance, Frances Bedford, has a wonderful van that she has emblazoned with the words 'Mobile electoral office for Frances Bedford, member for Florey'. Under this proposition, as it stands in the bill presented to this parliament and in spite of any guarantee given by the Attorney-General—I know how reliable his word is—such a van may well breach this legislation. We are not able to get any definition of whether or not it constitutes electoral advertising; we have no assurance whatsoever. We had a three hour briefing which finished at 6 o'clock only because people could not stay any longer. I make no complaint about that briefing, but we were not able to get clarity on a range of issues that came up.

However the proposition says, fundamentally, that you are no longer allowed to put electoral advertising out in any public place during an election campaign. I think that is an unreasonable infringement of the liberty of people in this state to be made aware of who is running in their seat. I will be very interested to see what the Independents and minor parties think about this legislation; it seems to me that, regardless of party or of anyone's status, it is a risk to our democratic freedom to say that we are not allowed to put this information out into the public arena.

I know that the public at large says that it is litter, but it is for a very limited time. That so-called 'litter' cannot be put out there until the writs for the election are issued—which will basically be four weeks beforehand. There is a strict regime that requires that they not be put up before that, and there is also a strict regime that requires they be taken down immediately afterwards. With a few exceptions, where odd corflutes and so on may accidentally be left up, everyone generally obeys that regime: they go up very quickly; they are up for a very limited time; the election is held, and they come down very quickly.

I do not have a problem with a regime where we have that ability. We put things up, everyone gets a chance to get their message out there, and it is all removed in a quite orderly fashion. I am not aware of any particular problems with the regime we currently have operating. Philosophically, I would have no difficulty if we in some way narrowed the time limit but I am not here to try to argue for that. At the end of the day it seems to me to be only reasonable that people be allowed to put up their signs and put out their message when contesting an election.

**The Hon. M.J. Atkinson:** You're on the record now.

**Mrs REDMOND:** I do not need the Attorney's help in any way in addressing the issues involved this particular matter, thank you. As I said, in my view, it will deny candidates the opportunity to put their information out there in a reasonable way.

The other point I want to make about it is that in this state, unlike under our federal legislation, we already have very tight controls about the size of the signage we can put up. It is one square metre basically; for instance, the little sign on top of my car is specifically designed not to infringe the one square metre rule.

If you are in the federal parliament, you could put up a sign as big as you want; indeed, before my first election, I was offered gratis by a supporter one of those giant billboards that go on the back of a car, and they were going to drive it around the electorate for the duration of the election campaign, but they were unable to do that because I could only put up, at best, a sign of one square metre. Indeed, all the corflutes are designed specifically to comply with that one square metre. So, it is not as though we are not already regulated in terms of what we can do to put the information out there.

However, it seems to me that taking away the right to put up corflutes in any public place—or to have any electoral advertising in any public place, including on a road—is detrimental to the nature of our freedom, our democracy, and the way it operates. On balance, therefore, whilst I recognise that people look at these corflutes and think of it as urban littering, it is for such a small period of time that, ultimately, I think the balance goes in favour of allowing the continued use of corflutes (even if it were more restricted) against the idea of abandoning them altogether. So, that is our position on that issue. A matter dear to the Attorney's heart, of course—

*Mr Pisoni interjecting:*

**The Hon. M.J. Atkinson:** Sorry?

**Mr Pisoni:** How many people did you talk to on the corner of Bond and Bertie on the 14<sup>th</sup>?

**The Hon. M.J. Atkinson:** We had about 15.

**Mr Pisoni:** Not at one time.

**Mrs Geraghty:** Would you two like to go outside and have your conversation?

**Mrs REDMOND:** I thank the Government Whip.

**The Hon. M.J. Atkinson:** You should do it.

**Mr Venning:** Attorney-General, you ought to be a better example to everybody.

**The DEPUTY SPEAKER:** Order!

**Mrs REDMOND:** Perhaps I will move to an issue which is clearly near and dear to the Attorney's heart, which is the issue of the registration of political parties. Currently, a party seeking registration under the state Electoral Act has to have either 150 members or an elected member of an Australian parliament. No doubt, the Attorney will be delighted to hear that I support the notion put forward by him that, first, we change that reference to Australian parliament and narrow it effectively to a reference to the South Australian parliament so that, instead of having recognition instantly of someone as a party in this state because someone has a registered member in another state, we will require under the proposed provision that either the purported party have an elected member in the state parliament in one or other house or an elected member in the federal parliament who is elected from the state of South Australia. That seems to me to be eminently sensible.

It prevents, for instance—and I know to some extent I am making up the situation—the following scenario: if Pauline Hanson had stood as Pauline Hanson, member of One Nation, for the seat of Beaudesert in the Queensland elections last weekend and had been elected thereto, under the current provisions, that would have entitled One Nation automatic registration as a political party in South Australia. That is the narrowing which the Attorney-General is addressing in the first part of this particular aspect of registering political parties.

What will happen now is that, if someone is elected to this parliament, be it the House of Assembly or the Legislative Council, or someone is elected to the federal parliament from South Australia, that will entitle you to automatic registration as a political party in South Australia, but not otherwise. So, the alternative for anyone else wanting to be registered as a political party in South Australia will be that you have to have a certain number of members.

At present, we require in this state that there be only 150 members of a political party. I have had a look at the other states. The only other state that has a lower number is Tasmania, which requires only 100 registrants to be recognised as a political party. Western Australia requires 750, and most of the other states, from memory, require 500; certainly, New South Wales requires 500.

The argument put by the Attorney in his second reading is essentially that the provision which proposes that we increase to 500 from 150 is because we want to avoid sham political parties being able to register. There is some merit in that argument. However, again, it is a matter of reaching a balance. The balance is: what is magical about 500 people as opposed to 150 people? If 150 people genuinely got together and said, 'We want to form a new political party', why will that not be allowed, but 500 will be accepted?

The Liberal Party has agreed not to oppose this change. We accept that there is some validity in the idea that we do not want to waste time with sham political parties forming but, whilst we do not oppose the figure of 500, I indicate that I do not see any magic in that particular figure. It is reasonably consistent around the country, so we will not be opposing it.

The provisions in this bill go on to provide that, once you have registered a political party, you cannot contest an election within six months. Again, these issues have been subjected to quite considerable debate within our party room, because they do touch on fundamental principles. It is within contemplation, for instance, that an issue could arise shortly before an election—three or four months before an election, let us say—that so agitates people that they are prepared to get their required number of registrants together and form a political party and fight on a particular issue.



That being said, we then need to contemplate where, again, the balance needs to be struck. If we are going to have a provision that requires that there be registration, and that registration will have to be tested for its bona fides by the state Electoral Commission, which will have to do either some sort of spot check auditing type thing or literally go through every one of the 500 or however many people listed as the new members of this newly registered party, then we do have to allow for the state Electoral Commission to test that they are genuine registrants and they are not fictitious names and addresses: they are actual electors who are entitled to be taken into account to form this party.

We accept that there may need to be some delay between the time when a party first registers and when it can contest an election; however, we formed the view that six months is probably longer than is needed. Our preliminary view—and I remain open to be persuaded in another direction—is that two months ought to be sufficient for the Electoral Commission to check the bona fides of a newly registered party and its registrant members to enable that party to contest an election.

As I said, there could be any number of reasons why a party might want to form very quickly to contest an election, and it is only reasonable, in our view, in terms of the operation of our democracy, that it be allowed to do so subject to some reasonable rules about whether it can be registered as a party.

Our view is that probably two months is a sufficient time frame from registration to enable the necessary auditing or testing process to ensure that it is not a sham party and that it does not have sham addresses but, subject to that testing, it should be entitled to contest the election as the party that has been registered.

Within this whole area of registration of political parties, however, we then get onto what is probably the most difficult aspect, that is, the issue of the names of parties. The intention, I think, of the legislation is to stop a contestant or candidate from misleading the public about their political alliance and political thinking and misleading people into voting for them on a false premise.

I do not think that there is any dispute about that, and I think we are at one about the legitimacy of that concern. It is intended, of course, to prevent someone from, say, standing as an Independent Liberal when they may have nothing to do with the Liberal Party and may be diametrically opposed to everything that the Liberal Party stands for. However, by putting the term 'liberal' into their title, they may think that that is going to get them more votes. So, in principle, the idea is good.

However, it gets very complicated, and this had to be the area during the briefing we had (which as I said, went for three hours) that was the subject of the most difficulty because where, for instance, does that place Country Labor? We all know that in the recent Frome by-election the ALP would not even run a candidate under its own banner.

**Ms Breuer:** Absolute rubbish! Shows you what you know.

**The SPEAKER:** Order!

**Mrs REDMOND:** In spite of that, it still had a 16 per cent loss of vote, but I am not here to discuss that. The fact is that its candidate ran under the banner 'Country Labor'. When we questioned the Electoral Commissioner about it, she confirmed that, indeed, the membership of Country Labor is exactly the same as the membership of the Australian Labor Party. She called it an affiliate but, if you look in the legislation, there is no reference to any capacity to recognise affiliates.

It may be that what we should do is amend the legislation so that we could recognise affiliates and then we could all register everything. Just as McDonald's has certain trademarks like the golden arches, Macca's and all sorts of other things that are all names for the same organisation, maybe we need to have the capacity to register, say, that the ALP has these affiliates called 'Country Labor' or maybe 'Suburban Labor', or whatever they are going to register, so that people will be able to see quite apparently that when they dress themselves up as Country Labor it is, in fact, still Labor. So, there is that problem.

The next problem, however, is that the provision also talks about using the name of a public institution. I have no doubt that one of the debates in the next election is going to be the issue of the Glenside Hospital. What if, separately to Labor and Liberal, a group of local people—or even a group of not so local people but a group of concerned people—form a registered political party and they want to call it 'Save Glenside Hospital Party'? That is obviously what it has been

formed to do; that is its only agenda. It is forming for the specific purpose of running for election on the fundamental principle of saving Glenside Hospital.

It seems to me (and it seemed to be confirmed in the briefing) that they would not be able to register that party because that would be using the name of a public institution. In my view of the world, it in no way suggests that the Glenside Hospital (the campus, the employees, the government, whoever is running it) is actually saying that it is forming the political party. Nevertheless, using the name of that major public institution appears likely to offend the proposed provisions, and I think that is wrong. I think that the residents, or whoever, should be entitled to form their party and call it the Save the Glenside Hospital Party, because that is exactly what it is being formed to do and, subject to meeting the requirements of registering as a political party, whatever they may turn out to be, contest an election under that name.

It does get to be very complicated when you start talking about this idea of who can register and what names they can use. As I said, I think we are at one on the issue of not allowing people to use names that are misleading. One might wonder at times to what extent the term 'independent' could be misleading. It would seem to me that there could be many people who would call themselves independent who are, in fact, already aligned with political parties.

I think the examples I have been giving will make it amply clear that, whilst we do not have a philosophical difficulty with what the government is trying to achieve in preventing the registration of what were referred to in the second reading explanation as 'sham political parties' and in preventing people from giving themselves a brand which misleads the public and which would prevent the election process from being as open and transparent as it needs to be, but we do have considerable difficulty with some of the propositions through which the government seeks to achieve that outcome. Quite frankly, based on the responses we received during the briefing, we are not satisfied that a number of those proposed measures will indeed lead to the outcome that the government intends.

Once again, we need to be very careful. I think this is a very, very serious bill. It is all very well to think of it in the rough and tumble of this place but, at the end of the day, what we are really talking about is the principles on which our democracy operates in this state and how we will address issues in the long term. I do not want to see us in this debate merely concentrating on tomorrow's headline or the next election, or anything else.

It is interesting to note, of course, that, in terms of the issue of the corflutes and electoral advertising, peculiarly, the government wants that to operate only for the election next year and the election in 2014. Pardon me for being cynical, but I think the government has an ulterior agenda in putting forward a proposition that will operate only for the next election and the one after that, and then, no, we will not have it after that.

As I have said, we will not oppose the change to 500, although we see no magic in that particular number as the minimum number for registration, but we grant you that, other than Tasmania, we have the lowest number required for registration of a political party. We support the change to restrict recognition of a political party in South Australia to people having an elected member either in this state or from this state in the federal arena. We oppose the provision which prevents a party from contesting a state election within six months, but we do so on the basis that we simply say that it should be a shorter period. There needs to be some break between the registration and when you can actually contest an election as that party, but it does not need to be as long as six months.

The issue of the ability to refuse to register a party which incorporates either another party's name or the name of a public institution is an issue upon which we have not actually reached a conclusion at this stage, because we want more clarity about just how that is going to operate in practice. That will no doubt come about during what I expect will be a fairly lengthy consideration of this bill during the committee stage. We will come to a conclusion after we hear the government's position on that.

The next issue that I want to deal with is that of compulsory enrolment. It is an interesting proposition, really. When the Attorney-General went on radio to promote this bill, he made it very clear—a matter which I think is clear already—that in this state it is not compulsory to vote: it is only compulsory to attend at a polling place, get your name marked off and collect your papers. It does not matter what you do with the papers: you can shove them in your pocket and walk out. You do not have to actually vote. There is no compulsion to vote.

The proposition in this bill is that we will make it compulsory to enrol to vote. It strikes me as somewhat incongruous that we are going to make it compulsory to enrol; so, someone can be compulsorily made to attend, but it is still not compulsory to vote. The Liberal Party position is that we do not think it should be compulsory anyway, so we do not agree with the proposition. A number of people, of course, think it is compulsory to enrol because, in the commonwealth legislation, it is compulsory to enrol.

However, you have to be alive to the issue that, when you enrol, it is actually a two-sided form: one side is the commonwealth enrolment and one side is the state enrolment. It is true that, if you choose to, you can simply fill out and sign one side—the compulsory side—and become enrolled as is compulsory for commonwealth voting, but it is not compulsory to sign the other side and become enrolled for state voting. That is a quirky little thing but, given that our position has long been that we do not actually accept the idea of compulsion to vote—

**The Hon. M.J. Atkinson:** Although your party introduced it, at both federal and state levels.

**The SPEAKER:** Order!

**Mrs REDMOND:** —we think that, really, it is inconsistent for us to then say that this is a good idea. As I go through the discussion on this bill, it will become obvious why the briefing took so long—because there were so many sort of curly questions. The bill talks about compulsory enrolment and transfer. Putting aside the initial enrolment—and that is one issue—there is then the issue of what happens if you move. Technically, the requirement is that, if you move and live in a new place for one month, you have 21 days within which to enrol. So, effectively, about seven weeks after you move, you should be enrolled at your new address.

What the legislation says is that it will be compulsory to make a claim for enrolment within 21 days of becoming entitled to enrol. So, that will be within 21 days of—well, I am not really quite sure. To be fair, it was not an issue that was explored at the briefing. I was going to say within 21 days of turning 18, because that is when you are entitled to vote; but, indeed, you are entitled to enrol at the age of 17. Therefore, perhaps the correct reading of that particular part of the legislation is that you will be liable to a fine if, within 21 days of attaining the age of 17, you have not enrolled.

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

**Mrs REDMOND:** I am saying to the Attorney that the provision is that it is compulsory to make a claim for enrolment within 21 days of becoming entitled to enrol. If it is at 17, that is one proposition. If it is at 18, that is a different proposition, since at 18 you are legally an adult. In any event, whichever way that turns out to be addressed, as I said, no doubt we will be addressing these issues at some length in the committee stage.

What it then says is that if you fail to make the claim for enrolment in those circumstances, that is, as soon as you become eligible to enrol, there is a fine of \$75, but proceedings for an offence cannot be commenced after a claim for enrolment has been made. I think that is a fairly simplified way of saying, 'Okay, what is going to happen is that you become entitled to enrol because you have lived at the place for long enough or you have turned 18, or whatever it is, and you failed to put in your form.'

The Electoral Commissioner will write to you. He might write a warning, or he could send a fine notice, but he will not proceed against you for that failure if you then enrol. But the way it is worded is it says, 'proceedings for an offence'. I asked a number of questions of the Electoral Commissioner about just what that meant because it is one thing to have the ability to impose a fine, but 'proceedings' really contemplates court action.

The question then becomes: are you saying that once someone has not enrolled and you have issued the fine, you will then commence court proceedings against them to take action against them for failure to enrol, and possibly failure to pay the fine—none of this was clear at the briefing—and it is only when someone enrolls at that point that this bit of the legislation applies, that they cannot then commence legal proceedings if the person in the meantime lodges their enrolment?

It is worth noting at this point, on this particular issue, that the Electoral Commissioner was not able to give any instances of where people have actually been fined for failure to enrol, failure to attend to vote and so on. You may recall that fairly recently we had a by-election in the federal seat of Mayo and for some reason a large percentage of the population did not become aware that

voting in that election was compulsory. Something like 20 per cent of the population did not vote, and a lot of letters went out to people saying—

**The Hon. M.J. Atkinson:** 20 per cent of the enrolled people, not the population.

**Mrs REDMOND:** Sorry, the Attorney corrects me, quite correctly—20 per cent of those enrolled to vote did not vote. That was a massive non-turnout. We are one of the few countries in the world where turning up at the polling place (but not voting) is compulsory and, therefore, we have a very high voter turnout at elections, consistently. Yet at this election, because it was a by-election people did not even think about it, they did not recognise that it was going to be compulsory and they did not show up.

Now, what happened? I know, for a fact, that the Electoral Commissioner sent out lots and lots of letters, because my second son got one of them. He did not vote, not because he was not here to vote but because he was overseas. He did not forget, he happened to be genuinely overseas, and he had to write and explain that he was overseas, and he could show from his passport that he was overseas at the time and was, indeed, in transit and did not vote.

So, I know that letters went out from the Electoral Commissioner about failure to vote, but the Electoral Commissioner did not indicate during our briefing that people have been fined, let alone that any proceedings have ever been issued for failure to enrol. As I said, it is going to be an issue which we will explore in some depth at the time of the committee stage because it does not make a lot of sense.

One of the other things we contemplated in thinking about this particular issue was: what if you have, say, a teenager or young adult in your household who becomes entitled to enrol, is perfectly happy to enrol and does enrol but who then leaves home to live with a mate for a couple of months? Technically, having lived at a different address for one month, plus the requisite 21 days, they should then change their enrolment and enrol at that new address. They might then move to somewhere else for another couple of months, and it can become quite complex.

I would think that the reality, in practical terms, for most of those young people is that, for quite a while, they leave their enrolment address at their own home rather than changing to a new address. However, what this says is that if they fail (after their seven weeks or thereabouts—their month plus 21 days) to enrol at that new address they are in breach of this legislation and liable to a \$75 fine. So, that was yet another topic that became one of considerable discussion. The other issue related to that, of course, is: how on earth is the Electoral Commissioner going to know? Ultimately, when we thought about all of this, as I said, our longstanding position was that we do not think that voting should be compulsory, so it is inconsistent with our fundamental position to then make enrolment compulsory.

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

**Mrs REDMOND:** In any event, it is, to us, a nonsense to make it compulsory to enrol and make it compulsory to attend at a polling place when, in any event, it is not compulsory to actually vote. It does not make a lot of sense to us to go down that particular path. I will be interested in getting some more information about this in due course.

The next issue that I will commence addressing is the issue of access to electoral rolls. The Attorney will no doubt be happy to know that, fundamentally, we agree with the essence of the proposition in relation to the ability to utilise electronic data rather than hard copies of the electoral rolls. Personally, I still find it quirky that the members of the Legislative Council, being elected for the whole of the state of South Australia, can access the rolls for the whole of South Australia, but if I want access to those rolls (as the member for Heysen) I can only get direct access to the electoral roll for the electorate of Heysen.

**Ms Bedford:** Phone a friend!

**Mrs REDMOND:** And, if I want to, I can—as the member for Florey says—phone a friend and get access to the electoral rolls for the whole state, but only through my colleagues in the upper house.

**Mrs Geraghty:** Go to the Electoral Commission and have a look at the rolls.

**Mrs REDMOND:** As the member for Torrens correctly points out, anyone at any time can go there and have a look at the electoral rolls. Indeed, again, that itself was the subject of considerable debate in the house, because some were concerned, for instance, about domestic violence situations. We have ultimately come to the conclusion that the proposition of the freedom

to access that information for largely legitimate purposes outweighs the protection needs, inasmuch as there is already provision to have what is referred to as a silent listing. In fact, just like a silent listing telephone number, where you can still have a telephone but your number is not listed in the phone book, the same thing, effectively, can happen with the electoral rolls.

We considered that, on balance—although it is a very legitimate question—we did not favour moving from that proposition, and we do favour moving to the proposition whereby electronic data can be provided in lieu of hard copy rolls. The reality of that proposition, as I understand the information we were given at the briefing, is that it will thereby enable much more up-to-date information to be provided. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*[Sitting suspended from 13:01 to 14:00]*

#### PEDESTRIAN CROSSING, SOUTH TERRACE

**The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide):** Presented a petition signed by 218 residents of South Australia requesting the house to urge government to install a signalised pedestrian crossing on South Terrace, Adelaide near the Princess Elizabeth Playground.

#### BUS SERVICES

**The Hon. R.B. SUCH (Fisher):** Presented a petition signed by 93 residents of South Australia requesting the house to urge the government to implement a comprehensive bus service to serve the Aberfoyle Park, Happy Valley, O'Halloran Hill area, reinstate bus service No. 618 to the Marion Shopping Centre and enter into consultation with residents regarding bus services.

#### BUDDHA STATUE

**The Hon. R.B. SUCH (Fisher):** Presented a petition signed by 19 residents of South Australia, requesting the house to urge the government to deny the erection of a Buddha statue structure on the Adelaide hills face.

#### ANSWERS TO QUESTIONS

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

#### COUNCIL FOR THE AUSTRALIAN FEDERATION

**76 Mr HAMILTON-SMITH (Waite—Leader of the Opposition)** (30 September 2008). What are the annual meeting costs of the Premier's Federation Council and how often does it meet?

**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:

States and territories set up the Council for the Australian Federation (CAF) in 2006 as a way to work together to improve the delivery of key services and tackle vital issues such as climate change and water reform. All Premiers and Chief Ministers are members of the Council.

The position of chair of the Council rotates between jurisdictions on a yearly basis. Premier Rann was the inaugural chair of CAF from October 2006 until October 2007, when Premier Brumby assumed the position. Premier Bligh is the current chair.

CAF meetings have been held on the following dates and locations:

1. Melbourne, 13 October 2006
2. Sydney, 9 February 2007
3. Canberra, 12 April 2007
4. Adelaide, 21 February 2008
5. Canberra, 20 April 2008\*

6. Sydney, 2 July 2008\*
7. Perth, 1 October 2008\*
8. Canberra, 28 November 2008

There have also been CAF teleconferences on the following dates:

1. 26 November 2007\*
2. 3 December 2007\*
3. 17 December 2007\*
4. 17 March 2008\*
5. 12 September 2008\*
6. 30 September 2008\*
7. 24 November 2008\*
8. 27 November 2008\*

Some of these meetings and teleconferences (those marked with an asterisk \*) were held prior to meetings of the Council of Australian Government (COAG) to discuss issues relating to COAG.

The first CAF meeting in Melbourne, which South Australia chaired, cost \$11,881.48 and included catering, IT hire and miscellaneous costs. Since that meeting, jurisdictions have adopted a practice whereby the host state or territory is responsible for meeting costs. When CAF met in Adelaide on 21 February 2008, South Australia was also hosting a meeting between CAF and a delegation from Canadian provinces. Costs for the CAF only meeting were limited to venue hire, which cost \$1050.

Participation in face-to-face CAF meetings that address non-COAG matters usually requires expenditure on travel and accommodation for the Premier and a small number of advisers/officials.

