

## HOUSE OF ASSEMBLY

Wednesday 29 April 2009

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

### **PUBLIC WORKS COMMITTEE: RAIL REVITALISATION PROJECT—STAGE 2 (GOODWOOD-LYNTON)**

**Ms CICCARELLO (Norwood) (11:01):** I move:

That the 315<sup>th</sup> report of the committee, entitled Rail Revitalisation Project—Stage 2 (Goodwood-Lynton), be noted.

Safe and reliable public transport is a high priority for the travelling public, and improvements in track structure provide the foundation. The state government has announced a \$2 billion investment in public transport which will fund rail revitalisation works across the entire metropolitan passenger rail network. These works include network-wide concrete resleepering and gauge standardisation, the electrification of the Noarlunga, Outer Harbor and Gawler lines, the procurement of additional rolling stock and the upgrade of stations.

Part of the upgrade includes 5.5 kilometres of track on the Belair line between Lynton and Goodwood. The Belair line upgrade will replace existing track including the construction of a new base layer, drainage, long-life concrete sleepers, new rail where required, and signal and communication modifications or enhancements where required. This work will improve track stability and life and provide more reliable services and enhanced passenger comfort and safety.

Concrete sleepers have a much longer life than the existing timber and steel sleepers, resulting in deferred replacement, as well as reduced ongoing operating and maintenance costs. Rail condition assessment will determine how much of the existing rail is remediated and how much is replaced with new rail. The condition of track base layer and drainage is critical to the ongoing life expectancy of the track. Track base layer and drainage will be improved in conjunction with the resleepering, providing the foundation for extended track life and reduced maintenance costs.

Key rail turnouts, which permit the crossing over of trains from one track to another, and switching equipment will be refurbished. The track upgrade works will include the rebuilding of road level crossings. Some may be undertaken as part of the initial track upgrade contract while others may be more efficiently undertaken at a later date as part of the gauge standardisation process.

The track upgrade works will necessarily include some signal and communication system modifications. This will include the installation of new infrastructure where appropriate. Significant synergies will be gained from the integrated management of the project and existing capital upgrade programs across the network. Planning processes are in place to ensure that maximum advantage is gained from the necessary road closures so that the impact to the travelling public is minimised.

The resleepering works will necessitate the temporary closure of the Belair line, so in order to retain passengers during and following any closure significant resources are being dedicated to replacement service planning. Construction noise will be unavoidable given the proximity of the rail alignment to residential properties, but all reasonable and practical noise mitigation measures will be implemented. Fortunately, the nature of the track upgrade is such that works in any particular location will be relatively short in duration, thereby reducing disruption to residents.

Upgrading the track will significantly improve its structure and life, and provide the foundation for a reliable, regular rail service leading to patronage increases in the medium to long term. It will also provide a platform for future upgrading of services, including standardisation. This work will also enable current speed restrictions to be removed and will result in a more reliable service. It is expected that this project will lead to an increase in future patronage, a reduction in passenger and rail worker safety risk, a decrease in future investment required for maintenance, reduced costs for rolling stock maintenance and fuel, substantially extended rail infrastructure life, reduced road congestion and improvement in road safety through an increase in public transport use, and a reduced ecological footprint with a substantial reduction in reliance on timber for sleepers.

The works are expected to be completed in mid-2009 at a cost of \$17.1 million, and economic assessment has identified benefits equating to a net present value of approximately \$55 million with a benefit cost ratio of 1.6. 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 works.

**Mr PISONI (Unley) (11:07):** I would like to make some remarks on this report. We are seeing an upgrade of the rail line with concrete sleepers, which will fix a small problem we have on the Belair line; however, we have a very significant problem on that line in regard to the Cross Road intersection. Anyone who uses that intersection on a regular, or even semi regular, basis would understand how frustrating it can be when a freight train crosses that road—and almost inevitably that happens in or around the time involving peak hour traffic, whether morning or afternoon.

Last year I was contacted by someone I would describe as a bit of a train buff, who explained to me what he thinks the problem is there. It is often the case that the train has to stop to give way to traffic coming in from the Brighton or Noarlunga line, because it has to cross those tracks just after or just before the Goodwood station in order to join the standard line north of that station through to the northern suburbs. Often, the trains are so long that when one stops at that point carriages actually block Cross Road, and it is not unusual to see a line-up of cars at that intersection backed up beyond Unley Road and also Goodwood Road and even Winston Avenue. Of course, those turning right from Goodwood Road into Cross Road are also affected.

Anyone who has had any experience with the intersection at those peak times tends to opt to continue straight ahead on Goodwood Road, turn into Mitchell Street, and cut through the suburbs around Unley to continue their journey east or north-east. So, it is a big problem for not just those who use Cross Road but also for my constituents, in particular, who are seeing an increase in traffic through 40 km/h zoned streets. A lot of streets in Unley are blocked off or they have speed humps because of the increasing amount of traffic in the side streets of Unley.

It is interesting that those who tend to complain about the 40 km/h speed zones in Unley are people who do not live in Unley. People who live in Unley believe that those speed zones help Unley remain a safe place to live. We have many through streets, like Mitchell Street through to Park Street and Wattle Street, which takes cars right through to Glen Osmond Road. From there, drivers can turn a dog-leg left and then right down Bevington Road, Glenunga, and onto Portrush Road. So, one can see how the bottleneck that is caused at the intersection of Cross Road and the Belair line (because of the freight lines) can be a real problem. Unfortunately, this rail revitalisation program will not alleviate that.

I note that there is some talk about bringing the freight in on the other side of the Hills through to the northern suburbs and through the port at some time in the future. I certainly would be keen to see that happen, because it will then mean that we will be able to have the dual carriageway on the Belair line returned.

I also note that, with the rail revitalisation program and the electrification of the metropolitan line (which has also come before the Public Works Committee), there is an intention to make all of the metropolitan line standard gauge at some time in the future. That would mean that work would not need to be re-done on the standard gauge track; however, the track being resleepered now would have to be adjusted from the current broad gauge to standard gauge when the time came, and bogeys and all of our metropolitan trains would obviously need to match. I just hope that will not be an invitation to see more freight coming through our suburbs, particularly through the electorate of the opposition leader, Martin Hamilton-Smith, my electorate of Unley and the electorate of Ashford. I hope that the standardisation of the metropolitan gauge will not see more commercial freight running through our suburbs.

Obviously, we are keen to see improvements. I raised some questions during the committee hearing about where the buses will come from, and I was told that there will be a separate tender. I hope that tender is now complete. We have seen buses, because I believe that the work has started, or is about to start, on that line. At this stage, we are still unsure how long that line will be closed.

Another question I raised at that hearing was about bus routes and whether they will be on main roads or whether they will use roads that are as close to the train route as possible. Obviously that is important for those who use train lines. It is also important to know where collection points are, where people are able to park and drive. What we do not want to see during this revitalisation

project is more traffic down Goodwood Road, Unley Road and King William Road and more traffic shooting through the small side streets in my electorate of Unley.

These points were not able to be clarified, but I certainly hope that the department has spent some time allocating buses to minimise inconvenience for regular users of trains and to enable people to continue the park and drive regime that they have developed over the years without them having to drive into the city.

**The Hon. R.B. SUCH (Fisher) (11:15):** I welcome this project; I think it is fantastic. I commend the minister, the Rann government and all those involved in this project because it is long overdue. It is really the first part of a major revitalisation of the metropolitan rail system. As we know, the Belair line is not being electrified. It does not need to be; the people who travel on it are electrified! It is a dual gauge, concrete sleeper project, and that is important because it gives the option in the future to have many more choices than if it were simply a broad gauge replacement program. As we know, the freight line through the Hills is standard gauge at the moment, and it has been for some time. What we will see with this revitalisation project is the option of broad gauge and standard gauge.

There are a couple of issues I would like to see followed through, and I have raised this with the minister. During the revitalisation, I hope and trust that the project will not reduce the possibility of having a steam train operating on that line for tourists and locals during the winter period. We know that, when the railcar depot was established at Belair, the turning facility was removed. However, it would be fantastic, if at all possible during this project, if we allowed for the return of steam trains. The facilities for rewatering are still there at Blackwood. Obviously, there would be some challenges in relation to turning the train around at Belair. However, what I am saying is that we should at least keep our options open.

It is possible to run steam trains on the standard gauge, the freight line. In fact, when I contacted Great Southern, I was told that there was no reason why a steam train could not operate from Keswick Terminal on the standard gauge and go through to Tailem Bend, where there is a turning facility. That would enable people to take a day trip up to the River Murray to go on a cruise, have a picnic lunch or whatever, and that would be a fantastic day's outing. There is no reason why the people who own that track (Australian Rail Track Corporation) could not allow that to happen. As I have said, Great Southern has already indicated that it does not see a problem with a steam train operating on the standard gauge line, and there are locomotives available to do that.

The other aspect I would like to raise quickly is the bus substitution that is currently operating on the Belair line. I used it this morning, and I allowed plenty of time, which was just as well because it took an hour and 10 minutes to get from Blackwood to the city. The reason for the lengthy trip is that the bus does what the member for Unley said he wanted it to do, and that is to detour to railway stations. I do not have a problem with that, although it did seem a bit strange to me that we were picking up one person near Goodwood station (presumably someone who would have caught the train), and we picked up that person right next to the tramline on Goodwood Road. I thought, 'The bus is going up King William Street,' and I could not quite see the advantage of that.

If TransAdelaide wants to run buses into each of the stations, I do not have a problem with that; that is fine. However, what I think TransAdelaide could do—and this would help most of the commuters—is run a bus from near Belair station, down Main Road, past or near Glenalta station (the bus would not have to go into Blackwood station; it would pick up people on Main Road), and turn down Shepherds Hill Road. The bus would pick up the people from Coromandel station and Eden Hills on Shepherds Hill Road and take them down to Tonsley Railway Station, at the bottom of the hill. With the extra trains available now because the Belair line is closed, TransAdelaide could run some extra trains to Tonsley, linking in with a bus service going back and forth from Tonsley up to Belair.

I raised that this morning with one of the minister's advisers, and I hope it can be considered. I do not want to be critical of this project. The line will be out of action for four or five months. I saw people working on it this morning. I commend the government for it; it is fantastic. The sooner it is completed the better.

**Dr McFETRIDGE (Morphett) (11:20):** I rise to speak on this report into the rail revitalisation project on the Belair line. The concept of revitalisation is interesting. It is like the comparison that one man's freedom fighter is another man's terrorist. This revitalisation is giving new life, it will hopefully extend the life of the line, and it will improve passenger comfort, so you could call it revitalisation. It is a nice way of putting it.

I was asked the other day about a comment that I made. I cannot remember what it was about but I was actually coming out in support of a government project, which is rare. The word 'opposition' is unfortunate because we are here not to oppose all the time but to comment on and make sure the government is doing what it is empowered to do by those who have put it there, namely, the best it can for the state. If the opposition or other parties think they are not, we should speak up.

In this case I support the whole concept of improving, upgrading and repairing both light and heavy rail in South Australia; I am just disappointed that it is taking so long. As the minister said in this place, you cannot go and buy sleepers off the shelf at Bunnings—we all know that—but if you announce this in June 2007, surely you have done some work on it, and surely you have done some planning on it. It should not take nearly two years to get it up and going.

The Noarlunga line was promised then as well, and we saw the breakdown on the train the other day and the buckling on both tracks going south out of Adelaide last summer. This is an overdue piece of upgrading, repair work, revitalisation, or whatever you want to call it. I am very concerned that it is only part of this track, which is about 20 kilometres long, and we are only doing 5.5 kilometres of it. What about the rest of it? I do not believe it has been resleepered or revitalised in the past.

Certainly, the former Liberal government laid the Outer Harbor line with concrete gauge convertible sleepers, which improved passenger comfort, safety and the reliability of timetables on that line. I hope the small section that has been done to the Belair line has an overall improvement on increasing the attractiveness of public transport in South Australia.

On page 10 of the report, point 3.2, headed 'Public Value', claims that there will be an increase in patronage. I would like to see that on all public transport in South Australia, but repairing part of the line is not the answer. With respect to reusing the rail, when they did that on the Glenelg tramline it proved to be a false economy. They reground the rail, relaid, restretched and rewelded it, and what happened? They then had to rebuild it at great inconvenience and cost to my constituents of Morphett. They should have done it properly in the first place.

Certainly, it costs more to do it in the first place, but the cost of not doing it properly was borne out by the fact that they had to then rebuild it. I hope that, in this case, they have learnt from the Glenelg tramline upgrade and the work done there so that we do not see in 12 months' time the line being shut again, with passengers being inconvenienced to the extent of having to catch buses or get some other form of transport and taking a hour and 10 minutes to get into town, as the member for Fisher said. Let us make sure we do it properly.

There is inevitable noise during construction, but during the upgrade of the Glenelg tramline the level of consultation was not what I thought it should be or what my constituents thought it should be, because they were kept awake for hour after hour night after night in some cases, particularly in the Glenelg East area.

It has to happen, but we need to make sure, as did the former Liberal government when blasting the rocks for the Southern Expressway, that they go around and door knock and speak to every constituent. If it was a real inconvenience they made sure the people were given accommodation out of the area during that time, if there was a particular issue. We had shift workers who were trying to sleep during the day, and we had people with little kids trying to sleep during the night. It is a bit of a no-win situation, I admit that, but that little bit of extra care goes a long way and will build a lot of respect among people.

Regarding the bus replacements that are being implemented there, we heard the member for Fisher say an hour and 10 minutes. You have a bit of an issue. Do you go straight into town down Anzac Highway from the Bay or do you follow the tram track in? Here we have a similar sort of situation: do you follow the train line zigzagging back and forwards from suitable routes for the buses to go on? It is an issue and a bit of a compromise, but let us hope that when they finish this upgrade it will not have to be re-done in a few months' time.

I was very pleased to see that the government has made sure that those people who use bikes a lot—and there are a lot of people who ride their bikes and use the train in combination—have been given consideration. I think there is a trailer being fitted to some buses for the bikes. Why an innovative trial program has not been put in place with bike racks actually on buses, I do not know.

I was in Portland, Oregon, recently. The Premier models a lot of the upgrades and revitalisations that he has announced on theirs. They use buses with bike racks on the front quite successfully, and I do not know why we could not try that here. These sorts of infrastructure projects take time to plan, and part of that planning should involve what can be done to minimise the inconvenience not only to people who live alongside the track but also to people who use that public transport mode. I just hope that the people who are behind the planning and organising of this upgrade have done their work, have learned from the Glenelg Tramline and have crossed their t's and dotted their i's.

There are a couple of other issues. The Australian Rail Track Corporation heavy rail freight standard gauge line runs alongside this track at the crossings. You have two tracks there, and it will be interesting to see how the upgrade at the crossings is handled.

The ARTC does not get a lot of mention in the report. Has it been involved in discussions about the reballasting and resleepering? It is certainly going to affect their operations. I hope that the ARTC will not be coming back to the state government in six or 12 months' time looking for some compensation for delays, damages or anything like that. I hope that there has been some work done on that matter.

I look forward to seeing this upgrade done properly the first time. I look forward to the continued upgrade of both heavy and light rail in South Australia. I was disappointed when I saw pictures of one of the new electrified trains this morning at a Horse SA breakfast where one of the representatives from the department of transport was speaking. It just reinforced to me that we are going to end up with seven different types of rolling stock. We have such a huge opportunity here to improve public transport and look at the way we are organising it and the type of rolling stock we are buying.

We are going to be using the old diesel trains on this track to Belair, and we are going to use electrified versions of those on the other tracks going north and south. We will have new electrified tram trains. We are going to have the old H-class trams and the Flexity Classics that we have now. We are getting another sort of tram soon that will fill the need for extra trams because of demand. It is a bit of a dog's breakfast.

Certainly, around the world, lots of people use different sorts of systems. Even in Melbourne they have Alstom trams, Siemens trams and the old Z-class trams, but if you had the opportunity to rebuild, as we do in South Australia, surely you look for one option. There are numerous options. There is an Alstom tram and a Bombardier tram that is suitable for on-road running and for running up to Gawler and down to Noarlunga. The selling line for these super trams—or tram trains, or whatever you want to call them—is 'From downtown to upcountry'.

The government should be looking at that, not giving us seven different types of rolling stock that have to be maintained out at Dry Creek or down at Glengowrie. It is just a bit of a dog's breakfast. Let us hope that we stop, take a deep breath and not look at the political timelines. This is going to take time; let us do it properly. I wish the government well in this project because it is going to need it.

**Mr VENNING (Schubert) (11:30):** We have taken a lot of time on this matter, so I will speak briefly. I fully support this; I am supportive of anything to do with road or rail. I am cognisant of the fact that putting freight trains down this line comes under some public scrutiny. I always raise the other option of keeping freight trains right out of Adelaide altogether. Those that do not need to come to Adelaide should not, and they can be bypassed through the Adelaide Hills, through Sedan and Cambrai and link back into the main line north of Adelaide via the Barossa or Eudunda. We have that option.

I am very pleased that this has come to the Public Works Committee, particularly in relation to the works between Goodwood and Lynton. Rail revitalisation is of major importance. I have been talking about it ever since I have been here, and that is over 18 years. At last, I think we have seen the light. I fully support the revitalisation. I hope they continue with the full electrification of Adelaide's rail network and the changing of the gauge so that we have a common gauge right across the whole rail system in South Australia. I support the report.

Motion carried.

**PUBLIC WORKS COMMITTEE: AUSLINK STRATEGIC REGIONAL PROGRAM (GAWLER-TARLEE)**

**Ms CICCARELLO (Norwood) (11:32):** I move:

That the 316<sup>th</sup> report of the committee, on the AusLink Strategic Regional Program (Gawler-Tarlee), be noted.

This is a bit like ancient history now. In May 2007, the Light Regional Council received \$6 million from the Australian government under the AusLink Strategic Regional Program for pavement rehabilitation and hazard protection works on Main North Road between Gawler and Tarlee.

Additional funding of \$1.5 million has been allocated from the Rural Freight Improvement Program in 2008-09 to deliver a southbound overtaking lane near Templars, which is within the section proposed for pavement rehabilitation.

There are significant areas of poor condition where the sprayed seal pavement is highly distressed with depressions, undulations, rutting and cracking. An assessment of different pavement rehabilitation options recommended a targeted treatment over a 19.83 kilometre length of road to rehabilitate the worst sections of road pavement and improve rideability. Some additional hazard protection in the form of new guard railing will also be provided.

Improving the structural condition of the pavement, providing wider sealed shoulders and improving roadside hazard protection with the introduction of additional guard railing will reduce the potential for particular types of vehicle crashes. As a result, the works will not only improve rideability but will make also a positive contribution to improving road safety along the road.

An economic evaluation has been carried out. The analysis equates the net present value of benefits from reduced vehicle operation and crash cost parameters over a 30 year period to \$3 million (2008 dollars) and a benefit cost ratio of 1.6 using a 7 per cent discount rate.

The project area intersects with the flood plains and watercourses of the Gilbert and Light River catchments. These ephemeral water systems contain permanent waterholes which provide valuable habitat and summer refuge for aquatic species. A soil erosion and drainage management plan will be implemented during construction to ensure these ecosystems are not impacted by runoff from the project site.

A small number of isolated remnant vegetation habitats also exist in proximity to the project area. Of particular importance is a patch of eucalyptus mallee woodland which may provide a habitat for the critically endangered yellow throated miner. A project environmental management plan will be developed to ensure the implementation of protection measures for this and other roadside vegetation.

Implementation of both the pavement rehabilitation along Main North Road between Gawler and Tarlee and the new overtaking lane near Templars will be carried out at the same time to minimise disruption to traffic and realise cost efficiency savings. Consequently, the works are anticipated to be carried out by May 2009. 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 work.

**Dr McFETRIDGE (Morphett) (11:35):** I rise to speak on this report and another good project being carried out in South Australia. The Public Works Committee has obviously looked at it and ensured that the benefits will be maximised for South Australians. Having said that, the federal government has given Light Regional Council \$6 million to do this work. It has been carried out by the state government, and I understand that the state government charged a management and supervision fee of \$350,000. I think that was just for pen-pushers and did not go into the roadworks.

I really have some concerns with the fact that the federal government gave a local government organisation \$6 million to do this work and the state government came in and took some of the cream off the top. This state government has form on this: when the federal government was giving to schools in the Investing in Our Schools Program, DAIS (as it was then) charged up to 10 per cent to manage some of those projects. We are seeing the same thing now with the Building the Education Revolution, where a lot of money is being spent quickly on school buildings and the state government is again charging management fees.

Some people would say that is right. This is an AusLink road but, through federal government funding, the cost is being saved to the state government undertaking the road maintenance in South Australia. The federal government is putting billions into this state and saving the taxpayers of South Australia that tax expenditure in a direct fashion. However, what we are seeing here is the state government coming in and creaming a bit off the side, and I think that is unconscionable.

Having said that, this road upgrade is a good piece of infrastructure, and it is well deserved by the people of the area. I look forward to having the opportunity of going up there and looking at this completed roadwork. Last week, I went to Port Augusta and drove on the new Port Wakefield upgrade, and the road is fantastic. Again, it was mainly federal money, and I do not know what the state government put in or what it charged to do it. In that case, I think it was a co-contribution. This work is being funded by the federal government and, in this case, money has been given to local government, and the state government should be laughing all the way and not being the Scrooge it is.

This morning, I went to the guide dog display in Rundle Mall, where I saw a poodle cross. I thought it was a labradoodle (a cross between a labrador and a poodle), but it was a groodle, which is a golden retriever crossed with a poodle. I got that wrong, so I need to ask the member for Norwood what a yellow-throated miner is because she went straight into roadside vegetation. I thought a yellow-throated miner was a bird.

The point I am trying to make is that it is good to see that there is now consideration for not just the road users but also the whole environmental and social impact of these sorts of projects. I commend the report to the house.

**Mr VENNING (Schubert) (11:38):** I will try to be brief. I have been concerned about this section of road for a very long time, as it is partly in my electorate, and I have always considered it to be unsafe. I am pleased that in its report the Public Works Committee has recommended the upgrade of a large section of Main North Road, that is, 19.83 kilometres of the 35.5 kilometre stretch between Gawler and Tarlee. I believe that it is a start, but it should go all the way to Clare because this is a major tourist corridor for South Australia, and it is an absolute disgrace and highly dangerous. Daily, I see people doing stupid things on this road because they get behind a heavy vehicle and there is just nowhere to pass. They do crazy things, and I am just amazed that there are not more fatalities.

The stretch of road in question has many bends and is very undulating in parts. There are sections where the bitumen and is very cracked and uneven, and I am pleased that the committee has found this to be the case in its deliberations.

The road carries a very high volume of traffic, which is acknowledged in the report, with the annual daily average traffic being 2,984 vehicles per day. This route is used by many heavy vehicles, which would, no doubt, have contributed to the poor condition that it is currently in. I note that the committee has stated in the report that the number of heavy vehicle movements on this road is expected to increase, which has caused concerns to arise about the ongoing safety and durability of the road.

I note that the number of reported crashes that have occurred along this stretch of Main North Road are under investigation. For the period of 6 January 1995 to 13 October 2007, there were 224, including seven fatalities. These statistics would not come as a surprise to anyone who has travelled along that road, as I have said, because it is considered to be a very unsafe section of the road.

I draw the attention of the house to an article in today's *Advertiser* entitled, 'SA trailing nation on investment.' It states:

South Australia has the country's worst record for the amount of money spent on infrastructure over the past 20 years, a report card by the nation's top engineering body has found. Engineers Australia's analysis of roads, bridges, harbours, electricity and gas pipelines, water, sewerage and telecommunications has found the inferior investment is making the state uncompetitive. 'South Australia has grown the least of all the states and territories,' Engineers Australia (SA) president Doug Gillott said...The gap between South Australia and the rest of Australia has widened in the past nine years, even though construction activity increased within the state. While the report does not blame any governments, it shows from 1999-2000, after the Labor government came to power in South Australia, spending on infrastructure lagged...behind the nation and 'there is now the widest ever gap between the two trends.'

We could not have said it better ourselves. This is an independent body saying this, and it is a wake-up call for us all.

I am pleased that the committee's findings are supportive of the upgrade. The improvements to be undertaken include a new overtaking lane. Improvements to the structural condition of the road and the addition of guard rails will definitely improve the safety of the road and improve the ride for motorists travelling along it.

Again, I stress that the road needs a massive upgrade all the way to Clare. We at least need passing lanes urgently. It is dangerous and we see frustrated drivers doing very foolish and dangerous things, such as passing on blind stretches. It is a lovely drive going to a lovely destination, the Clare Valley, second only, of course, to the magnificent Barossa Valley. This road needs urgent attention. I commend the report and I commend the committee.

**Ms CICCARELLO (Norwood) (11:42):** The member for Morphett commended the committee on looking at environmental issues, and the member for Finniss, who is also a member of the committee, and then the member for Schubert, who was a prior member of the committee, know that we do look at a broad range of issues when we are evaluating projects, it is not just the economic aspect, it is also the heritage and environmental aspects. In response to the member for Schubert, this government has actually spent more on infrastructure than has been spent for many years. With those comments, I move that the report be noted.

Motion carried.

#### **PUBLIC WORKS COMMITTEE: TECHPORT AUSTRALIA (STAGES 3 AND 4) AND OSBORNE NORTH INDUSTRIAL PRECINCT**

**Ms CICCARELLO (Norwood) (11:43):** I move:

That the 317<sup>th</sup> report of the committee, on Techport Australia (Stages 3 and 4) and Osborne North Industrial Precinct, be noted.

South Australia has made substantial commitments to build an internationally competitive shipbuilding precinct at Osborne to assist the Australian Submarine Corporation to build the Royal Australian Navy's next generation warships and attract other shipbuilding and repair opportunities.

The staged development of Techport Australia is well underway and involves a series of distinct major projects, which add to considerable public and private sector infrastructure development activity in the northern LeFevre Peninsula. The associated works include:

- the deepening of the Outer Harbor shipping channel and extension to the container terminal booth;
- completion of the deep sea grain wharf and ABB Grain terminal;
- a freight corridor linking the road and rail network to Outer Harbor, including the Port River Expressway, the new road and rail bridges over the Port River and rail corridor upgrades on the LeFevre Peninsula;
- development of Techport Australia as the premier naval and defence hub in the Australasian region;
- the Port Adelaide Waterfront Redevelopment; and
- Largs North Marina Adelaide marine industrial precinct.

This convergence of infrastructure developments in the region, coupled with ongoing growth in the defence and mining sectors, will continue to provide stimulus and confidence to the industrial property market.

The subject of this report by the Public Works Committee involves site preparatory works of about 50 hectares, including the remaining industrial land parcels within the Techport Australia Supplier Precinct (Stages 3 and 4) on the western side of Mersey Road and a parcel of land immediately north of Techport Australia, referred to as the Osborne North Industrial Precinct.

The site in its present condition is not suitable to support large industrial structures or sub-grades for sealed pavements without considerable site preparation works, ground improvements and/or piling works. Completion of the site preparatory works reduces geotechnical risk and will advance a portfolio of development-ready industrial land that can be progressively serviced and delivered to the marketplace. This will ensure that the government is able to capitalise on the momentum generated from the ongoing sales of allotments within the Techport Australia Supply Precinct (Stage 2).

Funding for the site preparation of the land was allocated to Defence SA as part of the 2008-09 budget process to allow the agency to undertake the works required to facilitate the release of development-ready industrial land beginning in 2010-11. The land will be prepared in stages by private civil construction contractor Bardavcol Pty Ltd. A site preparation strategy has



been completed by geotechnical specialists Coffey Geotechnics, which outlines the construction requirements for the site preparation works. The works include:

- stripping surface vegetation and upper organic materials and stockpile separately;
- excavation to about 1.8 metres Australian height datum, then surface impact rolling to identify and remediate any weak, wet or spongy areas;
- importation and placement of technically specified engineering landfill to raise development site levels to 3.35 metres Australian height datum;
- placement of surcharge material embankments, known as preload, up to 3.5 metres high on the engineered landfill to advance ground sediment of the underlying foundation;
- settlement monitoring of ground surface to observe the desired extent of underlying foundation settlement; and
- removal of preload, leaving a final three metre Australian height datum site level (just below final building site level requirements).

The preload design is a critical part of the strategy. It uses general principles of pre-consolidation to the underlying compressible soil foundation by surcharge loading. A design load in excess of that which will be applied to the foundation by a typical industrial building is placed and allowed to settle until the ultimate settlement has been reached. Primary consolidation settlements of up to 350 millimetres are expected during the preload phase.

The site preparation strategy incorporates the reuse of highly saline waste products and clay soils as fill in the lower layers to minimise its exposure to future heavy pavements and raft footings. This will maximise the durability of the structures and mitigate corrosion in line with the likely design life requirements. The final engineered site level will be marginally lower than the final Coast Protection Board levels required so that surplus building excavation material can be retained and reused on the land to bring it up to the final required level (3.35 metres Australian height datum), thereby minimising redundancy and rework.

Delivery of development-ready land on the northern Le Fevre Peninsula will help to generate further economic benefits for the state in what has already been identified as an important industrial region. Development-ready land in Osborne is likely to appeal to owner-occupiers, investors and developers. Demand for industrial land across Adelaide is increasing. The annual average consumption rate has increased to 110 hectares per annum over the period 2002 to 2007 in comparison with an average 85 hectares per annum over the period 1996 to 2002.

The air warfare destroyer project will have a transformational impact on the state economy. An analysis by EconSearch conservatively estimated that the project will inject an estimated \$1.4 billion into the economy and create more than 1,000 direct jobs and a further 2,000 indirect jobs, as part of the build contract. The commonwealth government estimates that the air warfare destroyer build contract will also create about 1,000 additional jobs throughout Australia at other shipyards subcontracted for up to 70 per cent of the module construction work.

The prepared land provides the potential to consolidate further support industries engaged on the air warfare destroyer program at Osborne. The project costs, land sale proceeds and lease revenue are contained within Defence SA forward estimates. Over the forward estimates 2008-09 to 2012-13, the project will positively impact on the net operating balance budget measure by \$3.631 million and the net lending budget measure by \$7.811 million. Economic analysis undertaken in October 2007 by the Department of Trade and Economic Development indicates that the development of industrial land held by the state government on the northern Le Fevre Peninsula, over a 15 year period, will contribute approximately \$1.069 billion to gross state product and sustain an average of 1,960 jobs statewide.

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 PENGILLY (Finniss) (11:51):** Obviously, I rise in support of this report today. I think the member for Norwood indicated in the last half hour that it seems like ancient history because, indeed, it was a long time ago that the Public Works Committee dealt with this issue. What has taken place at Port Adelaide is interesting in its entirety. I am not quite sure what Mr Rod Sawford thinks of it all. I suspect that he is probably a bit doubtful and has probably held a few meetings at

the Colac Hotel to work out a strategy for dealing with it at various times. I am someone who has used the Port for a number of decades now. I used to catch the *Troubridge* backwards and forwards to Kangaroo Island when I was at school in the early 1960s. I can recall the steam tug still operating, making me very old—I am nearly as old as the member for Schubert. However, the steam tugs were operating and the—

*Mr Pederick interjecting:*

**Mr PENGILLY:** The windjammers were up in Veale Gardens. The fact is that it has changed considerably from what it was. It used to be a very busy port, with a multitude of shipping coming down the Port River into the various berths which were in place but which are now slowly disappearing. It is with some sadness and with a bit of excitement that I do see what is happening. The member for Norwood mentioned the air warfare destroyers. I cannot help making the comment that, if it had not been for John Howard, we would not have had those air warfare destroyers. It was John Howard as prime minister and the former federal Liberal government that gave the Port that initiative to plan for the future. It is something of which it can be eternally proud.

The Public Works Committee has undertaken a number of tours of Port Adelaide and the Techport precinct, and it has been very much a bipartisan approach. What we have looked at has been highly interesting. Even though we were told that we were not allowed to take photographs of submarines, a member in the chamber probably has some pretty good shots, I reckon. The actual Osborne North industrial precinct about which the member for Norwood talked, hopefully, will be a great precinct into the future. It is having a huge amount of work done on it. It is really wasteland. It will be transformed into something that will be part of the future of South Australia. Having seen it as it was and also having seen the rapid changes, I look forward to another visit when that site reaches its full potential.

It is fair to say that not everyone in the Port is happy with what is happening down there. Only in the last week or two we saw the demise of Searle's shipyard. I spent a number of trips over a number of years at Searle's. We took a prawn boat up there once a year; and we had great entertainment in the Port working on a slipway with the boat during the day and then studying the various delights of Port Adelaide by night. I have good memories of that, but a lot of that is gone now.

I do support the noting of the report. The member for Norwood went through it in detail, and I have no intention of going through that again. We will wait to see where all this will end up. I look forward to the first air warfare destroyer hitting the water. There has been a lot of talk by the Rudd government about a paper to have 12 submarines operating with the Royal Australian Navy. It is rather confusing to me, because currently we have six. On one visit down to Techport we saw three in dry dock. They can crew only about 2½ at any given time, so where on earth they think they will get the crew for 12 submarines I do not know.

It would be my earnest desire to see those submarines—if they are to be built—to be built in South Australia, in Port Adelaide. I support the motion to note the report that has been presented to the parliament on behalf of the Public Works Committee.

**Ms CICCARELLO (Norwood) (11:56):** I welcome the support of the member for Finniss and the opposition for the motion concerning this project. It was Premier Rann who put together a very good group of people to put the tenders forward, which group included our Governor, the Hon. Kevin Scarce, and Andrew Fletcher. They simply put up a much more professional bid than the other states. That is why we received the money, not because it was necessarily John Howard acting like Father Christmas for South Australia. With those comments, I recommend the report to the house.

Motion carried.

#### **PUBLIC WORKS COMMITTEE: TRAMLINE EXTENSION—CITY WEST TO THE ADELAIDE ENTERTAINMENT CENTRE**

**Ms CICCARELLO (Norwood) (11:57):** I move:

That the 318<sup>th</sup> report of the committee, entitled Tramline Extension—City West to the Adelaide Entertainment Centre, be noted.

In June 2008 the government announced a \$2 billion plan to revitalise the public transport network over the next 10 years. This includes a number of major upgrades to the light rail system. The project will construct 2.8 kilometres of double tram track, with substation, overhead catenary

system and associated structures, necessary road and bridge works and traffic management measures, an additional four tram stops and a new park-and-ride facility at the Adelaide Entertainment Centre. The service will run along North Terrace and Port Road in a dedicated right of way. No building demolition is necessary. Tramline features will take account of and complement the existing urban form in the same way as the earlier tramline extension.

This project will provide a high quality rail service, linking the Adelaide Entertainment Centre precinct and new park-and-ride facility with the Adelaide Railway Station, the main CBD and Glenelg. The central tram corridor allows the trams to cross the three major intersections, with the existing through-cycle causing minimal impact and delay to the other road users. The tramline extension will continue west along North Terrace from University SA's City West Campus and north along Port Road to the Adelaide Entertainment Centre. The trams will run in the centre of the road within their own corridor.

The positioning of the tram stops will serve existing and future residential public and commercial activities situated in the vicinity of the north-west quadrant of the city (including the new hospital), the Thebarton area (including events at Bonython Park) the Hindmarsh area and the Bowden area (including a future transit-orientated development based around the Clipsal site).

Existing pedestrian movement will not be impacted, and additional pedestrian crossings will be installed at the tram sites where required. Importantly, all existing traffic lanes will be maintained in each direction. Allowance has been made for future access to the Royal Adelaide Hospital, and these access points will also serve construction traffic during decommissioning of the railyards and the construction of the new hospital.

A shuttle service will operate between the new hospital and the South Terrace stop on Peacock Road, in addition to the through-service from Glenelg to the Adelaide Entertainment Centre. This service will be free.

The impact of the tramline on existing kerbside activities comprises some minor relocation of bus stops to suit the road widening, potential loss of parking on Port Road between James Congdon Drive and Park Terrace, loss of parking on the north side of North Terrace, and a change from angle to parallel parking on the southern side of North Terrace. Bicycle lanes will be included along the entire alignment.

It is proposed to develop a daytime park-and-ride facility at the Adelaide Entertainment Centre, using the existing carpark. There are currently around 950 parking bays located within nine parking sectors. There may be up to 12 days a year when the carpark would not be available for park-and-ride use due to large all day events, but sufficient capacity exists for the vast majority of the year to accommodate approximately 400 spaces in the carpark located between Adam Street and Port Road. This would make it one of the larger park-and-ride facilities in Adelaide.

A vehicle sample indicated that city bound traffic will experience slightly longer travel times as a result of the introduction of the tram—primarily due to increased delays at the Gaol Road intersection—due to the signalisation of right turns into Gaol Road and signalised pedestrian crossings on North Terrace and Light Terrace. Improved signal coordination will be able to limit these delays. Overall, current modelling shows that vehicle delays will increase slightly in the AM peak, with no change in the PM peak.

The tramline extension to the Adelaide Entertainment Centre is expected to play a positive role in stimulating urban regeneration in the City West, Thebarton and Bowden areas, thus contributing to future uplift and development. The tramline to the Entertainment Centre has two main objectives:

- to influence the regeneration of City West, Thebarton and Bowden area; and
- to facilitate the future connection of the tramway to the Outer Harbor rail line so that trains can operate coast to coast and influence major population growth along selected transport corridors and within activity centres.

Extending the tramline along Port Road requires a connection back to the rail corridor in a location somewhere near the Entertainment Centre. This would not occur until around 2014, after the Outer Harbor line has been electrified.

Debate adjourned.

## MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT BILL

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:02):** Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:02):** I move:

That this bill be now read a second time.

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

Leave granted.

This Bill contains two pressing amendments to the *Motor Vehicles Act 1959* and I will outline each of them briefly.

For the last 10 years the fees under the Motor Vehicles Act for professional medical and other services rendered to those injured in motor vehicle accidents have been linked to the fees under the *Workers Rehabilitation and Compensation Act 1986* for such services rendered to injured workers. This relationship between the two pieces of legislation has resulted in a consistency of fees for services for compensable treatment for persons injured at work and persons injured as a result of a motor vehicle accident. The arrangement has streamlined the administration of both forms of compensation and reduced the amount of red tape that this government requires of those who provide medical services to people injured either at work or in a motor vehicle accident. Section 127A is the specific section of the Motor Vehicles Act which provides the connection.

The Workers Rehabilitation and Compensation Act was significantly amended by Parliament in 2008. The most significant amendment in the context of this Bill is that the scale of charges for medical and other services under the Workers Rehabilitation and Compensation Act is now set by Ministerial notice published in the Government Gazette rather than by regulations under that Act.

Transitional provisions have ensured the continuation of the existing regulations to the extent that they are not superseded by Ministerial notices. Several such notices have already been published. Further notices will continue to be published, and by 1 July 2009 the regulations will have no effect. This is the reason for the pressing nature of this amendment. The Bill proposes an amendment to section 127A of the Act to replace references to the scales of charges prescribed by regulation under section 32 of the Workers Rehabilitation and Compensation Act with references to the scales of charges applying under that section. This will ensure the continuation of parity of fees for medical and other services under both Acts.

The second amendment is about proof of service of notices of disqualification from holding or obtaining a driver's licence. In 2007 Parliament passed the *Motor Vehicles (Miscellaneous) Amendment Act 2007* which inserted section 139BD in the Motor Vehicles Act to prevent disqualified drivers claiming that they had never received a licence disqualification notice, thereby avoiding a charge of driving while disqualified.

Under this amendment, which came into operation on 23 June 2008, a person who receives a notice of disqualification is required to attend a Customer Service Centre or an Australia Post Office which has electronic point of sale systems, to acknowledge receipt of the notice. If the person does not respond to this requirement, a process server is engaged to serve the notice personally.

The amendment provides that the cost of these new requirements is to be borne by the driver. The fee charged when the person attends to acknowledge service is \$24. If the person does not attend and a process server has to be engaged, the person is required to pay a \$60 fee to cover the cost of the process server. In cases where the process server cannot find the person, the amendment provides that the Registrar of Motor Vehicles can refuse to transact any business with the person until he or she pays the \$60 fee and acknowledges receipt of the notice of disqualification. There is no similar provision to allow the Registrar to refuse to conduct business with the person until the fee is paid. It was expected that persons who had been successfully served would pay the fee when they renewed their licence. It has become apparent that this is not the case. This amendment will allow the government to recover personal service fees from the licence holder for both successful and unsuccessful service transactions.

These amendments will improve the operation and administration of the Motor Vehicles Act. One will provide certainty for providers of medical and other services to persons injured as a result of a motor vehicle accident. The other will ensure that Parliament's intention in 2007, that the Registrar may refuse to do business with any person who has incurred the expense of personal service of a notice of disqualification until he or she pays the fee, will be carried out, regardless of whether the attempt at service was successful or not.

I commend the Bill to the House.

### Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Motor Vehicles Act 1959*

## 4—Amendment of section 127A—Control of medical services and charges for medical services to injured persons

Section 127A of the Motor Vehicles Act limits the fees that may be charged for medical services provided to persons injured in motor vehicle accidents. The limits are set by reference to those applying to injured workers under section 32 of the *Workers Rehabilitation and Compensation Act 1986*. The amendments made to section 127A by this clause are consequential on amendments made to section 32 of the *Workers Rehabilitation and Compensation Act* by section 11 of the *Workers Rehabilitation and Compensation (Scheme Review) Amendment Act 2008*. Those amendments provide for scales of charges to be published by the Minister by notice in the Gazette instead of being prescribed by regulation.

## 5—Amendment of section 139BD—Service and commencement of notices of disqualification

Section 139BD of the Motor Vehicles Act sets out the process for giving notices of disqualification. The amendments made by this clause empower the Registrar of Motor Vehicles to refuse to enter into transactions with a person who has not paid the prescribed fee for personal service of a notice of disqualification. The amendments also require the first notice of disqualification sent by post to include a warning as to the consequences of failing to pay such a fee.

Debate adjourned on motion of Mr Williams.

**WATERWORKS (RATES) AMENDMENT BILL**

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (12:04):** Obtained leave and introduced a bill for an act to amend the Waterworks Act 1932. Read a first time.

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (12:04):** I move:

That this bill be now read a second time.

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

Leave granted.

This Bill proposes to give effect to the Government's commitment to introduce a system of quarterly billing of water use charges for water supplied by SA Water so that customers can monitor their water use more effectively.

For many years water meters have been read on a six monthly basis. As a consequence, billing practice has been for SA Water customers to receive four bills each year, but only two of these bills include water use charges. In addition, the way the tariff structure currently operates, water use charges tend to fall more heavily in the second of the two water use bills.

The net effect is that water use bills do not currently provide customers with timely feedback on their water use and household budgeting is more complex.

The billing arrangements enabled by this Bill will allow water use charges to be applied to all four bills each year, providing customers with more timely information about the amount of water used in the preceding quarter as well as assist with family budgeting. In short, customers will be able to take better control of their own water use.

To facilitate this, the inclining block tariff which underpins water use charges will be applied on a quarterly basis rather than the current annual basis.

The proposals will bring charging of water use into line with the billing arrangements applied by other utilities, such as electricity, and by other major water utilities interstate.

The proposal will also be supported by the introduction of more informative water use accounts for customers, enabling customers to make the most informed decisions about their water use.

Quarterly water use billing is proposed to be introduced from 1 July 2009. While water prices for 2009-10, or rates as they are referred to in the Act, were gazetted in December 2008, these prices will need to be re-gazetted to implement quarterly billing. The re-gazetted prices will be the same prices as those gazetted last year, except that the thresholds of the inclining block tariff will be expressed as levels per day rather than per year.

Applying thresholds on a daily basis reflects practice in other utilities and water authorities, and enables variations in quarterly water use periods caused by the realities of the meter reading schedule to be taken into account.

To the extent that meter reading periods straddle financial years where different prices apply, water use in each period will be determined on a pro rata basis according to the number of days before and after 1 July—that is, by assuming that the water has been supplied at a uniform rate.

Prices for water use before 1 July 2009 will continue to be based on 2008-09 water prices consistent with the arrangements put in place last December. At that time the Government set 2009-10 water prices but also published a notice under section 84 of the Act, reducing the prices that applied to water supplied in the 2009-10 consumption year before 1 July 2009 to 2008-09 prices.

I emphasise that, at no time will customers be billed for water that they have not already used. To the extent that the transition may pose some cash flow concerns for customers, it will be possible for customers to negotiate a suitable payment plan with SA Water to assist them through any short term difficulties.

This important Government initiative will provide long term benefits by better informing customers and encouraging more responsible water use.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

This clause is formal.

###### 2—Commencement

The measure will be brought into operation by proclamation.

###### 3—Amendment provisions

This clause is formal.

##### Part 2—Amendment of *Waterworks Act 1932*

###### 4—Amendment of section 4—Interpretation

The Act will no longer include the concept of a *consumption year*.

###### 5—Amendment of section 65A—Interpretation

These amendments relate to terms and concepts that are relevant to Part 5 Division 1 of the Act (Rates).

###### 6—Amendment of section 65B—Composition of rates

This clause provides for a change in terminology (so that a 'water consumption rate' will now be known as a 'water use charge').

###### 7—Amendment of section 65C—Declaration of rates etc by Minister

Rates and charges may vary according to the volume of water supplied to the relevant land over a specified period or periods.

###### 8—Insertion of section 65CAA

New section 65CAA will establish a series of principles associated with the declaration and imposition of rates. In particular—

- (a) water rates must be fixed before the commencement of a relevant financial year and if rates are not fixed before 1 June in any year then the rates will remain the same for the ensuing financial year;
- (b) it will be possible to fix a charge or rate for commercial land up to 31 July in any financial year;
- (c) there will be flexibility for selecting the appropriate period for the calculation of any water use charge;
- (d) water use charges may be imposed on a pro rata basis to take into account arrangements for the reading of meters and the form and nature of any relevant rate;
- (e) water use charges may be collected after the end of the particular financial year to which they relate.

It will also be expressly provided that any determination, calculation or adjustment that is to occur over or in respect of any period or on a pro rata basis will assume that water has been supplied at a uniform daily rate over any relevant period.

###### 9—Repeal of section 65D

###### 10—Repeal of section 68

###### 11—Amendment of section 86A—Liability for rates in strata scheme

###### 12—Amendment of section 86B—Sharing water use charges in certain circumstances

###### 13—Repeal of schedule

These clauses make consequential amendments or delete provisions that are out-of-date.

##### Schedule 1—Transitional provisions

This schedule provides for transitional arrangements associated with the introduction of this measure taking into account the fact that water rates have already been declared for the 2008-09 financial year and the 2009-10 financial year. In particular, it will be necessary to provide a scheme to 'transition' from a scheme based on

the supply of water during consumption years to a scheme based on the imposition and recovery of rates based on supply during a financial year.

In order to apply this new scheme, the Minister will declare a new set of rates under the Act as amended (and this notice, taking into account the Act as amended, will supersede the earlier declaration in relation to the 2009-10 financial year (declared before the commencement of this Act)). The result will be that the rates for the 2009-10 financial year, and each financial year thereafter, will be declared and operate without needing to take into account the concept of a 'consumption year'.

Debate adjourned on motion of Mr Williams.

### DRIVING RECORD

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (12:05):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. A. KOUTSANTONIS:** Yesterday I informed the house that I had been advised by a number of agencies of traffic offences recorded under my name. Due to an accounting error, I now advise the house that there is an extra past infringement. This was simply a miscalculation of information provided to me from a number of agencies within a short period of time, and I apologise for the error.

### STATUTES AMENDMENT (ENERGY EFFICIENCY SHORTFALLS) BILL

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be disagreed to.

From memory, this matter was foreshadowed by the opposition spokesperson when the bill was in the lower house. It proposes to establish a scheme where any fines imposed for a shortfall go into a fund to be administered by the commission for the purposes of energy efficiency.

I indicated we did not support it then and I can indicate we do not support it now, for a very good reason, and that is it is not expected there will be a substantial or material number of fines. It is expected that retailers will abide by the act. In such a case we will have a scheme that will be more costly to administer than the actual funds in the scheme. I would put to the house that that is an absurdity.

I am quite happy to indicate I will consider something at some point in the future when the scheme has been in operation for a material amount of time if we are wrong, but our view—and our people work with industry a great deal—is that there is not likely to be any substantial or material amounts of money levied in penalty. I think it would be absurd for us to set up a scheme that cost more to run than the revenues it took in. I am quite happy to look at it if I am proved wrong, but I do not think it would be wise to do something as counterproductive as that at present and therefore we oppose the amendments.

**Mr WILLIAMS:** The minister is right; I discussed this issue when we last talked about the amendments brought by the minister, and I pointed out at the time, if my memory serves me correctly, that there was some discussion between parliamentary counsel, the Clerk of the house and me on whether such an amendment as has been passed by the upper house would render it a money bill, so I chose not to move the amendment here. I am rather pleased that in the other place the Hon. Ann Bressington moved something similar to what I was contemplating.

Notwithstanding the minister's explanation for the government's desire not to accede to these amendments, if the minister makes the correct assumption that no fines will be imposed because everybody within industry will do the right thing, I do not see that such a scheme will have any cost at all. The amendment provides that the commission must establish a scheme. I do not know that in doing that in the anticipation of possibly receiving funds it will incur any great cost. All it needs initially is for the commission to note the will of the parliament and, if at such time moneys are forfeited by the industry through transgression of the amendments passed now by both houses, at that time the commission may then put the meat on the bones and establish the workings of the scheme. All this requires at this stage is for the commission to understand the will of the parliament. That will certainly has been expressed by the other place.

*The Hon. P.F. Conlon interjecting:*

**Mr WILLIAMS:** No; it was the whole of the other place: it was not one member, minister. Therein lies part of the problem with an arrogant government. We know the government does not want the other place to be there and we know that the government has already put its case out there to try to win the support of the public to get rid of the other place, but the reality is that the government now understands that the will of the people is that the other place be retained, yet the minister still endeavours to denigrate it by suggesting that an amendment passed in another place is the will of one person. The reality is that it is the will of the other house and not of one person. One person certainly sponsored the amendment and won the day. The strength of argument obviously convinced the majority of members in the other place. Notwithstanding that the minister would have us believe that it is only the opinion of one person, the reality is that that is not the case.

**The Hon. P.F. Conlon:** Get on with it!

**Mr WILLIAMS:** Well, don't provoke me, minister, and I will get on with it. The opposition's position was made clear when we first addressed this matter. The opposition remains of the opinion that, if funds are forthcoming from any player in the industry, because they have failed to meet their obligations under the act, those funds should be applied to further energy efficiency purposes. The opposition supports the amendments passed by the other place.

Motion carried.

### **MARITIME SERVICES (ACCESS) (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 8 April 2009. Page 2339.)

**Mr WILLIAMS (MacKillop) (12:15):** The Maritime Services (Access) (Miscellaneous) Amendment Bill comes to the house after a review carried out by the Essential Services Commission into ports, pricing and access.

By way of a very brief history, when the previous government divested the state of a significant number of the ports around the state, we also introduced a regulatory regime which oversaw both access and the prices charged by the new owners of the ports. Obviously, ports are an incredibly important infrastructure for the state, and a significant amount of the export and import of goods in and out of the state goes through our ports. To provide for free and open access at a realistic price is incredibly important.