Each State and Territory also contributes towards the CAF Secretariat, according to its Senate representation. In the 2006-07 financial year, SA contributed \$109,508.08 (GST excluded). SA's contribution for the 2007-08 financial year is \$243,800 (GST excluded).

These annual contributions fund CAF's policy and research work and the Secretariat's running costs.

### CARBON DIOXIDE EMISSIONS

**109 Mr HAMILTON-SMITH (Waite—Leader of the Opposition)** (30 September 2008). How many tonnes of carbon dioxide are emitted per annum from power station in the upper Spencer Gulf?

**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:

It is assumed that the question refers to the coal fired Northern and Playford power stations at Port Augusta. The emissions generated depends on the extent to which these plants operate in any given year but, the Electricity Supply Industry Planning Council's 2008 Annual Planning Report stated that the Northern and Playford power stations generated a combined total of 4,900GWh in 2007-08. The Government is not in a position to comment on the emissions intensity of specific privately operated electricity generating facilities.

### PREMIER'S CLIMATE CHANGE COUNCIL

**111 Mr HAMILTON-SMITH (Waite—Leader of the Opposition)** (30 September 2008). How many times did the Premier's Climate Change Council meet in 2007-08 and what outcomes have been achieved?

**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:

Division 2 of the Climate Change and Greenhouse Emissions Reduction Act 2007 established the council. In 2008 Mr David Klingberg AO was appointed as chair.

Section 13 of the Act requires the Council to provide to me, as Minister responsible for the Act, on or before October 31<sup>st</sup>, a report on its activities for the financial year ending on the preceding 30 June. I then have six sitting days to table the report in parliament.

During the 2007-08 reporting period, the Council held an introductory session on 1 February and the officials met twice in 2008. A number of sub-groups were formed that also met several times prior to the end of the 2007-08 financial year. The Council's annual report was tabled in both houses of parliament in accordance with the Act. The report can be accessed at [http://www.climatechange.sa.gov.au/uploads/pdf/PCCC Annual Report 07-08.pdf](http://www.climatechange.sa.gov.au/uploads/pdf/PCCC%20Annual%20Report%2007-08.pdf).

### STRATA TITLE COMPLAINTS

**186 Dr McFETRIDGE (Morphett)** (21 October 2008).

1. How many complaints has the Office of Consumer Affairs received from strata title tenants for the years 2004, 2005, 2006 and 2007?

2. How many strata title tenant complaints were regarding body corporate managers for the years 2004, 2005, 2006 and 2007 and what percentage of these complaints were referred to the Magistrates Court?

**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 Minister for Consumer Affairs has advised that:

1. The total number of complaints received from tenants for the years 2004, 2005, 2006 and 2007 is in the table below.

Year	No. of Complaints	Received From
2004	5	1 unidentified 2 owner 2 tenant
2005	8	8 owner
2006	8	8 owner
2007	3	3 owner
Total	24	

2. The total number of complaints regarding Body Corporate Managers for the years 2004, 2005, 2006 & 2007 is fourteen and these complaints are shown by each year in the table below.

Year	No. of Complaints
2004	3
2005	6
2006	4
2007	1
Total	14

It is not the Office for Consumer Affairs (OCBA) policy to directly refer consumers to the Magistrate's Court. However, OCBA can advise complainants what options they have to resolve complaints, which includes seeking legal advice.

### INFRINGEMENT NOTICES

**187 Dr McFETRIDGE (Morphett)** (21 October 2008).

1. How many infringement notices have been issued in each of the post code areas: 5040, 5044, 5045, 5046 and 5048 for exceeding the 50kmh limit, what was the average fine imposed and how much revenue has been raised since 1 March 2002?

2. How many road accidents have occurred on 50kmh roads in the above post code areas since 1 March 2002 and what was the fatality and injury rate?

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing):**

## Part 1.

EXPIATION NOTICES ISSUED, SINCE 1/3/2002 TO 30/9/2008, FOR EXCEEDING 50KM/H LIMIT			
POSTCODE	EXPIATION NOTICES ISSUED	AVERAGE FINE	TOTAL VALUE OF NOTICES ISSUED
5040	1022	\$172	\$175,914
5044	301	\$201	\$60,708
5045	4876	\$175	\$853,589
5046	391	\$179	\$70,229
5048	762	\$188	\$143,911

## Part 2.

The Minister for Road Safety has provided the following information:

Since the introduction of the default urban speed limit of 50km/h on 1 March 2003 there have been 3 fatal crashes to 31 December 2008 and 302 injury crashes to the 30 September 2008 on roads with a 50km/h speed limit in the postcodes areas of 5040, 5044, 5045, 5046 and 5048. (Please note detailed injury crash data is only available to the end of September 2008.)

These 305 crashes resulted in 3 fatalities, 49 serious injuries and 291 minor injuries.

A study by the Centre for Automotive Safety Research has shown that state-wide on roads where the speed limit was reduced from 60km/h to 50km/h the number of casualty crashes fell by 23 per cent in the three years after the introduction of the 50km/h default urban speed limit. This is estimated to have saved the South Australian community over \$43 million per year.

Travel speeds affect the severity of crashes as well as the risk of involvement in a crash. A wide range of research has shown that even small reductions in vehicle speeds results in a marked reduction in the number of road fatalities.

**BILL EXPRESS**

**195 Dr McFETRIDGE (Morphett)** (21 October 2008). What was the cost of introducing the Bill Express service for vehicle registration renewals and how many business and customer complaints have been received in relation to this system since its inception?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

Bill Express has borne the full cost of developing its back end computer systems, shop front operator interface technology and system testing processes to ensure the system operated successfully prior to introduction. Consequently, I am advised that there are no separately identifiable costs ascribed to the introduction of the Bill Express service.

I am further advised that the Department for Transport, Energy and Infrastructure is not aware of any business or customer complaints about the service provided by Bill Express.

**PUBLIC TRANSPORT**

**256 Dr McFETRIDGE (Morphett)** (21 October 2008). With respect to the 2008-09 budget papers—Program 4: public transport services, why was there no allocation for fees, fines and penalties in 2007-08 and 2008-09 when \$70.808 million was received in 2006-07?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

This amount refers to Metroticket sales which have been reclassified from fees, fines and penalties in 2006-07 to sale of goods and services in subsequent years.

**PUBLIC TRANSPORT**

**258 Dr McFETRIDGE (Morphett)** (21 October 2008). With respect to the 2008-09 budget papers—Program 4: public transport services, why has 'other' income increased by \$1.107 million between 2007-08 and 2008-09?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:



The increase is due to an increase in the concession reimbursement payments made by other Government agencies to the Department for Transport, Energy and Infrastructure.

#### TRAM TRAINS

**266 Dr McFETRIDGE (Morphett)** (21 October 2008).

1. What is the projected cost of changing the platforms to wide bodied tram trains on the Glenelg to city west line?
2. When do you expect the tram trains to go 'coast to coast'?
3. Will all the Flexity classics be sold and replaced with tram trains or are they to be used on city loops?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

1. There are no plans to change platforms on the Glenelg to City West line and no projected costs are available.
2. The first stage of the coast to coast rail system to West Lakes is planned to be completed in 2015.
3. There is no intention to sell Flexity trams.

#### RAIL REVITALISATION

**289 Dr McFETRIDGE (Morphett)** (21 October 2008). Why was there a \$15.548 million underspend on rail revitalisation in 2007-08 and what did this include?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

Reduced expenditure in 2007-08 occurred as a result of the lead time required for the manufacture of the new gauge convertible concrete sleepers.

#### OVERTAKING LANES

**293 Dr McFETRIDGE (Morphett)** (21 October 2008). How many overtaking lanes were completed in 2007-08 and was this work undertaken by one contractor and if so, who?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

The construction of two overtaking lanes was completed in 2007-08:

- one overtaking lane on the Princes Highway, Compton for eastbound traffic was constructed by Tolmer Roadworks Pty Ltd; and
- one overtaking lane on the Noarlunga—Cape Jervis Road at Lady Bay for southbound traffic was constructed by the Department for Transport, Energy and Infrastructure.

#### OUTBACK ROADS

**299 Dr McFETRIDGE (Morphett)** (21 October 2008).

1. Will the William Creek to Oodnadatta Road be graded in 2008-09, particularly the:
  - (a) Nilpinna Station to Paties Yard;
  - (b) the corner boundary of Allandale and Nilpinna Stations; and
  - (c) the Barton's Gap section?
2. What extra expenditure is planned in future years to cope with additional road maintenance needed as a result of increased mining traffic?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

1. The William Creek to Oodnadatta Road is scheduled to be graded in March 2009.
  - The Nilpinna Station to Paties Yard was graded in October 2008;

- The corner boundary of Allandale and Nilpinna Stations was graded in October 2008; and
- The Barton's Gap section was graded in September 2008.

2. The government is working with the mining industry to look at a range of infrastructure needs associated with mining and managing these on a case by case basis.

#### ROAD MAINTENANCE

##### 302 Dr McFETRIDGE (Morphett) (21 October 2008).

1. What road resurfacing and rehabilitation projects will the \$23.7 million allocation in 2008-09 be specifically spent?

2. How is the government planning to spend the reported \$200 million required for road maintenance?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

The following projects are listed to have road resurfacing and rehabilitation works as part of the \$23.7 million allocation in 2008-09:

ROAD NAME	SECTION
Dukes Highway	Tailem Bend—Coomandook
Dukes Highway	Coonalpyn—Tintinara
Dukes Highway	Coonalpyn—Tintinara
Dukes Highway	Tintinara—Keith
Dukes Highway	Keith—Bordertown
Dukes Highway	Keith—Bordertown
Eyre Highway	WA Border—Koonalda
Eyre Highway	Nullabor—Yalata
Eyre Highway	Kimba junctions and railway crossing
Eyre Highway	Yalata—Nundroo
Gawler By-Pass	Main North Road to Two Wells Road
National Highway One	5 km south of Lochiel—overtaking lane
National Highway One	10 km north of Lochiel
National Highway One	Port Broughton turnoff
National Highway One	North of Redhill
National Highway One	South of Nantawarra
National Highway One	South of Snowtown
National Highway One	Snowtown—Collinsfield
National Highway One	Warnertown
National Highway One	Wilmington Junction
Port Wakefield Road	Junction with Old Port Wakefield Road
Port Wakefield Road	Brown Road to 400m north (Adelaide International Raceway)
South East Highway	Callington—Monarto
South East Highway	Murray Bridge—Tailem Bend
South East Highway	Murray Bridge—Tailem Bend

ROAD NAME	SECTION
South East Highway	Tailem Bend Township
South East Highway	Tailem Bend Township
Sturt Highway	Truro–Blanchetown (Accommodation Hill)
Sturt Highway	Regional Boundary–Truro (western approach to Truro)
Sturt Highway	Truro–Blanchetown (Accommodation Hill)
Sturt Highway	Blanchetown–Waikerie
Sturt Highway	Paringa–State Border
Sturt Highway	Cobdogla–Barmera
Sturt Highway	Paringa–State Border
Angaston–Loxton	Keyneton–Sedan
Barrier Highway	4 km north of Olary
Barrier Highway	Yunta
Barrier Highway	South of Manna Hill
Barrier Highway	North of Oodla Wirra
Barrier Highway	North of Peterborough turnoff
Barrier Highway	Adjacent Terowie
Barrier Highway	North of Black Springs
Belair Road	Ayr Avenue to Angus Road
Blackwood–Goolwa	Regional Boundary–Currency Creek near Ashbourne
Booleroo Centre–Jamestown Road	Caltowie turnoff
Booleroo Centre–Jamestown Road	North of Appila
Brighton Road	Jetty Road to Diagonal Road
Brighton Road	Hove level crossing to Sturt Road
Burra–Robertstown Road	North of Robertstown
Clare–Hanson Road	Clare
Elliston–Lock Road	West of Lock
Gawler–Kersbrook Road	Karwin Road to Mount Gawler Road
Henley Beach Road	May Terrace to Drummond Street
Kimba–Cleve Road	North of Cleve
Kingston–Loxton	Kingston–Moorook
Lincoln Highway	Tumby Bay to 4 kms south
Lincoln Highway	North of Kurla Street, Port Lincoln
Lincoln Highway	Kurla Street to boat ramp, Port Lincoln
Lincoln Highway	Liverpool Street, Port Lincoln
Lincoln Highway	Playford Avenue, Whyalla
Lincoln Highway	Junction Playford Avenue and Broadbent Terrace, Whyalla
Loxton–Murray Bridge	Karoonda Township

ROAD NAME	SECTION
Loxton–Murray Bridge	Wynarka–Murray Bridge
Maitland–Yorketown Road	North and south of Minlaton
Mallala–Two Wells Road	Pratt Road to Navy Hill Road
Mallee Highway	Pinnaroo–SA/Vic Border
Mallee Highway	Pinnaroo–SA/Vic Border
Adjacent to Fruit Fly Inspection Station	
Mallee Highway	Parilla–Pinnaroo
Mallee Highway	Parilla–Pinnaroo
McIntyre Road	Main North Road to Bridge Road
McLaren Vale–Willunga Road	Rifle Range Road to School Crossing
Meningie–Coonalpyn	Coonalpyn Township
Mount Hope–Tumby Bay Road	East of Cummins
Murray Bridge–Wellington	Murray Bridge–Jervois, Jervois township
Noarlunga–Cape Jervis	Sellicks Hill–Myponga
Noarlunga–Victor Harbor	Mount Compass–Victor Harbor
Noarlunga–Victor Harbor	Mount Compass–Victor Harbor
Noarlunga–Victor Harbor	Mount Compass–Victor Harbor
Noarlunga–Victor Harbor	Mount Compass–Victor Harbor
Norrie Avenue Extension	Junction with Iron Knob–Whyalla Road
Pinnaroo–Bordertown	Pinnaroo–Bordertown
Port Broughton–Kadina Road	South of Port Broughton
Port Pirie–Port Broughton Road	North of Port Broughton
Port Wakefield–Auburn Road	East of Balaklava
Port Wakefield–Yorketown Road	South of Wallaroo–Port Wakefield Road
Port Wakefield–Yorketown Road	South of Pine Point
Port Wakefield–Yorketown Road	Port Vincent
Princes Highway	Salt Creek–Kingston
Princes Highway	Salt Creek–Kingston
Princes Highway	Salt Creek–Kingston The Granites Road junction
Princes Highway	Salt Creek–Kingston
Princes Highway	Millicent–Mount Gambier
Princes Highway	Millicent–Mount Gambier
Princes Highway	Jubilee Highway, Mount Gambier
Riddoch Highway	Naracoorte Township
Riddoch Highway	Naracoorte Township
Riddoch Highway	Naracoorte Township
Riddoch Highway	Naracoorte Township
Riddoch Highway	Naracoorte Township

ROAD NAME	SECTION
Riddoch Highway	Naracoorte–Penola
Riddoch Highway	Naracoorte–Penola
Riddoch Highway	Nangwarry–Tarpeena
Riddoch Highway	Keith–Willalooka
Salisbury Highway	Ryans Road to Leslie McIntyre Road
Tapleys Hill Road	Port Road to Cedar Avenue
Upper Sturt Road	Footes Hill Road to Hilltop Road
Victor Harbor–Goolwa	Middleton–Goolwa
Wallaroo–Port Wakefield Road	Overtaking lanes
Wallaroo–Port Wakefield Road	Wallaroo
Warnertown–Jamestown Road	Laura turnoff to 5 kms east

The Department for Transport, Energy and Infrastructure's maintenance program includes funds for routine road maintenance activities, road resurfacing and rehabilitation works, outback roads, and maintenance of ferries, bridges, pavement marking, guard fence, traffic signals and road lighting.

#### UNKERBED URBAN ARTERIAL ROADS PROGRAM

**312 Dr McFETRIDGE (Morphett)** (21 October 2008). Which roads had funding spent in them under the 'Unkerbed Urban Arterial Roads' program in 2007-08?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

The Unkerbed Urban Arterial Roads program was completed in 2006-07.

#### REGIONAL TRANSPORT INTEGRATION

**315 Dr McFETRIDGE (Morphett)** (21 October 2008). What is the departmental policy in relation to the integration of regional transport?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy):** I provide the following information:

The Government's policy for Regional Transport is provided in the Strategic Infrastructure Plan for South Australia Regional Overview.

#### OLYMPIC DAM

**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) (14:01):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** Mr Speaker, this government is working closely with BHP Billiton to facilitate the approval processes necessary to expand the Olympic Dam mine. The planned five stage expansion would make Olympic Dam the world's largest uranium mine, the world's fourth biggest copper mine and Australia's biggest gold mine. It would also create, according to BHP Billiton's own calculations, up to 6,000 jobs during the decade-long construction phase. Once construction has been completed, it is estimated to create an additional 4,000 full-time positions at Olympic Dam to add to the existing 3,000 positions currently in place, and lead to an extra 13,000 jobs being established across the state that are required to support the mine's operations.

That means that, when it is fully up and running, this expanded mine will support about 20,000 jobs state-wide for many decades into the future.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** The importance of this expansion to the state's economic future therefore cannot be underestimated, so it is critically important that we get the approval processes right. Such a large project demands a rigorous assessment process, including the environmental impact statement (EIS), which is required by the South Australian government, the federal government and the Northern Territory government. The South Australian government is coordinating a joint process with the federal and Northern Territory governments on the preparation and assessment of the draft EIS through our dedicated Olympic Dam Task Force.

Recently, all three governments certified that the draft EIS developed by BHP Billiton over the past 3½ years complied with the guidelines for its preparation. This is one of the important statutory steps in this process. As a result, BHP Billiton is now printing the draft EIS for public release. The documentation is extensive, comprising a main statement of some 750 pages and more than 3,000 pages of appendices. The size of the document directly reflects the scale of this project. This documentation deserves and demands rigorous scrutiny by all interested parties and the community, as well as the government.

Accordingly, at a recent meeting in Melbourne with the Chief Executive of BHP Billiton, Marius Kloppers, the Deputy Premier and I discussed the assessment process that will now apply to the draft EIS.

I am aware, and so is BHP Billiton, that there is some criticism from a number of quarters that there is insufficient time under existing arrangements for public comment and scrutiny of the environmental impact statement. This is a long life project—indeed, some people estimate well over a 100 years project—and we must ensure that the assessment is done properly.

Some South Australians have raised concerns that the proposed eight week time frame for public comment on the draft EIS was not sufficient, particularly given the sheer size of the documentation and the scale of the proposed project. I do not want there to be any unease amongst the community about the expansion project or any perception that the EIS process is being deliberately rushed to avoid scrutiny. The community needs to have confidence that the potential economic benefits of the project are not overriding our requirements for environmental protection.

This government has committed to balancing resource development with conservation, and the world's largest mine will not be an exception to this. BHP Billiton understands and respects this commitment and is working to ensure that its draft EIS report reflects this. In preparing the documentation, BHP Billiton has already engaged in very extensive public consultation over the past 3½ years. Nevertheless, we agree with Mr Kloppers that this next step in the process, where interested parties can provide their comments to government and BHP Billiton, must not be dominated by concern about the amount of time available to do this.

Accordingly, in agreement with BHP Billiton and the federal and Northern Territory governments, I announce today that the public will have 14 weeks to make submissions to government about the draft EIS from the time of its public release. Other parties have previously expressed concern that an eight week consultation period was not sufficient. The Greens have expressed a view that the public consultation process should be extended to three months, and the Liberal Party only yesterday called for it to be extended to four months. I would therefore expect support from all parties for the extension to 14 weeks (or 3½ months) that we have negotiated with BHP Billiton.

We have listened to the concerns of the community and, in conjunction with BHP Billiton, have found a solution that allows ample time for the public to read the draft EIS and provide comments back to the company and to government. Mr Kloppers has confirmed BHP Billiton's intention to publicly release the draft EIS by early May. BHP Billiton will ensure that the documentation is widely available. Arrangements are being made for online access and by very wide distribution of a DVD of the full documentation, as well as having hard copies available at public libraries and other locations.

In mid April, newspaper advertisements will confirm these arrangements, including dates for a series of public meetings convened by government to enable interested members of the public to seek further information about the draft EIS. In South Australia, these meetings will be held in Adelaide, Port Augusta, Whyalla and Roxby Downs.

It has been suggested that the draft EIS could be made available to the public now. This misunderstands the process. Following the recent certification of the federal, South Australian and Northern Territory governments that the documentation does comply with the guidelines and can

be publicly released, BHP Billiton was able to proceed with its printing. BHP Billiton will release it very soon after it is available from the printers.

The extended public consultation period will mean that the government's decisions on the project are unlikely to be made before the middle of next year. This may be later, depending on the extent of public and government responses to the draft EIS. Assuming a favourable assessment, a decision on the expansion can then be made by the BHP Billiton board.

While the environmental assessment process is continuing, the South Australian government and BHP Billiton will continue renegotiation of the indenture agreement to reflect the project proposed in the EIS. In our discussion, Mr Kloppers assured me that BHP Billiton remains committed to the long-term development of Olympic Dam. I can assure the house that BHP Billiton did not purchase the Olympic Dam mine to leave it as a car park in the desert. This mine has an estimated life conservatively of at least 70 years.

At the completion of the expansion, according to BHP Billiton's own figures, the combined open pit and underground mine will produce an estimated 750,000 tonnes of copper per year, 19,000 tonnes of uranium oxide per year, 800,000 ounces of gold and 2.9 million ounces of silver. It will be one of the greatest mines in world history and certainly one of the richest.

**Mr Hamilton-Smith:** Why did you oppose it?

**The Hon. M.D. RANN:** Members opposite might consider that the Olympic Dam expansion is some kind of mirage in the desert, but we have been working tirelessly to ensure that this project goes ahead. We are pro mining, pro growth and pro environment at the same time. That is why this government remains—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —totally committed to coordinating the approvals processes and negotiating the indenture agreement required for the project to proceed.

## PAPERS

The following paper was laid on the table:

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

Rules—

Fair Work—Industrial Proceedings Rules 1995

## LEGISLATIVE REVIEW COMMITTEE

**Mrs GERAGHTY (Torrens) (14:12):** I bring up the 15<sup>th</sup> report of the committee.

Report received.

## VISITORS

**The SPEAKER:** I draw to honourable members' attention the presence in the gallery today of students from Eynesbury College, who are guests of the member for Adelaide, and members of the Coomandook Agricultural Bureau, who are guests of the member for Hammond.

## QUESTION TIME

### ROYAL ADELAIDE HOSPITAL

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:13):** My question is to the Premier. How many positions has his government now had on the re-use of a bulldozed Royal Adelaide Hospital site and what is his latest preferred position? On 7 June—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr HAMILTON-SMITH:** On 7 June 2007, when announcing the Marjorie-Jackson Nelson hospital, the Minister for Health told South Australians that the bulldozed Royal Adelaide site would be returned to parklands or botanical gardens. On the same day, the minister said:

It's parklands, it can't be sold. We won't sell it. We don't want to commercialise it.

Later, the Minister for Health said that heritage buildings on the site would be sold to universities. Then on 14 March—

*The Hon. J.D. Hill interjecting:*

**Mr HAMILTON-SMITH:** We've got the transcript. Then on 14 March 2009, the same—

**The Hon. J.D. HILL:** Mr Speaker, I rise on a point of order.

**The SPEAKER:** Order! The Leader of the Opposition will take his seat.

**The Hon. J.D. HILL:** The Leader of the Opposition has told an untruth to the house. I have never said those buildings would be sold.

*Members interjecting:*

**The SPEAKER:** Order! Allegations about the truthfulness or otherwise of comments made by members must be moved by substantive motion, so there is no point of order. However, I think the leader's explanation has gone beyond what is necessary for the purpose of explaining the question.