I understand, also, that part of the review was at the behest of the Competition Council. The review came up with a number of conclusions, and a number of recommendations were made. I have been informed in a briefing with the minister's department that three parts of the amendments go to the reforms required by the review under the Competition Rules and that those changes are being made not only here in South Australia but also in other jurisdictions. I understand that it is probably only in Victoria (which is the only other jurisdiction which has a similar regime to what we have in South Australia) where ports have been, at least in some instances, privatised.

There are three sets of changes proposed: the first changes the objects of the act and puts a new provision into the objects of the principal acts; there is a change which obliges the arbitrator to take certain pricing principles into account when making a pricing determination; and the third change is putting a six-month time limit upon an arbitrator to a dispute. Within that amendment, there is a stop-the-clock mechanism so that, during the arbitration process, if the arbitrator needs to gather more information, the clock on that six-month period can be stopped.

Whilst carrying out the review, ESCOSA also proposed to the government a series of other recommendations. Three recommendations are encapsulated within this bill: one is to extend the review period from a three-year review cycle to a five-year review cycle; another amendment would make it such that ESCOSA itself cannot be appointed as the arbitrator to a dispute (ESCOSA has recommended that, being the regulator, it is inappropriate for it to also be an arbitrator to a dispute); and the third amendment ensures that an existing award remains current whilst an appeal is pending.

The opposition supports the bill in its entirety, but there are a couple of comments I would like to make. The ESCOSA report suggests that it is recommending that regulations should also be applied to the new grain facilities at Outer Harbor. I am not sure that the government has picked up



on that particular recommendation at this point, and suspect that that is why the member for Schubert wants to contribute to the debate on this matter.

Access to ports for the exporting of grain is of paramount importance for members representing regional electorates, and with the deregulation of the grains industry (both the wheat and the barley single desks) we have seen unfettered competition in the marketplace for purchasing grain. There is probably not such unfettered competition with access to storage and handling—or, indeed, loading—facilities in our ports.

*Mr Pederick interjecting:*

**Mr WILLIAMS:** The member for Hammond might enter the debate as well. I think it is of paramount importance to our farming communities that free and open access to both storage and handling and port facilities is available. I note that Free Air, a corporation that has been operating on Eyre Peninsula for at least a few years now, entered the grain business this year and exported its first shipment out of Port Lincoln within the last couple of weeks. I have received no reports of it experiencing any difficulties in using the loading facilities there, but in my opinion that is no reason why the storage and handling and loading facilities should not be subject to the same regime as are our other ports facilities.

One of my colleagues in the other place also asked a question about access to the container berth at Outer Harbor, and I am sure the Hon. David Ridgway will ask the appropriate minister some questions on that matter when the bill gets to the Legislative Council. I reiterate that the opposition supports the bill and I do not see any necessity to take it into committee.

**Mr VENNING (Schubert) (12:22):** This is a pretty important bill, particularly in relation to my time in this parliament, and I am pleased the minister is sitting here, because ports have been a very important part of my advocacy in this place—even though this port is not in my electorate, nor, as the minister said a few minutes ago, does it have any ports in it.

The Competition and Infrastructure Reform Agreement (CIRA) was signed by COAG on 10 February 2006. This agreement aims to provide a simpler and more consistent system of economic regulation for nationally significant infrastructure such as ports and railways. By signing the agreement South Australia committed to a review of the regulation of Port Adelaide's ports and to make certain amendments to the state's access regime. The bill ensures that South Australia's regulatory principles with regard to third party access regimes are consistent with those that will be applied across the nation.

Competition has to be encouraged, and it is most important to remove impediments and keep our monopolies or duopolies efficient. The bill makes amendments which include increasing the regulatory period for the access regime and price regulation from three to five years. This aims to reduce regulatory costs and uncertainty for port operators. The bill also seeks to improve the negotiation and arbitration processes in relation to third party access, which will, hopefully, increase efficiency and reduce regulatory impacts on business. Any bill which reduces the amount of red tape that business and port operators need to go through, along with the associated costs, can only be a good thing, and I will always support that.

In recent days we have seen third parties operating our ports. We have a consortium of Eyre Peninsula grain growers who, right at this moment, are attempting to load a ship—which, incidentally, was condemned and sent across to Port Adelaide for cleaning. I believe it has now gone back to Port Lincoln, and is hopefully now being loaded with grain through the process of private operators and having third party access. Also, we now see independent importers of fertiliser operating, and they are able to use the facilities here through third party access. So it is happening, and it is great to see that the legislation we pass in this place actually works and that we do have some relevance.

I also note the near completion of the new grain terminal at Outer Harbor. I note that the minister is sitting in the chamber and, although I do not normally give accolades to ministers, he will get one on this occasion. I am very pleased that, after 30 years of campaigning and prevarication, which started before I got to this place—campaigning for a decent, modern deep sea port—we finally have it, and this minister was sitting in the seat when it happened. So, I give accolades where they are due.

We have had several reports, and I was involved with some of them—going back 30 years. We have had recommendations on how to make our grain paths more efficient. I have always said there should be a deep sea port at the end of a rail head, but we never seemed to get it right.

There was always some political reason—and often on this side of the parliament—that we did not get there.

I commissioned my own report, which I am happy to show members and which came out glowingly with the recommendation that Outer Harbor was the best option, not the inner harbor port option that our previous minister was pushing. I believe that, when the minister came to power, the option was for a site sitting out on the northern arm of Outer Harbor.

**The Hon. P.F. Conlon:** Terrible idea.

**Mr VENNING:** It was an absolutely crazy idea. As I said to the minister at the time—particularly when Ports Corp was sold—we had these negotiations. It was all recommended; I have kept a diary, and it is all in there. I will write a book about this. In fact, I am doing some words today for some people—I am doing a history on this matter. I am happy to go on the record and tell the truth about how it was. When we were in government, why did we go for that option on the northern arm alongside the power station? Why were we talking about that option—it was crazy—when right alongside the container berth was the obvious place for this? This minister, with minimal knowledge, comes in and says, 'It sounds like common sense to me, so we'll put it there, and we'll put in a conveyor belt.'

*The Hon. P.F. Conlon interjecting:*

**Mr VENNING:** Irrespective of that, the result is there. All politics aside, at long last, I think we have now got it right. When you see some of the reports that were written, you think, 'What a lot of rubbish.' How could these people write these reports with any credibility or any professionalism and now stand up on this issue? Some of those people had a go at me at the time. I have kept the letters: how dare I go against the terms they had used! I was told I had not considered the geometry, the shipping and everything else. Well, all I can say is that the results speak for themselves. I am pleased that the facility is there. I do not know when it will start operating, but it must be very close. I hope that the minister will come across the divide and at least invite me to the opening, because it has been a lifelong project.

Also, I should declare that my brother is the Deputy Chairman of the Australian Barley Board, which operates that facility. As I say to him, they have to guarantee third party access, and I am pleased that they have done so. It is all built into this undertaking, and that is what this bill is all about. It is now very competitive. It worried me greatly to think that ABB could be the subject of a takeover by a Canadian company that could have control of the facility. So, it makes bills like this even more important.

**The Hon. P.F. Conlon:** How much did your shares go up?

**Mr VENNING:** I believe that they have gone from \$8 to \$9, but that is not the business of the house. Anyway, I have already told this house that my personal shares have already been sold because of the conflict.

*The Hon. P.F. Conlon interjecting:*

**Mr VENNING:** I think my wife sold them for about \$7.50, for the record, not that it is a matter for the house. If you do not have a very good memory, you have to be honest, so I have to be honest.

I am very, very pleased that this has happened. I can recall, as would the member for Stuart and a couple of my colleagues, some heated discussions on this matter with previous ministers, and we would always come out with a different outcome. There was always an excuse; particularly during the Ports Corp sale process, it always got messed up. All I can say is that, with Flinders Ports, with Mr Tremaine and through the ABB operating there, I look forward to a robust time ahead, when we become very efficient exporters of product—and not just of grains but also from the container terminal, because this facility being there now enables larger container ships to pull up there and load across both those berths. All I can say to the minister is that it is common sense. Why could people not see this outside of this political game?

With the third party access regime, which is guaranteed by this legislation, I am very, very encouraged and quite excited about what the future holds. I just hope, though, that it will always remain open. I am very pleased that included in this facility is the loop railway line. That is something that was going to be built for years, but there has always been a reason why it did not happen. Well, we now have the loop railway line, too—I am amazed the minister does not trumpet it more—and that was in the original plan. So, we can now bring in and fast fill the trains. In areas

such as Bowmans, up near Balaklava, and Roseworthy, they can be filled up there with fast train loaders and brought in and quickly unloaded.

While we are discussing ports, I am very concerned that just the other day we heard of the closure of the railway line between Snowtown and Wallaroo, and I think it is a state disgrace. The port of Wallaroo should always be a major grain port. It is a disgrace that many years ago the Bulk Handling Authority did not upgrade the rail unloader, and the company at that time ought to be rebuked for that.

I can recall standing there when the decision was made. There was not enough traffic going through, so they did not upgrade it because they could not justify the money. However, if they had looked to the future, they should have said, 'We'll upgrade this on the condition that the government lowers the grades on that railway line.' It was not a big deal, and still it is not. It is a shame to see that railway line now. The Bute-Kadina rail group, as volunteers, have been keeping that railway line open. However, because of the heat last year, they are now unable to find the money to upgrade, for safety reasons, so it is going to close totally, and I think that is very sad.

I would have liked to see that railway line kept open, because I still believe that, for the future of freight in this state, with Port Adelaide being city bound, in my lifetime we will see another deep sea port constructed, and it has to be in that Wallaroo, Tickera and Myponie Point area, because that is where the deep water is, and it is accessed there, and this is not the first time that issue has been discussed. It is probably 30 or 40 years since the facilities were built down there—

*Mr Williams interjecting:*

**Mr VENNING:** My brother did own the land, but he does not now; it has been sold. Again, it was sold for conflict of interest reasons. It was an idea we cooked up, and it was going well. My brother did buy the land, and the Wheat Board bought it from him because it was going to build this port. Of course, with the deregulation and the Iraq scandal, it all went over the side. I think the land is now owned by one of the local farmers. So, that was a good little scheme that did not happen, either. All that is for history; it will be interesting reading later on.

Again, I note that the new grain terminal is now being built, and I also note that it was announced today that they will be upgrading some of the facilities on the inner harbour, particularly for the mining people. I think that is a great idea. I have no problem with that, as long as they are able to access the shipping. I do not believe they are going to use panamax ships; they are using only smaller ones. That facilitates another industry, so this is all positive stuff. I think it is very, very good.

I only wish that we could have some outcomes in relation to the port at Port Bonython, up near Whyalla. All of this hoo-hah concerns me greatly. I just wonder why we are not building that port on the other side of the gulf, because that would provide similar advantages. They could still take the minerals out through there, and certainly the grain terminal on the other side would be very helpful.

It is a damn shame to see the port of Port Pirie now almost totally overlooked because it does not have the water there. There is deep water near Port Pirie, but you have to go out to sea to get it. I have asked the question before: would we consider building a jetty or a causeway of, say, a couple of kilometres long to get to the water? The rest of the facilities are all there, it is in the middle of the grain belt and just across the water from Whyalla, and there are no cuttlefish—none at all.

This is a debate for another day. It is a very passionate subject of mine, and I have got it off my chest here and on the record. I again welcome this bill and whatever we can do to guarantee that third-party access. Give ESCOSA some work to do. They are there to do these things. I just wish ESCOSA would come on board and help us to negotiate with the operator of the railway line between Adelaide and the Barossa; that is, Genesee and Wyoming.

The same things happen there with third party access, and this is now used to stop any private operator from operating. ESCOSA should come on board to negotiate access, including for Mr John Geber, who owns the wine train outright. Why can't he get access to that line? ESCOSA is there and should be used. It is all good news, and I support the bill.

**Mr PEDERICK (Hammond) (12:36):** I rise, too, to support the bill. In regard to the comments made by the members for Schubert and MacKillop, third party access is something that we should consider as only good for the state in regard to exports and imports. In consultation with

this bill, the Competition and Infrastructure Reform Agreement was signed by COAG in early February 2006.

The aim of the agreement is to provide a simpler and more consistent system of economic regulation for nationally significant infrastructure. The reforms within the agreement provide for the reduction of regulatory uncertainty and compliance costs for owners, users and investors in significant infrastructure and to support the efficient use of national infrastructure.

That is the crux of the debate, to make the infrastructure that we have, both for the people who own and access the infrastructure, equitable to all so that it can be used profitably for all who are in the business of importing or exporting product. There have been problems at times with access.

One of my constituents, who contacted me, was involved in a fertiliser company. He had an issue with unloading a boatload of fertiliser. I must admit that there was excellent cooperation between the minister for environment's office and the minister for agriculture, Paul Caica, who I contacted on his mobile phone. And this is a bouquet for the government: I said, 'We need to fix this today,' and it was. There was a risk of that ship not being able to unload, being pushed off the port, and paying up to three weeks demurrage by the time some of the bureaucracy got sorted out.

It was good to see that it did get sorted out. I note that some of the bureaucrats involved sent a message back to all the MPs who got involved to say that next time they should try to do it without all the political intervention. But, that is the beauty of being in this place: if you need to act you can act. Perhaps it is a message that sometimes—and I am not having a go at bureaucrats individually—you have to put reality in front of bureaucracy to realise that pushing offshore 30,000 tonnes of fertiliser, or whatever was in the hold of the boat, could have cost South Australian farmers up to \$3 million in demurrage costs. It was certainly a win, and I appreciate the efforts of chiefs of staff and Labor ministers.

The bill ensures that South Australia's regulatory principles, with regard to third party access regimes, are consistent with those which will be applied across the nation. These principles include: an objects clause to promote economic efficiency and effective competition; a six-month time limit for conciliation by the commission, arbitration decisions made by the arbitrator to provide greater certainty to business, and to reduce the time and costs associated with settling access disputes; and pricing principles to be taken into account by an arbitrator.

I note that clause 10(2) provides that the pricing principles relating to the price of access to a service are as follows:

- (b) that access prices should not allow a vertically integrated operator to set terms and conditions that would discriminate in favour of its downstream operations, except to the extent that the cost of providing access to others would be higher;
- (c) that access prices should provide incentives to reduce costs or otherwise improve productivity.

So it is absolutely necessary for the people who hold the ports to manage them efficiently and to give fair and equitable access to anyone who wishes to use those facilities.

Looking at the grain trade, I believe that it is uneconomic in this state for private operators to get together and build their own port facility. I note that ABB Grain essentially manages the ports as far as grain is concerned. I have heard that some operators have said that there have been some difficulties negotiating their way forward with third party access. However, I believe that, with wins that we have had recently with free air and moving into the future, and with the assistance of this bill, the operation should be streamlined so that third-party access is far more efficient and more equitable for all concerned. Certainly, it is a great move forward.

There are concerns about what products go over a certain wharf or jetty. I know there is discussion currently in Port Lincoln (essentially the nation's fishing capital) in regard to Centrex and its potential export of iron ore, and I think there needs to be much more examination of the issues involving access to the port or whether another port should be set up. The problem is that it is a bit like politics: perception wins. Whether or not there is an issue with iron ore sharing the same facility and the same bay as tuna farms, where prawn fishermen and other associated fisheries operate from, there is a perception—

*The Hon. P.F. Conlon interjecting:*

**Mr PEDERICK:** I am just saying that it is a bigger issue in the scheme of things. The right access arrangements should be made, the right thing for the town of Port Lincoln should be

implemented and proper investigation and social, environmental and economic impact statements should be undertaken in that case.

I certainly support the bill. I believe it will provide far more equity. Obviously, the three year regulatory period for the access regime and price regulation has been extended to five years, and this aims to reduce costs and uncertainty for port operators. I just mentioned some of the clauses in the bill in regard to arbitration, but the bill does improve negotiation and arbitration processes by clarifying the efficiency of these processes and reducing regulatory impacts on businesses.

As I mentioned, with the issue of getting a shipload of fertiliser unloaded and not suffering the costs incurred with demurrage, anything that can make life simple with people accessing the ports, whether they are importers or exporters, is not just a good thing for this state but for this country. With those few words, I commend the bill.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:45):** I thank the opposition for their comments on the bill. I want to indicate one or two things. It is obvious, from the limited extent of amendments as a result of our national review, that the system has been working well in South Australia. It is light-handed regulation, and it is the government's intention to use light-handed regulation where we can because that is the cheapest for people.

I indicate to the member for Schubert that an agreement is in place officially between ABB and me, as I understand it, on third party access, which continues for the grain terminal. This is the sort of light-handed regulation we have seen in the past, which we believe is for the best. Of course, that can be made into regulation if that is necessary but, as I said, when something is not broke, you do not fix it—that is our view. The Bedouins' approach to life is that you should trust everyone, but tie up your camel. What the regulatory system allows us to do is trust everyone, but we have tied up our camels.

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

#### **PETROLEUM PRODUCTS SUBSIDY ACT REPEAL BILL**

Adjourned debate on second reading.

(Continued from 8 April 2009. Page 2337.)

**Mr WILLIAMS (MacKillop) (12:47):** This is a minor matter, and I will take very little of the house's time. The opposition supports the bill. The bill simply repeals the Petroleum Products Subsidy Act which was an act of the parliament to give the machinery to allow the disbursement of funds paid as a subsidy from the commonwealth government for transport of fuel to remote communities in South Australia. The commonwealth no longer provides funds via that scheme and, as a consequence, the act is redundant. The opposition supports the repeal of the act.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (12:48):** I thank the opposition for that support.

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

#### **ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 8 April 2009. Page 2343.)

**Dr McFETRIDGE (Morphett) (12:49):** The opposition supports this bill. We will not get through it quite as quickly as the other bills, but it is not contentious. We will raise a couple of issues and, as is their right, some of my colleagues want to make contributions. This bill provides regulation-making powers to enable the introduction of two national heavy vehicle initiatives—the Intelligent Access Program and Heavy Vehicle Speed Compliance Program—and makes several amendments to the requirements for declaration, notification and testing of speed and red light cameras.

Those pieces of legislation—namely, the Intelligent Access Program and the Heavy Vehicle Speed Compliance regulations—are part of a National Transport Commission recommendation. I will speak about those before we move on to the other amendments for the declaration, notification and testing of speed and red light cameras, because some issues have arisen there.

The speeding of any vehicle, as we have been well aware in recent weeks, is an extremely important issue for the community generally, but we are particularly aware of the speeding of heavy vehicles. When a crash involves heavy vehicles, normally it is extremely serious, with a lot of damage and, in many cases, loss of life or injury. In fact, in 2008, in South Australia there were 19 fatalities involving heavy vehicles, and I think that was up from 10 or 12 in the year before. It is an extremely serious issue.

Just yesterday, I was looking at some photographs posted to me by a friend of a truck that had jackknifed on the South Eastern Freeway during the wet weather. That accident could have been far more serious than it was, but a lot of damage was done to the truck, although it may not have been caused by speed but by the road conditions.

No matter what the cause, we need to be aware that when heavy vehicles are involved in accidents, either through speeding or some other reason, there can be a lot of damage. These regulations, which are based on the National Transport Commission regulations, will assist in the enforcement of speeding fines and the monitoring of speeding and heavy vehicles. However, the devil is always in the detail, so I will be interested to see the final outcome.

Over the past three years, the regulations and the legislation relating to heavy vehicles have not only provided for the driver to be made responsible for the outcome of their getting behind the wheel and moving the truck and its load around the place but have also introduced a chain of responsibility. We have seen this before in relation to mass, load restraint and driver fatigue, and we are now seeing it for speeding. I think that is a good thing because people who put an unfair onus on drivers or people associated with trucking companies to deliver their load and operate under unreasonable circumstances or within unrealistic time frames should be discouraged and, in fact, penalised if they act in that way.

It is interesting that this measure and the regulations do not include drivers. As I said, in the past there have been regulations in relation to mass, dimensions, load restraint and driver fatigue, but the model speeding heavy vehicle legislation does not include the drivers of heavy vehicles as there is already an existing framework and roadside enforcement that targets them.

There is a 'reasonable steps' defence if you are one of those in the chain of responsibility. The core obligation of anyone involved in that chain is to ensure that they do all they can to make sure that the aim is the outcome. If an accident or incident occurs, I think there is a reasonable expectation that all reasonable steps have been taken to ensure that the legislation has been complied with in the best possible way.

Another measure that is being introduced to make certain that South Australia is consistent with other states and territories is the Intelligent Access Program, which is not just about getting people behind the wheel who can read, write and understand road signs; it is about monitoring trucks and heavy vehicles, using a combination of a global navigation satellite system and mobile phone technology. This technology is already being used by trucking companies to monitor everything from the operational performance of engine transmission, fuel consumption, actual transmission temperature to systems voltages, and it is now being extended to enable vehicles to be monitored.

The upside is that this measure should improve the productivity and access for heavy vehicles on many of our roadways. Certainly, there are benefits not only for the truck operators, the drivers and the people who employ them but also for the taxpayers because it should result in a reduction of road wear and tear. As I said, many vehicles, including road transport vehicles, already use telematics for commercial purposes. When used in a commercial environment vehicle telematics can be a powerful and valuable tool to improve the efficiency, effectiveness, security and safety of vehicles, drivers and transport companies.

That comes from the fact sheet on telematics from the Transport Certification Australia website. I would recommend people go to this website and have a look at what is going on with the Intelligent Access Program and how telematics are being used. We are going to see more and more of this coming into place.

The South Australian legislation, once again, will be based on a model of the Australian Transport Council (ATC) legislation. We contacted the South Australian Road Transport Association to get some feedback on this, and we did not receive any, which was perhaps an indication that it has no issues with it.

We did receive some feedback from the South Australian Freight Council. The council is concerned that the introduction of the Intelligent Access Program (IAP) will lead to the system being used to cover emissions control and other issues not directly related to driver monitoring. It is concerned at the cost of equipment needed for IAP, especially in the current difficult economic climate, but it accepts that IAP must come in.

Other parts of the bill that we are looking at today involve regulation for the introduction of new speed detection devices. Section 53A allows the Governor to make regulations to approve apparatus such as speed analysers. I understand that the police are looking at new radar guns that have inbuilt cameras. This is to help them verify the particular vehicle that they are focusing on.

Anything that we can do to assist in the detection of speed and improve road safety I think should be supported. There are some issues with the accuracy of these speed analysers. We all know that. The police do try to comply with the requirements of both manufacturers and the various regulating agencies to ensure they are accurate, but I think there are still some outstanding issues with that.

The bill also removes the requirement to gazette the location of where both red light and traffic speed analysers are located. The government now has 86 speed and red light cameras, combined. The signs are clearly visible before those intersections. Whether you need to have signs in the first place is an arguable point. I think that you should be driving as safely as possible, not running red lights or speeding through intersections, which is a proven dangerous activity. So, to have those signs in front of those, I think, is a reminder that we should not need, but is there in the first place and a fair thing to do.

I am told that the former Liberal government actually put the signs in front of all speed cameras to warn people that the speed cameras were ahead, as a means of at least allowing you to check your speed and slow down. I was going down Military Road, West Beach, the other day and the West Torrens council had a big sign on Military Road that it is checking speed.

It was interesting to note that my speedo—which on the Commodore that I drive you can have a visual read-out—was reading 50 on the knocker and the big speedo sign said 48. So, I am pleased that my speedo is over-reading, not under-reading. I look forward to seeing South Australians not needing to have warning signs but complying with all speed regulations and legislation.

Whether you still need to gazette them, I do not think it takes much effort to do that. I do not think it is an onerous activity. So, it is something that I think could be continued, but if there is a real reason not to gazette them any more then perhaps that could be done. There may be people who I am unaware of who do rely on the gazetting of those positions to provide information, say, GPS users and others.

Section 173AA changes the testing period for the induction loops for these red light and speed cameras from six days to 27 days. Manufacturers of these induction loops say that they should be tested between 30 and 90 days, so it makes you wonder why we are testing every six days, particularly when the Victorians test every 30 days. Why have we gone to 27 days and not 30 days, or further out, if it is as reliable as we are led to believe? Surveys have been done and the movement within these loops is apparently quite miniscule, 2.5 millimetres, or something, over. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

## PAPERS

The following paper was laid on the table:

By the Speaker—

Parliamentary Service of the House of Assembly—Report 2007-08

### SWINE FLU

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:01):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** I seek to update the house on the latest information from South Australian authorities in regard to swine flu. Yesterday, the state's Chief Medical Officer, Professor Paddy Phillips, advised that 12 South Australians were being tested for swine flu. These people had recently travelled in the United States and/or Mexico and had returned to Adelaide with flu-like symptoms. Following further investigation, five of these people have been cleared. Seven people are still currently under investigation. Results should be received over coming days for these people who will remain at home until they are cleared of the illness, and I thank them for their cooperation.

Meanwhile, commonwealth authorities last night alerted SA Health that an overseas student living in Adelaide may have been exposed to swine flu while travelling overseas. The student had travelled to New Zealand on the same flight that transported three New Zealanders who have since been confirmed as having contracted swine flu. The student subsequently travelled on to Adelaide. She was located this morning. She is well and shows no symptoms of flu. Authorities have given her a course of anti-viral medication as a precautionary measure.

Overnight, the commonwealth has declared swine influenza a quarantinable disease in humans under the Quarantine Act 1908. This action was taken by the commonwealth on the advice of Australia's Chief Medical Officer, Professor Jim Bishop. This gives the commonwealth powers under the act to take appropriate actions in an emergency to prevent or control the spread of a disease. It also gives South Australian health authorities the same powers to ensure that people comply with any quarantine measures.

According to the World Health Organisation, the United States government has reported 64 laboratory confirmed human cases, with no deaths. The World Health Organisation reports that Mexico has 33 laboratory confirmed human cases of infection, including 20 confirmed deaths from swine flu. Canada, New Zealand, the United Kingdom, Israel and Spain have reported laboratory confirmed cases, with no deaths. Person-to-person transmission is not currently reported outside of the Americas.

The World Health Organisation is advising people who are ill to delay international travel and for people who develop flu-like symptoms following international travel to seek medical attention. SA Health is advising people to have a flu shot and recommend key hygiene measures such as washing hands and covering your nose and mouth when you sneeze or cough.

I point out that the flu shots that we are delivering will not protect people against swine flu; however, if people do have those shots, they will be protected against the more likely outcome of getting the ordinary seasonal flu and, of course, that will help ensure that their system is protected if swine flu were to come into South Australia.

The commonwealth Department of Health and Ageing has a national hotline for Australians to access information on the overseas outbreak. That number is 180 2007.

### WATER TRADING

**The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:05):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. K.A. MAYWALD:** I wish to update the house on the progress of South Australia's High Court challenge to unlock billions of litres of water tied up in licences held by irrigators upstream. In March, the government announced that it would mount a High Court challenge against Victoria's 4 per cent trading cap, which limits the options available to Victorian licensees to trade their water.

Today I advise the house that the government will be broadening its challenge to include tackling a little known 10 per cent cap on Victoria's water trading market. This cap stops water licences being purchased from a particular irrigation district. South Australia is firmly of the view that this is a serious impediment to permanent trade.



We have been told by our legal experts assembled to mount this High Court challenge that the 10 per cent cap will soon become the real culprit in blocking the free trade of water licences held by Victorian irrigators. Therefore, even if the 4 per cent annual cap were to be completely abolished, the 10 per cent cap would remain and continue to place a noose around the neck of water trading in Victoria.

We understand that some Victorian irrigation areas will soon reach the 10 per cent cap. This was not a cap agreed to by the other basin states and constitutes a breach of the National Water Initiative. As far as South Australia is concerned, all caps imposed by the Victorian government need to be removed so that irrigators are free to sell their water licences where and when they see fit.

The commonwealth has allocated \$3 billion to buy permanent water to restore healthy environmental flows to the river. If caps are not lifted, the ability of the commonwealth to buy back water under its accelerated program to benefit the river, the Lower Lakes and the Coorong will be severely compromised.

It should also be pointed out that some states, most notably New South Wales, will bear the brunt of the buyback scheme if the Victorian trade barriers remain in place. We are also aware of Victorian irrigators who are being hindered by these ludicrous state-imposed trading caps, so very little water can be freed up in Victoria.

Our legal team is also examining whether the commonwealth has legal responsibilities that it must uphold in maintaining the health of the Ramsar-listed Coorong. This government is seeking advice on a number of legal options intended to ensure that we get the water flows that our river, the Lower Lakes and the Coorong need to remain healthy and sustainable.

South Australia has fought hard for an independent national body to manage the Murray-Darling Basin to make decisions on the river's health and management—

*Members interjecting:*

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

**The Hon. K.A. MAYWALD:** —using the best independent scientific advice available, free from political veto by the states, or the opposition. At this point I should make mention of the fact that the opposition went to the March 2006 election with the policy to maintain the Murray-Darling Basin in state hands. That is a fact.

The new basin-wide plan will develop a new plan to cap the use of ground and surface water in the basin. This will address over-allocation in the Murray-Darling Basin for the longer term. South Australia believes that we need to remove the barriers to water trading as a matter of some urgency. I advise that we expect to be ready to lodge the challenge toward the end of July, and I look forward to a bipartisan approach on water from the opposition.

#### LEGISLATIVE REVIEW COMMITTEE

**Mrs GERAGHTY (Torrens) (14:08):** I bring up the 18<sup>th</sup> report of the committee.

Report received.

#### PUBLIC WORKS COMMITTEE

**Ms CICCARELLO (Norwood) (14:09):** I bring up the 331<sup>st</sup> report of the committee on the Adelaide Showgrounds Solar Photovoltaic Project.

Report received and ordered to be published.

#### VISITORS

**The SPEAKER:** I draw to the attention of honourable members the presence in the gallery today of students from Mount Barker Waldorf School, who are guests of the member for Kavel, and students from Pennington Primary School, who are guests of the member for Cheltenham.

#### QUESTION TIME

##### DRIVING RECORD

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:10):** My question is to the Minister for Youth. Did his statement to the house yesterday about his history of traffic offences include his full record of offending to date? Court records reveal additional offences, including

17 July 2008, disobey traffic light, offence No. 102234/1; 3 July 2008, disobey traffic light, red arrow, offence No. 95201; and on the same day, 3 July 2008, exceed speed limit, offence No. 95201/1.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:11):** I made a ministerial statement yesterday and this morning and, to the best of my knowledge, they are accurate. I was advised by SAPOL at 2pm today that there are no additional fines other the ones that I have disclosed in my ministerial statement, and they are correct. I am advised by the deputy commissioner's office that SAPOL was provided with the details of the opposition's release. Aside from 7 May 2008, which has already been included in my statement, they are incorrect.

#### DRIVING RECORD

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:11):** Sir, I have a supplementary question. Given that the three offences I just read into *Hansard* were committed after May 2008, why did the minister choose not to reveal these offences in his statement to parliament, offered as 'my full record of offending', choosing instead to terminate his statement of disclosure yesterday at May 2008?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:12):** I refer the member to my ministerial statement yesterday and my answer just then.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** It is a comprehensive record provided to me by South Australia Police—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —the Courts Administration Authority, DTEI and Fleet SA.

#### CRIMINON

**Mr BIGNELL (Mawson) (14:12):** Will the Minister for Transport advise the house of the nature of the documents relied upon by the opposition to make allegations about members of the government, and what are the consequences of relying on such documents and the allegations that flowed from them?

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:12):** It is my hope to be heard in relative silence, because this is an extremely—

*Members interjecting:*

**The Hon. P.F. CONLON:** There we go; can't get the first sentence out. They do have a lot to hide. In short, the documents relied upon by the Leader of the Opposition in this place yesterday—and in relying upon them he trampled on the reputation of people not in this place and also used them to accuse the Premier of what bordered on corrupt activity—were completely and utterly false. They were forgeries; they were fabrications. They were deliberate—

*Members interjecting:*

**The Hon. P.F. CONLON:** Just nice and quiet. They were deliberate fabrications by a third party. Not only were they that but the least—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** They will not want to hear this, Mr Speaker. The least inquiry by the opposition would have exposed this. Let me explain how we know they are false and why the Leader of the Opposition should have been alert to make inquiries.

Can I refer first to the emails relied upon. Those emails were never made by the people purported to make them and were never received by the people whom the Leader of the Opposition purported to receive them. But let us just run through what they say three senior members of the Labor Party—a former senator, a secretary and a treasurer—were prepared, according to them, to do for \$20,000 from the Church of Scientology. I mean, likely, isn't it? I know that they do have a little trouble fundraising and there might be things they are prepared to do for \$20,000. Firstly, this is what they say:

Nick, Tom tells me that you mentioned to him that you knew someone who was interested in prison education. He said they were Melbourne based. Mike has asked me if there is anyone worth visiting while he is in Melbourne next week. Are they worth special treatment?

The answer:

As discussed, they were very happy with their discussion with Mike. Worth the trip. Happy to give up to 20K as a start but want to do it under the radar—

Like to flout the law—under the radar. Then, apparently Michael sends to the Treasurer:

Can you send four \$5K invoices to these guys...Use the ALP account and not PB.

Obviously to get around disclosure laws. What the Leader of the Opposition would believe himself is that, for \$20,000, three people were prepared not just to break the law but to leave a paper trail of it just in case anyone wanted to prosecute them later. Don't you think that would make you a little nervous?

Don't you think you should say, 'Well, you know, crikey, that doesn't look right to me'? Because I can say that, when I was sitting listening to this nonsense yesterday, I thought I will bet that these are fake. That is the first thing that came into my mind. If it came into my mind, I should think someone in the Liberal Party should have done that. He then relied on four invoices from the Labor Party to someone called Applied Scholastics.

Those four invoices have been examined by the Labor Party. They look like a Labor Party invoice, which is not hard to get because they invoice lots of people and they use a series of invoice numbers. Regrettably for the Leader of the Opposition, those invoices have been used by the Labor Party, not in these invoices but in October last year to invoice in three different cases three completely different recipients. In other words, someone has faked invoices of the Labor Party. The fourth invoice number was never used.

*Members interjecting:*

**The Hon. P.F. CONLON:** No, apparently it wasn't them now, it was someone else. We will come to that in a moment. Someone has been prepared to mock up four false invoices and, of course, if you break it up into four invoices, the Electoral Commission will not notice that it is four times \$5,000 to the same person. It is just amateur hour, complete amateur hour. When I say that the least of inquiries would have led the opposition leader to make the slightest inquiry to know that these were fake, of course, one of the things he could have done without alerting us is contacted the people who were alleged to have made the donations. Of course, I have a statement here from Applied Scholastics Australia which says—

**Mr Hamilton-Smith:** Which particular branch?

**The Hon. P.F. CONLON:** I note today that, despite trampling over innocent people's reputations, outside of the house he has continued to maintain the truth of the allegations he has made. I will come back to that in a moment. The statement from Applied Scholastics Australia is as follows:

This statement is being issued to correct the false claims that Applied Scholastics Australia has been involved in financially supporting the Labor Party. No individual or representative of Applied Scholastics (APS) has approached any officials from the South Australian Government regarding any Applied Scholastics educational program—or for any other reason on behalf of Applied Scholastics, secret or otherwise. Applied Scholastics has no program regarding education in prisons and has not approached any prisons in South Australia...Allegations of receipts made to Applied Scholastics are patently untrue as no donations or payments have ever been made to the Labor Party.

Apparently, the Church of Scientology is as fond of us as we are of them. I can also say, the next time someone over there decides to mock up a document, that we were also—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** —advised by Applied Scholastics that the address on the purported invoice has not been used since 2005, which would make it pretty hard. They have really checked it out! I think that, on behalf of the Deputy Leader of the Opposition—who, let us face it, is going to have a good day today, and so is the former leader going to have a good day today, because I notice she was not saying anything yesterday—

**The Hon. J.D. Hill:** What's the test that she's got at the moment?

**The Hon. P.F. CONLON:** A major mistake. This looks remarkably like a major mistake. The Leader of the Opposition has been prepared not just to use this place with false documents to trample over the reputations of innocent third parties—

**Mrs Redmond:** Ask your Attorney-General about doing that.

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** He has not only been prepared to do that but he has done it with utter recklessness as to the truth or the veracity of the documents that he has had. He said on the radio that they did exhaustive research. I think that the exhaustive research—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** —was sitting around in their leadership group, saying, 'Do you reckon we can get away with this?' That was the exhaustive research, because one phone call would have brought it undone. It is a pattern of behaviour. We have seen fake websites set up by the Liberals, fake Twitter sites, three members of the Liberal Party encouraging the stacking of polls and, of course—

*Members interjecting:*

**The Hon. P.F. CONLON:** That is right—there in black and white.

*Members interjecting:*

**The Hon. P.F. CONLON:** And they laugh.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** Let us not forget the member for Unley—

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The Hon. P.F. CONLON:** No; they do not want to hear it, but they will—

*Mr Pengilly interjecting:*

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

**The Hon. P.F. CONLON:** —because this goes to the character of the Leader of the Opposition and what those opposite are prepared to do. The member for Unley was the first to ask a question. The member for Unley is, of course, the person who raised a complaint from a constituent about a book at his primary school and the Premier's Reading Challenge. However, what he neglected to point out was that the constituent in question was one Craig Clarke, the press secretary for the Leader of the Opposition—

*Mrs Redmond interjecting:*

**The Hon. P.F. CONLON:** Thank you, Isobel. I think that Craig Clarke would be fully entitled to question what his children were reading, had he any. Thank you—had he any children. But do not forget what the approach of the Leader of the Opposition is. He set it out in May 2006 when he said:

It is much more interesting to be in opposition where you can sit at home on Sundays making Molotov cocktails and deciding who to throw them at on Monday.

That includes being willing to trample over the reputations of innocent third parties, because he likes throwing Molotov cocktails; relying on forged documents, because he likes throwing Molotov cocktails.

Can I advise the Leader of the Opposition that when we were in opposition we did get lots of leaked documents, and we went through them to make sure, because you should see what the Liberals like to say about each other. You should see the sorts of allegations they wanted us to make about serving Liberals. Some of them were disgraceful, and we did not make them because we liked a little due diligence in what we did, and that is why we actually got some of them. We did not invent things. I suspect that we have had a few more inventions today.

But what are the consequences of this? I was astonished to find that, far from being embarrassed by relying on forged documents to blacken reputations, the Leader of the Opposition actually stood by them, even when it was shown to him, manifestly, that they were false. He stood by them and demanded that the named parties produce statutory declarations to prove their innocence. I advise the Leader of the Opposition that I think it is extremely likely he will be receiving legal documents from the people in question, but I do not think they will be statutory declarations, because what he has done is accuse people of, at the very least, seeking to avoid the application of the law or, very likely, breaking it.

The other consequence of this that we have to consider is that someone in the Liberal Party was prepared to supply these false documents.

**Mr Hamilton-Smith:** Come on! You wish.

**The Hon. P.F. CONLON:** Okay, I wish. Here is what he said yesterday.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** 'There is someone with firsthand knowledge of the origin of these documents who should be talking to the police', and it is not me, because I have no knowledge of where they came from. I will say this: I believe, to my bootstraps, that it was a member of the Liberal Party. I wish? No, it is up to you, because here is what he said yesterday.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** Here is what he said when he was talking about the emails and a reference to a man called Tom. He said, 'Sources from within the Labor Party have advised the opposition that the man called Tom is the Minister for Correctional Services.' One would assume that whoever was talking to this source knows who that source is. Someone in the Liberal Party knows who that source is, otherwise they would not have referred to it. I am assuming they did not meet in an underground car park with him standing in the shade, otherwise, how would they know either he or she was a Labor source?

I say to the Leader of the Opposition: here is your opportunity. Get that Labor person! You have been trying for years and you have never got one. Get that Labor person, because you, allegedly, know who it is. However, that is not going to happen, and the reason it will not happen is that these documents were supplied to the Leader of the Opposition by a member of the Liberal Party.

**An honourable member:** You wish.

**The Hon. P.F. CONLON:** I wish.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** Can I say to the Deputy Leader of the Opposition she is having a good day. Let's not try to gild the lily. Sometimes you just have to sit back and say thank you. I wish. I say this: a member of the Liberal Party handed the Leader of the Opposition forged documents. There is only one person who can disprove that, and they sit on that side. So get up and say who it was. We will do something about it if it is one of ours: you have my promise. I say to you: that will not happen, because the forged documents were provided by a member of the Liberal Party.

One has to ask why. There are two consequences that flow from this, can I say? One is that the Leader of the Opposition has demonstrated himself, if he actually believed this was true, to be so gullible as not to be fit for high office. Someone will sell him a bridge. A huge number of people come to your doors in government trying to sell you a scheme. This bloke has bought—lock, stock and barrel—the most transparent of forgeries. That is one point. But the second point is: why would a member of the Liberal Party give these documents that anyone with half an ounce of intelligence would know would be driven through in a moment? Why would they do that?

I put to members it is because the enormous divisions in the Liberal Party have not gone away. Not only is the Leader of the Opposition not fit for government, but also this Liberal Party will never be fit for government because all they do is tear each other down. I am prepared to pit my record today on the truth against the Leader of the Opposition yesterday, but if anything I say is not true about the problems of these documents, tell us where they came from. We did not produce them. We did not make them. Tell us where they came from. Mr Speaker, can I say this: the Leader of the Opposition, instead of toughing it out, should be apologising to the parliament. I will make two predictions: he will not apologise to the parliament, and he is not fit—

*Ms Chapman interjecting:*

**The Hon. P.F. CONLON:** How can we take it to the police? We do not know where you got them from; you know, so take it to the police. I insist that the opposition takes it to the police and tell them all it knows; I insist, because they are the ones with the forged documents. Let me make another prediction before I close: he will not apologise to the parliament, but I promise you that, if he is wise, he will very soon be apologising to Michael Brown and Nick Bolkus.

*Members interjecting:*

**The SPEAKER:** Order!

#### DRIVING RECORD

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:30):** My question is to the Minister for Youth.

*The Hon. R.J. McEwen interjecting:*

**The SPEAKER:** Order! The house will come to order. The member for Mount Gambier is warned.

*Members interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition has the call.

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

**The SPEAKER:** Order! The Attorney is warned.

**Mr Goldsworthy:** Chuck him out too.

**The SPEAKER:** I do not need the assistance of the member for Kavel. The leader.

**Mr HAMILTON-SMITH:** My question is to the Minister for Youth. Is the minister's statement to the house that, during a 12 month good behaviour period, which began in December 2005, he 'did not incur any traffic infringements during the good behaviour period' factual and correct, and does he stand by those remarks? Court documents reveal that on 28 April 2006 a vehicle owned by Anastasious Koutsantonis was detected by a speed camera exceeding the speed limit. The offence carries the court record number 45613.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:31):** I refer the Leader of the Opposition to my ministerial statement yesterday—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —and advise him that SAPOL was provided with the details in the opposition's release which, aside from 7 May 2008 (which has already been disclosed), are incorrect.

### STATE AQUATIC CENTRE

**Ms FOX (Bright) (14:32):** My question is to the Minister for Recreation, Sport and Racing. Can the minister inform the house as to the progress of the government's commitment to build the state aquatic centre at Marion?

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (14:32):** I thank the member for Bright for her question and for her strong interest in this area. Iconic names such as Dawn Fraser, Shane Gould, Kieran Perkins, Ian Thorpe and Grant Hackett have made swimming an integral part not only of our sporting culture but also of our national identity. For South Australian athletes to be given the best possible chance to achieve at the highest level they need world class training facilities, and for South Australia to attract elite competitions to the state we need these facilities to be at FINA standard. With the building of the state aquatic centre at Marion both these objectives will be achieved.

I am pleased to announce today that the state government has awarded a contract to build the state aquatic centre to a South Australian construction company, Candetti Constructions. The project is the highest ranked recreation and sport project in the South Australian Infrastructure Plan, and this government is delivering on its commitments and priorities. The government is delighted to be working with a South Australian company to deliver the people of this state an international sporting venue, whilst also generating 300 jobs in the process.

The state aquatic centre will support and preserve the future of the aquatic sports of swimming, diving and water polo at the elite level in a facility that will be FINA compliant and world class. The centre will include one 50 metre pool comprising 10 lanes of three metres depth with a boom, and a diving/water polo pool of 55 metres with a boom and a depth of five metres at the diving end and three metres for water polo. This new facility also means that South Australia will be in an excellent position to bid for national and international swimming, diving and water polo events.

The development of the state aquatic centre will put South Australia at the forefront of facilities for these sports and offer benefits not only to elite sport but also to the wider community. The government has also ensured that the design includes approximately 1,000 square metres of leisure and recreational training space so that all members of the community will be able to enjoy this new centre. The development will increase the quality of the training and competition environment for our athletes and all pool users, and will help keep South Australian talent here in South Australia. The state government will now work with Candetti Constructions, the City of Marion, and aquatic architects Peddle Thorp to complete the final design of the state aquatic centre.

### DRIVING RECORD

**Mrs REDMOND (Heysen) (14:35):** My question is to the Minister for Correctional Services. Following his response to the house yesterday, has the minister now checked whether he has had a car repossessed? Court records show a judgment debt of \$7,509 against Anastasious Koutsantonis for moneys owing to Australian Guarantee Corporation. The records also show that a warrant for sale was issued on 18 March 2003, and a payment was subsequently made to Australian Guarantee Corporation. In the Magistrates Court warrant, the sheriff is directed to 'sell such of the real and personal property of the defendant as are within the state of South Australia to satisfy the above total owing plus interest'.

**The SPEAKER:** Again, I indicated to the house yesterday that I am not sure what responsibility the minister has to the house for this matter.

**Mrs REDMOND:** The question is asked on the basis that the minister indicated to the house yesterday that he would check and advise the house.

**The SPEAKER:** Fair enough. I will give the minister an opportunity to respond.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:36):** I will start by saying that this matter has absolutely nothing to do with my past traffic infringements. It is an entirely personal legal matter. It does not bear on my duties as an MP or a minister.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** I do not think you are in a position to say that.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** This case was in relation to a dispute about a loan I took out—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** The case record I have been provided—

*Members interjecting:*

**The SPEAKER:** Order, the Minister for Transport and the member for Unley!

**The Hon. A. KOUTSANTONIS:** This case was in relation to a dispute about a loan that I took out. The case record that I have been provided from the Courts Administration Authority today indicates that the action was discontinued on 25 September 2002.

### HEALTH SERVICES

**Ms BEDFORD (Florey) (14:37):** My question is to the Minister for Health. How is the coordination of health services leading to better outcomes for patients, in particular, mothers in the north-eastern suburbs?

**The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:37):** I thank the member for Florey for her question and acknowledge what a strong advocate she is for health in her area, particularly for mothers.

We know that, as our population ages, the demands placed upon our public health service will increase. The government is therefore undertaking the major task of reforming our health system to ensure that it is sustainable into the future. An important part of this reform is improving efficiency by avoiding unnecessary duplication. That was one of the recommendations made to us by the Generational Health Review. For example, the coordination of birthing services between Modbury and Lyell McEwin hospitals has improved services for expectant mums in the northern area.

When we released South Australia's Health Care Plan, we knew that less than a quarter of women in the Modbury catchment were actually choosing to have their babies at the Modbury Hospital. Maintaining the service in the longer term was not sustainable. We therefore identified the Lyell McEwin as the major tertiary and maternity hospital for northern Adelaide.

The transfer of birthing services from Modbury to the Lyell McEwin and Women's and Children's hospitals occurred with the further expansion of the birthing facilities at the Lyell McEwin. I would like to just explain to the house what happened at the Lyell McEwin. At the Lyell McEwin, since we made those announcements, we have included an extra 26 midwives; eight additional doctors, including one extra senior obstetrics specialist and a senior neonatologist for critically ill newborns; five extra allied health staff, including social workers, pharmacists and a sonographer; three extra beds in the obstetrics unit; eight additional special care nursery cots; and a new antenatal assessment unit with eight additional beds.

The Lyell McEwin service provides acute care through to care in the home with the home-visiting midwives and the acclaimed Mother Carer Program, which is a first in Australia. I recommend to anybody in this place who is not aware of what is happening at the Lyell McEwin to have a look at this breakthrough way of helping mothers.

A new mum wrote to me recently highlighting the wide range of services offered by the Lyell McEwin birthing services. She praises the antenatal classes, the antenatal physiotherapy, the phone support service provided by the Women's Assessment Unit, midwives, the support provided by staff during the birth process and the post-natal care. Her letter said:

The best service has been the last—the Domiciliary Midwives...[The visits] provided us with more skills and confidence in caring for our son.



She concludes:

We could not have asked for better services, better people or a better experience in the care of our baby, both before he was born and since.

The Lyell McEwin Hospital continues to provide an outreach antenatal service at Modbury Hospital which offers mums-to-be and their families in the north-eastern suburbs all the care options available at the Lyell McEwin Hospital, including obstetric and maternity models of care. This service provides antenatal services closer to home with the advantage of linking into the birthing services and facilities at Lyell McEwin Hospital when the time comes to birth.

Since February 2008, 501 women from the Modbury area have chosen to birth at the Lyell McEwin Hospital. The feedback from these women and their families has been outstanding in terms of care options and standards and the physical environment of the hospital. I take this opportunity to praise the staff at those hospitals, led by Gus Dekker, who is in charge of obstetrics at the Lyell McEwin Hospital. It has an outstanding model of maternal care in this state, which is truly international in its perspective, and I know it is a model for many other health services both nationally and internationally. The staff at that hospital do a tremendous job and the service they are providing to the people of the northern suburbs is absolutely without par.

#### DRIVING RECORD

**Mrs REDMOND (Heysen) (14:42):** Does the Minister for Correctional Services stand by his statement to the house yesterday that he has 'not been the subject of a warrant for his arrest during the term of the Rann Labor government'? Courts Administration Authority records reveal that on 24 October 2002 an order to issue a warrant of arrest was recorded in the case of Modbury Press Pty Ltd v Tom Koutsantonis for a judgment debt of \$3,887.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:42):** I start again by saying that this matter has absolutely nothing to do with my past traffic infringements and is entirely a personal legal matter that does not bear on my duties as an MP or a minister. However, in the interests of openness considering recent events, I am prepared to provide some details to the house.

Members of parliament have disputes with printers, especially when you cannot use the material that they print for you. There was a court file I am aware of that mentions a warrant but I stress that this was never issued and the case did not progress. The matter relates to a dispute in 2002 over printing. There is a note on the case mentioning a warrant of arrest. The Courts Administration Authority informs me that this warrant was never issued and the case was not proceeded with.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Today, I have contacted Modbury Press. The company advised me that the matter was settled on 14 November 2002. However, a notice of discontinuance was never filed by the plaintiff or its lawyers with the courts—as I am advised, the usual process to close a case file. I have spoken today with Marshall Lawyers who represented Modbury Press at the time and they inform me that the failure to follow the notice of discontinuance was an oversight. I have arranged for such a notice to be filed with the court immediately. Members of parliament dispute with printers. It happens.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

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

*Members interjecting:*

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

**AFFORDABLE HOUSING**

**Ms BREUER (Giles) (14:44):** Can the Minister for Housing advise the house how the government is ensuring an affordable housing supply to vulnerable members of our regional communities?

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:45):** I thank the member for Giles for her question. Indeed, the government is very keen to ensure affordable housing options are available in rural areas in South Australia. Last week I had the pleasure of opening a completed affordable housing initiative in Balaklava and launching another in Mount Gambier.