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** I will listen to what you are saying, but I may withdraw leave.

**Mr HAMILTON-SMITH:** On 14 March, the minister said that some buildings would then be handed over to arts and cultural groups. The minister then said that the government would build a federation square on the land, and, in a new development this morning, the Minister for Health said publicly that the site would become a boutique hotel.

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:14):** The Liberals have had more positions on this hospital than are found in the *Kama Sutra*. Let me go through this, because I think it needs to be explained because a number of things have been said today that are simply untrue.

By building on a new site, this government will deliver a hospital with more beds (800 beds compared to 680 now), including 60 ICU beds (40 per cent more than now), 40 operating theatres and procedure rooms (more than the 35 now). They will all be 65 square metres (bigger than any across Australia now). There will be a 25 per cent increase in the emergency department capacity. We will dramatically increase the number of single beds, improving infection control. The Liberals' plans will leave South Australians in doubt about what they are getting until after the next election.

**Ms CHAPMAN:** I have a point of order, Mr Speaker. This is nothing to do with the question. On the question of relevance, it is what the position of the government is on the—

**The Hon. M.D. RANN:** I explained it.

**Ms CHAPMAN:** No, on the bulldozed Royal Adelaide Hospital site. It is nothing to do with the new hospital.

**The SPEAKER:** Order! There is no point of order. The Premier.

**The Hon. M.D. RANN:** Thank you, sir. The Liberals' plans, as I say, will leave South Australians in doubt about what they are getting until after the next election—because they do not have the gumption, the decency or the integrity to tell us what their position is. The Liberals' plan will cause massive disruption for patients. It will not increase the size or number of operating theatres or intensive care beds. It is completely vague on the number of beds. And here is the nub of it: the Liberals' plan—the Martin Hamilton-Smith plan—will leave patients in six-bed rooms. It will leave over 35 patients to three toilets on wards. It will not fix the water, sewerage, steam pipe heating, electricity and gas systems, all of which are past their use by date. The Liberals' plan will probably mean a reduction of beds. Their plan is—

**Mr WILLIAMS:** I have a point of order, Mr Speaker.

**The SPEAKER:** There is a point of order. The member for MacKillop.

*Members interjecting:*

**The SPEAKER:** Order! What is the member for MacKillop's point of order?



**Mr WILLIAMS:** The point of order is relevance, sir. I believe it is standing order 98. I believe it stipulates that a minister in answering a question should address the substance of the question. I have been listening to the Premier for several minutes now. The question was about the old Royal Adelaide Hospital site. It is not about the new hospital. It is about the future use of the site.

**The SPEAKER:** Order! There is no point of order. The Premier.

**The Hon. M.D. RANN:** You cannot handle the truth!

*Mr Williams interjecting:*

**The SPEAKER:** Order! I have already moved on the member for MacKillop's point of order. Does he have something else to say?

**Mr WILLIAMS:** I am seeking clarification, Mr Speaker.

*Members interjecting:*

**The SPEAKER:** Order! The member for MacKillop.

**Mr WILLIAMS:** Is your ruling that the answer the Premier is giving about the new hospital the government is proposing to build is relevant to the question?

**The SPEAKER:** For the purposes of the standing order at this point, as far as I am aware, the Premier is answering the substance of the question. That is my ruling. The member for MacKillop will take his seat. The Premier.

**The Hon. M.D. RANN:** The Liberals' plan probably means a reduction of beds. Their plan is not clear on how many beds they will have.

**The SPEAKER:** There is a point of order. The deputy leader.

**Ms CHAPMAN:** I do not know whether the Premier offends standing order 98, and I appreciate your ruling. He has now gone on to the Liberals' plan in relation to this, and under standing order 128, on irrelevance and repetition, we have heard all this dribble before.

**The SPEAKER:** Order! There is no point of order. The Premier.

**The Hon. M.D. RANN:** Thank you, sir, and I guess that is the nub of the point. They do not want their plan being placed under scrutiny, because it does not bear scrutiny. You talk about its being irrelevant? You are dead right!

*Mr Williams interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Their plan will cause huge problems for the emergency department, as its entrance becomes a building site for years.

*Mr Williams interjecting:*

**The SPEAKER:** Order, the member for MacKillop!

**The Hon. M.D. RANN:** The Liberals' plan removes the radiotherapy department, with no concept of where that should go. It should be—

*Mr Williams interjecting:*

**The SPEAKER:** The member for MacKillop is warned. The Premier.

**The Hon. M.D. RANN:** There are school students in this building who do not need the abuse of members of the opposition. Lift your standards. Raise the standard. The Liberals' plan removes the radiotherapy department, with no concept on where that should go—it should be in a stand-alone building and is not even mentioned in their plan—and the Liberals' plan does not remove the asbestos nor does it make the hospital earthquake prepared. Apparently, they did not care about that even with their stadium. There are some other issues here because it is about comparing and contrasting—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —and that is what public policy and politics is all about—comparing and contrasting. As to timelines, there is no way that these buildings could be completed by 2016; it would take until at least 2025 to do so. We look forward to expanding on this in coming weeks. Remember the song about 2525? I think that is about what we are seeing with this.

As to costings, we contacted the cost consultants the Liberals say they used, and I am told that they said they had not been conducting consulting for the Liberals. The Liberals admit that they may not stick to these costings. I repeat that: the Liberals admit that they may not stick to these costings. Remember they said that on the stadium they had a consultant's report on the costings, then they refused to mention who the consultants were. Surely, if you have a good case, you want to back it up with evidence. The opposition leader said yesterday—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —and I want to quote him: 'These cost estimates would need to be confirmed and tested through a tender process.' So, even the Liberals admit that they are not complete costings.

I will talk about our position, but let's talk about their position. These latest three positions come after a string of positions by the Liberals and Martin Hamilton-Smith on the hospital. First of all, the Leader of the Opposition came out and supported building the new hospital on the site that we have chosen, then they wanted to rebuild the hospital on the existing site, then they wanted to build it on the Clipsal site, then they wanted to build it out at Keswick, and then they promised to build a brand new hospital on the new site. I do not know what happened to the patients and staff in the meantime—perhaps they would be in a tent city in Botanic Park.

Then they flirted with having maternity services in the new hospital and now they are not going to build a new hospital but build two or three new buildings, and they would not even tell the truth in their drawings about the scale of the thing. It was doctored—a bit like what was going on in Rob Lucas's office a few weeks ago in terms of their IT smear campaigns.

Now they don't have one position but three simultaneously. So, three positions on seven sites—no wonder people do not believe you. This was not a hospital. You have a hospital on wheels; it is a mobile ambulance.

Of course, the Liberals say they need to have proper consultation. Despite their promises, the Liberals have not consulted with the doctors or nurses. The peak doctors and nurses groups, the Australian Medical Association and the Australian Nursing Federation, have apparently confirmed that they were not consulted about the Liberals' plans.

We have seen what they stand for, which is nothing. What I would like to see is a world-class hospital here in the centre of the city. What I would like to see built over the railway yards is the best hospital in Australia because we put patients first, which is the difference between us and you. Since we have been in office, we saw what you did. You had one plan which was to cut beds and privatise when you were around the cabinet table—the plan to privatise the QEH. It took this government the guts to wind back the clock and bring the Modbury Hospital back into the public hospital system after you had privatised it.

So it goes on—an extra 900 doctors in the system, an extra 2,800 nurses in the system. That is the difference—a commitment to a public hospital system that is world class, rather than what you want which is to have all those people with the use of three toilets. You want to have multiple beds in the wards. We are offering the best public hospital in the country, and, if you want to make the election about that, then so be it.

What we also want to do is remove some of those buildings that are currently eyesores and return them to botanic gardens, so that it is a beautiful part of the North Terrace boulevard. There are heritage listed buildings there that can be used. What we want to do is to free up North Terrace to have a stunning cultural boulevard, rather than wreck it with a building that would not only disrupt the patients but disrupt the staff, and also be unavailable for the emergency helicopter service—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —costing lives and time. At the same time, you were so confident in your design that you doctored the design so that it did not look like the eyesore that it would be.

#### UNIVERSITY COLLEGE LONDON

**Mr RAU (Enfield) (14:26):** Can the Premier provide the house with an update on the agreement that the state signed with University College London and Santos Ltd to bring executive education courses and a masters degree in energy and resources to South Australia?

*Members interjecting:*

**The SPEAKER:** Order!

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

**The SPEAKER:** The Attorney will come to order!

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:26):** Mr Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The Hon. M.D. RANN:** It presumably won't be called the Smith. Okay?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** We know that the Liberals have been accused of name dropping but not name adding.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** It wasn't quite posh enough, was it? You can't tell the truth about your own name. How can you tell the truth about public policies?

**The SPEAKER:** The Premier will come to order!

**The Hon. M.D. RANN:** An historic agreement—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Just look at him.

*Members interjecting:*

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

**The Hon. M.D. RANN:** I'm proud of my name—

*Members interjecting:*

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

**The Hon. M.D. RANN:** —and so are all my relatives. An historic agreement was signed between the state government, University College London and Santos Ltd on 24 November 2008. This agreement marked the first time in the history of UCL, which dates back to 1826, that this prestigious educational institution has consented to offer its degrees anywhere outside of the United Kingdom.

Everyone in this chamber, presumably, would be aware of University College London. It is one of the world's greatest universities. You would be aware, because I know that the Leader of the Opposition is a student of philosophy, given his interest in Camus, that it is, in fact, the home base of the great Jeremy Bentham. I am happy to give a dissertation on Bentham at some later stage.

As a result of the abovementioned agreement, on 18 March I joined the Vice Provost of University College London, Michael Worton, and the Chief Executive of Santos, David Knox, in

Adelaide's historic Torrens Building to welcome Tony Owen, the newly appointed inaugural Director of the UCL School of Energy and Resources Australia. Mr Owen comes to Adelaide from Curtin University of Technology in Perth, where he has been Professor of Energy Economics. He brings a wealth of experience to the role, having held visiting appointments at universities and international agencies in Canada, the United States, Britain and France. The announcement of Tony Owen's new role marked—

*Mr Hamilton-Smith interjecting:*

**The Hon. M.D. RANN:** If you want to mention my name as 'Rannison' and everything else, then you make yourself fair game. The announcement of Tony Owen's—

*An honourable member interjecting:*

**The Hon. M.D. RANN:** Talk about leading with your chin—

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —going over the top.

**The SPEAKER:** Order!

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** The announcement of Tony Owen's new role marked the start of UCL's presence here in Adelaide, which will bring postgraduate energy and resource degrees to our city from 2010 and professional education courses, starting in August. It will also bring an international energy policy institute to Adelaide, which we hope will be housed in the Torrens Building as part of the government's university city precinct. The precinct also includes Carnegie Mellon University, Cranfield University and will soon include UCL's School of Energy and Resources.

UCL offers a level of academic and research excellence that is known throughout the world, both for its current contributions and for those made by former academics and graduates. UCL is ranked seventh—

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

**The SPEAKER:** The Attorney!

**The Hon. M.D. RANN:** This is important. University College London is ranked seventh on the 2008 list of the world's top 200 universities, compiled by *The Times Higher Education Supplement*. This world-class ranking places UCL in the same league as Harvard, Yale and Oxford. I should say this, that UCL has been operating for nearly 200 years and it has never ever been located outside of Great Britain until its decision to locate here in Adelaide.

UCL graduates have received a total of 20 Nobel prizes and its alumni include such distinguished individuals as Mahatma Gandhi, Japanese prime ministers Ito and Koizumi, Alexander Graham Bell and even, I am told, the members of the band Coldplay—that is a pop group, known for their interest in Camus.

There is no question that South Australia will benefit greatly from UCL's presence in our state. The Labor government is working to expand our state's skilled workforce and, in particular, to take advantage of the expansion of our resources and energy industries. UCL is a perfect fit for our state with credentials in science, energy and resource management that are second to none. This agreement is an important strategic partnership between government, industry and the university sector.

*Ms Chapman interjecting:*

**The Hon. M.D. RANN:** Self-promotion at our cost. The University College London—self-promotion at our cost. This is the woman who did not want Bevan Spencer von Einem to be DNA tested. They were worried about his civil liberties. It is in *Hansard*, you were worried about his civil liberties.

This agreement is an important strategic partnership between government, industry and the university sector. Santos—I think there might even be members with shares in Santos—has contributed \$10 million to provide scholarships, research funds and sponsorship of the professorial

chair being filled by Tony Owen. This represents the biggest dividend so far from Santos's \$60 million Social Responsibility and Community Benefits Fund.

I am delighted that Santos has contributed \$5 million to the Royal Institution, which we will be establishing in Adelaide. Again, it has existed for more than 200 years, and it is the first time that the Royal Institution of Science will establish anywhere outside the UK, and it will be here in Adelaide. If members opposite come out and attack that I will remind members of what the Leader of the Opposition said at the last RI fundraising event.

*Mr Hamilton-Smith interjecting:*

**The Hon. M.D. RANN:** Well, you supported it.

*Mr Hamilton-Smith interjecting:*

**The Hon. M.D. RANN:** You were supporting it. You said, 'Oh, we would support this if we were elected.' UCL is now the third—

*Mr Hamilton-Smith interjecting:*

**The Hon. M.D. RANN:** Because you would say anything to anyone in order to please them at any stage. UCL is now the third international university to establish a presence in Adelaide as part of the Labor government's university city vision. These universities will supplement the outstanding programs offered by our three public universities and further Adelaide's global reputation as a city that embraces learning and high quality educational offerings.

If the opposition does not support—given the comments made—UCL coming here or the Royal Institution of Science coming here, then please say so now.

#### VICTORIA PARK REDEVELOPMENT

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:34):** My question is to the Minister for the City of Adelaide. What is her current position on Victoria Park? In 2004, the Premier claimed—there he goes—

**The SPEAKER:** Order!

**Mr HAMILTON-SMITH:** —that he would protect Victoria Park from development and he introduced the Adelaide Parklands Bill. On 20 December 2006—

**The Hon. P.F. CONLON:** On a point of order, I know that we can withdraw leave to explain. Once again, the Leader of the Opposition is setting out in an explanation, which is inflammatory and involves comments not—

*Members interjecting:*

**The Hon. P.F. CONLON:** If the Leader of the Opposition can contain himself (and I know that he is in difficult times at the moment), I point out that his question was: what is the position of the Minister for the City of Adelaide? His explanation was then something the Premier apparently said in 2004. I simply point out that, if he is going to engage in that, we should not get points of order about relevance or debate. If you are going to start a question with an inflammatory explanation that is unnecessary, you should not take points of order.

**The SPEAKER:** Order! Just before I call the minister, I will respond to the Minister for Transport's point of order. I have to admit that I was not paying close attention to the explanation. I know—maybe I had better resign. I was not paying as close attention as perhaps I should have. Explanations should be contained to what is necessary to render the question intelligible both to the person being asked the question and to the house, and they should not be used as an opportunity to make debating points. However, I have in the past given a fair bit of latitude to members in their explanation without withdrawing leave, provided that similar latitude is extended to the minister in answering the question.

**Mr HAMILTON-SMITH:** Thank you, Mr Speaker. I will continue my explanation. In 2004, the Premier claimed that he would protect Victoria Park from development, and he introduced the Adelaide Parklands Bill. On 20 December 2006, he announced a plan to build a permanent grandstand at Victoria Park. On 6 December 2007, that commitment was publicly abandoned but, earlier this week, the Premier announced that his new vision for Victoria Park was to leave up the temporary grandstand on a more permanent basis. What is the minister's position?

**The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:37):** I will respond to the Leader of the Opposition.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. LOMAX-SMITH:** What I can say about my position on Victoria Park is that, unlike his and that of the opposition, it has never changed: it is absolutely consistent.

*Members interjecting:*

**The SPEAKER:** Order!

#### TRANSPORT ASSISTANCE

**Ms BEDFORD (Florey) (14:38):** My question is to the Minister for Transport. Will he advise the house of the benefits of the government's initiative of free off-peak travel for the elderly and how it compares with the Liberals' promise of free public transport to all commuters during Clipsal week?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:38):** I must say that I am a little taken aback. I have never heard of something being more permanent. Things are either temporary or permanent; it is kind of an absolute. More permanent—goodness me!

I will not go over the material mentioned by the Premier yesterday, but I note that the opposition spokesperson on ageing challenged us to compare and contrast our policy with theirs for free Clipsal travel, and they asked how ours would be funded since we wanted to know how theirs would be funded. So, I think it is important actually to say something about that, but I do have your media release.

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** Oh, dear! I am going to come to the facts, Leader of the Opposition.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** I love to see people in pain, I really do. It is one of those things I enjoy. Our promise was free travel to the elderly—all those who have a Seniors Card and who work less than 20 hours a week, which includes self-funded retirees for the first time in something like this. That is quite logical because, as we said before, those are the first people in many ways to feel the effects of the global financial crisis, whereas people in work have at least had the benefit of dropping mortgage rates and dropping fuel costs. Self-funded retirees have seen their earnings from savings and investments diminish and, in many cases, really suffer quite badly.

It is an initiative for its time. It builds upon the fact that public transport infrastructure is very heavily utilised at peak times but under-utilised at off-peak times, so there is a capacity to do that. There are revenues forgone. It does cost us money, but it does give us the capacity, if some of those people—especially self-funded retirees—shift their travel from peak times to off-peak, to open up more capacity for what is greatly in demand at the moment, and I want people to hold that point—what is greatly in demand at the moment.

What happened during the Clipsal event was that the Leader of the Opposition just had to be noticed during a big event, and he promised there would be free transport to end the gridlock during the five days of Clipsal. It really was something he had not thought a lot about before he said it, because he obviously does not know what most of his backbenchers know (because they write to me all the time), that our buses, trains and trams are very full during morning peak hour—very full, indeed. He probably has not read the paper to note that the buses, trains and trams are full. There was quite a colourful campaign wanting me to fix this up because they are so full.

We have had complaints from the opposition spokesperson about how crowded the trams are, but apparently what the Leader of the Opposition is going to do is offer free travel to every person in the metropolitan area—

*Mr Hamilton-Smith interjecting:*

**The Hon. P.F. CONLON:** Oh, we have not seen the fine print! Well, we do know that he said everyone in Adelaide.

*Mr Hamilton-Smith interjecting:*

**The Hon. P.F. CONLON:** It is your press release: 'Free public transport will be extended to all Adelaide commuters during Clipsal week.' Thank you, Marty! Now, of course, there are two ways this could be done: one is that you do not—

*Mr Hamilton-Smith interjecting:*

**The Hon. P.F. CONLON:** The other thing they possibly failed to notice is that we are in the process of buying new buses, procuring new trams and adding to our rolling stock because of the demand on public transport. We are in the midst of doing it. I thought that an alert Leader of the Opposition might have noticed that. What would happen is one of two things: first, he would throw the doors open to everyone for free, and those people who catch the bus every morning would be crowded out by the five days of free travellers and left at the bus, train or tram stops. That is the inevitability of it unless, of course, you add new capacity.

The penny might have dropped with him that, given that we are out purchasing new capacity, there is no spare capacity. On the figures that we have, it is likely to lead to—it is a quite modest figure—an increase of 40 per cent in those travelling during peak hour. That figure would require us to purchase, on our estimates, \$200 million worth of buses, trams and trains for five days. He got out there, saw the traffic jam and said, 'I'll get a grab. I'll promise free public transport.' What are you going to do with \$200 million worth of trams and trains when the Clipsal is not on? We haven't got a big enough shed!

I promise members that this latest promise of the Leader of the Opposition by election time will become an option—an option to be reconsidered after the election, because no-one in their right mind would do it. It illustrates—along with the three options for what they might do, after an election, about a hospital—the fact that these people do not have a base in solid policy, they do not have a base in a united team and they do not have a base in a philosophy of vision. They simply do not have a base. If anything illustrates the incapacity of these people for government it is promises made on the run that would cost \$200 million for five days a year. It is the policy of the Leader of the Opposition.

#### MURRAY RIVER

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:45):** My question is to the Premier. How many positions—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr HAMILTON-SMITH:** —does his government now have on the River Murray and, in particular, on what date does he intend to deliver on his promise to make a constitutional appeal on the River Murray?

**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) (14:45):** I am very happy to answer this, because I remember when John Howard came out with his position—

*An honourable member interjecting:*

**The Hon. M.D. RANN:** I will answer the question as I see fit to answer the question, and I will tell you everything that I am prepared to give the house honestly and truthfully, which is quite different from members opposite. Okay?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** The answer to the question is this: you need to explore the hinterland of the question. The former prime minister, John Howard, announced a plan for the River Murray that did not involve an independent commission to run the River Murray. Members opposite, including the leaders of the opposition (it is always hard to remember who was who at the

time), came out and said that I should sign straightaway. If I had signed straightaway it would have sold out the interests of the people of this state. But you put your party before your state. What we did is get on the phone and get on the planes and go around Australia to lobby to get support for an independent commission.

**Ms Chapman:** And you failed.

**The SPEAKER:** Order, the deputy leader!

**The Hon. M.D. RANN:** I know I had some fights with Malcolm Turnbull about that, but eventually we got John Howard, Malcolm Turnbull, the governments of New South Wales and Queensland plus the government of South Australia to support an independent commission, but Victoria was intransigent in holding out, and still we kept going.

**Ms Chapman:** You sold us out.

**The SPEAKER:** The Deputy Leader of the Opposition is warned.

**The Hon. M.D. RANN:** What happened is that when a new government came in and offered a \$13 billion package we saw, of course, an agreement to establish an independent commission and we saw each of the states, including Victoria, refer their powers by way of legislation. That was an important breakthrough. So was getting \$13 billion of funds allocated over time for a range of remediation infrastructure projects, including more than \$600 million in this state plus, very importantly, what South Australia had lobbied for, which was more than \$3 billion for the buyback of irrigation licences—because the problem has always been about two things: lack of rain and massive over-allocation of irrigation licences upstream.

We are now in the process of meeting with the Solicitor-General and the crown law office and also people like Mike Young and constitutional lawyers to mount a court challenge on what I regard as the major impediment to further progress, which is the Victorian cap. The Liberals and some other commentators believe that we should have mounted the legal challenge a year or two years ago. That would have been—

**An honourable member:** Why not?

**The Hon. M.D. RANN:** 'Why not', he says—the vibe of the constitution. If we had done that there would be no independent commission. Victoria would not have agreed to refer its powers. There would have been no \$13 billion package.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** There would have been no \$3.5 billion buyback scheme. That would have been the dopest thing to do. It is about the difference between strategy and tactics. Apart from agreeing to a position early on that would have absolutely sabotaged South Australia's interests, the Liberals' position was that the Leader of the Opposition would have flown over to see his colleagues and put them in a headlock. That is his public policy—a great line: put them in a headlock—and he was then going to demonstrate how that would be done. He would fly off to Sydney and meet with his Liberal colleagues, thump the table, get a bit red-faced in doing so, and they would agree to succumb and hand over the powers. They told him to nick off; that was basically what happened. So, perhaps there is a real difference between leadership and saying whatever you think you can say on a day without remembering what you said the day before or the day before that.

We are in the process of preparing a court challenge. It will be the final part of the jigsaw in terms of a big portion of this. Of course, when we announced the challenge and we announced we were preparing for one, what was the initial response? 'It won't work. You should have done it before but it won't work now.' The constitution has not changed: it is the same constitution as back in the beginning of last century. It would have worked two years ago, but somehow the constitution has changed since. Then, of course, they said that it would cost too much money, and they joined with the Victorians in saying, 'Oh, okay; it will not put the money into the river but into lawyers' pockets.'

Where did I hear this before? I heard it when we mounted a challenge against the Howard government imposing a national radioactive waste dump on South Australia. I remember what the Liberals said: 'Waste of time; won't work; waste of money; will cost too much; the money will go in lawyers' fees'—



**Mrs REDMOND:** Mr Speaker, I rise on a point of order.

**The Hon. M.D. RANN:** —it will cost millions of dollars; and you haven't got a snowball's—

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

**Mrs REDMOND:** My point of order is relevance and debate, sir. The Premier has now strayed well away from the topic under discussion in the question.

**The SPEAKER:** Order! No, the question was about the government's challenge in the High Court. The Premier.

**The Hon. M.D. RANN:** And so what was the result? They said we would lose, because they are so keen to raise the white flag on South Australia's future—that is the thing—and we would not have—

*Mr Hanna interjecting:*

**The SPEAKER:** Order, member for Mitchell!

**The Hon. M.D. RANN:** —got the independent commission or the \$13 billion. It is not the vibe of the constitution. I have seen you in court, you did not even have your wig—you had to borrow it from the other side. The point is that the Liberals predicted that we were wasting our time, would lose the challenge and it would cost too much money and the whole thing was a publicity stunt, but we won three nil in the courts. Every single judge lifted their hand in support of us and it cost us nothing. We are always going to put the state's interests before a party's interest, and that is why we have the leader of another political party as our Minister for the River Murray.

#### MURRAY RIVER

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:52):** I have a supplementary question. Given that the Premier has not answered my earlier question about the date, will the Premier guarantee, without qualification, that a constitutional appeal will definitely be launched by him?

**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) (14:52):** He wants it to be launched by me. I must say that I am somewhat flattered because I have been a justice of the peace since about 1983. I can promise you this—

*Mr Hamilton-Smith interjecting:*

**The Hon. M.D. RANN:** No, you're the one who plays the games. If you want to call names about my name across the chamber, you will get what you deserve. I will say this to you—because my family goes back into the law annals of British history for centuries—I will put the interests of the state first by taking the advice of the Solicitor-General and the Crown Solicitor, and I will not be personally appearing in the court.

#### MURRAY RIVER

**Mr WILLIAMS (MacKillop) (14:53):** My question is to the Premier. Have the MOU and the intergovernmental agreement on the River Murray, described by yourself as 'historic agreements', been exposed as both ineffective and legally unenforceable?

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:54):** No, they have not, in a word. What the opposition again fails to understand is that, because of the referral of powers under the Water Act—as first moved by Malcolm Turnbull and passed by the former commonwealth government and the amendments that have now occurred under the existing government—a new independent authority will be established and a new basin-wide plan will be developed. The trade rules are also part of the new Water Act—

*Mr Williams interjecting:*

**The SPEAKER:** Order, member for MacKillop!

**The Hon. K.A. MAYWALD:** —and in relation to the trade rules South Australia has strong support from our irrigation community for the action that we have undertaken. There is a cap of 4 per cent that Victoria is imposing on trade from its irrigation districts. In 2004 there was a COAG agreement that barriers of trade up to 4 per cent would be removed by 2014.

What the opposition fails to acknowledge is that things have moved on since 2004. We have had the worst drought you can imagine. We have also had an activation of the market that was never anticipated back in 2004. We have also seen in the recent negotiations by Senator Nick Xenophon in relation to the stimulus package an acceleration of the purchase project and the purchase of water from willing sellers by the commonwealth. What that means is the situation has substantially changed.

Because the situation has substantially changed, the barriers to trade in Victoria will disadvantage both South Australia and New South Wales in that initiative, and it is imperative that there is a fair playing field when it comes to the purchase of water and that the purchase of water by the commonwealth needs to be across the basin, and not across the basin except in Victoria.

#### ROYAL ADELAIDE HOSPITAL

**Ms CICCARELLO (Norwood) (14:56):** My question is to the Minister for Health. What is the government's response to claims that recent proposals for rebuilding the RAH would block access to the hospital's helipad?

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:56):** I thank the member for Norwood for this important question. Today I was able to reveal that the Liberal Party's proposed—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** Today I can reveal that the Liberal Party's proposed 12 storey glass tower that is central to two of the Liberals' three proposals for the Royal Adelaide Hospital patch-up would block access to the helipad on top of the adjacent building.

This morning Dr Matt Hooper (the doctor heading up the new MedSTAR retrieval service—that is the trauma and retrieval service that brings injured people from all over South Australia to the Royal Adelaide Hospital) confirmed that his helicopter pilot's advice was that a building as high as the proposed 12 storey glass tower would cause significant problems. On his advice the helipad, which is vital for transporting hundreds of ill patients every year, would need to be closed on safety grounds. In other words, the hundreds of patients who are brought to the Royal Adelaide Hospital for emergency treatment would not be able to receive that treatment.

Mr Speaker, the Liberals' deceptive artistic impression of a 12 storey building made it look like a four storey building. Members will notice in the drawings they put out that a 12 storey building was made to look like a four storey building. Our architects have advised us that a 12 storey hospital building would be between 51.7 metres and 55 metres tall. This is 16.6 metres higher than the existing 38.4 metre tall helipad building. So, in other words, the building the Liberals are proposing would be almost 50 per cent higher than the building on which the helicopters land. This analysis of the proposed—

*Members interjecting:*

**The Hon. J.D. HILL:** They do not like this, Mr Speaker. Their propositions are falling down.

*Mr Williams interjecting:*

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

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** Mr Speaker, this analysis is based on standard hospital buildings with a ground floor of 5.5—

*Mr Pisoni interjecting:*

**The SPEAKER:** Order! The member for Unley is warned!

**The Hon. J.D. HILL:** This analysis is based on a standard hospital building with a ground floor of 5.5 metres and subsequent floors of 4.2 metres to 4.5 metres tall. So this is an accurate analysis of how tall a 12 storey building would have to be.

The Liberals' glass tower—this 55 or 56 metre tower—would not provide the necessary clearance for helicopters. As Dr Hooper explained this morning, if a building is within 250 metres and is 35 feet or more higher than the existing helipad, it will significantly limit accessibility to the current Royal Adelaide Hospital helipad. To comply with safety standards, it would then be necessary for helicopters instead to land at Adelaide Airport and patients then to be transported to the hospital by ambulance. The Liberals laugh at this—they mock—but this is—

**The Hon. P.F. Conlon:** They know they are not building any of their options.

**The Hon. J.D. HILL:** That is true. This is a significant and serious flaw in their propositions. You could not use the Royal Adelaide Hospital, with their proposition, for emergency landings of helicopters. Unlike claims made by the deputy on radio—

*Mr Hamilton-Smith interjecting:*

**The Hon. J.D. HILL:** The leader says, 'Rubbish!' I would challenge the leader to talk to the aircraft safety people to get them to certify—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —that they can land helicopters on a building when there is a larger building of the size they are proposing adjacent to it. You cannot do it. Unlike claims—

*Members interjecting:*

**The Hon. J.D. HILL:** Build it somewhere else, the leader says. What would happen, of course, is that if the Liberals were successful—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —in building their 'Fawltly Tower', then the helicopters would not be able to drop patients off at the hospital. They would have to be taken back to the airport. This is what Dr Matt Hooper—

*Members interjecting:*

**The Hon. J.D. HILL:** This is what the medical experts say.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** The opposition says that they have been consulting with doctors. I would like to know which doctors they have talked to. They certainly have not been talking to the doctors responsible for retrieval because what they tell me is that, if you build a 12 storey building adjacent to the hospital, you could not use the hospital to land helicopters. You could not do that.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** The Basil and Sybil Fawltly of the Liberal Party may believe that their 'Fawltly Tower' is the right way of proceeding, but I can assure them that building a 12 storey building in front of the emergency department would make the emergency landings of helicopters impossible; it would make access to the emergency department—at least during the construction stages—impossible; and it would mean that, if they had to put vital cancer equipment in, which they are taking out of a building and knocking it down, that would mean that the risk to patients who are using that building would be very high indeed.

In the space of two or three days, their grand plan to rebuild on the RAH site has been proved to be absolutely a failure. There is no way that, properly considered, you could rebuild on that site. We looked at this very carefully: we had engineers, health planners and clinicians—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —warning about building on this site, and what the Liberals have demonstrated with their three propositions—and they will not tell us which one they prefer. They

will not consult on it until after the election, so their commitment is to nothing at all. However, what is demonstrated is that, even with the most expensive of the options the Liberals have come up with, which is \$1.4 billion, you would not complete the renovations of that hospital. None of the engineering works (the pipes, electricity, air conditioning), all of those services which are underground across the hospital, would be fixed up with their propositions. With none of the propositions put forward by the Liberals would you be able to fix up those services.

So, \$1.4 billion would just be the first price, then there would be subsequent prices of hundreds of millions of dollars to complete the work. We know that to upgrade that hospital on the existing site would cost over \$2 billion, yet a new building down the road at \$1.7 billion will produce a state-of-the-art hospital which will be complete by 2016, and it will definitely be the best hospital in Australia.

### ROYAL ADELAIDE HOSPITAL

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:03):** My question is to the Minister for Health. Following our radio interview this morning and the minister's promise to me on radio, will he now release the engineers' reports—

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

**The SPEAKER:** Order!

**Ms CHAPMAN:** —on the proposed site at the rail yards hospital?

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:04):** I am very pleased that the deputy leader has asked this question because she and her supporters in the media have alleged that we are planning to build the new RAH on the railway site—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —which she claims—

*Mr Pisoni interjecting:*

**The SPEAKER:** Order! The member for Unley is warned a second time.

**The Hon. J.D. HILL:** I just say to the member for Unley: the proposition that there is a fault line under the proposed hospital site is untrue, and this is an untruth that has been stated multiple times by those on the other side of the house. It is untrue. There is no fault line—

*Mr Williams interjecting:*

**The SPEAKER:** Order! The member for MacKillop is warned a second time.

**The Hon. J.D. HILL:** There is no fault line under the RAH; that is what our engineers have told us, and I have made that plain on a number of occasions over the past year, yet the opposition continues to make the same misleading statement. They continue to say there is a fault line under there. Why do they say that? It is very interesting, Mr Speaker.

**Ms CHAPMAN:** On a point of order, my question was very clearly about a breach of promise, which I am not going to sue you for. Is he going to give us the reports or isn't he?

*Members interjecting:*

**The SPEAKER:** Order! There is no point of order. The Minister for Health.

**The Hon. J.D. HILL:** It appeared that all my nightmares had come at once, to think that the Deputy Leader of the Opposition would rely on a 19<sup>th</sup> century proposition law to attack me. As if I would ever have made a promise, such as the one she is suggesting, that I would breach in the future. Let me go through the point. The Deputy Leader of the Opposition and the opposition have repeatedly said that the hospital that we are planning to build is on a fault line. This is untrue.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

*Mr Bignell interjecting:*

**The SPEAKER:** The member for Mawson will contain himself as well.

**The Hon. J.D. HILL:** The Deputy Leader of the Opposition continues to say that there is a fault line there; it is untrue. The reason that she continues to make this point is because she is trying to draw attention away from a fundamental flaw with the existing RAH. The RAH is not built to contemporary earthquake standards. If there were a significant earthquake in Adelaide, whether the hospital is down the road or on the current site, it would interfere with the RAH, wherever it happened to be. If there was a significant earthquake in Adelaide, the—

*Ms Chapman interjecting:*

**The SPEAKER:** The Deputy Leader of the Opposition is on very thin ice. The Minister for Health.

**The Hon. J.D. HILL:** The earthquake fault line definitely runs underneath the Deputy Leader of the Opposition. If there were a significant earthquake in Adelaide, the RAH, as it is currently built, cannot be made earthquake proof to contemporary standards. It would not fall down; it will not do that. I am not proposing that it would fall down, but it would be significantly affected. It could no longer be run as a hospital.

Therefore, in the event of a major earthquake in Adelaide, the major hospital supplying health services to Adelaide could not be used. That is a significant reality. Any new hospital buildings we build have to be made, to contemporary standards, earthquake proof. The new hospital down the road will be made to those standards; so, it will be earthquake proof. If there is an earthquake in Adelaide, even if there were a fault line under the hospital, which there is not, the hospital would stand up and be able to continue running services, in complete contradiction to the position put by the Deputy Leader of the Opposition. I have every intention of fulfilling—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —my promise made to the deputy leader on the radio this morning.

#### GLOBAL GREEN CHALLENGE

**The Hon. P.L. WHITE (Taylor) (15:08):** Can the Premier provide the house with information on the upcoming Global Green Challenge?

**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) (15:08):** The government remains strongly committed to supporting the development of sustainable automotive technologies. The inaugural Global Green Challenge, an event to promote alternative energy vehicles, will be run from Darwin to Adelaide, beginning 25 October this year.

The Global Green Challenge is an evolution of the World Solar Challenge, which was supported by both sides of politics in government. This new challenge will present hybrid, electric, low emission, alternative energy vehicles, as well as solar vehicles, to a world that is now eager to positively engage with practical transport solutions that will contribute to a healthy future for the planet.

The challenge will be run by the government through the Motor Sport Board, which, of course, runs the highly successful Clipsal 500. As we explore and develop new means of cutting greenhouse gas emissions and addressing transport inefficiencies, the vehicles taking part in the Global Green Challenge exemplify an important part of our sustainable future.

The Global Green Challenge is no longer simply a showcase of prototypes or bold experiments from around the world. This event will provide an opportunity to road test and refine practical solutions to a number of the world's transport challenges.

We look forward to this beginning later this year. I hope that members on all sides, as they have with the solar challenge, will support this international event that begins in Darwin and culminates in Adelaide.

#### NEWPORT QUAYS

**Mr WILLIAMS (MacKillop) (15:10):** My question is for the Minister for Infrastructure—and it looks like I am going to get a sensible answer. How will the government's joint venture at Newport Quays with developers Urban Construct be affected by a Federal Court action launched by 13 parties against the developer?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:10):** One of the things that I was very disappointed in the other day was a story that went to air—I did not see it—with an interview with—and I almost feel that I should bow when I say his name—Russell Ebert regarding this matter. Before we go any further, can I say that my understanding is that the interview with him was recorded some 13 weeks ago and—

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** —no, wait for it—he had contacted the program to say that he had resolved his differences with the company and he asked them not to put the interview to air but, unfortunately, for some reason that advice was ignored and it went to air anyway. We do not believe that whoever is left, as opposed to the 13 that you—

*Ms Chapman interjecting:*

**The Hon. P.F. CONLON:** The other 12, of course, because Vickie would know. As far as I can work out, she knows everything. The likelihood of that influencing further development, I would have thought, is very low. I have certainly not been advised of any likelihood of that affecting further development. One of the regrettable things about this development is that it has been the subject of shallow political attack by the opposition, and in particular I refer to members in another place.

*Ms Chapman interjecting:*

**The Hon. P.F. CONLON:** Well, that is possibly because the Deputy Leader of the Opposition does not read what her members in the other place say. There were disgraceful attacks upon this development. We hear them attacked as being Labor donors and they are getting benefits out of that. Members opposite always fail to mention the large amount of money that Newport Quays gave to the Liberal Party back in 2002, I think it was.

There is absolutely no doubt that this project has been affected by ill-informed political attacks by the opposition. The opposition has chosen its route; it has chosen its path in life. It is no longer the party of business. It has never been the party of workers. It is certainly not the party of good ideas or conscience. The truth is that the project has been affected, on my understanding, by some of those attacks. Certainly, the people who are involved in the joint venture have been to see some Liberal members of parliament who have understood their views and all of that, and then, of course, have ignored them.

Having seen the shallow, base political attacks by the former party of business on these people, I look forward to seeing how much business supports them at the next election. Who is the latest person in their sights? Anyone who dares to do anything with the Labor Party. Bruce Carter, the chair of the Economic Development Board, is the latest in their sights for attack for having the gumption not to support the natural party of business.

The truth is that we do not expect any future development to be affected by a legal case between Newport Quays and some people. I do not even know how many of those are afoot at the moment. I will try to find that out for the house and come back. There is no doubt that, any time the Liberal opposition has the opportunity to attack this development, it does.

*Mr Williams interjecting:*

**The Hon. P.F. CONLON:** No, you are allowed to ask questions. I just make the point that, at every opportunity you have to attack this development, you do. That is all right; you feel free to do that. You will have to deal with the consequences yourself.

*Mr Williams interjecting:*

**The Hon. P.F. CONLON:** Mitch, I will do a deal with you: I promise that, if you never ask a question again, I will not pick on you for it.

*Ms Chapman interjecting:*

**The Hon. P.F. CONLON:** Thank you. Once again, Vickie has told me what I should do. That is what I will do: get an answer and come back. In fact, I thought I had said that a little earlier. I have given you an answer.

*Mr Williams interjecting:*

**The Hon. P.F. CONLON:** I think I will take a little longer. We might extend for an hour. I have given you the answer.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** I have given you the clearest answer I can. My advice is that it has no effect on future development. I will certainly check that, and I will check the basis of your question that there are 13 actions afoot. I am not sure that is the case but, of course, if I am wrong, I will come back and apologise and, if you are wrong, you will, too. Is that the case?

#### **MENTAL HEALTH BEDS**

**Mrs REDMOND (Heysen) (15:16):** Has the Attorney-General received any representation from the Director of Public Prosecutions that the lack of forensic mental health beds is impairing the capacity of the DPP's office to manage people on section 269 mental health licences?

On 19 March, the head of the Parole Board, Frances Nelson, said that the Director of Public Prosecutions was 'reluctant to ask courts to revoke mental health orders because of the shortage of beds in such facilities as James Nash House'. Under this government, the average daily prison population has increased by 31 per cent, yet over the same period not one more forensic mental health bed has been provided.

**The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:17):** I am not aware of those representations but, if there were any such representations, I will get a copy of them and get them to the member for Heysen.

#### **PRISONERS**

**Mrs REDMOND (Heysen) (15:17):** Will the Minister for Correctional Services advise the house when he was advised that the incident at a family restaurant on 27 November 2008 involved departmental officers, not private contractors, moving a prisoner? On Thursday 5 March 2009, the minister responded to my question in relation to an incident, describing how two officers accompanied a handcuffed prisoner into a Kentucky Fried Chicken outlet on Glen Osmond Road at lunchtime on 27 November. Other customers on the premises at the time included a family with children and two groups of schoolchildren.

In his answer, the minister undertook to 'get a detailed report for the member'. He said, 'When I get a more detailed answer, I will get back to the house as quickly as I can.' Later that day—that is, 5 March—the minister issued a news release which highlighted that prisoner movement contracts were outsourced by the former government and in which he implied that private sector contractors were involved. Leaked information received by the opposition indicates that the officers involved were departmental officers. To date, the minister has not provided any more information to the house.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (15:18):** The key word there is 'implied'. The opposition is trying to say that I issued a press release stating that it was the outsourced officers who took the prisoner into the KFC. To the best of my recollection, I never said that. I know that the opposition is very keen on this, but the truth is this: is it acceptable to take prisoners into a KFC? No, it is not. We are seeking Crown advice, and we will get back to the house with a detailed answer on what we are going to do about this.

#### **SHARK ATTACKS**

**The Hon. S.W. KEY (Ashford) (15:19):** My question is directed to the Minister for Emergency Services. What is the government doing to ensure the safety of South Australian beachgoers from shark attacks?

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (15:19):** For the past four summers the state government, through the Community Emergency Services Fund, has funded seven day a week aerial shark surveillance patrols. This year the aerial shark surveillance service consisted of fixed-wing aircraft patrols provided by the University of South Australia and a helicopter patrol provided by Surf Lifesaving South Australia. The UniSA fixed-wing service commenced on 1 December

2008 and was due to finish on 27 March 2009, while the Westpac Rescue Helicopter shark surveillance patrols commenced on 1 November 2008 and will finish on 29 March 2009.

Following consultation with the Bureau of Meteorology, the South Australian Fire and Emergency Services Commission has advised that there is potential for above average temperatures for April. The warmer weather will give families and beachgoers an opportunity to enjoy our beautiful South Australian beaches for an extended period this season. I am therefore pleased to inform the house that an agreement has been reached with UniSA to extend its current service until 26 April. This will ensure that a seven day a week aerial shark surveillance patrol will be operating up to and including the Easter long weekend and throughout the April school holidays from North Haven to Normanville.

Since the summer of 2005-06, the state government has provided more than \$1 million in shark patrol funding. In addition to the obvious community safety outcomes, the extension of the service provides students and graduates of the UniSA Aviation Academy the opportunity to gain valuable flying and surveillance experience under operational conditions. While the extension of shark patrols will go some way to addressing public confidence, people must continue to be responsible for their own safety. While shark sightings have been rare so far this month, the state government prefers to err on the side of caution.

### PRISONERS

**Mrs REDMOND (Heysen) (15:21):** My question is, again, to the Minister for Correctional Services. Has the minister decided against renewing prisoner movement contracts or will he endorse Liberal Party policy? In the aforementioned press release of 5 March, the minister said:

Prisoner movement contracts were privatised by the former Liberal government. Obviously we can't unscramble the egg now.

The prisoner movement and in-court management contract was renewed on 1 July 2007 by the Rann government and renewed again on 1 July 2008. It expires in three months, and my question therefore is: will the minister again endorse the Liberal policy?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (15:22):** The opposition has a very curious tactic here. First, it criticises the way we move prisoners, and then it says, 'Please endorse our position on the way you move prisoners', even though it set up the system. The opposition also then says, 'Please don't make prisoners double up because that is dangerous', yet the opposition also had that policy. The Liberal Party is a little hypocritical when it comes to policies regarding prisoners.

I have always found interesting how much the Liberal Party and the opposition care about prisoner rights. I find it interesting in terms of the debate we are having about the Royal Adelaide Hospital and about prisoners. It is very interesting that the current Leader of the Opposition wants the RAH to stay as it is on its present site where patients are four to a room but he wants all our prisoners to be in their own accommodation by themselves. I find these two contradictions very amusing.

We do not apologise for the way we treat prisoners. We treat prisoners humanely, we move them humanely and we will keep on moving them humanely, but I tell members that I will not risk negotiations on the new contract—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** I will say that I, too, was angry about that incident. It was a lapse in judgment, and we are seeking Crown advice, as I said earlier to the house, about what action we can take. But I tell the house that we will not apologise about making prisoners double up. We will not apologise about that at all. The people who should be apologising are opposition members, because they want prisoners to have their own luxurious accommodation by themselves but they are happy for patients to be four to a room. That is the difference.

*Members interjecting:*

**The SPEAKER:** Order!



### TRAINING PROVIDERS

**Ms BREUER (Giles) (15:24):** My question is to the Minister for Employment, Training and Further Education. What opportunities is the government pursuing in building links with international training providers?

**The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Science and Information Economy) (15:24):** I thank the member for the question and the lack of elaboration. Last week, Adrian Marron, Executive Director of TAFE SA Adelaide North, represented me in China and signed an agreement with the Chinese Adult Education Association. This is an arm of the Chinese national government. The purpose of this agreement, in its broadest sense, is for South Australia to participate in the introduction of a national vocational education and training system in China. This system will focus on quality and will be implemented consistently throughout China.

This agreement will institute cooperative arrangements between South Australian TAFE and VET organisations and educational organisations throughout China. The South Australian system was selected after other international systems had been considered. I am informed that Germany was short-listed along with South Australia, so it is a great achievement for the South Australian TAFE/VET system.

The intent is that the VET model, exemplified by TAFE SA, is to become the recognised standard for vocational training throughout China. This agreement offers significant opportunities for both China and South Australia. For China, it will involve a consistent approach to vocational education that is built on such a strong foundation, and that foundation is the South Australian system. It involves industry as a significant contributor and will ensure that graduates will be work ready and will have educational qualifications leading to formal pathways to university study both within China and internationally.