As members know, the Affordable Housing Innovations Program was designed in 2005 to trial new and innovative ways to increase the supply of affordable rental housing. Through the state government partnering with groups such as the Balaklava Church of Christ, we are directing our collective ideas and skills to find new ways to provide affordable housing options that meet local community needs.

The CornerStone Cottages in Balaklava—and the member for Goyder joined me at this particular function—are providing three affordable homes for low income people and they are accessible for people with a disability, as well as older people who use wheelchairs. The properties are close to shops and the local school and have the strong support of Balaklava Church of Christ Community Care.

The state government provided \$233,000 for the project from the Affordable Housing Innovations Fund, adding to the \$120,000 raised by Balaklava Church of Christ Community Care and \$36,000 raised by volunteers in the local swap shop. These wonderful homes will provide long-term affordable accommodation. A home is much more than a roof over one's head. A home comes with a sense of identity, a sense of family and a feeling of belonging, and the CornerStone project is providing just that to three lucky families.

In addition to the CornerStone project, I also had the pleasure of joining the member for Mount Gambier and the Paraplegic and Quadriplegic Association of South Australia in launching the Corriedale Park project in Mount Gambier, which will allow people who have suffered terrible accidents to return and live in their community as they get their lives back on track.

The Corriedale project will see the construction of five wheelchair accessible houses for people who have suffered spinal cord injury and who live in the south-eastern region of South Australia. Three two-bedroom units will provide short to medium term accommodation while long-term housing is sourced or people have their own properties modified, and two three-bedroom units will be used to accommodate two residents in each with high needs, and the provision of staff facilities are planned for these units.

The state government provided \$680,000 for this project, with the assistance of the City of Mount Gambier, who gifted the land to ParaQuad SA. It is also important to note that the Motor Accident Commission and the Australian Hotels Association are among the sponsors of this project, and I should thank the Minister for Industrial Relations, minister Caica, for the WorkCover donation of \$25,000 for this project.

So far commitments from the Affordable Housing Innovations Fund have been made to 29 capital projects. These 29 projects will generate the construction of 450 affordable rental properties in metropolitan and regional areas, totalling a commitment of some \$47 million. I had the pleasure of meeting members of the James Brown Memorial Trust two weeks ago as they begin work on another major redevelopment project made possible through this fund.

All these projects, the James Brown Memorial Trust, the Corriedale and CornerStone projects, represent the sort of outcomes that can be achieved when the government (including local government), the private sector, home builders and not-for-profit organisations work together with local communities with a common goal.

*Members interjecting:*

**The SPEAKER:** Order!

**DRIVING RECORD**

**Mr PISONI (Unley) (14:49):** My question is to the Minister for Correctional Services. Was he telling South Australians the truth when he provided information about his driving history to radio listeners on Monday the 20<sup>th</sup> this year?

*Members interjecting:*

**The SPEAKER:** Order!

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

**Mr PISONI:** Monday 20 April this year. Thank you, Minister for Education. On Monday 20 April—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** —the member told FIVEaa's breakfast program:

Yes, I have had offences recently. I had one last year, one the year before, and they were momentary lapses of reason, momentary lapses of concentration.

Court documents now reveal that there was a total of eight offences in a three month period in 2008.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:50):** Yesterday, I made a comprehensive ministerial statement detailing all my offences provided to me by SAPOL, DTEI, Fleet SA and the Courts Administration Authority, which is more than any other member opposite has ever done. And I will say this: I am—

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Pengilly interjecting:*

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

**The Hon. A. KOUTSANTONIS:** I came into this parliament and made a statement. So, it is a matter of public record, as a ministerial statement, and that has consequences if I get it wrong. I have sought advice from SAPOL, DTEI, Fleet SA and the Courts Administration Authority. There is a larger burden on me because I have made the statement in the parliament. The Leader of the Opposition gave two disparaging records of his driving record, but that is fine; I understand that. However, I have checked with all the authorities and I stand by my ministerial statement, as advised by those departments. There is not much more I can do than that.

*Members interjecting:*

**The SPEAKER:** Order!

**DRIVING RECORD**

**Mr PISONI (Unley) (14:51):** My question is to the Minister for Correctional Services. Were the minister's public statements on ABC Radio on 20 April 2009 about his history of traffic offences truthful? On that date the minister told ABC Radio program presenter Matthew Abraham that there were no offences other than the 32 revealed in the *Sunday Mail*. Mr Abraham asked: 'And are there more offences?' The member said, 'I don't think there are but we're going to check. If there are, there will be full disclosure. I'm not trying to hide anything.' Mr Abraham said, 'There's talk of, what, another dozen?' The member for West Torrens said, 'No'—

**The Hon. P.F. CONLON:** Sir, I rise on a point of order. The lengthy recitation of a radio interview is not necessary to explain the question.

**The SPEAKER:** Yes; I think the question is pretty self-explanatory.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:52):** I will get a copy of my ministerial statement and read it to the member for Unley personally. I have made a comprehensive statement to the parliament.

### KOREAN WAR VETERANS

**Ms THOMPSON (Reynell) (14:52):** My question is to the Minister for Veterans' Affairs. Will the minister inform the house about a new medal to recognise Korean war veterans?

**The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (14:53):** I have been touched and humbled during my time as Minister for Veterans' Affairs by stories of our diggers. I have had the opportunity to meet many returned soldiers and hear of their experiences at war. I am often surprised by the feats and triumphs of individuals who saw their service as 'just doing their duty'.

Last year, I travelled to Turkey and participated in the moving dawn service at Anzac Cove on ANZAC Day. The loss and sacrifice of those soldiers is well known and revered by Australians and New Zealanders. However, the sacrifice of Australian soldiers in the Korean War is lesser known. Some 17,164 Australians served in the Korean War: 339 were killed. This conflict should not be the forgotten war, and this new medal will help to change that.

Korean War veterans now have the opportunity to nominate for the newly created Australian General Service Medal for Korea. This award has received in-principle endorsement from Her Majesty The Queen. Now former defence force personnel who completed 30 days in South Korea during the post armistice period from 28 July 1953 to 19 April 1956 are eligible for the award. Korean veterans can wear the UN medal for Korea, the Korea Medal and the Australian Active Service Medal 1945-1975. However, this new medal will specifically recognise their service in Korea.

I commend the commonwealth government for creating this award to recognise further the efforts of Korean war veterans. The Australian General Service Medal needs to be formally established and a medal design is required, and I understand the medal is to be issued in early 2010. I welcome inquiries at my office for further information for those interested in nominating for this award.

### DRIVING RECORD

**Mrs REDMOND (Heysen) (14:55):** My question is again to the Minister for Correctional Services. Does the minister believe that his offending history sets the right example for him to retain his post as Minister for Youth and Minister for Correctional Services; and how does he intend to explain his behaviour to youth groups and offender rehabilitation bodies?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:56):** Unlike what members opposite might think, I am not the voice of youth in South Australia: I am simply here to hear their voices. I am not here to pretend to know what each and every single group of youth thinks and how they are affected. My job is to give them a voice, and I do that and I do it well. The opposition claims that I need to be perfect to be their voice. I do not claim to be their voice: I claim to listen to their voices. There is a difference, and I do not understand why the opposition cannot see that. The idea of being a politician is to hear voices and make sure that those voices are addressed.

### DRIVING RECORD

**Mrs REDMOND (Heysen) (14:57):** Has the Attorney-General considered whether the Minister for Youth and the Minister for Correctional Services should retain the office of justice of the peace in light of his driving record?

*Members interjecting:*

**The SPEAKER:** Order!

**Mrs REDMOND:** The Attorney-General has made repeated public statements that hoon drivers are 'the ratbags who ruin people's quality of life' and that this government will not tolerate their behaviour. He also said:

As far as the government is concerned, a car in the hands of a reckless driver is a lethal weapon...These idiots ruin people's quality of life with their dangerous anti-social behaviour.

The Justice of the Peace Act 2005 states that the Attorney-General will not recommend the appointment of a person as a justice of the peace unless the Attorney-General is satisfied that the person is of good character and meets the requirements prescribed by the regulations. The

regulations state that there is a cause for disciplinary action if a justice breaches the code of conduct for justices, which state:

A justice must not conduct himself or herself in such a way that it brings the office of the justice of the peace into disrepute.

**The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (14:58):** Oddly enough, when the member for Fisher and I were working on the hoon driving legislation (which the member for Mitchell opposed), we wanted to refer to it as the hoon driving legislation, but the Liberal Party would not allow us to do that because they thought that was too vulgar—too rough for them—so we gave it another name. Upon no definition canvassed in this place or the other place does the Minister for Correctional Services come within the definition of hoon driving and the kind of infringement notices which the Minister for Correctional Services paid before he was a minister are not of the kind that would trigger an inquiry into his eligibility to be a justice of the peace.

#### VICTORIAN BUSHFIRES

**The Hon. S.W. KEY (Ashford) (14:59):** Will the Minister for Education inform the house of the support that has been provided by South Australian schools to assist communities that have been affected by the recent tragic bushfires in Victoria?

**The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (15:00):** I thank the member for Ashford for her question, because she would perhaps know that some of the schools in her electorate were those that raised funds for the victims of the bushfires. This was a terrible experience for those involved in the fires and a deadly one for far too many. But, certainly, across South Australia we were overwhelmed by the emotion, generosity and the way that there was a response throughout our entire community involving, of course, children, some of whom lived in foothills and hills areas and who would have been exposed to fires themselves and known of the devastation that such an event can cause.

Within our schools and preschools there is often a sense of being at one with the community (being involved in sporting and church activities and community involvement), so that for very many schools there is a sense that their relationship with the broader community is wider than just the one that occurs within the school walls. I understand that the fires in Victoria destroyed six schools and preschools. Those schools were totally flattened, losing not just the building but also the contents—the books, the toys, the play equipment, all the physical education equipment and all the stationery, as well as records, memorabilia and archival stuffs.

The South Australian school community rallied together to support their Victorian friends, and they did this by having uniform-free days, gold coin casual days, pyjama days, discos and staff lunches. Children in one kindergarten sold ice-cream to each other and raised funds. Overall, \$128,000 was collected from our school and preschool communities. I was honoured on behalf of those communities in South Australia to give a cheque to the Victorian Minister for Education to contribute to the fund, with a commitment on her part that those funds would be used only for schools and preschools, particularly taking into account that the children who had collected the money especially wanted those funds to go to refurbishment and replacement of books and play equipment.

Both my colleague the Minister for Early Childhood Development (Hon. Jay Weatherill) and I applaud their community spirit, and I take the opportunity to thank staff, families and communities involved in this absolutely extraordinary fundraising effort by our children. Thank you.

#### CHAN, MR J.C.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:02):** My question is to the Minister for Health. Why was John Choul Chan not detained by the Department of Health after he had breached three public health orders, that is, directions by the department? John Choul Chan has now been charged with five counts of acts to endanger life. It is alleged that Mr Chan ignored three different department of public health orders by allegedly having unprotected sex with five women. Under the Public and Environmental Health Act, the department has the power to detain people who breach orders imposed. The government has already announced guidelines that it claims to have put in place after the Stuart McDonald scandal.

**The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:03):** The issue of persons who have HIV/AIDS

who maintain sexual activity, sometimes without letting their partners know and sometimes out of the malicious intention to cause damage, is a very difficult one for the health system and the court system to manage. Every person who has HIV/AIDS cannot be locked up. I am not talking about this particular case; I am trying to generalise. Sometimes people with HIV/AIDS, of course, are not necessarily very bright or very clean in their behaviour, and it creates incredible management issues for our health system and for our legal systems to manage these people in the community. Just because someone has HIV/AIDS and they are not very bright you do not want to have them subject to being locked up.

I am aware of this particular case in a general sense, but I am not aware of the particulars in relation to the regime that was put in place for him. I am happy to get a specific answer for the honourable member and inform her in due course.

#### GOVERNMENT TENDERS

**Mr HANNA (Mitchell) (15:05):** My question is to the minister for sport and recreation. Has the company selected by the government to build the Marion pool, Candetti Constructions, also been promised the construction work for the GP Plus centre or housing next to the open station without the usual tender process for those other developments?

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (15:05):** I am aware of the swimming pool and also the GP Plus health centre. I would have to check because housing is not my area of responsibility but, certainly, Candetti is doing the swimming pool and also the GP health centre.

#### GOVERNMENT TENDERS

**Mr HANNA (Mitchell) (15:05):** I have a supplementary question. My question to the minister was whether the usual government tender processes applied in relation to those other developments.

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (15:05):** I will check that for the member and get back to him.

#### SOUTH AUSTRALIAN FOOD CENTRE

**Ms SIMMONS (Morialta) (15:06):** My question is to the Minister for Agriculture, Food and Fisheries. What contribution is the South Australian Food Centre making to the growth and success of the food sector in our state?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (15:06):** I thank the honourable member for her question and acknowledge her keen interest in food.

*An honourable member interjecting:*

**The Hon. P. CAICA:** We all have a keen interest, that is exactly right. I am pleased to report to the house that the SA Food Centre, which was opened in September last year by the Premier, has made an outstanding start, with 250 South Australian food businesses already becoming involved with the centre. The SA Food Centre is a key government initiative arising from the South Australian Food Plan 2007-10 and represents a truly innovative approach to industry development. It is the first centre of its type in Australia in that it seeks to harness the resources of all the centre's partners as well as a wide range of other important collaborators in South Australia, interstate and overseas.

At the heart of this partnership between the food industry and government are PIRSA's Industry, Development and Renewal division and SARDI; DTED's Centre for Innovation; and the outstanding TAFE Regency campus. We are all accused from time to time of the silo mentality that operates not only within government but also within certain industries and, in addition to its core partners, the SA Food Centre has been successful in moving away from that silo approach and is building strong linkages across government, industry, tertiary education providers and private sector providers.

The SA Food Centre has staff available to assist in areas including industry and market development, food technology, post harvest handling, food engineering, and aquaculture and seafood. In addition to the funding provided through the Food Plan program, the SA Food Centre has been successful in leveraging the following additional contributions:

- \$308,000 from enterprises in 'enterprise improvement initiatives', and over \$65,000 of in-kind contribution;
- over \$500,000 in federal funding for industry-based projects; and
- \$298,000 from DFEEST to implement the Cheese Master program.

Some examples flowing from the success of the centre to date include:

- The development of a graduate access program working with undergraduate and graduate students from TAFE and universities on industry projects to benefit industry and encourage career pathways through the industry.
- The Australian Seafood CRC has agreed to locate its Australian Seafood Productivity improvement specialist in South Australia, with a significant amount of time to be spent working from the SA Food Centre.
- A series of workshops and seminars have been held on topics, including new product development, marketing, environmental improvement and improving business capability, with over 260 industry participants attending.
- The Cheese Master program (which I know the opposition and, in fact, every member of the house is interested in) has been established in conjunction with the Food, Tourism and Hospitality Industry Skills Advisory Council of South Australia, and Cheese SA has received funding from DFEEST to develop a training package for the industry.

The SA Food Centre is making a valuable contribution to the growth of the South Australian finished foods sector, which has now grown to \$4.4 billion.

I must also mention that the SA Food Centre manages the prestigious South Australian Premier's Food Awards, which I will have the great pleasure of launching this evening. These awards are now in their 12<sup>th</sup> year and continue to showcase the leading businesses that have helped establish our state as a producer of safe, high quality food and beverage products—products that are sought from all over the world.

I encourage all members of this house to contemplate visiting Regency TAFE to look at what is being done. I have no doubt in my mind that it is something that showcases that which does not exist anywhere around Australia, but also I would say there are very few places like this anywhere in the world. I have not travelled that far, but I know that—

*Members interjecting:*

**The Hon. P. CAICA:** No, but seriously, I would encourage everyone to go down to the SA Food Centre for a tour or a visit, which I would be happy to arrange.

**CHAN, MR J.C.**

**The Hon. J.D. HILL (Kurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:10):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** The Deputy Leader of the Opposition asked me a question a minute or two ago about a man with HIV. I am advised by my staff that this man has had three control orders placed on him. He was in breach of the second order, and at that stage the police were involved and he is now in custody. However, there is also a third order placed on him, and my advice is that he has not breached that order. So, I am advised that the process was properly followed and managed.

**SWINE FLU**

**The Hon. J.D. HILL (Kurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:11):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** Subsequent to the ministerial statement I made before question time in relation to swine flu, I am now advised that the commonwealth government has decided to include flights from New Zealand to Adelaide as part of the protection protocols that it has put in

place in the Eastern States. As members would be aware, flights from North America and Mexico—and other places as well, I understand—coming into the Eastern States are subject to quarantine protocols whereby passengers are checked in a particular way.

I raised this issue this morning with the federal minister and asked whether flights from New Zealand to Adelaide could be included, given the fact that a number of people in New Zealand have swine flu. I am pleased to advise that the minister has supported my request, and that will now take place.

### STATE AQUATIC CENTRE

**The Hon. I.F. EVANS (Davenport) (15:12):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. I.F. EVANS:** During question time I was warned for interjecting that it was nearly seven years since we announced the Marion pool. I need to correct the record: it is nearly eight years.

### GRIEVANCE DEBATE

#### COUNCIL RATES

**Mr PENGILLY (Finniss) (15:12):** I would like to spend a few minutes talking about council rates. It is that time of year when the 68 councils around South Australia set their rates for the forthcoming 12 months. This is a matter watched with interest by ratepayers around the state, including those in this house.

Councils are struggling; they are limited in their capacity to raise money for their operations. In addition to rates, there are the levies (waste management levies and NRM levies) which are thrust upon them. It is a time of great economic uncertainty around the world and across this nation, and this also applies to South Australia. The state and federal governments in Australia are currently working through their budgets and have indicated very strongly that they will cut expenditure. I am not so sure whether this will translate down to the local government sector; I guess we will have to wait to find out.

Councils have far too many additional burdens for which they are unfunded. They have inescapable costs and they have loans that have been taken on in the good years, and they are now faced with the burden of repaying those loans and also continuing with these inescapable costs. The local government sector employs a great many people, and I would be the last one to want to see a reduction in employment in that sector; however, I indicate that I would not be happy if rates rose above the CPI in any of these councils. The CPI is at a low level, and I am concerned that councils may be forced, by factors outside their operations, to raise their rates higher than the CPI in an effort to survive.

As a matter of fact, I have written to the four councils in my electorate and I have received responses from them over the last few weeks. I have written to outline my concern that certain ratepayers across those four councils are going to have a great deal of difficulty finding the money to pay for their rates. I urge caution to the councils in both setting rates and working out people's ability to pay them in this very tough period. This issue concerns me greatly.

I will point out just a couple of areas in my own electorate where people's incomes have been seriously disrupted, yet the rates are still the same and they will probably go up. I am very concerned about how people will pay these rates. These rates are on top of land tax bills that South Australians are hit with, payroll tax, and the list goes on. I have talked with two—and there are more—self-funded retirees who are struggling. Their income has been absolutely shot to pieces. In many cases, self-funded retirees are now having to go to Centrelink to try to get money to survive.

I will also raise the issue of dairy farmers, for example, who have had savage price cuts to their products. There is no way known that they can get out of that. They have suffered savage price cuts and their income is not there, so they find it very difficult to find any additional money. I urge councils in my electorate, and councils everywhere, to make the hard decision this year to hold rates where they are, or at no more than the CPI.

The Prime Minister admitted last week that, if we are not in recession, we are very close to it. Rates need to be seriously adjusted, as does the dollar in the sectors that require to cater for people. Self-funded retirees, in the main, are in the residential sector, which is the largest sector, or



in the general farming sector—or whatever the zones are called. We have to be realistic and we have to have a practical response in the year 2009 in setting budgets for the forthcoming 12 months.

I do not think that local government can afford any room for error, and I do not think that local government can afford to put rates up in this financial climate. I think it is totally beyond the ability of many people to afford another additional cost. State and federal governments are indicating that they will cut expenditure, and I believe that local government needs to do the same. They absolutely have to. People will accept a reduction in services if it is explained to them, and I hope that this takes place.

### CRIMINON

**Mr KENYON (Newland) (15:18):** I rise today to talk about Criminon. More particularly, I want to talk about the false documents—false emails—brought into this parliament by the Leader of the Opposition. Members opposite should be a bit worried about this, because it puts into question the judgment of not only the leader, but also his staff. It is poor staff work. It is poor judgment on behalf of the leader, who has come in here with these ridiculous emails that, as soon as he read them, sounded stupid and wrong. They just did not sound right from the very first, yet he still wandered in here with them and accused people all over the place of committing criminal acts, or at least conspiring to commit criminal acts. The worst bit about that is that it could easily have been checked. They could have done something to prevent it.

I knew the deputy leader's father, Mr Ted Chapman, and I know the member for Davenport's father. They were both interesting people with a very large dose of cunning, and that has passed through—their children have the same dose of cunning. Neither the member for Davenport nor the member for Bragg would have raced in here with false emails, emails that were so obviously questionable. I note that the member for Bragg was very quiet yesterday. She did not say a word. She did not have to. She had a great day saying nothing.

It just beggars belief that we can have this situation where you can waltz in, someone can make up a few emails and someone conspires: 'We have these great emails. We could take them into parliament and someone could get sacked over it.' It is like two kids at uni who have put together these emails and they are brought in here. Instead of hiring private investigators and getting into the opponents' headquarters, a couple of kids at uni one night, after a few beers in the tavern, have gone back to the library, typed out these emails and passed them on.

Someone in the leader's office thought, 'Wow, we've hit the goldmine. It's the mother lode. It's the Lassiter's Reef of emails. Let's take it into parliament.' So, he has wandered in here and pretty much disgraced himself. But the worst thing about it is that everybody else is running away from these documents except the Leader of the Opposition. He is just sticking to his guns: 'They are still true. I still believe in them.' Everyone else is running away. He is going to turn around to find no-one behind him because they will be following someone else. You guys should have a think about that.

**Mr Goldsworthy:** You should sit down. That would be best.

**Mr KENYON:** I think I will sit down but I will just finish by saying this: if the leader still believes these documents and is not prepared to walk away from them and apologise, then I might have a bridge for him.

### APY LANDS

**Dr McFETRIDGE (Morphett) (15:22):** I rise today to speak about housing on the APY lands. I will refer to an article in *The Australian* of 13 April and a story presented on ABC News on 21 April. *The Australian* of 13 April published an article entitled 'Billions to go to remote Aboriginal areas' which stated:

Twenty-six of the nation's largest remote Aboriginal communities will be targeted to receive billions of dollars in new federal funding as part of the Rudd Government's push to close the gap between blacks and whites.

Nobody could argue with that. I, for one, am absolutely passionate about advancing the cause of Aboriginal affairs and raising awareness about the plight of Aboriginal communities in this state.

The federal indigenous affairs minister, Jenny Macklin, told *The Australian* that the 26 communities had been selected for intensive help because of their potential to be turned into hubs of 'economic development'. She said:

We want to intensely focus on 26 communities to really deal with the massive overcrowding that exists...with the very poor municipal services (and) the fact that we don't have decent land tenure arrangements that can enable economic development and employment.

At the end of the article, Ms Macklin said that all communities would be chosen on their potential to flourish, but she conceded that would be harder in South Australia. She said:

The need is so intense in the APY (Anangu Pitjantjatjara and Yankunytjatjara) lands we've just got to get in there and do it. But even there we want to get at least some internal economic development happening. All of this is about saying to people (that) there's an expectation. It's not going to happen tomorrow but these reforms have to be put in place to bring about the sort of changes that are necessary.

On 21 April, there was an article on the ABC News website where the federal indigenous affairs minister was quoted as saying that \$300 million over 10 years would be given to Amata and Mimili—two communities on the APY lands.

My recollection is that there are about 600 men, women and children in those two communities. That is \$500,000 per person in those communities. Don't anybody in this place for a moment think that I do not think those two communities are deserving of some consideration and significant funding and changes to the way they operate, because they do need some significant help.

I was very concerned when I phoned the APY executive and asked whether they knew anything about this and they said no, that they did not and that it was news to them. So, there had been no consultation on it. In fact, in response to the article in *The Australian*, the APY executive wrote to the Editor of *The Australian* in a response dated 16 April as follows:

Dear Sir

Re: 'Billions to go to remote Aboriginal areas'—23 March 2009

I refer to the above article. The final paragraph quoted Minister Macklin as saying that 'the need is so intense in the APY Lands we've just got to get in there and do it'. The minister does not appear to know that: Anangu (Aboriginal people on the APY Lands) have been pressing government for 100 new houses for health reasons for four years; signed a contract in October 2007 giving management of the entire 400 property housing estate to the state government; resolved in a general meeting in August 2008 to sign leases for 50 years over land for new houses and existing houses to be upgraded; submitted a draft MOU for management of the public housing to the state in November 2008, which has not been signed by the government parties; and, signed leases for three police stations and related housing in October 2008.

There is nothing standing in your way, minister.

Anangu even offered to sign leases over housing not related to the much publicised \$25 million offer so that this would be part of the public housing stock. APY also resolved to lease service yards and accommodation to the state to be made available to service delivery contractors in accordance with national competition principles to encourage competition and to improve those services and give better value for money.

The minister gives no credit for Anangu over the past four years for opening up the APY Lands to resources exploration; establishing Anangu pastoral businesses; and, for a privately funded feral camel control game meat facility to create income and jobs for Anangu.

No-one reading your article would know that Anangu have retained Mal Brough, the former federal minister for indigenous affairs, as an advisor to drive change and entered into a partnership to develop the lands with Coffey International Development. Nor would readers know that our appeals to minister Macklin for implementation of welfare reform have gone unanswered.

Anangu directors of the principal service provider (placed in special administration on 16 February 2009) were illegally overthrown when they resolved to dismiss the current management and called for a financial report in October 2007.