South Australia will also benefit from this venture. By helping China to build a new vocational education and training system based on South Australia's highly successful system, we will have the opportunity to market TAFE SA and other South Australian educational propositions as high quality providers of education and training throughout China. Additionally, it is projected that 30 per cent of students who complete training under the new system will travel overseas to complete university studies, and we will strive to make South Australia the obvious higher education destination for these students. This will give us the opportunity to increase our state's market share of international students even further. On this score we are doing extremely well, but there is significant latitude for us to increase our market share.

At the heart of this agreement are the collective benefits that both our countries will experience through working together and sharing new research and innovation. This will include new ways of addressing the skill acquisition and development challenges that both countries face in turbulent economic times.

One example is the Sino-Australian Adult Education Forum, a biannual exchange program between Australia and China—and, again, South Australia was very much at the fore in establishing this forum. The first of these will commence in China in May this year, where we will share our ideas on education and encourage the continuous development of the vocational education and training systems in both countries.

I cannot overstate the potential of the agreement signed in Beijing by the South Australian government last week. Follow-up work will be done in late May and, once the bedrock of the agreement is finally established, the hard work of establishing what could be a significant South Australian educational presence in China will begin.

### MURRAY RIVER, LOWER LAKES

**Mr PEDERICK (Hammond) (15:28):** My question is to the Premier.

**The Hon. M.J. Atkinson:** Terrible combination of tie and shirt!

**Mr PEDERICK:** You've got no right to talk about fashion, Attorney-General.

*Members interjecting:*

**Mr PEDERICK:** Okay. My question is to the Premier. Does the government intend to acquire additional water to compensate the Lower Lakes for the 30 gegalitres to be pumped from Lake Alexandrina to the proposed Goolwa-Clayton pool? The already severely stressed Lower

Lakes will have their critical survival time shortened further by the additional extraction of water for this proposal, accelerating the perceived need to build a weir at Wellington that the government states it does not want to build.

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (15:30):** At the moment we have before the Murray-Darling Authority—and also soon to have a referral to the federal government—a proposal to build a number of structures around the Goolwa Channel, and the Finniss and Currency creeks. The issue is around acidification; it is around water quality; it is around trying to protect some very important areas of the Lower Lakes, of which those areas are part of the Lower Lakes. We have limited water coming into South Australia. We are doing our best to try to manage with the water that we have, whilst, at the same time, we are looking to purchase water from the temporary market to ensure that we get through to June before we have to make a decision on the construction of a weir at Wellington.

The project proposal for the Goolwa Channel does include the pumping of some water from Lake Alexandrina across to the Goolwa Channel, specifically because the Goolwa Channel is likely to disconnect from the lakes if the water continues to drop at the rate that it is dropping at the moment. Of course, this would have substantial and long lasting environmental impacts. We are doing the best that we can to ensure that we can utilise the water that we have in the system available to us across all of the needs, and that includes the Goolwa Channel. Water will be pumped from Lake Alexandrina into the Goolwa Channel, and there will also be refill of that area from local rainfall from the Finniss River and Currency Creek.

The water that we are purchasing will be used to enhance the levels in the Lower Lakes and, of course, will flow into Lake Alexandrina. The amount of water that we are purchasing will be on a monthly basis. We will assess how much we are able to purchase. At the moment we are out there buying, and we are not impacting the market by saying how much we are buying or how much we are buying it for.

#### COMPUTER GAME CLASSIFICATION

**Mr KENYON (Newland) (15:31):** My question is to the Attorney-General. Can the Attorney-General explain to the house the merits of a petition that he was handed today on the steps of Parliament House?

**The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:32):** I can. I have become a pin-up boy for the R18+ computer game classification movement—a pin-up boy with concentric circles on the poster.

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** That's right; the member for Heysen is right. When the media want opposition to a new R18+ category for interactive games, I am their man. This makes me a target for some gamers to vent their frustrations. Gamers write to me about why they want to play R18+ games so badly; how I am the only person standing in their way. Some have become aggressive and colourful. E-mailer Rob Nobel has told me that I am a complete tool.

*Members interjecting:*

**The Hon. M.J. ATKINSON:** Wait for it. Graeme Davies writes to me with the salutation, 'Dear Jerk', and he says he kind of hates and pities me at the same time, concluding he mainly hates me. 'da\_bomb2003' says I am a gold-medal winning imbecile, a true Nazi, a true coward, among other things. Comments on internet sites criticise my parenting because I raise concerns about my own children playing violent games. I am described as an idiot because my point of view is different from R18+ proponents. I have been sworn at, threatened, harangued and poked fun at because of my stance.

One internet site included comment from blogger Demonata: 'Our only hope is if someone assassinates that [expletive]-head Michael Atkinson.' Another poster, NQGeo, suggested if I were assassinated this might hurt their cause because the killer may have played violent computer games and 'further draconian censorship of our favourite media' would eventuate.

Another site included a topic 'Michael Atkinson explains how clueless and [expletive] in the head he is.' Blogger Pirate described me as 'that scum-sucking [expletive]', amongst other colourful expletives. I have attracted many other critics.

My opposition has also made threats of vandalism. Not long ago, working late in my office, I heard a whoosh under my door and there, just like the old movies, was a message comprising letters cut out of magazine headlines and assembled on the page one by one, and it read:

Hey old man Atkinson! This act of vandalism is an expression of frustration of gamers who believe R18 rating is long overdue. Seriously who the [expletive] are you to tell us what we can play!!

Well, Mr Speaker, I swung open the front door of my office and saw no-one—another phantom attack with no-one to stand up for their views, just like the anonymous emailers hiding behind their avatars. One can only assume that the person who delivered the note fled, surprised at my presence in the office so late. Thankfully, I do not know how their rage was going to be acted out.

Last year, as the member for Heysen noted, an erotic magazine reported that I was one of Australia's most hated people.

**Mrs Redmond:** Six most hated.

**The Hon. M.J. ATKINSON:** Six most hated, thank you. I was one of the six most hated because I blocked the R18+ classification. I was deemed much more annoying than Radovan Karadzic, who was much further down the list. Earlier this year, the same magazine included me in their article 'UnAustralian of the Year 2009' for banning video games but not the Nazi flag.

My position on R18+ games is simple: they do not belong in Australian homes where children can access them. People tell me to let parents parent. They say it should not be my job to decide what they can play, that restricting R18+ games is unjustified censorship, that we live in a democracy and violent games already exist in MA15+ so why stop R18+ games? Violence in MA15+ games is already accessible to children, and it worries me. My own children play these games and they are sometimes enthralled by the electronic game as they shoot, maim and destroy on the screen, all to the background thump of machine noise passing for music.

This is not a sound reason to let more extreme games on the market. A recent discussion I had with visiting American Professor Craig Anderson about his research confirmed for me that repeating these virtual actions is likely to have strong impacts on children and adults. I encourage people to read his research and consider his findings. His research may be more enlightening than industry-funded polling and research about the impact of computer games.

The other arguments about censorship and democracy are flawed. We cannot allow all and every type of material to be available to the public—child abuse images, for instance. In Australia we are a tolerant lot, but there is a public barometer of what is and what is not acceptable. It is up to governments to monitor and enforce this and apply appropriate standards.

I urge members to get onto the internet and google Narc (short for 'narcotic'), or Grand Theft Auto III (not the Australian version), Soldier of Fortune: Payback, or Dark Sector. Read about what is in these games, look at the image, and think about their interactive quality. Then decide whether these are things that you really think should be sold in our state.

I am told that I offend democracy by my stand and that I am the one person in Australia who is stopping R18+ games. A blogger even suggested I be booted out by the Governor-General because this is a blatant case of abuse of power.

**The Hon. I.F. Evans:** Gough Mark II.

**The Hon. M.J. ATKINSON:** Yes, quite. Obviously that blogger comes from the Sandra Kanck-John Kerr school of constitutional law.

I stand here as the elected member for Croydon, as Attorney-General, because I have the confidence of a majority of members of the house. I sit on the national ministerial group that makes regulatory decisions about classifications, a group that allows one minister to veto changes to the classification system. I do not support R18+ computer games nor have I been personally approached by any member of this house who has said, 'We need R18+ games in Australia, and you should support this.' If any members opposite want to approach me, I will be available after question time.

This is democracy in action. As it happens, other attorneys-general support my position but are happy for me to be the lightning rod for the R18+ gamers. As the next Standing Committee of Attorneys-General approaches, the pressure for me to change my mind on R18+ games will continue.

Last year, SCAG was presented with a discussion paper to seek public opinion on the issue. I did not support that paper because its authors sought to suppress images of games rated above MA15+. However, I support canvassing views, and I intend to take my own version of the paper to SCAG in April. Then the internet ghosts can contribute to the debate on the discussion paper, and, I hope, be brave enough to put their real names and addresses to their submissions.

### ROYAL ADELAIDE HOSPITAL

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:42):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** Earlier in question time, the Leader of the Opposition asked the Premier a question about the existing RAH site and what the government's intentions were. In asking his question, he made the claim that I had said that some of the buildings or some of the site would be sold. This is not the case.

In fact, I can clarify for the house the position I have taken, the most recent expression of which has been consistent with the position I have taken over the last 18 months. I said at the time we announced we were going to build a new hospital that we would go through a master planning exercise for the current RAH site, and we are going through that process.

I said at the time that the heritage buildings would not be pulled down, and that is still the case. I said at the time that one of the options for the use of those heritage buildings was for the university. Adelaide University has expressed strong interest in using them for university purposes, and I said that we would obviously work with them. I think that is a very good use of those buildings, but clearly we would not sell them because it is on government land and Parklands. Of course, there could be and we would expect some remuneration as a result of the university having access to those buildings.

I also said that student accommodation was a possibility and I further said that a number of cultural institutions could be transferred to some of the buildings, and that is certainly an issue we are working through. I think it would be terrific to have cultural activities on that site. It would extend the cultural activities already on North Terrace and match up with the Botanic Gardens.

I also said that the majority of the site would be cleared of the existing buildings (the non-heritage listed buildings) and would be returned to the Parklands or the Botanic Gardens. That is still the government's intention. I have had conversations with the Director of the Botanic Gardens about the potential use of that land.

In a most recent interview with *The Advertiser* I was asked a question about what was intended and, basically, I went through the same possibilities. I think I added that there was a potential for a boutique hotel to be included on the site. I was thinking of the old nurses' quarters, which I thought might make an interesting boutique hotel along the lines of the Treasury hotel which operates opposite the post office.

*An honourable member interjecting:*

**The Hon. J.D. HILL:** Just a second. It struck me as being of potential use to the academic community if there was a hotel in that vicinity where academics or visitors to the university could stay and be involved in university programs. I just said this is a possibility; I did not say that we were going to do this.

I also indicated that, if the land that was to be returned to the Botanic Gardens were to be cleverly treated by putting underground cabling, water, IT and the rest of it, it could be turned into an area where outdoor activities could occur. I pointed to outdoor activities that occur, such as the Garden of Unearthly Delights, which is run every year in the parklands off East Terrace. It is a fantastic event. I was there the other night, and all of the facilities there look fantastic.

The difficulty for the people who use that site, of course, is that all of the electrical cabling, plumbing, wiring, and all of those things, have to be trucked in on the back of trucks at great expense. There is the potential to have a garden or a park which is a park for most of the time but which has all of those services built in, so that an event like the Garden of Unearthly Delights, WOMADelaide, or an event of that nature, could be plugged into it to be used.

It is definitely the government's intention that large parcels of that land be returned to the Parklands, and particularly to the Botanic Gardens, from which it was taken. As I said, I have had informal discussions with the Director of the Botanic Gardens about that suggestion. All of these matters are being considered in the master planning process. Eventually we will have a document which will be put out for public discussion.

## GRIEVANCE DEBATE

### STANSBURY

**Mr GRIFFITHS (Goyder) (15:46):** I want to take a few minutes to inform the house about a wonderful announcement made on 28 November last year by the Hon. Jay. Weatherill, Minister for Environment and Conservation, when he confirmed that Stansbury on Yorke Peninsula had been selected as South Australia's Tidiest Town.

Stansbury is a wonderful place, with only about 500 people, on the south-eastern coast of the peninsula. I have enjoyed its hospitality many times in the past, playing football and cricket there. It is a great place to go to the beach, launch a boat and go fishing. However, importantly, it is the ethic that that community has which has made it rise above many others to now be, with a great deal of pride, acknowledged as South Australia's Tidiest Town. In fact, it has been in the top 10 list eight times, and I think that has probably been only over the last 15 years. The Progress Association and the Tidy Towns group have not been in existence for that long, from a Tidy Towns perspective, but, wow, they have done wonderful things.

Each week, of the 24 members of the Tidy Towns a group of about 18, on average, come together to perform work around the town. Some great articles have appeared about it recently in the *Yorke Peninsula Country Times*, which really espouse the virtue of not just what those 24 volunteers do, but about the collaboration that exists amongst the community.

The school is very heavily involved through the environmental programs that it runs. The local government authority, the Yorke Peninsula council, is also very heavily involved. The collection of all those people has allowed Stansbury to be acknowledged in this way. Tidy Towns has had a great history across the state; there is no doubt about that. I know that it is with keen competition that many communities and aspects of communities enter it each year.

Ross Swain, a previous judge, probably has a better knowledge about South Australia than even Keith Conlon. He knew more about every town. He has a photographic memory about it, which is quite amazing. But I am particularly pleased that Stansbury has been acknowledged in this way.

I think, in some ways, their recent success has probably stemmed from the good work also done by Port Vincent, which has been in South Australia's top 10 many times. It has been acknowledged twice, I think, as South Australia's Tidiest Town, and was lucky enough to be acknowledged as Australia's tidiest community in 2004. That level of recognition comes only with a great deal of hard work.

I know that the KESAB organisation sets quite a broad range of criteria. It is far more than just the physical perspective you get when you enter a town and look at it. Issues involved in the judging include water issues around the infrastructure of the town, and conservation education and changes to water use. They also look at waste and litter recycling and resource recovery programs, waste education within schools, community, business and local government, and, indeed, at how they integrate all of that. Energy is also considered, where there are energy efficiency initiatives. They also look at energy and climate change education.

KESAB then looks at community engagement. That is an important one for me, because it is not just the people who are involved in it, but the whole community. They look at the appearance of the town, and everybody has a responsibility for that. They look at the partnership with the local government authority, they look at how business itself is involved in the Tidy Town activities, and then at how the community itself is engaged.

They also look at biodiversity. The education of biodiversity is taught through the school. Stansbury Primary School is a great school, with probably about 50 students. I was there six to nine months ago for the launch of their new playground cover. The school has a great collection of kids. KESAB also look at conservation activities. So, there are lot of things that are involved in it. It is more than just the physical appearance, and I think that is important to note.

In about six weeks' time, on Friday 8 May, there is another very important day for Stansbury because that is when the national winner of Australia's Tidiest Town is going to be announced in Canberra. I am lucky enough to have been invited to attend as the state representative for that community, and probably about another 20 people from the local community are going to be there.

We hope that we bring home, with a lot of pride, success for South Australia in this national judging. I know that an enormous amount of effort went into it. Mr Dick Olesinski, who is a national judge, was in Stansbury about a week and a half prior to Christmas making assessments. I know that he had presentations from 14 different community groups. He was obviously very impressed, from reports that I have read in the paper. I know that he thinks kindly upon the Yorke Peninsula and I hope that he has been objective in his assessment of what Stansbury has to offer as an overall package for the tidiest town.

I sincerely hope that soon after 8 May I am able to report to the house on Stansbury's success and the success of our state in competing against these other communities, which have a lot greater resources. I think that for a town of only 520 people to get this level of recognition should make us all proud.

### **RIDGWAY, ALMA**

**Ms BEDFORD (Florey) (15:51):** Last July in the Old Chamber, Premier Mike Rann presented the South Australian Aboriginal Elder of the Year Award to Alma Ridgway, so it is fitting that my contribution today on the life of this wonderful woman be made in this house, also on Kurna land.

Three weeks ago on 2 March, Auntie Alma, who was born at Point Pearce Mission, passed away, aged 65. The Holy Rosary Church at Prospect was packed, and the overflow followed the service from the footpath. Hundreds of people travelled from all over the state to pay their last respects to a wonderful woman who had done so much for so many over many years. Representatives from all walks of life, many government departments and education centres were present.

Auntie Alma was born on 23 January 1944, the first of 11 children, to Sylvia and Charlie Agius. Like many of her contemporaries, she was forced to leave the mission to come to Adelaide to work in order to support her family back home on Yorke Peninsula. She went to work at the Northfield Infectious Diseases Hospital as a domestic. During that time Alma undertook formal training and gained a qualification in nursing, something that stood this nurturer and carer in good stead all her life.

Looking for bigger challenges, Alma then began a bridging course of training in community services at the then Aboriginal Community College in North Adelaide. On completion, she decided teaching was her calling and, despite the difficulties she faced in supporting her immediate and extended family, she gave 100 per cent, as usual, to all the competing demands.

In 1986 she became the first and only child of the family to achieve a tertiary qualification as a teacher. Studying at the then Underdale campus of UniSA, Alma studied full time while caring for her children, Katrina and Peter, and her niece and nephew, Natasha and Andrew. I am indebted to Katrina Power for background information on her mother for this contribution today.

Immediately after graduation, Alma began working at the Kurna Plains Aboriginal School at Elizabeth, which remains the first and only metropolitan Aboriginal school in Australia. Already at the school was Auntie Alice Rigney, the first Aboriginal principal in Australia. Their legacy lives on in the wonderful foundation for success their students have enjoyed—increased numbers of them going on to complete year 12 and then to university.

Following the premature deaths of her parents, Charlie in 1983 at the age of 53 and her mother Sylvia at the age of 65 in 1991, Auntie Alma assumed the role of family matriarch. Around that time she became deputy principal at Kurna Plains School and stayed there for 11 years until diagnosed with bowel cancer.

In 1999, arranging her chemotherapy treatments around her community work, she survived her battle with cancer. Auntie Alma then decided to go to work in the Department for Correctional Services to help the alarming over-representation of Aboriginal prisoners being incarcerated to become educated. She showed faith and gave them hope. She believed very strongly in rehabilitation and harm minimisation, and provided group and individual mental and wellbeing health therapy work to ensure that these human beings, disadvantaged by decades of systemic

policy failure, would have a chance to realise their potential and improve their social, educational and economic status, going some way to extend the average life expectancy of Aboriginal women beyond 65 and Aboriginal men beyond 54.

Aboriginal women are 46 times more likely to die as a result of domestic violence, compared to non-Aboriginal women. This startling fact was behind Auntie Alma providing violent and sexual offenders with programs, and it was mainly men who were involved in these programs. She also facilitated and mediated restorative sessions for victims and perpetrators.

Whilst working with corrections, Auntie Alma became an insulin-dependent diabetic and was diagnosed with kidney failure. Unfazed, she continued to work full-time, regularly travelling to every prison in this state and then, after a busy day, she was forced to endure 4½ hour dialysis sessions three nights a week, often not coming home until after 9 o'clock. In November last year, she received a double kidney transplant, and she spent the last four months of her life in hospital. Ironically, the kidneys functioned well, but infectious complications cost her her life.

Auntie Alma was a silent achiever, and she used optimism and resilience to overcome or eliminate the many obstacles she faced in her life. This inspirational teacher, healer, mentor, colleague and confidante enjoyed mutually respectful relationships with black and white Australians. She never complained of life's injustices nor sought plaudits or accolades. Auntie Alma did what she did with love, compassion and understanding.

When Premier Rann announced that Alma was the NAIDOC Aboriginal Elder of the Year, this selfless woman was totally shocked, bewildered and embarrassed by this recognition of her contribution and dedication to her people and her community. She was the epitome of humility, and she felt herself almost an unworthy recipient, whilst many around her saw her as a legend in her own lifetime.

This stalwart within her own family and the Aboriginal mainstream community should be on this day and in this house recognised as the truly great, unique and wonderful South Australian Aboriginal woman she was whose life, work and legacy will be a priceless inheritance for the many generations of Aboriginal Australians to come. Alma is survived by her loving children, Katrina and Peter, and grandchildren, Kahlia, Taylor and Kiraki.

Time expired.

### TRANSPORT ASSISTANCE

**Mrs PENFOLD (Flinders) (15:56):** Once again, I bring to the attention of the house the plight of the family of a disabled young man living in rural South Australia and the ineptitude of this state government in relation to transport in regional areas. There are headlines in today's paper about free public transport for people in the city, but the most vulnerable, living in the country, have nothing. For months now, there has been no solution provided for Steve Richter's autistic son, Rodney, to enable him to access a bus service to Port Lincoln to allow him to attend the Moving On program.

On 2 February this year (eight weeks ago), I became involved and contacted the Minister for Disability by email seeking her intervention to resolve what I thought would be a relatively easy problem. Rodney had been catching a DECS-funded bus for eight years while he attended the excellent Port Lincoln Special School. However, since turning 20, Rodney is classified as an adult and no longer attends the school; instead, he has the opportunity to undertake the Moving On program through Bedford Industries at Compass in Port Lincoln.

The bus Rodney had been catching with his friends still drives past his farm gate morning and night, delivering students to the Port Lincoln Special School, less than a kilometre from where he needs to go; however, he is not allowed on the bus. I contacted the minister with another email on 13 November, without response, before raising the matter in the Grievance Debate on 17 February.

With still nothing resolved, and with little response to the family, I asked the Minister for Education a question on 3 March. She responded that the Moving On the program was not part of the schooling system, that it was not paid for by DECS and that it was not in that system. How ironic! In this state, we have two departments that are unable to work together, with two ministers who sit at the same cabinet table but who cannot come to a sensible compromise. Let me remind these metropolitan ministers, and their city-based bureaucracies, that rural people do not have alternative transport options.

I will now share with you the consequences of the inaction of this government. Steve, Rodney's dad, is a qualified school bus driver, something he has been doing for 12 years. He is registered to drive for two schools, and is an emergency bus driver. However, now that he is forced to drive Rodney to and from his daily program, Steve is unemployable because he is not available when needed. It is bad luck that he has recently completed his renewed police reports, medical examinations and applications for positions.

Steve is also a self-employed computer consultant, but now that he has to be away from his business for at least four hours every day he is not available to clients, who are going elsewhere. Steve is well known in the district. Given his driving experience, he was contacted to undertake a local scrap metal truck run—another job he had to turn down.

Adding insult to injury, Steve has now been contacted by Centrelink, which wants to know why he is not actively seeking work and had not accepted two bus driving jobs. He is now waiting for a special Centrelink person to fly at great expense from Adelaide to assess his situation, and still the DECS-funded bus drives twice daily past Rodney's farm gate with his friends who travelled with him for eight years while he was 17, 18 and 19 years of age but with whom he is now no longer able to be with because suddenly he is 20 years old and a possible danger to them because he is an adult. Try explaining that to Rodney. As Steve says, 'Rodney may be 20 years by chronological measurement, but I am sure that some brilliant person in the government could quite easily assess him and discover that he is well below this in his psychological capacity.'

Steve is also a qualified and sought-after volunteer ambulance officer, having been awarded an Australian Citizen Award in 2006 for services during the Eyre Peninsula fires. He was entered into the inaugural *Who's Who* book in South Australia in 2006 and 2007 for his part in community services as an ambulance officer. He has been an advanced ambulance care officer for 14 years. Please keep in mind that in rural areas we do not have paid ambulance officers outside of Port Lincoln and one at Ceduna. We rely on our wonderful, committed and trained volunteers.

Steve was recently transporting Rodney to Port Lincoln when a category 2 ambulance call came in—category 2 being deemed a life-threatening situation. All that could be done was to despatch a paid paramedic team from Port Lincoln (50 kilometres away), leaving Port Lincoln short-handed and losing valuable time that could have meant life or death to the patient.

So, now, while the Minister for Disability and the Minister for Education twiddle their thumbs, we have a family having to justify to Centrelink why they are not working, we have people in potentially life-threatening situations not being best served with ambulance services and we have Rodney distressed and separated from his friends, driving behind the bus to Port Lincoln morning and night. The cost in CO<sub>2</sub>, time, money and sheer frustration of this ludicrous situation cannot be allowed to continue.

Time expired.

### LITHUANIAN WORLD SPORTS FESTIVAL

**Ms CICCARELLO (Norwood) (16:03):** On Saturday 28 February I was very pleased to attend a very special occasion at Lithuanian House in Norwood. The celebration was organised by the Adelaide Lithuanian Sports Club, Vytas, to commemorate the 20<sup>th</sup> anniversary of Lithuanian participation in the Third Lithuanian World Sports Festival held in Adelaide in 1988. Special guests at the function were the President of the Lithuanian Olympic Committee, Mr Artures Poviliunas and the General Secretary Mr Vytautas Zubernis who came to Adelaide from Lithuania to acknowledge and honour members of the organising committee of the 1988 games in Adelaide whose initiative and foresight would have important ramifications for Lithuanians around the world.

In 1938 in Kaunas, Lithuania, 16 sporting competitions were staged to mark the first National Lithuanian Games held in independent Lithuania. The games attracted more than 2,000 Lithuanian sports persons from around the world and were eagerly watched and supported by Lithuanians everywhere. Two years later, in 1940, Lithuania was occupied and lost her identity by being incorporated into the Soviet Union. However, the people of Lithuania's inherent love of sport in representing their country was not lost, and the games were revived by Lithuanian immigrants and their children. The games would be held under a new guise, the Lithuanian Sporting Festival, to be organised by Lithuanians living in countries in the free world.

The first of these games was held in 1978 in Toronto, Canada; the second in Chicago in the United States; and the third world games were held in Adelaide in 1988. Subsequently, they have been held every four years. But what made that date of the Third Lithuanian World Games so



important and the reason for the celebration was that the organising committee, remembering the significance and importance of those first national games held 50 years before, issued an invitation to the Lithuanian government to 'please send a game to participate if at all possible'. It was with some surprise but great pleasure that the local committee in Australia was advised that Lithuania had agreed to send a team to Adelaide under the care of Mr Artures Poviliunas, who was then President of the Lithuanian committee and who since has held the title for 21 years, in addition to being a member of the European Olympic Committee.

Once again and with great pride after 50 years, Lithuanians were able to represent their country as Lithuanians and not as or part of a Soviet team. For the first time in 50 years Lithuanian sports' persons would be identified and celebrated as Lithuanians. Lithuania has always had deep sporting traditions which are maintained not only in Australia but also in countries all over the world. The objectives of the world games are intended to help Lithuanians of all ages not only to compete in many sporting competitions but also to participate in cultural events, which help maintain their ties and traditions to their homeland.

This year is very significant for the Lithuanian community, not only is it celebrating the 20<sup>th</sup> anniversary of the Third World Games but this year (2009) sees the millennium of Lithuania—1,000 years of nationhood, and it does not finish here. Vilnius, the capital of Lithuania, has been designated as the European capital of culture, and many thousands will travel not only to Vilnius for the many cultural events but also to participate in the Eighth Lithuanian World Sports Festival to be held in June this year.

I congratulate the committee members who were awarded by the Lithuanian government through the President and Secretary of the Olympic Committee and to the current President of Vytas, Aldona Bagusauskas and her committee, whose commitment keeps the traditions alive in Adelaide, and to the many members of the Lithuanian community who continue to distinguish themselves not only in sport but in all facets of community life. They can be justly proud of their club, which also houses a wonderful museum. It is a great credit to them, which helps to highlight the history and the tradition of the Lithuanian community not only in South Australia but also in their homeland.

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

**The Hon. I.F. EVANS (Davenport) (16:06):** When Tom Easling was arrested in 31 July 2004 he was employed by the Office of Youth, and the public announcement by the government in the days after his arrest was that he would be suspended on full pay. Immediately after his arrest and in the ensuing months, the Chief Executive of the Department for Families and Communities made a decision to suspend him not on pay. This matter went to the Promotion and Grievance Tribunal, which found in Mr Easling's favour—that he should be reinstated on pay, that is, still on suspension but getting paid. The department then decided to go to the Supreme Court, and the matter went to court in 2007.

The reason I have raised this matter is that this goes to show the level of incompetence within the government in relation to this issue. Just after the matter went to court, the government had to admit that, unbeknown to the Chief Executive of the Department for Families and Communities, the Office for Youth, for which Mr Easling was working, had been transferred to a totally different department some 10 months earlier. So, the Chief Executive of the Department for Families and Communities did not know that the Office for Youth, with 30 staff and a budget of \$2 million, had been transferred. The chief executive, who had an executive officer attending her chief executive meetings on a regular basis as part of the management team, did not notice that that person was missing for 10 months.

So, the department went to the Supreme Court arguing about Mr Easling's pay only to discover that the department that was arguing the matter did not employ Mr Easling, because 10 months earlier, unbeknown to the chief executive who was defending this case, he had been transferred to another department: DFEEST. That was a surprise to DFEEST, because DFEEST has told in writing that it was not notified that Mr Easling had been transferred to it.

So, it was quite a surprise to everyone that, when the case reached court, the Department for Families and Communities said, 'We have lost the Office for Youth. It is only 30 people and \$2 million a year. Where have they gone?' The chief executive did not know that the Office for Youth was not in her agency and was not even reporting to her minister. That went over to DFEEST. We know this because the government wrote to Easling's lawyers and advised them as follows:

The Office for Youth—in which Mr Easling was previously employed—was transferred (along with its employees) from the Department for Families and Communities to the Department for Further Education, Employment, Science and Technology by way of Proclamation in the Government Gazette on 23 March 2006. At the time Mr Easling was suspended from duty.

There is then a great quote. The letter goes on:

Due to a series of administrative oversights—  
commonly known as 'stuff-ups' in the real world—

DFC was not made aware of the transfer of the Office for Youth to DFEEST. Further, DFEEST was not made aware that Mr Easling was amongst the employees transferred.

That just goes to show the level of incompetence in relation to the handling of Mr Easling's case, and is another reason why there should be a royal commission type inquiry into the Easling affair. How can a chief executive go to the Supreme Court arguing a case about an employee she does not even have?

The waste of resources on behalf of the government and Mr Easling is a disgrace, and the questions for the minister are: has the government apologised to the court for misleading it about Mr Easling's employment in the totally wrong agency, and did it apologise to Mr Easling or refund his costs? This is another example of the total incompetence of the handling of the Tom Easling matter, and I hope the government will give us an answer on the question about a royal commission sooner rather than later.

### LIGHT ELECTORATE, COMMUNITY EVENTS

**Mr PICCOLO (Light) (16:11):** Today I wish to speak about a couple of events which have taken place in my electorate and which reflect the diversity of the community I represent and also the harmony that exists in my electorate.

The first matter I would like to bring to the attention of the house was held on 1 March: the Gawler 2009 International Women's Day event. It was organised by a group of local women under the leadership of Jill Talbot, a tireless community worker, and was officially opened by the Hon. Gail Gago MP. The first event was a debate between three school-aged young women and three local women on the topic 'Gawler Embraces Diversity'. It was a very interesting debate and the young women from the schools handled the debate very well. They took a different approach to the issue of diversity beyond what we normally see as cultural differences. Another part of the event was a talk by Mrs Anne Beadell. Mrs Beadell is the widow of—

**Ms Breuer:** A wonderful woman.

**Mr PICCOLO:** Yes. That was the first time I had met her, and she had an incredible story to tell. Her late husband was probably one of the last true explorers in this state. She spoke about her experiences as a newly arrived person to Australia and a young mother who went through the Outback. It certainly was an interesting talk.

The day was obviously about celebrating women in our community. The event was supported by my office and also the Hon. John Dawkins MLC, the Zonta Club of Gawler, the Girl Guides, the South Australian Country Women's Association, the federal member for Wakefield, Nick Champion, and a list of other local businesses and community groups. This event was started some years ago by the Town of Gawler when I was mayor, and it continues to this day.

The other event that I would like to bring to the attention of the house is national Harmony Day. The Living in Harmony program is an Australian government initiative, which is designed to encourage all Australians to contribute to and build upon Australian social cohesion. The program, which started in 1998, is designed to promote certain values: respect, participation, a sense of belonging and Australian values.

As most people would be aware, Australia is a nation built on immigration. As a nation, we have a proud history of welcoming people from around the world. Since 1945, more than 6½ million migrants have come to Australia. Over 300 languages, including indigenous languages, are spoken in Australia, and there are people who identify with 200 different ancestries and practise a range of religions and faiths.

To celebrate this day, the town of Gawler put on a 'Walk in Harmony' event in Gawler last week, which was extremely well attended. I congratulate the council for this event and I also acknowledge some of the key individuals involved. The following are officers and volunteers of the

council: Jodie Grantham, Donna Aldridge, Sheila Willox, Vesna Thon, David Tredrea, Colleen Moyne, Kathy Coombes, Bev Brooker and volunteers from the Gawler Visitor Resource Centre.

*Mr Bignell interjecting:*

**Mr PICCOLO:** I am glad the member for Mawson is taking an interest in my speech today. I also acknowledge Evanston Gardens Primary School which held a harmony event on Monday and which I attended. I was able to cut the harmony cake and share it with students. Again under the leadership of Mike Sims (the new principal), the school is trying to promote values. I did ask the students what harmony day meant. I am able to advise the house that their answers were in line with the values which are designed to be promoted on Harmony Day, that is, mutual respect, etc. As I said, I wanted to bring to the attention of this house some key events in my electorate and also to acknowledge the contribution of some people in the electorate to make Gawler a better place.

**The Hon. A. KOUTSANTONIS:** Madam Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

### **AUTHORISED BETTING OPERATIONS (TRADE PRACTICES EXEMPTION) AMENDMENT BILL**

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (16:20):** Obtained leave and introduced a bill for an act to amend the Authorised Betting Operations Act 2000. Read a first time.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (16:21):** I move:

That this bill be now read a second time.

Given that this is my first bill to the house, I will read a few passages from the second reading explanation. The bill seeks to make a technical amendment to the Authorised Betting Operations Act 2000 to provide an exemption pursuant to section 51(1) of the Trade Practices Act 1974 (Commonwealth) for the conduct of South Australian racing controlling authorities in the entering into and the giving effect to the contribution and integrity agreements that form the core of the new regulatory arrangements introduced by the Statutes Amendment (Betting Operations) Bill 2008. That bill was introduced on 24 November 2008 to strengthen integrity and funding arrangements for the racing industry following the High Court's decision in the Betfair case in 2008. The second reading speech to that bill set out the background to the Betfair case.

The Statutes Amendments (Betting Operations) Bill 2008 itself contained a Trade Practices Act exemption, but at the time the bill was being prepared the exact details of the form of the arrangements that the racing control authorities were likely to enter into were not fully known. Given the highly charged litigation environment surrounding racing and wagering arrangements at the present time, it is prudent and appropriate for parliament to provide a comprehensive Trade Practices Act exemption for the racing controlling authorities who, after all, are only complying with the regulatory requirements imposed on them by parliament.

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

Leave granted.

On the Government's assessment there is no significant competition detriment here. The outcome that this Government seeks, and the outcome that is also being sought by all State Governments that have a significant racing industry, could be achieved by a scheme that had a greater degree of Government intervention. We have chosen to allow the industry to regulate itself, as have the other States. However, because of its universal application to all activities in trade or commerce, the *Trade Practices Act* has an impact on this regulatory activity that potentially creates a litigation exposure for Racing Controlling Authorities and their administrative and collection agents. To avoid that, it is proposed to utilise the 'power to exempt' granted to State Parliaments by section 51 of the *Trade Practices Act*.

The parties that are exempted are the South Australian Racing Controlling Authorities and Racing SA, which is a company formed by the three Racing Controlling Authorities, and which has functions under the proposed arrangements including that of administration and collection agent for the Controlling Authorities. The exemption allows the possibility of another agent, possibly on a national basis, carrying out that role in the future.

The exemption focuses on the entering into, and the giving effect to, contracts arrangements and understandings that contain provisions relating to, first: the matters required to be included in Integrity and Contribution Agreements by section 62E of the *Authorised Betting Operations Act*. Existing section 62E(11) deals with that matter. Secondly, the exemption deals with collective arrangements on the part of the Racing Controlling Authorities, Racing SA or another agent, or, any combination of those persons and bodies. The exemption is structured so as to deal comprehensively with the matrix of operations of a collective nature that might attract section 45 of the *Trade Practices Act*:

- Entering into, and giving effect to, arrangements or understandings by the Racing Controlling Authorities and Racing SA, or any other agent, that are preliminary to the negotiations to enter into collective integrity and contribution agreements with wagering operators; or are preliminary to any action to give effect to the resultant collective integrity and contribution agreements;
- The actual entering into, and the giving effect to, integrity and contribution agreements with a wagering operator by a Racing Controlling Authority and by Racing SA or another agent, where the agreement is of a collective nature in that it also includes other Racing Controlling Authorities, Racing SA or another agent.
- Entering into, and giving effect to, integrity and contribution agreements by a Racing Controlling Authority, where the Racing Controlling Authority acts alone.

I note that this amendment will commence at the same time as the other amendments to the *Authorised Betting Operations Act* introduced by the *Statutes Amendment (Betting Operations) Bill 2008*, that is, on 1 March 2009. Further, the *Trade Practices Act* exemption applies to conduct by those persons who are exempted, whether that conduct was undertaken before or after the commencement of this amendment. This retrospective operation is necessary so as to provide protection to Racing Controlling Authorities and Racing SA who have had to start their consideration of these issues and putting arrangements in place as early as possible to deal with the problems that already exist in the racing industry flowing from the *Betfair* decision.

The Government and racing industry appreciates the willingness of Members to have initially considered the *Statutes Amendment (Betting Operations) Act 2008* with the urgency necessitated by actions in other States following the *Betfair* High Court decision. The Government looks forward to this Parliament working together to provide the racing industry with greater certainty.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal. Commencement is retrospective so that the trade practices exemption operates from the same time as the amendments to the *Authorised Betting Operations Act 2000* relating to integrity and contribution agreements effected by the *Statutes Amendment (Betting Operations) Act 2008* came into operation.

##### Part 2—Amendment of *Authorised Betting Operations Act 2000*

4—Amendment of section 62E—Integrity agreements and contribution agreements

This clause provides a trade practices exemption designed to specifically authorise 3 different categories of conduct:

- entering into or giving effect to an agreement by racing controlling authorities, Racing SA Pty Ltd (ACN 095 660 058) and any other agents of racing controlling authorities (or any combination of those persons and bodies) following negotiations conducted for the purposes of a racing controlling authority entering into, giving effect to or enforcing an integrity agreement or contribution agreement;
- entering into, giving effect to or enforcing an integrity agreement or contribution agreement by racing controlling authorities, Racing SA Pty Ltd (ACN 095 660 058), any other agents of racing controlling authorities (or any combination of those persons and bodies) acting collectively;
- entering into, giving effect to or enforcing an integrity agreement or contribution agreement by a racing controlling authority acting alone.

The first category is aimed specifically at the preliminary arrangements and understandings that the racing controlling authorities may enter before they negotiate an integrity agreement or contribution agreement with a betting operator.

Debate adjourned on motion of Mrs Redmond.

### **ELECTORAL (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading (resumed on motion).

(Continued from page 2045.)

**Mrs REDMOND (Heysen) (16:23):** Before the lunch break, I was discussing the issue of access to electoral rolls, and I think I got as far as noting the somewhat curious situation that we still have these days whereby those of us who are elected to this chamber can only obtain the electoral roll for our own electorates but those in the other place can obtain the electoral roll for the whole state, meaning that if we need access to those we have to do a two-step process to get hold of the electoral details for persons other than those in our own electorate. I am not suggesting we are going to move any amendment in that regard: I just note it as a curious anomaly.

Primarily, as I said before the break, the nature of this particular amendment is directed at the fact that electronic versions are now cheaper and easier than hard copy versions, and I noticed in the second reading explanation that the Attorney-General assured us, on behalf of the state Electoral Commissioner, that for the foreseeable future it was nevertheless intended that there would continue to be a hard copy of the roll available for purchase at the commission's office.

I expressed some concern about how long the foreseeable future might last, because it seems to me increasingly in our society that governments think it is sufficient when wanting to notify the public about anything to simply put it on a website, make a website address known, or do other communications by way of electronic means without recognising that there is still a significant portion of the population that does not access electronic means and, indeed, it is one of the indicators of social deprivation in some suburbs.

In areas where some of us live there may be a very high rate of ownership of computers, and so on, but there will be many areas where there is a much lower rate of ownership of computers, access to computers and the likelihood of the education for using computers. It is a social justice indicator, and I merely put on the record for the future the fact that I suspect we need to make sure that the foreseeable future extends considerably rather than simply being code for 'once we have got this through we will stop making a hard copy available'—and I am not suggesting that is the intention here. Primarily—

**The Hon. M.J. Atkinson:** Primarily. The emphasis is on the first syllable. You sound American.

**Mrs REDMOND:** —the government is trying to change this on the basis of a recommendation that came from the former state electoral commissioner that the rolls not be so easily accessible as to be exploited for commercial purposes. I think in the second reading explanation there is a figure of something like 60 or 70 per cent of the population that is opposed to the access to the rolls being made available for commercial purposes to develop marketing rolls.

I assume what they do is access the roll, which they are able not only to look at but also to purchase a copy of. They can then set up a computer system that will draw out all the people in a certain age group, gender, ethnicity, or whatever, on the basis of names. They can draw out particular groups and target marketing campaigns at those particular groups. I acknowledge that that is perceived as a problem and, indeed, it probably is something of a problem. That is not the intention of electoral rolls, and we support the government in the notion that that needs to be corrected.

The Attorney commented that my pronunciation of the word 'primarily' made me sound American. That could be because I married an American and I am surrounded in my household by Americans. So I do not take offence at sounding American, and I will continue to pronounce that word as I choose.

The access provisions also deal with the issue of access by other people and, as I said, the provision for MPs differs from this house to the other house. I do not know whether the access, for instance, allows state members of the federal House of Representatives a different access. I assume they are allowed access to the commonwealth side of the roll only, rather than those who are enrolled on both commonwealth and state rolls, but I will be interested to explore that particular issue.

The bill makes provision for the Electoral Commissioner to gain access to Public Service information. I am sure that it is the bane of many people's lives that privacy legislation was ever introduced. I know that it is misused and abused frequently to the point where sensible people wanting to do sensible things are stopped from doing so because the person on the other end of the phone (if they are lucky enough to speak to a person these days) will say, 'No, we cannot do that because you are not the person. Privacy legislation prevents us from even discussing this with you.'

I have many examples of people coming to my office to complain that, even where they have held power of attorney on behalf of an aged parent, they are denied the ability to undertake activities on behalf of that person and do quite sensible things. I even had one case where the person was trying to put money into an account. I can understand someone having some difficulty because of privacy if you were trying to take money out of someone else's account, but for the life of me I cannot see why anyone would use privacy legislation to object to money being put into someone's account.

However, my comment in regard to privacy legislation is related to this bill in this way: the commissioner has had some potential difficulty in accessing information, for instance, from the board which keeps records of the students going into year 12 and undertaking SACE exams in this state, be they in private or public schools. Why does the commissioner want that information? The commissioner wants it so that she can write to those people and say, 'You are now turning 17. You are eligible to enrol to vote,' and thereby encourage them to vote.

We have no objection to the commissioner being able to gain access to that sort of information and to that being put into the legislation so that the commissioner can get that access. However, given our view that voting should not be compulsory—and, not only that, but if we get our way there will be no compulsion to enrol—we further take the view that when the Electoral Commissioner uses that information to write to anyone about matters concerning their entitlement to enrol, we think that it is appropriate that the Electoral Commissioner should also have to inform them that they are not obliged to.

Clearly, that position will change if the government is successful in making it compulsory to enrol. For the moment our position is that it is only reasonable that, if the commissioner can gain the information about who to write to from other Public Service departments and can send out a letter inviting them to enrol, we believe that if it is not compulsory to enrol then the commissioner has an obligation to make it abundantly clear, whilst inviting them to enrol and participate in the democratic process, that it is not compulsory to do so.

The next issue, again, is one which was the subject of a good deal of discussion, that of the enrolment of homeless and itinerant voters. I start from the proposition that lack of a home should never of itself disentitle someone from participating in the democratic process. Having said that, we then began to look how this might work.

According to the commissioner when we had the briefing, she was going to be following the process set by the commonwealth legislation, which I understand is not set into the legislation itself—it is basically the way they operate it—and the way they operate is this: first, they say that, if you are homeless and you wish to vote (and it will not be compulsory for the homeless or itinerant persons to vote or enrol anyway, even if the rest of the provisions are approved), where are you going to be enrolled?

According to the commissioner, the very first place for the enrolment to be made is at the person's previous place of enrolment which may or may not be a relevant consideration. For instance, if we put aside the homeless people sleeping rough in the city and we think about people who are perhaps grey nomads who are travelling around the country, who have not even disposed of their home but have left their home for more than the requisite one month plus three weeks, they are no longer strictly speaking entitled to vote at the point where they were enrolled. They should be entitled to enrol to vote.

Bearing in mind that we are dealing with various sorts of people who may be homeless, itinerant or otherwise not in a stable living situation but wishing to vote. The first preference is that they be enrolled in their previous place of enrolment. That can lead to the odd situation where someone who was enrolled 20 years ago in Queensland (their only previous place of enrolment because they have been itinerant for many years) lands in the city of Adelaide and seeks to have enrolment.

The previous place of enrolment in that case would not be relevant because it is not in South Australia. What about if someone was enrolled in Port Lincoln 20 years ago, and not enrolled subsequently, and had not voted for many years, and they are now in the city of Adelaide? Is it appropriate for them to be enrolled to vote in Port Lincoln in the seat of Flinders? If we do not find a satisfactory previous place of enrolment, as I have indicated, I think that there are problems with the way that is defined in itself, and the way I understand the commissioner's explanation that would work.

However, let us assume for the moment that they have never been enrolled, so there is no previous place of enrolment or no relevant previous place of enrolment. They may have been overseas, interstate or something. If that does not exist, then the current enrolment of the next of kin will become the enrolment place. Again, that seems to me to be a little odd. I could have a brother from whom I am completely estranged, have been for years and years, who is living rough on the streets of Adelaide, but that person, under this provision, would be entitled to seek enrolment and be enrolled in my electorate. Why? What is their connection to my electorate? In reality, there is none.

If that does not work, then the third option is the place of birth. Again, that may not be a relevant consideration. We are talking about enrolment for state purposes, so that will be a relevant consideration only for those who were born in South Australia. For anyone else, their place of birth will be overseas or in another state or territory. That will not be relevant when coming to a conclusion about where they should be enrolled.

If they all fail—if we have a failure of the previous place of enrolment, a failure of the next of kin, a failure of the place of birth—we then get to the point of this person's connection. I suspect that, in the case of the homeless, that is likely to be the seat of Adelaide in this state. I say that because I have had discussions, over a long period of time, with many people who now live in the seat of Adelaide. I have also, in the past, been the shadow minister for housing, and I know that we had figures of something like 800 people living rough on the streets of Adelaide, and a further 3,500 to 4,000 people who are called 'secondary homeless', who are not in stable accommodation, who are couch surfing, who are in shelters of various sorts, who are simply not in stable accommodation.