The letter continues:

APY has proposed to the government that the \$15 million services budget be managed by Coffey as a service implementation provider, to put in place the appropriate design and contracting arrangements to ensure delivery of publicly funded services, with far better value than the paltry \$0.33 cents in the dollar delivered to the lands to date.

The letter continues on, but I will just read the end of it:

If you require any further information, please do not hesitate to contact the writer.

The government needs to talk to people about the APY lands.

**The DEPUTY SPEAKER:** Order! Member for Morphett, your time has expired, and I hope you will accept that the *Hansard* record will reflect the document rather than any variations you might have made from it. I think it is unreasonable to expect *Hansard* to do anything else.

## CAPITALISM

**The Hon. S.W. KEY (Ashford) (15:27):** I have been waiting for a long time to speak in this house about someone who I admire tremendously, Karl Marx, much to the horror of most of my colleagues on this side—I do not know about the other side—and also someone whose writings I have been very influenced by, Ernest Mandel.

The reason why I am raising this issue in the house today is that as a student I was fascinated by the description, particularly, of 'political economy' that was outlined by Karl Marx over a century ago. I think in a time of global financial crisis such as we are in at the moment it is important to understand economic issues.

I will quote from a book that I have just finished reading, entitled *Economics for everyone: A short guide to the economics of capitalism*, written by Jim Stanford. Jim Stanford, of course, is an economist but works for the Canadian Auto Workers Union. On page 338 he states:

Workers and poor people only get as much from the economy as they are able to demand, fight for and win.

I must say that this is certainly my understanding, particularly with the ways in which different governments are dealing with the current global financial crisis.

I am sure that other members would have had constituents coming to their electoral offices complaining particularly about how the current economic climate has directly affected them and their living standards. Many people have registered the fact that, if they have not already lost their jobs, they are about to lose their jobs.

There is the issue of interest rates going up and down, not only for home loans but for borrowings for motor vehicles and personal loans, as well as other things. A lot of people who I have spoken to have actually taken out loans to put their children through private school. So, there are a lot of reasons why people borrow money, and they are closely watching the interest rates because it makes a big difference to how much food they eat in any one month.

There is also the matter of asset values. I think it is fair to say that, so far, South Australian property prices have been reasonably steady, but it depends on where you live. Having watched real estate prices, particularly in my electorate, I think we seem to be okay at the moment, but who knows how long that will last.

A big issue that is being raised with me relates to incomes for people who have retired and are living on superannuation or people who are about to retire and really do not know what to do, because they have taken such a big cut in their superannuation entitlements, particularly in the last year, and are trying to budget on what will be considerably less for their retirement.

It has been interesting to read in the media (and I do not have at hand the quotes from the print media, in particular) some quotes of Karl Marx from some of his publications, such as *Capital*. I found it quite amusing that the media would do that. Also, the words have changed. People are again starting to talk about capitalism (I think for the last 10 years it has been a word that has not been identified), or are using terms such as 'capitalism failing', which I also found very interesting.

As we know, Karl Marx devoted most of his life to analysing the laws of motion of capitalism, and I would argue that his analysis would be as relevant today as it was a century ago. Certainly, if one studies his preliminary work, *Contribution to a Critique of Political Economy*, *Grundrisse* and later *Capital*, one will see that, although he did not predict some of the dreadful machinery that is now in place around capitalism, he certainly was on the money (so to speak) with regard to the need for workers to be forever vigilant and to make sure that they received a proper share of the profits that were guaranteed by them from their work.

## PORT LINCOLN PRISON

**Mrs PENFOLD (Flinders) (15:32):** Port Lincoln Prison has been allocated \$4 million to establish four nine-bed cottages to accommodate 36 low security prisoners as part of the \$65 million package from the state government to expand prisons to accommodate more offenders while we wait for the proposed new Murray Bridge Prison. The self-contained cottages will be adjacent to the main prison and provide prisoners with the opportunity to develop basic living skills prior to release. This will provide an environment that requires group cooperation, planning, acceptance and sharing of resources. It will assist in preparing individuals for their transition into the community by living independently, taking responsibility and building self-esteem.

While it is appreciated that the government is allocating funds to relieve bed space pressures in the prisons in a way that progresses and prepares prisoners for release, there is considerably more that could be done.

Following the Black Tuesday bushfires on Eyre Peninsula in January 2005, Port Lincoln and Port Augusta prisoners were used to assist in the recovery process, completing duties such as reconstructing fencing along properties that bordered on national parks, repairing farm sheds and stockyards, planting trees and clearing trees that were a safety risk along roadways. This work was highly valued by the community, particularly those affected by the fires.

The project was coordinated in partnership with the Department for Environment and Heritage and the management and staff of Port Lincoln Prison. It should also be noted that this project was funded for 18 months, and during this period there were no incidents associated with the project. There was overwhelming community support for prisoner participation. The Port Lincoln Prison was proactive in initiating rehabilitation activities for prisoners through community based activities and work projects. Port Lincoln Prison has previously been unable to provide suitable accommodation for low security prisoners who are, in a sense, preparing for release either in Port Lincoln or returning to their town and family.

An article in *Debate* magazine, Issue 4, March 2009 stated that, currently, over one-third of prisoners will reoffend within two years of being released, and the majority of all prisoners will reoffend at some point in their lives. One could presume from that statement that prisoners will never change their ways. If you related this to a builder with poor education, lack of tools, low self-esteem and a lack of work, you would see that there is a correlation.

Prisoners have been living in a community that provides for their every need but does very little towards providing the tools they need to change their lifestyle and survive in the broader community. While the government allocates funds for 'super prisons', it never mentions that one day the majority of these 'people' will be released. There is no funding for the resources required for programs, medical services, counselling, employable skills training and particularly parenting and relationship building.

The end result is that people are released from prison with a stigma, little or no support networks, low self-esteem and are ill-prepared for what society presents to them. Some have come to believe that they have no value, that there are no alternatives, nothing has changed, and they perceive that returning to criminal behaviour is the only choice for survival.

Life outside for the prisoner is not easy. They have 'paid their price'; however, having a criminal history causes obstacles in gaining accommodation, employment, forming new relationships and making a new life. Prisoner release in a small community can be magnified and opportunities diminish when one is a repeat offender.

Rehabilitation programs such as the bushfire project not only help prisoners to build skills and to gain valuable experience but they also help the prisoners to gain a sense of self-worth, pride and achievement. Most importantly, it gives the community reassurance that these prisoners are, in fact, human beings who can help the community and are willing to do so. It helps to ease prisoners back into the community, building trust between them and society.

The Port Lincoln Prison Farm is a project that has been successful, and I would like to see more projects like it, with more prisoners involved. In September 2008, up to 17 prisoners were working at the farm performing a variety of jobs in hydroponics, livestock management and cropping. The fresh produce grown is provided to local businesses. Through this program, prisoners have had a chance to learn farming techniques, how to drive, operate and service heavy machinery, and to gain certificates in operations—valuable transferable skills that they can use once released into the community. The prisoners involved in this project are happy to be employed and enjoy being kept constructive and busy, and their work is appreciated by others.

Currently, the Port Lincoln Prison is overcrowded, as are most prisons, typical of the Labor government's current 'rack 'em, pack 'em and stack 'em' approach. This overcrowding problem is enhanced by the fact that the prisoners have little or no organised activity and no purpose for being. Boredom creates more problems.

#### WORKPLACE HEALTH INITIATIVES

**Ms SIMMONS (Morialta) (15:37):** I rise today to make some comments about workplace health initiatives. This week many of us in this place will take advantage of the provision of flu prevention injections, as will tens of thousands of other employees whose employers facilitate this

service, but I wonder how many of us and other South Australians would have flu injections if it was not made so easy for us? I think, sadly, not many.

This government is committed to encouraging people to be healthy through supporting them to take care of their own health, having access to services that can intervene in any health problems as early as possible and having access to health promoting environments. The challenge is to do this by using strategies that have been shown to work.

We acknowledge that workplaces (both government and non-government) play a very important role in helping people to be healthy, and the Rann government strongly supports the concept of workplace health promotion. There are existing programs such as the immunisation against flu injections that we have just been talking about, and these could be expanded. The occupational health and safety system in workplaces ensures that workplaces are safe and healthy. The recent smoke-free legislation change is an example of an initiative to ensure safe and healthy workplaces.

As a member of the Social Development Committee which, last year, completed the inquiry into childhood obesity—it also looked at obesity in general in South Australia—I believe that more could be done through workplaces such as supporting healthy food options and restricting unhealthy food. We also believe that workplaces can help by providing facilities and supports for people to be active: for example, supporting participation in the very successful Tour Down Under community race, simple initiatives such as providing showers, forming sports teams, paying for gym membership, etc. I have been involved in the Parisian walking challenge run by Heart Support (SA). I know that many businesses encourage teams in the City-Bay Fun Run, and I have also participated in those.

Programs such as sport and recreation do have a potential to reduce chronic disease across the population of South Australia. However, I do not believe that the workplace is the best place to conduct other primary health care checks, such as evidence-based screening programs for cervical and bowel cancer. Last year I congratulated BreastScreen SA on its work over many years now. There are risks in undertaking population-based screening programs where a thorough review of the evidence of effectiveness has not occurred. No test is perfect, and there are inevitably false positive and false negative results, with negative psychological impacts on those who receive inaccurate results.

It is also important to emphasise that the cost of screening low-risk populations to the health system can be disproportionate to the benefit. As I have already discussed in this place, screening is best conducted within the primary health care system where multiple health issues can be managed together and the individual is working with a trusted practitioner. I believe that the focus screening and primary health care sector will ensure that there is no costly duplication of testing, and, more importantly, appropriate testing of high-risk groups which improves cost effectiveness.

There also needs to be appropriate routine follow-up of people with positive results. In South Australia we have a well-established primary health care system. It is estimated that 86 per cent of people see their GP at least once a year. As such, GP and primary health care practices are the best place to provide evidence-based population health screening, and the government supports efforts from the workplace to encourage health screening with GPs. However, we do not support the idea of routine health checks through workplaces: we prefer to emphasise that we strongly support workplaces becoming health-promoting environments.

Time expired.

#### MEMBER'S REMARKS

**Mr GOLDSWORTHY (Kavel) (15:42):** I seek leave to make a personal explanation.

Leave granted.

**Mr GOLDSWORTHY:** I want to correct the record in relation to a speech I made on Thursday 26 March concerning the Electoral (Miscellaneous) Amendment Bill. In part of my contribution, I said:

The member for Heysen in her contribution spoke about the Electoral Commissioner being regarded as an affiliate, or something, of the ALP.

That is incorrect. It should have read:

The member for Heysen in her contribution spoke about the Electoral Commissioner regarding the Country Labor Party as an affiliate of the ALP.

Furthermore, in the 10-minute grievance debate on the Supply Bill on Wednesday 8 April, in the very last sentence of my contribution, the record states:

I have also said that, certainly, I do not support one new house and one new piece of land.

It should have read:

I have also said that, certainly, I do support one new house on one new piece of land.

### **ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading (resumed on motion).

(Continued from page 2471.)

**Dr McFETRIDGE (Morphett) (15:43):** I will go back to my normal slow speech—slow and easy pace. I thank Hansard for their tolerance when I read that letter. That is the best I have done for a long time. I think that speaker Lewis called me 'machine gun McFetridge'. I think that I have slowed down somewhat. I try.

*The Hon. A. Koutsantonis interjecting:*

**Dr McFETRIDGE:** Thank you, minister. Before the luncheon break I was discussing the changes to the various sections. I was discussing these changes to section 173AA, that is, the changes to the testing period for the induction loops going from six to 27 days. I was just concerned because manufacturers say that it is 30 to 90 days. In Victoria it is 30 days. So, why is it 27 days now? What is the issue? If it is so good, we should be able to move it out further.

Having said that, I have had a number of concerns with the accuracy of determination of speed by the speed testing equipment used by SAPOL, and I know it does its very best—under trying circumstances, sometimes—to resource its laboratories and staff to ensure that everything is as it should be. However, I have spoken to a senior metrologist—and, for those who do not know, a metrologist is not to be confused with a meteorologist. A metrologist is someone involved in the science of determining the accuracy of measurement. I asked this chap about the testing period for induction loops and his exact words were, 'It doesn't matter, because the cameras aren't accurate', and I was surprised that he said that.

His argument is that the uncertainties in speed detection occur because (and this is what I have been told) these cameras are tested by means of a rolling test—in other words, a police car or a test car goes through at speeds and the people who do the testing check that the camera is reading the speed the car is supposed to be doing. However, because of the uncertainties in speed measurement—scientifically provable uncertainties—this chap said that there are still some significant uncertainties, and he has a real issue with the tolerances that are now in place with, I think, all speed detection devices. However, we will see. The issue of the testing period for the induction loops, however, is one that he did not have a problem with, so I am guided by him.

Section 175(3)(ba)(i) allows for speed cameras to be fixed to a permanent structure such as a tunnel or underpass. Normally they are fixed to poles around the place, and there are 86 of them now, I think. The ability to fix them to tunnels or underpasses brings up the issue of where they are going to be put now. I remember at the opening of the Bakewell Underpass talking to a police motorcyclist, and he said this area will be a speed trap because motorists will roar through the big, long sweeping bend. I know from my own personal experience when travelling through the South Eastern Freeway tunnels where the speed drops to 90 km/h from 100 km/h that you are overtaken all the time.

So, I think this is a good thing to do, as long as the tolerances and the accuracy of the equipment are there. People who are caught speeding should be pinged and treated with the full force of the law. The Liberal Party supports this bill. I hope it will improve the safety, productivity and general wellbeing of road users, and also reduce road wear and tear. I commend the bill to the house.

**Mr VENNING (Schubert) (15:48):** This bill will bring to South Australia the Intelligent Access Program for monitoring heavy vehicles and a heavy vehicles speed compliance program, as well as a few other amendments relating to red light and speed cameras.

Safety on our roads is paramount and, by increasing the monitoring of trucks to enforce compliance with our road rules, namely, with regard to speeding and heavy vehicles travelling on

local roads, it will no doubt increase the safety of our roads and may even save lives (and we would all say hear, hear! to that).

The regulations encompassed in this bill are based on the National Transport Commission regulations, and will assist with the enforcement of speeding fines and the monitoring of speeding of heavy vehicles—trucks, as we know them. We all know that when a truck is involved in a collision the consequences can be quite serious, often resulting in a serious injury or a fatality, particularly more so if the truck is speeding. Therefore, I hope that the new regulations will prevent some of these sorts of incidents occurring (and prevent heavy vehicles speeding at all) to improve the safety of our roads for all users—for everyone, but particularly our families.

I believe at this point that 98 per cent of our transport operators (truck drivers) are very responsible, courteous and good drivers, but we do have 2 per cent who can be classed as cowboys who are dangerous, and they really have to be reined in and we have to put in place laws and equipment such as this to keep them in check. I support the use of Intelligent Access Program technology as it is already largely in place, and it will ensure that our system is consistent with that being used in other states and territories—and, indeed, overseas.

The Intelligent Access Program involves the monitoring of individual heavy vehicles, particularly restricted access vehicles, through the use of global positioning satellite technology and via measuring devices fitted inside the vehicles. I believe the devices are also fitted on roadsides; I regularly drive past one on the Gawler bypass and have observed its operation. The use of this technology will help to improve compliance with regard to heavy vehicles travelling along roads where heavy vehicle access is restricted. There are some local roads which simply cannot handle the weight of heavy freight trucks—which is why we have designated freight routes in place.

I hope this system will not push heavy vehicles onto minor roads to avoid the monitoring stations. I believe (and I could be wrong) that the system is that you drive under the high arm on the Gawler bypass, and it takes a photograph of your truck and records your details. When you continue along the highway and get to Port Augusta there is another one there, and it reads the information and does a time calculation, which can determine whether or not the vehicle has been speeding. Well, you do not have to be very bright to work out that if truck drivers know that, and know where these devices are, they will avoid the second one; they will drive around it or pull up just before it. I just hope this will not lead to the practice of going around the second monitoring station above the highway.

However, I believe that satellite technology does not actually need that because it can be fully encompassing. The lady nods, so I presume that is the case. It does not really matter where the truck is; it can be recorded from the sky.

**Mr Pederick:** We are watching.

**Mr VENNING:** Big Brother is watching, yes. As a truck driver and owner myself, I will have to be very vigilant—

**An honourable member:** You already are.

**Mr VENNING:** I am, absolutely; I have never been picked up for speeding in my truck. It would be nice to have a heavy vehicle bypass in the Barossa finished, because that would keep heavy vehicles out of the small towns altogether; however, that is another matter.

**The Hon. P.F. Conlon:** Ivan, we spend more money on your bloody roads than in any other electorate!

**Mr VENNING:** So you should, minister. I note the minister's interjection, and I invite him up to the Barossa. I note he was married in the Barossa. He knows the conditions of those roads, and it was around that time that the roads were done up. So I say to him, 'Feel free to come up again. It is on me; I invite you.' In fact, this weekend the Premier is coming up to Seppeltsfield. A good friend of the minister's, Janet Holmes a Court, is commemorating the 100 year old port, so we will be drinking 100 year old port. When the Premier comes up he might have a look at the roads, and we might get another bit of new road out of that.

*Members interjecting:*

**Mr VENNING:** It is a very difficult job representing the Barossa Valley; it is very time-consuming, very busy and very demanding—but it is occasions like this that make it worthwhile! Heavy vehicles and trucks do place extra strain on the roads and, as a result, some damage is being caused—cracking of the bitumen, unevenness, etc.—which local councils then

have to fix. More importantly, if a heavy vehicle is travelling along a road where trucks are not permitted, it may cause an accident as other motorists will not necessarily be on the lookout for them.

That brings up the matter of Gomersal Road (and the minister will be aware of this). When we were in government we bituminised this road, under minister Laidlaw, but the road now carries eight times the predicted traffic, including heavy vehicles. It is wearing out, and it is still the responsibility of Light District Council and, for a small portion of it, Barossa Council. It should be taken out of their hands. The minister has this on his desk but no decision has been made on it.

I understand that Light District Council is prepared to do a swap between Gomersal Road and a minor road, and I understand that the minister has it on his desk so I hope he will pick that up. I hope the minister is listening, but it appears he is not. Minister, you know that the potholes on Gomersal Road are there, and it is quite dangerous. I would like you to do a road swap on that with Light council—

*The Hon. P.F. Conlon interjecting:*

**Mr VENNING:** Well, you cannot expect Light council to look after a road that busy; it is not fair or reasonable. I am talking about the damage done to our roads by heavy trucks. It is my understanding that there are also some concerns from within the freight industry that, once implemented, the intelligent access program may be used to monitor things other than the enforcement of heavy vehicle road law, driver monitoring and vehicle emissions. However, I hope that this technology can assist freight companies to improve their efficiency and access for heavy vehicles on our roads.

This bill will also legislate to allow for the government to make regulations to approve the use of apparatus, such as speed analysers. I think this is a sensible regulation. Everybody knows how quickly technology can eventuate, and any new equipment that comes out in relation to speed detection should be able to be adopted if the police feel that it would be helpful, such as the new radar guns with inbuilt cameras being looked at. I note that our shadow minister is onto these matters and has discussed them before in the house.

The bill also covers the accuracy of red light cameras from the day of testing for a further six days. Police now want to extend this period from six to 27 days as they state that the induction loops are stable and do not require testing every seven days. As mentioned by the member for Morphett (the shadow minister), manufacturers say that they should be tested between 30 and 90 days, so why the government has chosen 27 days as the requirement is a little unusual, particularly when they are tested every 30 days in Victoria.

**Dr McFetridge:** Lack of faith.

**Mr VENNING:** Yes, lack of faith, as the member for Morphett tells me. I support the bill. I think the implementation of the enhanced monitoring of heavy vehicles can only help improve road safety. It may also help with the testing of the equipment that we use. I use a GPS in my own car because the speedos on our vehicles can be a long way out. As the tolerances are now so small in relation to speeding, I think that GPS should be compulsory for people who are on the road all the time, as we are. I find the GPS accurate. I have a pretty fair idea of what the tolerances are, and I set the GPS to that tolerance. Touch wood, I have been a very good boy. I have not reoffended for quite some time—a long time, in fact. I am a reformed driver.

I have always questioned these guns that are pointed at you by a police officer. When an officer pulls you over, he shows you the gun. All it has on it is a number. There is no real proof, no proof at all, that that was your vehicle. It could be another vehicle on the road. It could be the previous vehicle that went past. There is no proof at all that that is your vehicle. I am happy to see these cameras included and tested via this technology—to say, 'That's the vehicle, and that's the speed when I took a photograph.' It is not fair to take the word of a police officer or a traffic patrol officer when he says, 'This is you, because I pointed it at you.' It is a case of the victim's word against a police officer's.

**The Hon. M.J. Atkinson:** Come clean, Ivan, release the lot.

**Mr VENNING:** I have. My record is before the house. For the record, I did lose my licence. I could have taken a point and kept my licence. I did not, because I felt that I did the crime, so I did the time—no problem.

**The Hon. M.J. Atkinson:** Release the lot.



**Mr VENNING:** It's there. It is already on the record.

**The Hon. M.J. Atkinson:** What about the others?

**Mr VENNING:** They are all there. There are no red light infringements on my account, there never have been; and never drink driving either—only 50s and 60s, the bane of my life.

To finish up, I think this is clever use of modern technology, and it has worldwide use. As I have said before—and as I say to the minister and to myself—if you do not speed, you've got nothing to fear, as long as the speed zones are consistent. As I have said, I use my own GPS to show the exact speed, and that is very similar to this technology. I think that, in the next few years, it is going to be fantastic because, with this technology, the trucks themselves will have equipment—whether it is legal or not—to monitor the satellites, to monitor the monitoring gear.

It is going to be a cat-and-mouse situation within a couple of years. I know the factory where a lot of this gear is made, and within sight of that factory is where the anti-detection gear is also made. A lot of this is in Bell Factory in California and down the road is where they make all the detection gear. It will be an interesting cat-and-mouse game. I think this is great technology. If it saves lives, we all have to support it and we do.

**Mr PEDERICK (Hammond) (16:00):** I rise to support this bill. We have come a long way in how we manage our freight, especially our heavy vehicles, in this country. I was over in Western Australia for a few months in the mid to late 1980s, a couple of years in a row, just prior to seeding, I had a bit of spare time, so I went over and worked for a friend of mine. I talked to operators over there in the trucking industry, and they were saying how they could get to Melbourne from Perth in under 30 hours. That was actually a stipulation by the freight forwarding company that they could do Perth-Melbourne in 30 hours. I understood that they could do it in 28 hours, and that is non-stop. They used the tin for toilet purposes and they had their food on board. This is a single operator, one up.

We have progressed a long way. Chain of responsibility legislation has come through in the past few years, and I agreed with some of the clauses in that legislation. Many parts of it went over the top, I believe, especially in regard to grain marketing where you have to be able to calculate 250 kilos difference—that is the tolerance you have—from your load limits. When you are operating a vehicle, let's say a B-double, that could be over 60 tonnes and a few more tonnes than that if you are under mass management. It is very hard, especially at the start of the season, to calculate the volume of grain to weight ratio. This is being assisted by more farmers putting in their own weighbridges or weighing their loads as soon as they get to a highway, but this all comes at a cost and it all comes with management.

As I said, we need to manage our freight but we have to manage it well, and I think we have to be careful that we do not take reality out of the process. I acknowledge that practices like driving from Perth to Melbourne in 28 hours are absolutely ridiculous, and that is why this legislation, which provides for the Intelligent Access Program, is excellent. It will aid in the security of the vehicle and monitoring the vehicle where operators can monitor the loads as well as the truck, and it will let companies monitor the driver's compliance.

I think even operators have realised that, if they do not play by the rules, legislative change will come in and hit them hard. As I have indicated, it has been necessary over time. We have had speed limiters put in trucks and now, with the Intelligent Access Program, operators will be able to see where their vehicles are.

We must be careful in the longer term that we do not over-legislate our transport industries. As this country is so broad, we could bring it to a standstill very quickly if we do not progress with realistic legislation and make it hard for transport operators to operate. The biggest problem with operating transport fleets because of the distances in this country is managing the needs of the drivers and their families and partners at home. A lot of the time they are away for a week or longer and may get home, if they are fortunate, for one or two nights on a weekend. Obviously, that is very hard on the family. This program looks excellent. Essentially, it can monitor from the sky. It will improve the situation with our transport programs, and I believe it is a step in the right direction.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (16:05):** I thank the opposition for its support and the opposition speakers for their comments. They show an understanding of the need for the changes and also an understanding of the industry. There is no doubt that many of the opposition members in their electorates are closely associated with participants in the industry.

I do not believe that anything has been raised that requires a further explanation from me but, if there is, I am happy to address it in committee if necessary, or we could simply move on.

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

### CRIMINON

**Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (16:06):** I seek leave to make a personal explanation.

Leave granted.

**Mr HAMILTON-SMITH:** Earlier this week the opposition received documents purporting to be emails between senior Labor Party identities, Mr Nick Bolkus, Mr Michael Brown and Mr John Boag, which mentioned fundraising activities involving government ministers and a Church of Scientology entity known as Applied Scholastics. This correspondence was the subject of questions put to the government during question time yesterday because only those with access to ALP fundraising records and internet emails would be in a position to verify the information.

**The Hon. P.F. CONLON:** On a point of order, Madam Deputy Speaker, this is the opportunity for a personal explanation, not to enter into debate about who can explain emails and who cannot. If the Leader of the Opposition claims to have been wronged he can explain that, but he cannot enter into debate.

**The DEPUTY SPEAKER:** I uphold the point of order and remind the leader that it is factual details only, and no explanation.