They tend to come here because this is where services, such as shelters, meals, and so on, are provided. That then means that the people who live in the seat of Adelaide are understandably a little concerned that the outcome of this provision, if it comes in, will be to unreasonably put a burden onto this seat in terms of having a whole lot of people who will be entitled to vote.

My personal view is that, whilst, as I said, I absolutely endorse the entitlement of someone to participate in our democracy—and they should not be disentitled just because they do not have a home or a permanent home—my guess is that, for the most part, people who are sleeping rough and people who are secondary homeless have far more important, immediate issues to deal with rather than voting. They are likely to be, first and foremost, concerned about putting a roof over their head to protect them from the weather, and so on, getting some food and clothing, and getting the basics in place, than with voting.

The system that is being proposed has some merit, but it does, I think, expose some difficulties. In fact, I think it is fraught with difficulties when you start looking at the detail of how it will be applied in practice. There is a risk that such people could be persuaded to vote by being given meals and by being picked up and bussed to polling booths, and so on. They could be persuaded to enrol to vote, and all that sort of thing.

**The Hon. A. Koutsantonis:** Who would they vote for if they did that?

**Mrs REDMOND:** The new minister for corrections asked me who they would vote for if they did that, and that possibly exposes some of my emerging cynicism about the motivation behind this legislation. It seems to me that this legislation is motivated almost entirely by self-interest on the part of the government. However, that is not where our debate should be. As I said before the lunch break, this is really important legislation. I hope that there will be vigorous debate in this chamber about the provisions in this legislation, because it really is important for people to understand that at least some of what is at risk is our freedom of political expression.

**The Hon. A. Koutsantonis:** Oh, come on!

**Mrs REDMOND:** The minister for corrections calls scoffingly across the chamber as though that is not genuinely under threat here. However, I say to the minister: it is. It is if you stop people putting up signs; it is if you stop parliamentary parties from registering when they have a right to, or from standing for an election because six months have not elapsed, and so on.

*The Hon. A. Koutsantonis interjecting:*

**Mrs REDMOND:** The minister is making the mistake of not having listened to what I said before lunch on a range of issues. If he reads the *Hansard* from before lunch he will see that I indicated that we have no difficulty in principle with what I believe the government is trying to

achieve with parts of this legislation, that is, from whatever party—major party, minor party, Independent—we all want to make sure that people going to the polls are not misled. There is absolutely no argument about that, but I do have some serious concerns about how we might best achieve some of those things.

In summary, on the issue of homelessness, I have to say that, although the Liberal Party does not believe that homelessness should of itself disentitle a person to vote or to participate, the implementation seems to us to be so fraught with difficulty, so open to abuse, and so inconsistent with the principles of the integrity of the electoral roll that, at this stage, we are not prepared to support it, although, as I said, we remain open to coming up with a scheme which would entitle that participation. If there are homeless people who want to vote, I think we should find a way for them to do it, if they generally do want to participate.

The legislation goes on to state that if a homeless person goes through this process, gets themselves registered and then fails to vote, they will be automatically struck off the roll. That strikes me as a little odd, given that other people who are eligible to vote and do not, simply get a letter or, theoretically, under some of the other provisions, a fine for not voting.

We then come to perhaps the nub of the issue that the Minister for Correctional Services was raising, and that is the publication of matter regarding candidates. As the minister suggested, I would be very concerned if someone was able to change their name to Isobel Redmond and stand as Isobel Redmond.

I would also be concerned if Joe Bloggs was able to put out a how to vote card for Isobel Redmond that, in fact, directed preferences away from me. However, I think that that is already dealt with under the act. I think that that would already be an offence under the act.

We have to walk a very fine line because we want to make sure that people are not being misled but, on the other hand, we want to make sure that there is a freedom of the individual to participate in the democratic process. For instance, I have no difficulty with the idea that someone who is politically engaged, likes watching parliament in progress and listening to the news on the radio and watching it on the TV, who is keenly interested in politics, why should not that person, when an election comes along, be free to put out their own how to vote card according to how they think the preferences should be distributed, so long as they put on the bottom of it, like everyone else has to, 'Authorised by Joe Bloggs from' their genuine address? I have no difficulty with people being free to participate in the electoral process in that way.

My reading of the legislation suggests to me that that will become a problem if these proposals are implemented. That is, that an ordinary person, not a candidate, not a party, just someone who is interested and who wants to participate by saying to their neighbours and the electorate at large in which they live, 'This is what I think. This is how I see these things, and if I were you I would vote this way,' and puts out a how to vote card. That appears to be a problem under this proposal.

One of the other problems that was raised in the briefing and that was not able to be adequately addressed by the staff and the commissioner who attended, was the problem that there is already, we think, a fair old capacity to mislead, because if you register a ticket there is no requirement that that ticket actually bear any relationship to your how to vote.

*The Hon. A. Koutsantonis interjecting:*

**Mrs REDMOND:** That is what I am saying. There is no requirement at the moment that there be any consistency between your registered ticket and a registered how to vote, or a how to vote ticket that has been printed, not even registered. So, in that sense I think there already exists a problem.

*The Hon. A. Koutsantonis interjecting:*

**Mrs REDMOND:** As the minister says, what if I quit the Liberal Party at the last minute before an election? I think that there are issues here about openness, accountability and transparency in going to an election, but I do not think that what the government has proposed is necessarily the way to address those issues. It seems to me that there is a range of issues that we need to explore in terms of achieving some of the things that we are all agreed on.

As I said, in principle we are all agreed that we do not want someone to be able to mislead the public by pretending to be something or someone that they are not, or by pretending to direct



preferences in a way that they are actually not directing them, but I am not sure that these provisions actually achieve that outcome.

The bill also contains a range of what I would call relatively minor issues that are addressed, some little things about scrutineers and various technical type amendments that I think are worthwhile and that we are certainly not opposed to. However, given that we are opposed to what I would call the most fundamental provisions of the bill, that is, the idea that we are going to restrict electoral advertising to the point where it cannot be on a public road or a public place and that we are going to make it compulsory to enrol, those things, I think, are fundamental.

So, whilst there are some provisions that we will support, there are so many that we find objectionable that we are opposing this bill. We are prepared to sit and talk and negotiate about how we might achieve some of the outcomes that I am sure we all desire, but we will be opposing the bill in its present form.

I look forward to the passage of this bill to the committee stage, because there will be some very interesting questions that need to be addressed as we go through from point to point on the issues, some of which I have covered. I have not delved into all of the detail, but you would appreciate from the matters that I have raised that there are numerous questions which remain to be answered before anyone has clarity about, not the intentions of the bill but how this bill will operate in its actual practical application on the citizens of this state.

**Mr RAU (Enfield) (16:52):** I welcome the opportunity of saying a few words in relation to—

*Mrs Redmond interjecting:*

**Mr RAU:** Well, I like to be judicious in selecting time in which to speak. Obviously, I have listened with some interest to the member for Heysen's contribution and, as always, if I might be so bold as to say so, it was a little long but well considered. She raised a number of points, which I am sure she raised quite genuinely and on which I think we should have some constructive debate in the chamber. Hopefully, some of what I say will be a contribution in that direction.

I want to make a preliminary remark about what she described on a number of occasions as her cynicism. When I listened to her talking about that, and particularly about the enrolment of people who are homeless, I wondered whether she was amongst the select group who believes that the moon landing in 1969 was actually staged at Paramount Studios and that Elvis is still living somewhere in Hawaii. There are some things—

**Mr Bignell:** Elvis lives in Torrensville.

**Mr RAU:** Yes; Elvis is alive and well in Torrensville. I will now move from the general to the specific and, first of all, I want to deal with the issue of corflutes. I think this matter was addressed in a fair way by the honourable member in that she recognised what I believe to be the absolute truth, an undeniable truth, a self-evident truth, that is, most members of the public consider corflutes to be an irritation and an offence to their eyes and, in some cases, they are actually dangerous.

**The Hon. A. Koutsantonis:** Not mine.

**Mr RAU:** Except those of the member for West Torrens. In some cases, they are dangerous because they obscure things like school crossings and various other things. Overwhelmingly, the public's view is, 'Get rid of the things. We are sick of them.' I do not think that we as legislators should automatically reject what is clearly the general public's view about this issue simply because we consider, for one reason or another, that it might be convenient for us to ignore it.

I know that happens from time to time and that there might be people who would raise issues such as capital parliament and so on as an illustration of when we do that. However, to be honest, I do not think that capital punishment and corflutes are in the same ballpark. It occurs to me that it would not be a bad idea for us to take some notice of what the general public think about them.

Secondly, the attack on the proposition comes from the point of view that somehow democracy and freedom of speech, which are very broad concepts, have corflutes as an integral, almost constitutionally guaranteed element. That cannot possibly be right. You can still have corflutes on private property, you can still send mail to people, you can still advertise in the media, you can still deliver pamphlets to homes and you can still hold public meetings, all of which are totally unencumbered by these proposals.

The way I urge the honourable member to consider this issue is by taking the same approach that is sometimes used in the courts, where we take a hypothetical and see how it plays out. For argument's sake, let us assume that in Australia it had become political convention for candidates seeking election to drive up and down the streets in large vehicles with megaphones festooned around the top of the car whilst they sing and call out to people, 'Hey, you; vote for me. Hey, you; vote for me,' and they—

*An honourable member interjecting:*

**Mr RAU:** Exactly—did it day in, day out, up and down the streets. The average person would form the view, quite reasonably, that if they could not concentrate even on *Deal or No Deal* because these lunatics were driving up and down the street making all this noise they would not want to have it any more. Surely, in that hypothetical example, we would not say that it was a fundamental attack on freedom of speech to remove these noisy bits and pieces from the political landscape. It would not render Australia North Korea. It would not cause any trouble at all.

This is exactly the same sort of proposition and the same example as the corflutes. They are a particular artefact we happen to have developed, for reasons that are no doubt lost in the mists of time, and they irritate the living daylight out of a lot of people. As the honourable member quite rightly said, they are a nuisance to put up, they are a nuisance to deal with and they are a nuisance to pull down.

Except for the fact that, as the member pointed out, some corflutes are artfully decorated and you get to keep them, there is really not much to recommend them. So, with the greatest respect, the idea that the ban is in some way an attack on democracy is unsustainable. It is simply an attack on or prevention of an offensive mode of campaigning. It does not stop campaigning generally, nor does it affect freedom of speech generally or anything else, so I am not persuaded by the member's argument.

More particularly, as to the first example of her thinking that Elvis is alive and well in Hawaii, which came up in the context of saying that the measure will be repealed automatically in 2014, rather than seeing that as a cynical matter, I would have thought the member would see it as a sunset clause whereby this issue gets to run for a couple of elections: if everyone likes it, it is extended indefinitely; if people do not like it, at that stage it comes off and we can all go and get fresh photos. It might be great for the member for Croydon. The idea that he is photographed without dark hair and seated in front of a microphone might be a welcome change for people in his electorate.

Another point the honourable member made was about movable advertising on the road. I agree with her that a reading of the bill means that that is, prima facie, unacceptable. It would be necessary for an exemption to be obtained; as the honourable member would see, that is provided for in the bill. She has an undertaking from the Attorney about that, and she may take that as being of value or not.

If, in the end, that is the only matter about which members of the opposition are concerned, I suppose an amendment could be moved to establish that point if that is really the tipping point on this measure. I can make clear that, as far as I am aware, nobody has any intention of preventing a member of parliament driving around with their name on their vehicle.

*Mrs Redmond interjecting:*

**Mr RAU:** I acknowledge what the honourable member said and, absent the prescription under the act, that would be the effect. But if that is what the opposition is worried about, why does it not move an amendment that says, 'But you can have stuff on your car.' If that is what you want, put it in there and then you do not have to rely on the Attorney's undertaking that he will gazette something for you.

The second thing is the registration issue, and I just want to say a few things about that. First, there is a distinction, and it seems to get lost. With respect to the member for Heysen, I think that in her remarks it was not properly explained, but there is a distinction between registered as a political party and having a right to appear on a ballot paper. The two are not the same thing.

Whether or not you are registered as a political party, the provisions relating to registration will not affect your ability to be able to stand on a ballot paper, and if—

*Mrs Redmond interjecting:*

**Mr RAU:** No; but if you are particularly agitated about an issue you can run at an election, you can put your name on there and no-one can stop you. The fact that you are not registered as a political party makes no difference at all to your entitlement. I ask the honourable member to consider this, and there is nothing like examples to give one something to consider. The honourable member for Mount Gambier has been in this place for a while and he is not a part of a registered political party. The honourable member for MacKillop originally came into this place not as a member of a registered political party. The member for Fisher has for many years not been a part of a registered political party.

The member for Mitchell has, I agree, been at different points a member of a political party, but at the last election was elected as a person not a member of a political party. Of course, the member for Frome is a person who was elected not a member of a political party. The former speaker, I believe, was elected as a person—not former immediately but the former, former speaker—not a member of a political party, and there are many other examples. So, to suggest that not being part of a registered political party will in some way impede a person's opportunity to get elected to parliament, I think, with respect, is not sustained. Of course, the greatest example of this, where you would expect the prejudice to the candidate to be the most significant, is the Hon. Nick Xenophon as he used to be, now senator Xenophon.

Senator Xenophon, who has never been on any list as a member of a political party, managed to get nearly three quotas in the Legislative Council running as an individual, not as a registered political party—he nearly got three quotas, and he easily achieved a single quota for the Senate at the last election. The suggestion that not being a registered political party is in some way, in any way, synonymous with impeding the opportunity of a citizen to participate in the democratic process is, with respect, not sustained by the facts. It just is not sustained by the facts.

The next point the honourable member raised related to names. I have had a look at the provisions, as no doubt the honourable member has, and I found the way they have been expressed to be a bit odd. However, I would say that—and I am sure the honourable member for Heysen would agree with me—what the government is trying to do is to deal with what you and I as lawyers might regard in the business context as 'passing off'.

*Mrs Redmond interjecting:*

**Mr RAU:** Yes. I do not know what debate has gone on between the honourable member and the Attorney about the exact way this act should express 'passing off' as being an unsatisfactory bit of behaviour, but the intent is pretty clear. I have to say that, having read the legislation and looked at the example that is presented there, it is pretty clear what the legislation is trying to say, and it is that you do not deliberately confuse you with someone else's brand name. For other members who are present, this is like me opening a hamburger store and calling it Mac's or MacHeysen or MacUnley and people might think, 'Ah, are these part of that wonderful great golden arches crowd or not?' That is called 'passing off'.

You take someone else's business name and you create something so close to it that you create in the mind of the uninformed a confusion as to whether you are you or whether you are in fact them. In other words, you are pinching some of their goodwill. That is what it is about—passing off. The situation is that that should not be allowed to occur in political contests, and I would be interested to hear whether the honourable member has a better way of drafting that provision than is presently there. I must say that, having read the examples that are part of that provision, I thought it was made pretty clear. The honourable member would note there that the examples talk about the Labor Party, and 'Labor' is in bold. They talk about the Liberal Party and 'Liberal' is in bold, the idea being that someone who runs in Heysen cannot run as the 'Happy Liberal' or the 'Green Liberal' or the—

**Mr Pisoni:** Isobel is both those—happy and green!

**Mr RAU:** She may be happy and green, and good luck to her, but the point is that she does not want someone ripping off the goodwill, such as it is that exists in the seat of Heysen for members of the Liberal Party, by using that word 'Liberal'. Now, of course, if she or her party were happy to have another person run in her seat as a 'Happy Liberal' and the Liberal Party did not object to it, then, go for it. That is the situation with Country Labor. Labor does not object to Country Labor calling itself Country Labor. 'Labor' is our brand, not yours. We are entitled to let people—

*Mrs Redmond interjecting:*

**Mr RAU:** That is a debate for somewhere else, I think. There is a saying—I think it is from *The Tempest*—that misery acquaints people with strange bedfellows. The fact that you are so disappointed by what happened in Frome should not allow you to be distracted by making assertions such as that which really are unsustainable.

The last point is about itinerants. I am pleased to hear that the opposition does not have a problem with itinerants being registered. I think we all would agree that that is a reasonable proposition. However, one of the problems with itinerants (and I do not know how we get around this) is that they do not have anywhere to live. It is a terrible thing, but the homeless do not have homes! So, in order to give them the opportunity to vote—because we do not have a nebulous collection of 'and others' because there is not a seat here called 'and others'—they have to be put somewhere. As far as the Legislative Council is concerned, that is easy, because they are nowhere and somewhere at the same time. However, for those of us in this chamber it is a little difficult.

So, the honourable member has gone through the formula that appears in the act. Quite frankly, whatever we do to allocate the homeless to a geographical spot will be arbitrary, because they are homeless; they do not have a home. If they happen to be living in your electorate today, they could be in mine tomorrow and the honourable member for Fisher's the day after that, or they might decide that they want to hang out in West Torrens. Who knows where they are going to be?

My suggestion is that we could do it alphabetically. We could say, 'Okay, we just run them through.' Or, even better, we do it by numbers. We count to 47. The first 47 homeless each get a seat at random, then we do it again: 47, 47. Okay, so they are split everywhere. That would be a terrific way to do it. Or we could say that they all go into Heysen, or Enfield. Or we could have the formula that is in there now. The intractable problem is that they do not live anywhere. So, whatever you do will necessarily, to some extent, be artificial. It has to be, because they do not live anywhere.

I would be genuinely interested in hearing what the alternative proposal is to allocate these people to an electorate. We could do it balloting; we could do it like Keno and have these names popping up on a TV screen, like they do at the hotel. I have seen this happen. These little numbers come out and get bigger and bigger and land on a dart board type effect. We could have all the names of homeless people getting randomly allocated to different seats. Is that what you want to do? Okay, do it. Put it in the bill if you think that is fairer.

I think, with respect, one has to say that the people drafting the bill have tried to find some arbitrary way of doing it (which it has to be) which is as vaguely related to commonsense as possible. However, we could use a mathematical or algebraic formula, or perhaps convert everyone's name into music and then play a tune and see where it takes us; you could do it any way, really. There is any number of ways that you could do it.

However, at the end of the day, if they are not living anywhere, they are not living anywhere. With respect to the point about the fact that they are taken off the roll if something goes wrong whereas other people are sent a letter, well, hello! If you do not live anywhere, where is your letterbox? Big problem: you do not have a letterbox. You have a car window or a rubbish bin next to your bench or a beautiful tree: you do not have a letterbox.

**The Hon. R.B. Such:** No junk mail, either.

**Mr RAU:** No junk mail, either; that is the good side of it. I will be interested in whether members of the opposition are able to at least think about some of those points and address them, because it would be a shame if what in fact is not a fundamental difference in principle between members of the Opposition and the government about what this legislation is trying to achieve should be lost and the opportunity lost to do it in a harmonious sort of way, if we are really just talking about particular drafting details.

I accept that we may have a fundamental difference about corflutes. However, for the reasons I have just explained, I do not think that really stands up to critical analysis. As for the other matters, hopefully, some discussion up to and including the committee stage should be able to resolve them. If someone can solve the vexed question of where you put people who do not have a home, I think they should offer that suggestion to the Attorney.

**The Hon. R.B. SUCH (Fisher) (17:11):** There is no doubt that matters relating to elections need reform in this state, and I think this bill has a lot of good measures in it. I think that, ideally, something in the area of reform should be put together under the aegis of, say, a retired judge, with other equally independent people.

There will always be a problem when a party in government puts forward so-called electoral reform. It does not matter which party it is, there will always be that difficulty because, generally, parties will naturally seek to entrench themselves and their interests. My fundamental concern with this bill is that it is not coming from an inquiry chaired by someone who is genuinely independent—as I said, a retired judge or someone like that: it is coming from the government of the day, obviously, and that government has a vested interest, because it is a government as a result of being a political party that has a majority in this house. So, that is my fundamental problem with this bill.

As I said, there are aspects of the bill that are good and long overdue, and there are some matters that are not dealt with in this bill. Obviously, I will not have time to canvass all aspects, but I will deal with a couple of them. I think that requiring a party to have 500 members instead of 150 is an onerous and excessive requirement. Obviously, I am not currently a member of a party, but I think it is an unfair requirement. It is far too high to be used as the bar.

**The Hon. A. Koutsantonis:** What number?

**The Hon. R.B. SUCH:** Even 100 or 150, I think, is more appropriate. I think that some of the other requirements here are questionable, and I will get onto some of them in a minute.

One aspect of electoral reform that has happened during my time here is the reform of the boundaries and the changes that occur after each election. I think that there is a case for changing the boundaries after every second election, because I do not think that the changes generally are so dramatic that the boundaries are required to be changed after each election. Clearly, that is not dealt with in this bill before us. What members, I am sure, have experienced is that they get to know an area and the people get to know them and then, whoop, away go the boundaries and the world has changed. Some might argue that that is fair enough, why should the incumbent have any particular advantage? The reality is that this bill (like the current situation) favours the incumbent, and that means that it favours me as much as it favours other members in here—some, I guess, more than others.

The reality is that it is very difficult for someone to challenge an incumbent if an incumbent has been doing a reasonably good job as a local member, given the resources and the advantages we have through being able to contact electors. Those sort of benefits are not readily available to a challenger. Some of those aspects are available as you get closer to the election. One of them is that the names and addresses of people in the electorate where, for example, there is a boundary change, become available to the incumbent of the electorate six months before the election. However, we have an ironic twist there that, if the challenger belongs to a major party, then they have access to that information well before the six months because they get it through their party friends and affiliates.

That situation is farcical and I think that it is one of the few where the challenger has any sort of advantage, because most advantage rests with the incumbent, whether it is financial or whatever. It is one of the reasons why—and we can see it more and more in Australia—that it is very difficult to defeat an incumbent government or an incumbent in a seat because of the inherited advantages that accrue to incumbents.

**The Hon. A. Koutsantonis:** What about Joe Scalzi? What about Dorothy Kotz? What about Joan Hall?

**The Hon. R.B. SUCH:** The minister is asking about those particular individuals. I am not saying it is impossible. I am saying it is very difficult to challenge an incumbent who has been doing their job. We can question whether those particular individuals were effective as local members, but my point is that, if a member is doing their job conscientiously, thoroughly and effectively, then it is very hard to defeat them. You could argue that the system is geared very much towards the incumbent. One could argue that this bill, in effect, could be called the 'Extend the Incumbency Bill', because that is precisely what it will do.

I am not saying that the government is putting it forward to get some particular advantage, but the reality is that incumbents have an enormous advantage, and so does an incumbent government. It is only in special circumstances, for example, in Western Australia—and I think possibly soon in New South Wales—that the incumbent government is defeated.

There are some other changes that I think are long overdue. I support, in principle, allowing the homeless to vote, as I do, indeed, prisoners. I do not think you should have all your rights removed from you because you go to gaol, or, because you are homeless, that you should be

denied an opportunity to have a say. As the member for Enfield and others have pointed out, it is not easy to provide a mechanism in which the homeless can have a meaningful say. The fact that they are homeless probably indicates that they have not had a meaningful say in many things in their life.

Currently people with dementia in our society can vote, or, in reality, their relatives vote for them. I think that is an area that needs to be tightened up considerably, because the reality is that, in nursing homes—and whilst at many elections it may not get down to one or two votes—you can vote or be voting and not really know what you are voting about. You could argue that there are many people in that category who may not have dementia, but in a nursing home a relative can (putting it politely) guide the vote or the voting intention. That could determine the outcome of an election, determine the government. You could have a government determined as a result of dementia. That would be a pretty good outcome, I am sure.