**Mr HAMILTON-SMITH:** I am explaining to the house what has occurred.

*The Hon. P.F. Conlon interjecting:*

**Mr HAMILTON-SMITH:** Do you want to hear the explanation or not?

*The Hon. P.F. Conlon interjecting:*

**Mr HAMILTON-SMITH:** Since yesterday I note the following developments: firstly, comments made publicly this morning by Mr Michael Brown, claiming that the tax invoices upon which yesterday's question was based were not original.

**The Hon. P.F. CONLON:** I rise on a point of order. The leader is now entering into debate about Michael Brown claiming tax invoices. He needs to talk about where he has been factually misrepresented and make a statement, not re-debate the matter.

**The DEPUTY SPEAKER:** The leader has to be very precise.

**Mr HAMILTON-SMITH:** Mr Brown stated that the ALP had not received funds or donations from Applied Scholastics. Secondly, the Minister for Infrastructure has made a statement to the house on behalf of the government stating that the tax invoices were not genuine and that Mr Bolkus and Mr Brown had no knowledge of the emails dated 17 March and 6 March which formed the basis of questioning yesterday.

Thirdly, my office has communicated today with Ms Vicki Dunstan of the Church of Scientology Australia, who has indicated, in response to the opposition's questions, that no gifts or grants have been provided to any political party or member by the church or any representative of the church. These statements are an assurance which I accept at face value have answered questions and clarified the facts.

In light of this information I am of the view that the invoices received by the opposition and the associated emails are discredited and cannot be relied upon. I thank the government for clarifying the matter and I apologise to the house for the line of questioning and associated statements that may have incorrectly asserted that the Premier or ALP officials Nick Bolkus and Michael Brown had any formal links with the subject donations. I extend that apology to the Premier, Mr Bolkus, Mr Brown, Mr Boag and any other party who may have been offended.

### ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

In committee.

(Continued from 28 April 2009. Page 2447.)

Clause 5.

**Mrs REDMOND:** I believe that we had got to the point of clarifying what the actual effect of clause 5 was. If I can just remind the committee of where we were at. My understanding is that at present any person can go to the Electoral Office, examine the record and get a copy of the record, if they pay for it. If you are a member of parliament you can get a copy of your electoral list without paying for it. Indeed, if you are a registered political party you can get a copy of the list without paying for it.

The proposal in clause 5 is to restrict that access so that, whilst any member of the public can still go and examine the record, they will no longer be able to obtain a copy of the electoral roll, even if they are prepared to pay for it, but members of parliament will, nevertheless, be able to get a copy of the electoral roll for their district, and if you are a registered political party you will be able to get a copy of the electoral roll for that district, which is, in effect, for the upper house, the registered political party, the whole state.

The government says that the basic reason behind this narrowing of people's rights is to prevent marketing companies from accessing the electoral roll information and using it for marketing purposes. Personally, I do not have a great difficulty with the idea that marketing companies might access that information.

We are yet to debate the issue of putting ages specifically in there, but part of the information, for instance, on the electoral roll is that an age band of the person registered to vote is indicated and, no doubt, marketing companies, when they get copies of the electoral roll, use those age bands to identify groups of people to whom they might direct their particular marketing.

So, that is the evil that the amendment seeks to overcome, that marketing companies might get this. As against that, of course, is the fact that what it does is it restricts the freedom of individuals and, in particular, it restricts the freedom of individuals who might, for instance, be contemplating running for parliament but who are not members of a registered political party and who then cannot get access to the electoral roll.

That seems to be somewhat prejudicial to people who might find themselves in that position. Furthermore, it does seem a little odd that what we are in fact creating is a law that says, 'Well, you can have the information, we are just going to make you get it the long way,' because it is still going to be all right for you to go to the electoral office and one-by-one take a note of every person.

So, the information is available. It is not that you cannot have the information. We are just going to make you get it the long way. That seems, to me, a little perverse in an age when we are so much driven by technology and making things accessible and easy. It just seems a little odd that we would say, 'Well, there's nothing against you having the information, you can go and check on anybody's enrolment and get their details, you just can't get it printed out and handed to you as a copy.'

I see the Attorney nodding, and I guess at least I have put on the record correctly what the change is that is occurring here. We had not considered this issue in detail and we had not fully understood the implications until we got the debate on the record during the committee stage. I indicate that, at this stage at least, the Liberal opposition intends to support a motion, if there is one, to defeat this clause. It seems perverse to say that people can have the information; they just cannot have it the quick, easy way. It also seems a little odd to say, basically, 'As members of parliament, we are in this privileged position. We get something different from everyone else. Not only can we still get the information, we get it free, but everyone else can have their rights taken away.'

I indicate that on behalf of the Liberal opposition as a preliminary matter. At this stage, provided the Attorney can indicate to me that my understanding of the effect of the clause is correct, I do not have any further questions on it.

**The Hon. M.J. ATKINSON:** For about 25 years, candidates for public office have found it an effective way to communicate with their constituents or their potential constituents to send them direct mail; that is to say, letters that are personally addressed. It seems that, if an elector sees his or her name on the envelope, he or she is more likely to read it than if it is unaddressed. I do not think any member of the house would dissent from that proposition. I invite them to do so. I think all of us have had the experience where a small number of constituents who, having received a direct mail letter, contact our office and say, 'How did you get my name and address?' It happens, and I think it happens to all of us. Certainly, from time to time (it involves a very small number of people), it happens to me, and I send out a lot of personally addressed material.

*Dr McFetridge interjecting:*

**The Hon. M.J. ATKINSON:** In 42 languages other than English. I am quite sure that the vast majority of South Australians are sufficiently privacy minded that, if asked whether any member of the public should be able to go to the Electoral Commission and obtain the most recent snapshot of the electoral roll for South Australia or one or more state districts, they would say, 'No, that material should not be freely available.' Indeed, many of them may deny it to sitting members of parliament if they are asked. I am quite sure that, overwhelmingly, they would say that, just because a person thinks he or she might run for parliament at the next general election, he or she should not be entitled to get a copy of the electoral roll for South Australia or for one or more state districts.

What we have tried to do in this provision is to restrict the entitlement to the registered officer of registered political parties—and even that may be too broad, when you consider that the Gypsy Jokers motorcycle gang has now set up a political party and it is on the way to registration (if it is not registered already)—that we will give members of the upper house the electronic electoral roll for the entire state and that we will give members, for their own state district, the electronic roll.

The member for Heysen appeared to be arguing that members of the public should be allowed to walk in off Light Square, catch the lift up to the Electoral Commission and say, 'I would like the electronic disk with the electronic electoral roll for the state of South Australia.' That is a recipe for abuse of the electoral roll, and that is why the government is trying to prevent commercial or improper use of the electoral roll. We are trying to restrict it to persons who are properly interested in the roll and will use it for proper purposes.

I say that direct mail letters from a sitting member or a candidate are a legitimate use of the roll. Many South Australians would disagree, but I am of the view that it is a legitimate use of the roll, and I would hope that all members here agree with me. Perhaps they do not. The government is trying to place proper privacy restrictions on the use of this very powerful tool, because if any individual could apply to receive the accumulated monthly roll for the entire state of South Australia each month—

**Mrs Redmond:** As long as they pay for it.

**The Hon. M.J. ATKINSON:** And pay for it—the member for Heysen seems to think that paying for it expiates the improper use of it. Not on your nelly it doesn't. To be able to do that is to have a tremendous commercial advantage over your competitors. If any member of the South Australian public could walk into the Electoral Commission and buy that information, there would be a queue snaking right around Light Square and down Currie Street.

We are trying to put a stop to the commercial exploitation of the electoral roll. Indeed, if the situation that the member for Unley and the member for Heysen want—namely, that businesses can buy the entire electoral roll electronically—were to obtain, then the people of South Australia would not want to be on the electoral roll. In fact, we would have a queue of people seeking to suppress their address on the electoral roll because they do not want to get one personally addressed letter after another from their local Kentucky Fried Chicken outlet—

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** The member for Heysen is kind enough to say that my constituents get a lot of personally addressed mail from me—and she is right, they do. They get a lot more from me than the constituents of Heysen get from her—and I think that is well-known—and, in the electorate of Croydon, in 42 languages other than English.

**Mr Pisoni:** Gibberish.

**The Hon. M.J. ATKINSON:** The member for Unley, let the record show, has just referred to languages other than English as gibberish. We know that the member for Unley had to be removed—

**Mr PISONI:** Madam Chair, I rise on a point of order.

*Members interjecting:*

**The CHAIR:** Order! Point of order, member for Unley.

**Mr PISONI:** I seek leave to make a personal explanation.

**The CHAIR:** It is usual practice that personal explanations are made when there is no matter before the chair.

**Mr PISONI:** So perhaps I will do one shortly, thank you.

**The Hon. M.J. ATKINSON:** The member for Unley may speak only English and take pride in that. I am in the same boat as the member for Unley, but I do not take pride in it.

**Mr Pisoni:** You have no pride.

**The Hon. M.J. ATKINSON:** Madam Chair, pride—

**Mrs Redmond:** Goeth before a fall.

**The Hon. M.J. ATKINSON:** Yes, indeed, and the Bible, which I know is not the member for Unley's favourite document, teaches us that pride is nearly always a vice. If the member for Unley says that I have no pride, then I accept his accolade.

We will shortly hear from the member for Mount Gambier, who will be the champion of candidates who are running as Independents for the first time, and he says that they should be allowed access to the electronic electoral roll. Does he say for the entire state so they can decide which seat they are going to run in or just for the seat they are running in? I await his suggestion. What the government is trying to do is nothing more than prevent the commercial exploitation of the electoral roll and prevent—

**Mrs Redmond:** Why?

**The Hon. M.J. ATKINSON:** Why? I have already explained why. If the member for Heysen and the member for Unley get their way, the citizens of South Australia will be subjected to a torrent of commercial direct mail such that none of them will want to be on the electoral roll. We are trying—

**Mrs Redmond:** It's happening now.

**The Hon. M.J. ATKINSON:** Because they don't get it in electronic form. So, we are trying—

**Mr Pederick:** They want to get rid of the crap that comes from Labor.

**The Hon. M.J. ATKINSON:** That is a very intelligent interjection from the member for Hammond. Apparently citizens of South Australia do not want Labor direct mail but they do want Liberal direct mail.

**Mr Pederick:** Absolutely.

**The Hon. M.J. ATKINSON:** 'Absolutely,' he says.

**Mr Goldsworthy:** Never a truer word has been spoken.

**The Hon. M.J. ATKINSON:** So this is the kind of intelligent commentary we get after lunch, the sort of post-prandial musings of the Liberal opposition. It reminds me of the last post-prandial musings of a Liberal member, Senator Alan Ferguson, on 18 March in the Senate.

**Mrs REDMOND:** Madam Chair, I rise on a point of order, that being the matter of relevance to the debate. The Attorney has been going on at some length, but he has now changed topic completely.

**The CHAIR:** Attorney, I would ask you to address the subject of the bill.

**The Hon. M.J. ATKINSON:** I accept the member for Heysen's censure.

**The Hon. R.J. McEWEN:** That verbose attempt to defend the indefensible will not satisfy any reasonable scrutiny. In the form of a question, I ask the minister whether or not, as an unintended consequence of his wish to deny some people access to the roll for marketing purposes, he is denying the democratic right of a group of people who may choose to seek election to this office and that, as a consequence of that, would be disadvantaged in attempting to be elected.

**The Hon. M.J. ATKINSON:** I think the member for Mount Gambier makes a fair point and it is possible that between the houses we could come up with a compromise whereby a South Australian who as a matter of certainty is running for parliament—namely, has nominated for parliament—could have access to the roll. However, what we cannot allow is anyone to walk in off

the street and claim the electronic electoral roll for the entire state of South Australia on the claim that they may or may not be running for the Legislative Council at the next quadrennial poll, because, in that case, every marketing official of commercial enterprises in South Australia will be tempted to make that claim.

**The Hon. R.J. McEWEN:** I put it to the minister, then, that a more appropriate way to have him focus on the fact that this amendment is flawed to the extent that an unintended consequence is to deny people—other than those elected—means to seek election, we might not strike out this amendment at this time, allowing him to attempt to frame another amendment that more fairly provides the protection he believes that electors, voters, need from unscrupulous marketing, and at the same time not disadvantage those who seek this office and not choose to use a political party as a forum to achieve that objective.

**Mr PISONI:** I have some points of clarification. With respect to this clause which provides that members of the Legislative Council can have access to an up-to-date copy of the roll, that members of the House of Assembly can have one that relates to their seat, and, of course, that the registered office of a registered political party can also have an up-to-date copy of the electoral roll, are any provisions in place to prevent them then on-selling or giving others access to that roll?

**The Hon. M.J. ATKINSON:** I think that the member for Unley raises a good point. We have a provision to that effect in the Local Government Act, and I think it would be appropriate to include that in the Electoral (Miscellaneous) Amendment Bill. As the question was his idea, I invite the member for Unley to move an amendment to that effect; or, alternatively, I indicate that the government will accept such an amendment.

**Mr PISONI:** I will consult with the shadow attorney-general. It is perhaps something we can do in the other place. I have another question in regard to the use of this in any intended amendment. Where does Labor's Progressive Business, for example, sit in the definition? Would it have access to an electoral roll under this clause as we see it now, as well as Hawker Britton which acts for the Labor Party and which invented the Labor formula for campaigns and election success, which includes things such as grabbing hold of anyone who has celebrity and trying to get associated with them? I think that is one of the pieces of the formula. I think another one is 'tough on law and order'. Another one is to single out people you can blame for what is happening in the world as long as it is something you cannot fix yourself but you can blame other people for. Am I getting there?

That is the Hawker Britton formula. I think it is. I think we are getting there. We have no better master in the Rann government of following the formula. You can see the book they bring out for their election campaigns. I am not sure of the details about publicly-funded political messages. I am not quite sure where that fits in. I am sure it is in there somewhere because, certainly, we are seeing a lot of that done by the Rann government.

Would the provision as it stands now mean that if the marketing arm, the fundraising arm of the Labor Party, Progressive Business, looks at, for example, the social pages and sees that someone is associated with some new company in town, or they read the business pages and sees that someone has moved into town or started a new business, or, for example, that someone won X-Lotto, could it then get access to the electoral roll under the pretext that it is on behalf of the Labor Party and write to that person and invite them to pay \$5,000 to meet the Premier? Is that a legitimate use of this clause as you intended, Attorney?

**The Hon. M.J. ATKINSON:** It was hard to work out the relevance of any of that to the bill, but the member for Unley—who for his performance yesterday shall henceforth be known as Mr Criminon—will no doubt know the answer to his questions. They are, of course, rhetorical. Of course, only those registered political parties and members of parliament will have access to the electronic form of the roll—and in the case of members for state districts for their state district only. It will not extend to affiliates or related organisations. I presume that the question was asked only so the member for Unley, Mr Criminon, could load up his five-minute contribution with a series of churlish smears against the governing party.

**The Hon. R.J. McEWEN:** I probably should put on the record at this time something that I wished to do during the second reading, but there were some misunderstandings about bringing the second reading on this bill to a close. I did need to make a point at that time that I had exercised my right while a cabinet minister to exclude myself from cabinet and any discussion on this bill so that I would be in a place to argue against and, if necessary, vote against some or all of the bill in this house.

I wish to appeal to the house to, at least at this stage, allow the original bill to stand until such time as some due diligence can be applied to this amendment, because I believe that the minister himself has admitted that it is flawed to the extent now that, though it might only be a few, it denies some a right. It diminishes some at the expense of others in terms of seeking material to assist in election. It goes further and extinguishes an existing right for some at the expense of others. Having admitted that it has a flaw to that extent, I would simply say: let the original clause stand until such time as we can all have an opportunity, in a considered way, to view another amendment which achieves what the Attorney wishes to his satisfaction but is not flawed to the extent that he, I and the lead spokesperson for the opposition have identified in this house.

**The Hon. M.J. ATKINSON:** As I read it, this is a 45 clause bill with a schedule or two so, if we just move on from this clause to others, then the time will be permitted to come back with an appropriate amendment. Moreover, this bill is scheduled for debate tomorrow, so there is plenty of time to formulate the amendment.

**Mr HANNA:** One of the grievances that I have in my current role is that the electoral boundaries commission a couple of years ago declared new boundaries for Mitchell, as with many other electorates. Something like one-third of my electorate has changed, and that is fine—it is a fair and open process and that is just the luck of the draw, in a sense. However, the problem is that for what I call the new part of my electorate—that which at the time of voting at the next election will be in the Mitchell electorate—I cannot have access to the electoral roll for that new area. My Liberal and Labor opponents can, by virtue of the current law and by virtue of the clause as the Attorney-General proposes to amend it.

The law, quite rightly, states that elected members may have access to the electoral roll for their district, but it takes no account whatsoever of the declared new boundaries which come out about a year after each general election. If it was a level playing field, I would have less grievance, but the fact is that upper house members obviously have access to the whole of the state roll and, therefore, the Labor or Liberal candidate can go to their party colleagues and say, 'Can you please give me the roll for Reynella?'

However, even if that was improper in some way because, perhaps, upper house members should not be doing that, the fact, as it turns out, is that the member for Reynell has a roll for her current boundaries, which will not be part of her new boundaries (or the future member for Reynell's new boundaries), and therefore, whichever party that person is from (the person who is currently the holder of those new boundaries, from my perspective), that person will obviously provide access to others in their party, namely, the Labor candidate in this instance.

That is one of the things that I think needs to be addressed. I was considering an amendment to this very clause but, because I ended up thinking that the whole clause probably should be thrown out, I have not done that. However, it is something that needs to be addressed at some stage.

I do not know whether the Attorney can shed any light on the history of this, but I looked into it with the Electoral Commissioner—I cannot remember whether it was the current or previous Electoral Commissioner—and I was advised that it was through a cabinet decision that transfer of the electoral database information would not go to current members until about six months before the future general election.

So it is not in the legislation and it is not in regulations; it is just a practice that has built up. There is no bit of paper that the Electoral Commissioner could provide me with—no minute or letter—that establishes this. So, first, can the Attorney explain how this came to be and, secondly, whether he thinks there is any justification for it?

**The Hon. M.J. ATKINSON:** I think the member for Mitchell makes an excellent point. I am advised by the Deputy Electoral Commissioner that it is the practice to give the electronic electoral roll, and accumulated monthly roll changes, to the member for his or her new seat within six months of the general election. I think it would be appropriate to put in the legislation that a sitting member whose state district is changed by the Electoral Districts Boundaries Commission should, from that change, have access to the electronic roll, and accumulated monthly updates, for each state district into which parts of his or her current electorate are thrust by the redistribution.

**Mr Hanna:** Why didn't you put that in?

**The Hon. M.J. ATKINSON:** We didn't think of it. This is why the committee stage of the House of Assembly here in South Australia is outstanding compared to the federal parliament. I

think the bill will be much improved by the suggestions of the member for Mount Gambier and the member for Mitchell.

**Mrs Redmond:** And don't forget the member for Unley.

**The Hon. M.J. ATKINSON:** And the member for Unley. I am sorry, I should have remembered the member for Unley, whose amendment I have cheerfully accepted. So, I think now it is just a choice. The member for Mitchell can either draft that himself or leave it to the government to draft and it will get on to it. As I said, it is a 45 clause bill and there are hours to go in this debate; let us fix up this clause in accordance with the collective will of the committee.

**Dr McFETRIDGE:** We hear a lot about evidence-based policy making. Where is the evidence that this amendment is good policy? Where are the queues, the line-ups of people wanting to get copies of the electoral roll now? Where are these thousands of businesses that, mysteriously, want to use the electoral roll? They are not there. I do not believe that whether the electoral roll is available in an electronic form or a hard copy will make any difference at all. Anyone who gets unsolicited mail should do as I do—that is, put 'return to sender' on it and send it back. In my seven years in this place I have had only one complaint about receiving an unsolicited letter from my office. They wanted to know how we got their name and address, and, when it was explained that it was on the electoral roll, they accepted that and were more than happy to receive further information from my office. I do not think the evidence exists for this amendment, but I look forward to seeing further amendments to this clause.

I was interested to hear what the member for Mitchell said about the availability of adjoining electoral rolls, because in my case I have lost some of my electorate to the member for Bright's electorate. Some of my best booths have gone down there (I know that she does not want them, and I would like them back!) and I have picked up some of the member for Elder's electorate in Morphettville, and I think that is terrific—there is the Morphettville Park footy club, the Kangaroos, which is a terrific club. Its members are looking forward to getting some new lights for their oval. Of course, there is also the Morphettville racecourse, and I have a background there. If we are making changes so that I am able to have copies of the electoral roll for the new parts of my electorate as of the redistribution, I would like to know if I can then write to those new electors using my global allowance.

**The Hon. M.J. ATKINSON:** I will answer the last question first. Of course you can write to those new electors using your global allowance.

*An honourable member interjecting:*

**The Hon. M.J. ATKINSON:** I doubt it very much. As the member for Croydon, I send letters all over the state, as the member for Unley well knows. I also have an army of letter-boxers who are willing to walk the streets of other electorates to get my message out. The member for Morphett has to bear in mind the current situation. I do not blame him if he is not familiar with it, so let me explain. If you own a Kentucky Fried Chicken franchise in Glenelg (let us say) and you want to direct mail people within the catchment of your business with personally addressed letters extolling the virtues of KFC, the only way you can do that is to go along and buy a printed copy of the electoral roll for the state district of Morphett at the time of the last general election. That is as good as it gets.

Alternatively (and I think I am right here), you could buy a copy of the paper electoral roll for the federal division of Hindmarsh as at the last federal election. You can then sit down in front of your computer—and yes, the member for Morphett affects to be typing—and enter the names and addresses into your computer in the hope that they will come out in the form you want them; namely, street order and then numerical order within the street. You will then either post them or walk them in.

What you will not get, as the franchisee of Kentucky Fried Chicken at Glenelg, is a disk or an electronic copy of the state district of Morphett at the last general election; still less will you get what you really want, which is the accumulated monthly roll for the state district of Morphett and, therefore, a snapshot month by month of the state district of Morphett. Let us face it, the last general election was in March 2006, and if you are the proprietor of Kentucky Fried Chicken Glenelg that snapshot of the electoral roll is not much use to you, because there is something like a 30 per cent to 35 per cent turnover in each electorate between elections. People die, people move, people come on the electoral roll for the first time because they are Australian citizens or they have turned 18.



It is important to note that it is only an entitlement to a quadrennial snapshot of the paper roll that is available now. If the Liberal Party is arguing that we should go further than that, and that we should sell the accumulated monthly roll in disk form to anyone who asks for it, then I respectfully disagree with Liberal Party.

**The CHAIR:** I point out to the committee that there is provision, under standing order 254, for consideration of this clause to be postponed. I suggest that motion include that it be postponed and resumed on motion. Are we at a stage where the issues have been canvassed so that people can go away and come up with answers?

**Mrs REDMOND:** I think I am in that position, but for one matter I would like to confirm regarding the response given by the Attorney to a question from the member for Morphett. The question is this: can the Attorney just confirm for me what I think he said in response to the member for Morphett's question, that he regularly uses his global allowance to send mail to people outside of his electorate and that in his view this is not only allowable but appropriate?

**The Hon. M.J. ATKINSON:** The question is simply not relevant to the bill.

**Mr PISONI:** Attorney-General, can you clarify for me what access people have to the federal roll at the moment.

**The Hon. M.J. ATKINSON:** I am not responsible for that.

**Mr PISONI:** Well, this is very relevant. You have been standing there berating the parliament about the virtues of restricting access to the roll because it will save everybody from junk mail. It is very relevant for me to ask this question: whether this clause will, in actual fact, address that problem. I think it would be misleading of you to make that claim in this parliament if we find out that the federal roll is available in the same manner that you are telling us the state roll should not be available in order to protect people from junk mail.

My understanding is that people simultaneously elect to join the state roll when they join the federal roll, and there is a compulsion to join the federal roll. Some people choose not to join the state roll, because they obviously have some objection to compulsory voting and compulsory enrolment. They understand that they must join the federal roll, however, they do not have an obligation, as the legislation stands at the moment, to join the state roll. But I understand that you are attempting to address this in this particular bill.

**The Hon. M.J. ATKINSON:** That is right.

**Mr PISONI:** So, my question is very relevant to the statements, at the very least, that you have made in support of locking up access to the electoral roll. I think it would be very misleading of you to suggest to this house that we lock up the state electoral roll and then we find out that the federal electoral roll is accessible to everybody who wishes to have it.

**The Hon. M.J. ATKINSON:** Whether or not the member's question is relevant is a question that listeners and readers will determine. Despite the member for Unley urging us to treat his question as highly relevant, it is a matter for others to judge. I have taken the advice of the Deputy Commissioner, and I am told that the commonwealth no longer prints electoral rolls, that they are all in electronic form and that only registered parties and members of parliament have access to those rolls.

**The CHAIR:** Attorney, would you care to move that, under the provisions of standing order 254, consideration of clause 5 be postponed and resumed on motion.

**The Hon. M.J. ATKINSON:** I so move.

Motion carried; consideration of clause 5 postponed.

Clause 6.

**Mrs REDMOND:** Clause 6 amends the existing section 27 of the legislation. I seem to recall during the information session which the Electoral Commissioner provided for us through the good offices of the Attorney that the primary focus of this section is, indeed, to enable the Electoral Commissioner to obtain information, particularly about students in high school and TAFE who may be approaching their 17th birthdays so that the Electoral Commissioner can write to them and either encourage—as is the case under the present legislation—or indicate the requirement, should the amendments go through, for those people to be enrolled. So, I understand that, and I do not have any issue with the intention of that but, as usual, I look at in what ways this could be abused and in what ways could it extend further than perhaps is the intention.