I have canvassed this aspect—and it is still before the house—of creating the opportunity for people from the age of 16 (on an optional basis) to be able to enrol to cast a vote. It happens elsewhere in the world. I have mentioned previously the Isle of Man and so on. It would be an optional thing. The argument that you do not know what you are doing at 16 or 17 is a silly argument because, at that age, you are allowed to join the Liberal Party or the Labor Party. So are people saying that, at that age, they do not know what they are doing consciously in terms of joining a party? I think there is a case for allowing those aged 16 or 17 to vote in a state election on an optional basis. It will not happen very often, if you think about it, because of the cycle of elections.

I think that, in a democracy, it is hard to argue against the concept of allowing people to have a meaningful say. I suppose it is the same argument that is used in relation to the homeless. Let them have a say. They live in the community, they are subject to its laws: let them have a say. You can argue the same for 16 and 17 year olds: let them have a say, if they choose. I suspect the reason the government is not keen on it is that, under my proposal, it would have an optional element to it, and in this bill it wants to tighten up the compulsory voting aspect.

In relation to signage, it would be good if we could somehow limit the number of posters that are put up so that we do not get a confetti effect down many of our main roads. I am not sure how you can tackle this. I think the member for Mitchell is going to raise this through an amendment possibly limiting the number of signs per electorate. I do not know how you would enforce that. You would have to go around on a 10 speed pushbike to count them. I suspect this measure would work against challengers, because, as I said at the start, the incumbent has an advantage in that generally, if they are doing their job, they are well known. So it is going to work against the challenger, because the challenger is the one who is trying to get a presence to be seen and recognised in the community.

The Attorney is very proud of the fact that he is using posters which came from the ark—I think Noah helped with the photography. He is very proud of that because he says it does not matter that the photograph does not look quite like him in the current context. I notice that there was a very cruel letter in *The Courier* attacking the member for Heysen suggesting that she does not look like what she looked like in the photo that appeared in the posters during the last election. I thought that was a very cruel and heartless letter. As we know, none of the women in here age; it is only the blokes who look a bit older. That was a very cruel letter, and I hope I never confront the person who wrote that letter because I thought it was a particularly low act to write such a letter attacking the member for Heysen.

Putting aside the question of what we may look like on the poster, I think there should be some consistency or congruence in relation to advertising between the state and commonwealth provisions and at the moment there is not, and I think there should be.

There is a range of other provisions. One that is not specifically tackled, and it is very difficult to know how to tackle it, is the creation of a dummy candidate. Some people who are unkind might suggest there are quite a few of these, but this is where a party or group runs someone knowing that that person has no real intention of being the member but is there really as a spoiler designed to prevent someone else being elected. This bill, on my reading of it, does not deal with that and it is not easy to see how you could deal with the issue of the dummy candidate. You would have to have some sort of torture chamber, probably, to interrogate someone to find out their real intention. But we all know that from time to time there is a dummy candidate.

The other aspects in this bill, as I say, I think are quite reasonable. One could go on for quite a while, and I will not, about whether the party names we currently have are misnomers. Is the Liberal Party a liberal party and is the Labor Party really a labour party? We could argue that for quite a while. Even the term 'independent' can be questioned. How independent does someone have to be before they can be called independent? Independent from what and whom? Once again, it is not an easy matter to resolve.

My prediction is that this bill will run into difficulties in the other place. We still have not heard what the government plans to do in relation to the upper house and whether it is still pushing for abolition. I suspect that will not happen. I suspect it might put up some reform proposals. That would be more fundamental reform than some of the things that are currently proposed in this bill.

This bill is a mixed bag. It is a potpourri. As I say, there are many good things in it but many potential reforms have been left out. That is because this has come to us not via an independent reviewing panel chaired by someone such as a retired judge, but it has been put forward by the government—and I accept in good faith and not in any sinister way. However, unless and until you do it via an independent body based on recommendations that canvass the whole community, what you will end up with is a partisan approach to the state's electoral system. I will watch with interest what happens and, certainly during the committee stage, will be interested in some of the specific proposals contained in this bill.

**Mr PISONI (Unley) (17:27):** I would like to make some observations and perhaps speculate, if you like, on the motivation for this bill that is before us. I think the first question we should ask is this. The Attorney-General's remarks on the second reading of the bill explain that this has been around for some time and includes some additional matters that were raised after the 2002 election: but, of course, it is 2009 now, and what is the difference between 2002 and 2009? The difference is that in 2002 the Labor Party was a minority government. It needed to win more seats at the next election, so it had to expose its candidates to the public. So it had every opportunity—

**The Hon. A. Koutsantonis:** Who won in a landslide?

**Mr PISONI:** The Minister for Youth has confirmed my argument in his interjection. They had a big win. They used everything that was available to them but, of course, they were looking to increase their membership of the House of Assembly so they had to expose their candidates. They did not choose the period between 2002 and 2006 to bring in this legislation to restrict the use of posters—election posters, in particular. They did not use that period because they had a motivation, and that motivation was to win more seats at the next election: and they knew that, to expose their candidates who did not have a profile, they needed every possible means. All we saw on television, of course, was Mike Rann, and we are still seeing him on TV today, but the difference is this time we are seeing him through taxpayer-funded advertising.

So one has to ask the question: why now, and why not in early 2006 when the government was returned? I will tell you why not. When they were returned in 2006, government members were very pleased with the election result and I congratulate them. It was a great election result for them. They had a record majority and they were boasting to everybody that it would be at least 2014 before there would be any hint of a change of government. They were boasting that it would be at least 2014.

**The Hon. A. Koutsantonis:** Who said that?

**Mr PISONI:** Michael Atkinson, as both the individual and the minister, interjected that across the chamber time and time again. He said things like: 'How old will you be in 2014?'

**The Hon. A. Koutsantonis:** How old will you be in 2014?

**Mr PISONI:** I will be a lot younger than Michael Atkinson in 2014, that is for sure. Another giveaway that the government is getting scared at the moment and bringing in this legislation is that it has started digging the trenches and bringing in the tanks in the lead-up to the election. Government members are looking for any possible thing that they can do to protect their incumbent seats, and the first thing they are doing is tinkering with what suits them in the Electoral Act.

If the government were genuine about electoral reform, it would have a complete review of the act, including whether candidates are able to hand out how-to-vote cards on polling day and the size of signage. It is different from state to state and from federal level to state level. One could argue that some of these things should be changed to bring them in line with the federal rules but, at the same time, we are moving away from what is happening federally.

For example, the election posters on Stobie poles are a classic example. That is allowed at a federal level, yet we are told that one of the reasons for these changes is to bring some of the Electoral Act in South Australia into line with the federal act while at the same time moving it further away. One really must ask oneself: what is the government's motivation for bringing in this measure at this time?

We have missed the opportunity to debate optional preferential voting and voluntary voting. These things should be debated and discussed in a full review of the electoral system, not cherry-picked for what suits the incumbent government or the Labor Party. If you are true to democracy and you believe that democracy is the best system we have, and if you want to defend and expand democracy, you will not have any problem in having a full review of the electoral system. That is why we are opposing the restrictions on the election posters.

As to compulsory enrolment, it is a curious issue because at the moment it is compulsory to vote under commonwealth law, and you have to make a considered contribution—

*The Hon. A. Koutsantonis interjecting:*

**Mr PISONI:** The minister is interjecting and I am getting no protection from the chair. However, I was arguing that there is a lack of consistency—

**The SPEAKER:** Order! The member for Unley will take his seat. The minister will show the same respect to the member for Unley that the member for Unley always shows to other members on their feet.

**Mr PISONI:** Are you referring only to question time, sir, or the whole time?

**The SPEAKER:** The whole time.

**Mr PISONI:** The point I am making is about the inconsistency of the government in its argument for these changes, and the point I am making on compulsory enrolment is that you have to make a conscious decision not to enrol on the state roll when you enrol on the federal. So, this bill will deliberately take away the rights people have now to decline to participate for whatever reason they might have for not turning up at a polling booth on polling day.

They might choose not to do that and they have every right to do that. We believe that as a political party: if you want to stay at home on election day and do nothing but scratch your arse, you are entitled to do so. That is what we believe on election day because we are true democrats. Compulsory voting makes political parties lazy because you do not have to get out there to get people to participate in the political process, you just have to convince them to vote for you. They have to get out anyway.

We are actually robbing our constituents of a full political debate by having compulsory attendance at a polling booth, but that is an argument for another day. We, as a party, have a policy of allowing people to choose whether they wish to vote or turn up to a polling booth; that is why we oppose the compulsory enrolment element of the bill.

Contributions have been made about registration of political parties. We will see how that develops as the bill moves along, as with access to electoral rolls. I think the interesting one that we should be discussing is the key section of the bill, which is open to the Labor Party organisation and practices common in Labor Party branch stacking organisations in the Eastern States and here in South Australia. There are some pretty horrific situations of the Labor Party and its union base—and, of course, it relies on its system of Amway. I describe it as Amway.

**The Hon. A. Koutsantonis:** And you'd know.

**Mr PISONI:** How would I know about Amway? I know about the Labor Party and their multilevel marketing. The more members you have at the bottom, it pushes you up and, finally, you get a seat in parliament. It just depends on what faction you choose. I think the interesting—

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

**Mr PISONI:** Do you want to make comments outside? Make some comments outside. You will not walk out this door and not use the protection of parliament, will you, to make accusations about me? You will not do it, will you, because you can handle only one lawsuit at once. Is that right?

**The Hon. A. KOUTSANTONIS:** Mr Speaker, on a point of order: argument between members is not allowed. The member should be addressing all of his remarks through you, sir.



**The SPEAKER:** Order! I think it is best if we move on. The member for Unley.

**Mr PISONI:** There are examples of the way the Labor Party is good at rounding up people in buses and getting them out to meetings. They do capitalise on the fact that people might not know how the system works, but they are always happy to help them. I have a quote here from 2003:

The National President of the ALP, Greg Sword, yesterday declared one third of Victorian Labor's 12,000-strong membership to be branch stacked, calling for penalties to be imposed on MPs and party members found guilty of the practice.

**Mrs GERAGHTY:** On a point of order, Mr Speaker: I have been listening to the member's contribution, if you could call it that—

**An honourable member:** Diatribe.

**Mrs GERAGHTY:** Diatribe, exactly. He is straying into areas that I think have nothing to do with this bill at all, and he is picking out one word from a clause and then waffling away on some other tangent. I think he should come back to the bill before he gets himself and his backside into trouble.

**The SPEAKER:** Order! The member for Torrens will take her seat. I have listened to what the member for Unley says. The chair traditionally does give a fair amount of latitude to members giving their contributions. Goodness me, we would almost have nothing to do if we kept strictly to the matters before us, but I will—

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

**The SPEAKER:** Order! The Attorney-General is warned. The member for Unley has the call.

**Mr PISONI:** Thank you, sir. The member for Torrens has every opportunity to speak to this bill, and I look forward to hearing her contribution. Mr Sword said that up to 70 per cent of branch members paid annual memberships of \$29, 'a concessional rate that "assisted" those who are involved in branch-stacking activity.' He went on to say:

There is a deep suspicion in the party that the majority of those (concessional members) are stacked. We say there is a serious problem that the party needs to deal with.

The Labor Party has form in manipulating electoral systems, and they do it enormously and ruthlessly in their own party. One of the arguments that the Attorney-General gave us as to why a political party needs to be registered for six months before it can participate in the election process is that their bona fides need to be checked out. However, there is nothing in place in the legislation to ensure that we do not see rorting of the system by the Labor Party—

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

**The SPEAKER:** Order!

**Mr PISONI:** —at state elections. We know what this is about. This is all about securing the seat, holding a 1 per cent margin, or thereabouts, and the state seat of Adelaide, and several other—

**The Hon. M.J. Atkinson:** It's 10 per cent.

**Mr PISONI:** One per cent for free is what they want to hang on to. The electoral pendulum swings; we know that. There are probably around 400 homeless people who would be able to register themselves in Adelaide to do that. Then the ALP bus would run around picking up them all and saying, 'Look, if you're having trouble with that ballot paper we can help. Don't worry about that, we can help you do that.' That is, of course, what happens in Labor Party branches around the country. A lot of it happens, of course, in the Eastern States. I do not want that ugly Eastern States stuff over here in South Australia. We have more dignity in South Australia.

In an article in *The Age*, written on 19 March 2005, Ian Munro describes an incident that happened in Footscray. He writes:

A Tarago van pulled up outside a Footscray Scoot hall. The passengers were members of the Turkish and Vietnamese communities from the western suburbs.

**The SPEAKER:** Order! The member for Unley will take his seat. Point of order, the minister.

**The Hon. A. KOUTSANTONIS:** While interesting—and I would like to know more about the event myself—I do not know what relevance it has to this bill. It is in Victoria.

**The SPEAKER:** I do not know what relevance there is but, no doubt, it will become apparent.

**Mr PISONI:** It is very relevant, sir. The point I am making is that the Labor Party is one party nationwide. If you step out of line in the Labor Party, you are expelled. The Liberal Party is a party of individuals. It is a strength of our party and it is a weakness of our party, I will give you that, but we can put our constituents before our party any time we like without consequence. In the Labor Party, if you vote against the party line, you are out.

I tell you now, when I tell my school groups that come through here that the rules of the Labor Party are that you cannot put your constituent first, they are horrified to hear that you must vote for the party before you vote for your constituents. They think it is outrageous, and that is why it is called 'the machine', and that is why we are a party of individuals, because we can represent our constituents. You cannot. Your masters are the Labor Party. Your masters are the machine; ours are our constituents, and that is a fact. You are masters of manipulating the electoral system, and that is why you want to put these changes through the Electoral Act at the last minute. That is why you want to do it. The article states:

Under Labor Party rules, members are allowed to ask for assistance in completing the sometimes complicated papers that elect local officials as delegates to a state conference.

Of course, ballot papers of state elections can be quite complicated, too. So, of course, there will be plenty of helpers out there.

We have to remember why these people are homeless. They are struggling. They have personal issues. They have other sorts of issues. They are not necessarily able to make their own decisions. But, of course, there will be that friendly Labor Party member who will be happy to help them decide just where it is that they should be putting their number on the ballot paper. The Labor Party has form on this.

**The Hon. M.J. Atkinson:** Tell us about the Kings Park branch, isn't that in your electorate?

**Mr PISONI:** No, Kings Park is in the seat of Ashford, Mr Attorney-General. You are slipping. You used to know every detail about every electorate. You must be too busy opening your own mail. I read that in the paper the other day—you open your own mail?

**The Hon. M.J. Atkinson:** Yes, I do.

**Mr PISONI:** Yes; so probably not busy enough running your department if you have time to open your own mail.

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

**Mr PISONI:** What, with a letter opener? The article goes on:

Every single one of the Tarago passengers, however good their English...skills, asked for help.

That is the claim in this article. It continues:

'Tables are provided in the voting area,' a party member recalled this week. 'They sit down in the voting area in a group'—

**The SPEAKER:** Order! The member for Unley will take his seat. The member for Enfield.

**Mr RAU:** It is a point of clarification, really. Would it be in order for the member for Unley to just read to us from the phone book, because it would be equally relevant to what we are getting now? He has not moved to that yet.

**The SPEAKER:** I guess it would depend on what he was reading from the phone book.

**Mr RAU:** Okay; no worries.

**Mr PISONI:** Mr Speaker, I must say that I am disappointed. This has been an orchestrated campaign from Labor Party factional heavies to stop me from speaking about what happens—

*Members interjecting:*

**Mr PISONI:** Censorship. They know that I only have 20 minutes and, of course, that is their whole intention. They are embarrassed about what is being reported here. They are

embarrassed about how their party runs, but that is how they have got their positions, through the Amway model of the ALP. That is what it is all about, and that is what these amendments to the Electoral Act are all about.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (17:47):** The only thing embarrassing there was the contribution of the member for Unley. I am a bit disturbed that the shadow minister for education thinks that people should take their responsibilities as voters to the point where he said to this house: if you would rather stay home and scratch your arse, that is Liberal Party policy. I think that is a disgraceful thing.

**Mr Pisoni:** I did not say that at all.

**The Hon. A. KOUTSANTONIS:** Now he says that he did not say that. Okay, I stand to be corrected. If the member for Unley did not say that the Liberal Party is happy for you to stay home and scratch your bum—I am stunned that he even has the audacity to deny it less than 20 minutes after he said it.

**Mr Rau:** It is on page 26 of their platform.

**The Hon. A. KOUTSANTONIS:** Yes, page 26 of Liberal Party policy: stay home. The member for Unley said that when he brings schoolchildren on tours—and I stand by this, every time I bring a school group in here, I never preach party politics, because they are schoolchildren. The member for Unley is out there selling an ideology, a brand. This is the shadow spokesperson for education and he is bringing impressionable kids in and saying to them, 'The Labor Party is evil, they are a bunch of thugs, they do all these evil things. The only people with any morals and scruples in the parliament is us, the Liberal Party.'

**The Hon. M.J. Atkinson:** The spokesman for re-education.

**The Hon. A. KOUTSANTONIS:** The spokesman for re-education. For the life of me, I do not know anyone on that side, other than the member for Unley, who does not believe that we are all here for the betterment of South Australia. There is only one person in this place, out of all 47, who thinks that only half of the chamber are good guys. I can tell you that I know that members opposite might not agree with us on our policies, but what they do say is that we all have the best intentions at heart for South Australia.

The only one who says that we do not is the member for Unley because he is so steeped in ideology, filled with bile and anger for being kept out of the parliament for so long by the former member for Unley, Mark Brindal, that he has walked in here twisted and warped with his anger and rage. He is the only one who cannot rise above politics even for one second. He is so partisan. He cannot for one moment agree that we are all in here trying to do the right thing by South Australia.

I might not agree with the member for Schubert, but I know that his heart is in the right place. I might not agree with the member for Stuart, but I know that he has served this state with distinction and is owed a place of honour for the number of times that he has been returned to this house. I would never take that away from him.

However, the member for Unley does not care about any of that, he just attacks the man—plays the man, not the ball. Fair enough. That is who he is. Maybe that is the direction that his party is taking from now on. That is fine, but I think there are members of this house, on that side and this, who find everything that he said to be repulsive.

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** The factional system is repulsive. The hypocrisy of it all: the man who rose to his position by knocking off a sitting member, after branch stacking, and then says, 'I hate factional politics.'

Let us talk about corflutes, or election signs. Apparently there is a vast conspiracy by the Labor Party, a vast left wing conspiracy or right wing conspiracy, whatever you want to call it, to somehow fool the people of South Australia into: one, thinking that there is no election on by not putting election signs up; and, two, somehow entrenching incumbents.

I would have thought that incumbents had the advantage with election signs. If that is the case, why did Joan Hall lose her seat? Why did Joe Scalzi lose his seat? Wouldn't he have had

more volunteers and more election signs against the competitor? Why would Chris Pyne have come so close to losing his seat? Why did Trish Worth lose her seat?

I know the member for Davenport is volunteering many reasons. The truth is this: as much as we want to believe how important we are on those election signs, those posters, the only people they make feel good are us. Our kids love them, and all my nephews and nieces love them. They say, 'There's Uncle Tom, there's Uncle Tom and there's Uncle Tom.'

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** Yes; Mark Brindal says hello, and he wants his mattress back. Apparently, the conspiracy is that if we ban election signs the Liberal Party is at a massive disadvantage. At the last election, when it had election signs, it was wiped out. At the last by-election, when it had more election signs than anyone else, it was wiped out.

**An honourable member:** You didn't even run.

**The Hon. A. KOUTSANTONIS:** We ran. I love this because the more they attack the result in Frome, the more they insult the people of Frome. They have chosen their member of parliament, much to the dislike of members opposite. They have chosen their member, and they like their member. They actually elected him twice: once as mayor and now as their local member of parliament—and you still cannot stand it. The only people not respecting the democratic process are members opposite.

The member for Unley thinks that his election signs are pivotal to his election campaign. I know that he has had many offers from men's magazines to be a pin-up boy and on the cover of fashion magazines. The mere sight of his face on those signs is somehow a call to arms to every Liberal voter in the seat of Unley. The truth is that they are only a substitute for hard work—and that is all they are. People hate them, traders hate them on main roads and voters hate them; they all hate them. Unfortunately, some members think that the more that go missing, the more women are stealing them and putting them up in their bedrooms. I can assure them that that is not what is happening.

*Mrs Redmond interjecting:*

**The Hon. A. KOUTSANTONIS:** Well, Isobel, I want them back!

*Mr Venning interjecting:*

**The Hon. A. KOUTSANTONIS:** That is right. The truth is that what we are trying to do by banning corflutes is to ban fast-food politics. We are bringing back good old-fashioned politics, where you get to meet your candidate. I will tell you how you unseat an incumbent member: rather than winning a dodgy preselection, why not go out and knock on doors? A cheap way and a faster way is to put up signs.

The truth is that politics has been taken over by fast-food politics—big election signs, glossy pamphlets you cannot afford and TV ads you cannot afford because you hate people donating to political parties. The important thing about getting rid of election signs is to bring back democracy, not somehow subvert it.

I can tell you that the member for Stuart does not win his election campaigns by putting up election signs. He wins them by knowing his constituents. I can assure you that the member for Davenport can win every election he runs in that seat without putting up one single election sign. Do you know why? I will tell you: because the people in his electorate know him because he works hard in the area.

The former mayor of Port Pirie could have won that election without having as many election signs as the Labor Party and the Liberal Party. Why? His constituents knew him. His voters knew him. Election signs are a way of tricking MPs into thinking that they are working hard. The reason the member for Unley loves them so much is that, quite frankly, he is lazy. It is much easier to have 50 volunteers go out one night and put up 1,000 posters so that, all of a sudden, voters will think, 'Wow, that David Pisoni is everywhere.'

**The Hon. M.J. Atkinson:** He's working hard.

**The Hon. A. KOUTSANTONIS:** Yes; he is working hard, but the truth is that they have never seen him. They go to the local community groups and they get his newsletters, but they never see him and have never heard of him. He may turn up at the local church for an hour at the end, but he never says hello to anyone, and then he leaves. He thinks that is campaigning.

The truth is that we are not trying to subvert democracy by banning election signs. We are trying to improve the amenity of beautiful suburbs such as Unley. Let us face it, they are better off without his face up, without the Labor candidate's face up and without those of the Greens' candidates, the Democrats and whoever else because they are beautiful streets.

If that is the only way you can campaign and the only method you know of campaigning—to have your face plastered up across an electorate—so be it, but you will not last in this game. People who have been around here for 20 or 30 years know that you do not win by putting your face on a Stobie pole; you win by the work you do and by the people you meet—

**Mr Venning:** And perceptions.

**The Hon. A. KOUTSANTONIS:** —and perceptions. I can tell you this: the member for Schubert is perceived one way by members of this house, although I am not one of them. I think he is a fantastic member of parliament and very different from the member his local constituents see all the time. They love him. If anyone disagrees with me, member for Unley, try to run someone against him and knock him off at preselection and see how they go. He has not done that by stacking. They know his work.

I know that you are planning in your little book to get rid of him one day, but you will not be able to get him to go, and you will not be able to knock him off because he is a good, hardworking member of parliament—unlike you, member for Unley, who uses filth and dirty personal attacks to get by because you have no ideas of your own.

**Mrs REDMOND:** On a point of order, I am sure that there is a standing order (although I cannot tell you the number) about casting aspersions on members of the house. I suspect that the minister's comments are an offence of that standing order.

**The DEPUTY SPEAKER:** Member for Heysen, under many circumstances there might be a need for intervention. However, the debate over the last half-hour has been extraordinarily robust. The member for Unley was present and has not taken any action.

**The Hon. A. KOUTSANTONIS:** I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 18:01 the house adjourned until Thursday 26 March 2009 at 10:30.