I want to first ask about the change in the wording. In paragraph (a) of existing section 27(1), it refers to the Electoral Commissioner being able to require in writing 'any officer in the Public Service of the state'. What it will now say is:

An agency or instrumentality of the crown or any other prescribed authority or any public sector employee.

I wonder whether the Attorney could detail just what that change means in practice. Who are the extra people who are going to be covered by that and who are the likely prescribed authorities?

**The Hon. M.J. ATKINSON:** The expansion is to rope in the South Australian Certificate of Education (SACE) and the Residential Tenancies Tribunal.

**Mrs REDMOND:** If they are the only ones to be included, why would it not be more sensible to simply specify those organisations? I appreciate that, from time to time, organisations go through name changes, but I do not see that as an insurmountable obstacle in that there can easily be a drafting provision to say, 'the South Australian Certificate of Education—or whatever organisation may in due course subsume or replace it', or whatever. It seems to me to have broadened in quite a significant way the scope of the Electoral Commissioner's ability to require information to be handed over.

I do not wish to suggest that the Electoral Commissioner would ask for any inappropriate information, but I am just curious as to why, if it is so specific, we are only going to the Residential Tenancies Tribunal. People who change their address because they lease a house are often surprised to find that the Electoral Commissioner is on to them. Why would we not have the legislation drafted to make it clear that we are aiming it at the youngsters coming up to the age of 17 or 18, instead of saying that the electoral commissioner can just go anywhere and require anyone she chooses to provide information?

**The Hon. M.J. ATKINSON:** Debate on this bill will show that the state parliament comprises 69 world experts on electoral law. As soon as an electoral bill comes into this house, there are hours, days and weeks of fun and amusement ahead. In fact, I have been trying to get this bill into the house for seven years. The idea that the electoral bill has to be brought back to the House of Assembly, the other place and His Excellency the Governor every time we want to add or subtract a government department or agency is a nonsense, and you could only think it if your entire political life had been spent in opposition bar two hours on the government benches.

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** Or that, as the member for Heysen so correctly interjects. One only has to state it to know why we are doing it this way.

**Mrs REDMOND:** Moving on to the next part, I was then puzzled as to the rewording of section 27(1)(a), which is the bit we have just been talking about. Then there is the new section 27(1a), which provides that the regulations may provide that 27(1)(a)—which is the subsection we have just been talking about—does not apply to:

- (a) a particular agency or instrumentality of the Crown, prescribed authority, or public sector employee; or
- (b) specified information or material in the possession or control of an agency, instrumentality, authority, body or person.

I was wondering who you had in mind, having said that it is going to be broadened so that she can ask for the information from all these people, but it is not going to apply from these prescribed people. Who are the prescribed people intended to be?

**The Hon. M.J. ATKINSON:** It would be a fine state of affairs if the State Electoral Commissioner got curious about where someone was living and whether or not they are on the electoral roll and communicated with the police commissioner and said, 'Commissioner, where do your boys think Criminon is living these days?' Obviously, some agencies should be exempt.

**An honourable member:** Have you moved to North Adelaide yet?

**The Hon. M.J. ATKINSON:** By the way, I have never lived in North Adelaide. I do not live in North Adelaide now. I am not living in North Adelaide in the future. It is just another Hendrick Gout lie. He made it up. He had no substratum of fact; he invented it. Do you know why he invented it? Because of the conflict I have had over Barton Road, North Adelaide.

*Mr Goldsworthy interjecting:*

**The Hon. M.J. ATKINSON:** The member for Kavel picks it immediately. The lie was made up by Hendrick Gout because he wanted to place me in North Adelaide to give the impression that I had betrayed my constituents by moving up the hill. It is a lie.

**Mr Pisoni:** He's an itinerant voter.

**The Hon. M.J. ATKINSON:** I will pay that one from the member for Unley; that is good. Alas, we have not brought in the bill yet, so I cannot be an itinerant voter. However, I am sure Mr Hendrick Gout will keep working on where I live until he can communicate with the outlaw motorcycle gangs and tell them exactly what my street address is so that he can put me, my family and the people I live with at risk. No doubt, he will continue to do that.

**An honourable member:** He rides a motorbike, doesn't he?

**The Hon. M.J. ATKINSON:** Yes, he was in court recently on breaches of the law on his motorbike. He was in the Magistrates Court, but that did not get reported. Some government agencies hold information which should not be available to the Electoral Commission. Government agencies such as South Australia Police and the Director of Public Prosecutions, amongst others, are not there to help update the electoral roll. They hold confidential information which has been gathered for one purpose and should not be used for another.

The government takes the view that SACE, the Residential Tenancies Tribunal and other government departments are agencies that should cooperate in the update of the electoral roll. I think we can see sense, for instance, in SACE, which has a very good database of 16 and 17 year olds, sharing that information to fulfil the South Australian Strategic Plan purpose of getting the maximum number of 17 year olds provisionally enrolled and the maximum number of 18, 19 and 20 year olds on the electoral roll. I think we are running at something like 75 per cent which is above the national average. It is pretty good, but we could do better, and this is part of—

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** I did not say that. It is obvious that those agencies can help; they would be useful agencies and they can help appropriately. That the police happen to know where someone lives is not an appropriate mechanism for bringing them on the electoral roll, ditto with the Office of the Director of Public Prosecutions. Members can probably think of other agencies that hold names and addresses of citizens but could not appropriately share them with the Electoral Commission.

**Mrs REDMOND:** I do not have any contest with anything that the Attorney has just said, but I am then curious because—

**The Hon. M.J. Atkinson:** What about Hendrik Gout?

**Mrs REDMOND:** I could ask the Attorney about Hendrik Gout and, more importantly, about Barton Road, because my recollection is that the Attorney, on more than one occasion when in opposition, promised that the very first thing he would do when he came to government would be to open Barton Road. My understanding is that it is still closed, and is likely to remain so.

**The Hon. M.J. Atkinson:** Because that is Liberal Party policy.

**Mrs REDMOND:** The Attorney-General is in government and he promised that as soon as he was in government that was what he was going to do. As I said, I do not have any issue with the concept that it is inappropriate for the police, the DPP or any number of other people to be giving information to the Electoral Commissioner and that it is inappropriate for the Electoral Commissioner to be asking for that information. However, what I want to know is, has there been any case where the Electoral Commissioner has even asked for that information, because clearly it is not in the current legislation and I am puzzled as to why the necessity to then put it into the new legislation?

**The Hon. M.J. Atkinson:** I don't follow the question.

**Mrs REDMOND:** You have said that it is inappropriate for the DPP, the police, and so on, to hand over that information, and I agree.

**The Hon. M.J. Atkinson:** We do it by regulation.

**Mrs REDMOND:** The question is: why are we putting it into the legislation now? If there is no problem, why is it going into the legislation? I take it from the Attorney-General's interjection that

perhaps the answer is that currently it is in the regulation and it has been moved up to the status of part of the bill.

**The Hon. M.J. ATKINSON:** State government agencies are exempted by regulation, so the bill is making provision for agencies to be exempted by regulation from the requirement to provide names and addresses of citizens to the Electoral Commissioner.

Clause passed.

Clause 7.

**Mrs REDMOND:** I am curious about the motivation behind the change from the current requirement of the act, which is for the electoral information to include the age band within which the elector's age falls, and the new requirement to actually put the elector's date of birth. Apart from the fact that there may occasionally be men who want to hide their age, or something like that, I am puzzled as to why we want to change that. Given the Attorney's emphasis on the need for privacy and so on, it would have seemed to me that if you want to protect someone's privacy, requiring them to put not just the age band into which they fall but their date of birth is diminishing their right to privacy.

**The Hon. M.J. ATKINSON:** This is an argument which was had when the Electoral Bill was last before the parliament in 2001. Indeed, my recollection is that that bill came down from the Legislative Council just before parliament prorogued for the 2002 election. The Liberal Party was in office. The bill was in the hands of the Hon. K.T. Griffin, the attorney-general of blessed memory, and after it had been hammered out through the other place it was on the verge of going through here when the then deputy premier, Dean Brown, adjourned the house and therefore prorogued it, with the loss of the bill.

Much of that bill, which the Parliamentary Liberal Party endorsed—indeed, it was the Liberal government's bill—is now before the house again, seven years later, but this time, having settled into the deck chairs of opposition, the Liberal Party is against it and, as I understand it, has voted against the second reading and will vote against the third reading. Go figure.

**Mrs Redmond:** New Liberal Party.

**The Hon. M.J. ATKINSON:** A new Liberal Party. A new improved Liberal Party.

*Mr Pederick interjecting:*

**The Hon. M.J. ATKINSON:** No, Country Labor were the victors of Frome. Recall?

*Mr Pederick interjecting:*

**The Hon. M.J. ATKINSON:** I seem to recall that it was Country Labor's preferences that gave us the pleasant, splendid member we have for Frome, instead of Terry Boylan. But if the member for Hammond wants to keep interjecting about Country Labor and Frome, you go right ahead, you be my guest. I had a lovely day at Riverton. A lovely day out.

The Hon. K.T. Griffin took the view that he wanted to change the Electoral Act to give people—maybe he did not want to change it, but certainly his belief was that age bands were the better way to go and that date of birth was an invasion of privacy. So, he put the boundaries there and said that you could know whether a person was in his 20s, 30s, 40s, 50s or 60s, and so on, but you were not allowed to know what their date of birth was.

That was a matter of disagreement within the Parliamentary Liberal Party. For instance, some Liberal members of the federal parliament, when date of birth was available (and I think it may still be at federal level), were sending out birthday cards to constituents.

**Mrs Redmond:** And some Labor members.

**The Hon. M.J. ATKINSON:** And some Labor members may have been doing it too. I recall Chris Gallus sending out Name Day cards—although I do not suppose you need date of birth for that. The member for Davenport (and we know the Evans family are great sponsors of the member for Heysen) took the view that date of birth should be available. That was his view, and I think we were going to amend the electoral bill in 2001 in the lower house, if it had not already been amended in the upper house, to include date of birth.

So, people of goodwill disagree about what precisely should be on the electoral roll. My understanding (I could be wrong) is that date of birth has always been available on the federal roll, and by this bill we will make it available on the state roll. What I do know is that, even if the member

for Heysen says that this is an unacceptable invasion of privacy, she and her colleagues will use that information to communicate more effectively with their constituents.

**Mrs REDMOND:** The Attorney presumes too much. I was not making a comment one way or the other. I was just curious as to what motivated the proposed change. I am a little puzzled, because I am quite sure that, although the current legislation talks about an age band, the information that I see about my electors I am sure has their age. It does not have their date of birth or an age band; it has their age.

**The Hon. M.J. Atkinson:** That would be because you are making unauthorised use of the federal division of Mayo.

**Mrs REDMOND:** No. I am only dealing with the stuff I have no access to. I have not sought any access to federal things, but I know that what I have on the information is an age.

I want to confirm two other things on this clause. The first is that subclause (3) remains unaltered. Subclause (2) provides that on an application the Electoral Commissioner can provide a person with information about an elector, and that information is the elector's sex—personally, in that circumstance I prefer the word 'gender'—the elector's place of birth and the age band—or, if it is changed under this provision, the date of birth. Subsection (3) provides, 'However, information is not to be disclosed to a person of a prescribed class'—who is the applicant—'if the elector has requested the electoral commissioner in writing not to do so.'

**The Hon. M.J. Atkinson:** We are removing that.

**Mrs REDMOND:** Yes. What I want to know (and I expect that we will have to ask a representative of the state electoral office) is to what extent is that utilised? Do we have many people who apply to have that information suppressed from publication, and how many, what percentage? What information do we have about that?

**The Hon. M.J. ATKINSON:** I have sought the advice of the deputy commissioner and he said that, of those people who have enrolled to vote or changed their enrolment since this Trevor Griffin provision came in about being able to opt out of telling your MP your country of birth or your sex, something like 50 per cent of people have availed themselves of that exemption and said they do not want to share that information with their member of parliament. So, what has happened since this Trevor Griffin provision came in is that, progressively, the roles have become less and less useful to sitting members because, increasingly, we do not know the country of origin of our constituents and, increasingly—

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** Precisely. The member for Heysen has got it. So, if you are putting out material in 42 languages—

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** —42 plus English—it is very handy to know what the country of birth is. But of course that is not determinative—

**Mrs Redmond:** Of their language.

**The Hon. M.J. ATKINSON:** —of their language, because, for instance, people may say that they were born in the republic of Bosnia-Herzegovina but—

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** Yes, it has always thrown me, too; they pronounce it both ways there.

**Mr Williams:** You just made that up.

**The Hon. M.J. ATKINSON:** No, I have been to Bosnia. I have been to Sarajevo, Bratunac, Srebrenica, Potacari, Banja Luka, Mostar, Blagaj and Medjugorje. I have been all over Bosnia. So, if one is listed as being born in Bosnia-Herzegovina one may not speak the Bosniak language, one may speak Serbian; or if one is from Prnjavor, one may speak Ukrainian. So, it is not determinative.

**Mrs Redmond:** Latvian.

**The Hon. M.J. ATKINSON:** No, not Latvian. Latvia was not within the Austrian empire, and therefore Latvians were not resettled in the Prnjavor area. But that is another story.

The question is thornier than I thought, and it is very much to the credit of the member for Heysen that she has picked up this point. It is certainly my intention—and I am sure the member for Davenport shares my intention on this—to make that information available to members of parliament, and if we have not achieved that by the provision here, then we shall attempt to do so before the bill goes much further.

**The Hon. I.F. Evans:** Eight years and you've stuffed it up.

**The Hon. M.J. ATKINSON:** Thank you very much for that endorsement.

**Mr Hanna:** It has been in a bipartisan way.

**Mrs Redmond:** That's right; it has been in a bipartisan and loving way.

**The Hon. M.J. ATKINSON:** Yes, in a bipartisan and loving way. I shall do everything in my power to bring about the member for Davenport's will on this matter.

**Mrs REDMOND:** The penalty is subject to a dramatic increase from \$1,250 to \$10,000. The penalty appears to apply only for this: that the Electoral Commissioner may provide information under this section subject to conditions notified in writing to the authority or person to whom the information is given. As I read the section, there is no penalty on the Electoral Commissioner, for instance, if someone had notified under a previous subsection that they did not want certain information disclosed and there was some clerical stuff-up and the information was disclosed. There is no penalty against the Electoral Commissioner for doing that, but if the Electoral Commissioner provides information under section 27A and provides it subject to conditions notified in writing, then it is subject to a penalty and that penalty is being massively increased from \$1,250 to \$10,000. Why is there such a massive penalty and what sorts of conditions does the Electoral Commissioner put on the release of information?

**The Hon. M.J. ATKINSON:** Under this provision, the information would be supplied to people entitled to have it and, in the main, that will be members of parliament. If the member of parliament then misuses the information, he should be subjected to a substantial penalty. We think \$1,250 is hardly a very strong deterrent to a member of parliament misusing this information and we think a maximum penalty of \$10,000 hits the hip pocket harder and therefore is more likely to deter the misuse of this information.

Let me give the committee an example. Let us say you are provided with information that hundreds of people in your electorate are born in Vietnam and you then, as a favour to a mate, send them out a circular saying, 'You ought to shop at the Saigon Grocery on Hanson Road', then you are misusing that information. I think a heavier penalty is in order, given the way this could be misused, for instance, for commercial purposes.

**The Hon. I.F. EVANS:** Given the Attorney's contribution, why would the Attorney not make the penalty \$10,000 above any commercial benefit gained, because, for instance, one could go to Woolworths in Croydon and say to them—

**The Hon. M.J. Atkinson:** Or Blackwood.

**The Hon. I.F. EVANS:** Or Blackwood. I like to support the local Drake Foodland as best I can, or the IGA, the smaller end of town. I am not an elite shopper like the Attorney, supporting the big end of town. For instance, you could go to Woolworths in Croydon and say, 'Look, the penalty is only \$10,000', so as long as you cover the penalty and contribute a bit more, then the matter can be abused. Why would the penalty not be \$10,000 plus any benefit gained?

**The Hon. M.J. ATKINSON:** First of all, there is not a Woolworths in Croydon.

**The Hon. I.F. Evans:** What have you been doing for 18 years—not getting decent shopping!

**The Hon. M.J. ATKINSON:** Croydon, I do not think, has a shopping centre, certainly not an anchor tenant. We rely on the Foodland at Ridleyton, and I would have thought the member for Davenport is a supporter of Foodland. For Croydon, the principal shopping centre is Foodland at Ridleyton on the other side of South Road, but I digress.

**The Hon. I.F. Evans:** You've gone to Blackwood, you may as well go to Croydon.

**The Hon. M.J. ATKINSON:** Fair enough, too—touché. The member for Davenport is outstanding at coming up with out there, off the cuff amendments. We think a \$10,000 maximum penalty will be quite sufficient, thank you.

**Mr WILLIAMS:** Attorney, I am somewhat curious about new subsection (6), which provides that a fee is not payable under subsection (4)(b) of the principal act, which states, I think, that the Electoral Commissioner may charge a fee to be fixed for providing information. New subsection (6) provides:

A fee is not payable under subsection (4)(b) if the person to whom the information is provided is a member of parliament.

**The Hon. M.J. Atkinson:** Yes; that is right.

**Mr WILLIAMS:** My understanding is that members of parliament have always had access to the information without charge. What is the reason for new subsection (6)?

**The Hon. M.J. ATKINSON:** That is a good question. My recollection is fortified by the advice of the Deputy Commissioner, that is, when the previous Liberal government brought in this current electoral law, sex, age band and country of origin were obtainable by members of parliament, but members of parliament had to pay a fee, and I think that I was one of the few members of parliament who paid that fee. We are now proposing to abolish the fee because we take the view that all members of parliament should have this available to them. Some would make more use of it than others—and I am looking at the middle bench.

**Mr WILLIAMS:** I presume that the Attorney is working on the principle that members of parliament, representing their electorates, should have this information free of charge. I do not have an argument with that, but, to aid the democratic process, why would we not extend the availability of the information without charge to candidates for an election?

**The Hon. M.J. ATKINSON:** I take it from what the member for MacKillop asks that he was not adverting to our earlier debate where all this was teased out, that is, that we are currently working on amendments to the bill to say that if one is a genuine candidate for parliament—and in my view has nominated—one should have access to this. What I am worried about is that—and we were using the example of the franchisee of Kentucky Fried Chicken, Glenelg—someone would go along to the Electoral Commission and say, 'Well, look, I'll be challenging Mr McFetridge at the next election in Morphett. I would like the electronic electoral roll for Morphett and accumulated monthly roll updates for the next 3½ years because I will be challenging Mr McFetridge,' whereas, in fact, the truth is that he is just going to direct mail the catchment of his business.

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** No. The member for Heysen interjects, 'You just send out unaddressed mail.' Perhaps that is the reason why the member for Heysen's margin has been ever diminishing since she has been in this place, because we know that addressed mail is far more effective as a method for delivering political propaganda than unaddressed mail.

**Mr Williams:** We do not deliver political propaganda.

**The Hon. M.J. ATKINSON:** Of course. I am sorry. Let me apologise. The member for MacKillop has made the point that the Labor Party deals only in propaganda, the Liberal Party does not. I want the remarks of the member for Heysen and the member for MacKillop on the record so that the readers of *Hansard* can judge their veracity. Just as personally addressed mail is more effective for the dissemination of information by a sitting member of parliament, so it is more effective in an election campaign, and so it is more effective in commercial marketing. If the member for Heysen does not know that, she should.

**Mr PISONI:** As the Attorney knows, I am not legally trained, so I am asking for a point of clarification. I think this will be relevant if we go back to amendment No. 5 in relation to amendment No. 7—whether or not we make any changes to that. I am just wondering whether or not it is clear enough or whether this does deplete, if you like, the intention of new subsection (6), which provides:

A fee is not payable under subsection (4)(b) if the person to whom the information is provided is a member of parliament.

Does that mean that a member of parliament, regardless of their electorate, could get this type of information without actually being entitled to it through amendment No. 5? I am sure it is not the intention, but it may very well be—

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

**Mr PISONI:** No, amendment No. 5. It is clear here. I know that you are looking at making amendments in the upper house, but it is clear here that access to the roll will be restricted to members of the House of Assembly in their own districts. However, you have not made that clear in new subsection (6). It simply says that that information is available free to a member of parliament: it is not restricting that particular measure to members of parliament as it applies in the previous amendment.

**The Hon. M.J. ATKINSON:** Like any legislative instrument, it must be read as a whole. The sections must be read in conjunction with one another. While I seek advice on this, my initial reaction to that is to say that under clause 5 you are getting the feed of names and addresses and those names and addresses are limited to your state district, or one state district. The subsequent information such as sex, date of birth and country of origin can only apply in the context of the names and addresses you already have. It is no good getting date of birth, sex and country of origin in the abstract for the rest of the state. If you only have an entitlement to the names and addresses for the state district of Unley, the rest of the information is useless. You are only interested in attaching that extra information to the names and addresses you have for Unley.

**Mr PISONI:** It is obvious that the Attorney-General has had no experience in the —

**The CHAIR:** Order, member for Unley. I have not called you. The Attorney was seeking advice. Have you concluded, Attorney? I saw you turn to your adviser.

**The Hon. M.J. ATKINSON:** I have, yes.

**The CHAIR:** The member for Unley.

**Mr PISONI:** I beg to differ from the Attorney's interpretation of the use of that information. Many private sector companies will go out and buy the specific information about geographic areas for their own marketing campaigns.

Let me give an example. A particular attorney-general might want to get a message to an area that had a particularly high number of people born in a particular European country but does not have access to the roll and might want to know how to target that information through a newspaper or an unaddressed mail campaign. Also, if someone was after a particular age demographic, they may very well want to use more of a shotgun approach, if you like, in the marketing of their message and, consequently, that material would be extremely valuable.

I can tell members now that the ABS charges private enterprise an enormous amount of money for that information so they can use local newspapers that are relevant to the demographic that they target their product to, whether that be an age demographic or a cultural demographic. So, I beg to differ with the Attorney-General's explanation as to why that would be obvious. I do not see it as being obvious but, then again, I do not think the same way the Attorney-General does.

**The Hon. M.J. ATKINSON:** That is right, and you think incorrectly in this case, because that little peroration is entirely superfluous. The only thing state members will be getting is the electoral roll for their state district, and no other. So, if you are not getting a feed of the names and addresses, you will not be getting a feed of the dates of birth, sex or country of origin, and that is perfectly obvious to all members sitting on the other side, except the member for Unley.

Clause passed.

Clause 8.

**Mrs REDMOND:** Now we get onto a clause—

**The Hon. M.J. Atkinson:** Here we go, another conspiracy!

**Mrs REDMOND:** No, no conspiracy. I said in my second reading contribution that I see no reason a homeless person should be deprived of their democratic rights and I welcome the concept and the principle that we should, indeed, encourage our homeless people to be participants in the democratic process. As I also said in my second reading contribution, I think, I suspect that enrolling to vote will not be high on the priority list of most homeless people.

However, we are talking about itinerant persons, not just the homeless, and I want to look at exactly who will be covered by this definition of 'itinerant person', because it seems to me that it is going to capture certainly people who are primary homeless, that is, they are sleeping rough on the streets; and it potentially will cover secondary homeless who are couch surfing or who are in less than permanent accommodation such as shelters and so on.



I do not know whether it covers someone who resides in a boarding house. It would seem to me to cover grey nomads who are coming through the state slowly. I do not know whether it covers a youngster who attains their majority and is therefore entitled to be enrolled to vote and who may leave home and live with a friend for a couple of months and come home again and be part of this boomerang generation that we all seem to be acquiring.

So, the first question is: can the Attorney throw some light on who he anticipates out of those various groups will be covered? As I said, I am quite clear that the primary homeless who are living rough on the streets are covered and I am pretty clear that grey nomads who are travelling through the state slowly are covered—

**The Hon. M.J. Atkinson:** I hope to be one, one day.

**Mrs REDMOND:** Well, you have got the grey. I just want some clarity—not in accordance with any definition in the bill, but in terms of the practicality of who is going to be captured by the clause we are now dealing with.

**The Hon. M.J. Atkinson:** No more so than the member for Heysen.

**Mrs REDMOND:** What?

**The Hon. M.J. Atkinson:** A grey nomad.

**Mrs REDMOND:** I haven't qualified yet. I am older than the Attorney.

**The Hon. M.J. ATKINSON:** Good point. The member for Heysen is, indeed, five years older than me.

**Mr Venning:** You wouldn't think so.

**The Hon. M.J. ATKINSON:** The member for Schubert is right, in that the member for Heysen does behave like a juvenile delinquent, and so do I, usually at the same time. In fact, alas, she is five years older than I am, and is in the same age bracket as the Minister for Families and Communities, the Leader of the Opposition and the Premier.

**The CHAIR:** Can I point out clause 7 dealt with that, and that we are on clause 8.

**The Hon. M.J. ATKINSON:** The member for Heysen was in tremendously youthful apparel in the last sitting week, and I congratulate her on that.

**Mr PISONI:** People should get very worried when the Attorney-General starts complimenting them on the way they look.

**The CHAIR:** It is alright, member for Unley; take your seat. We will all take a deep breath and proceed.

**The Hon. M.J. ATKINSON:** The member for Heysen adds that although, like me, she may be a nomad she is not a grey nomad.

**The CHAIR:** Do you have any relevant information to provide?

**The Hon. M.J. ATKINSON:** I do have some remarks addressing the clause; it will be aimed overwhelmingly at the homeless.

**Mrs REDMOND:** I guess that brings me to the question of how it will work in practice. My recollection is that the act does not necessarily set out the process. My recollection of the process (and I made a note of it) is that, assuming a homeless person wants to enrol, the first option for where they are enrolled will be their previous enrolment. So, if they were previously enrolled to vote in this state that would be the enrolment applicable. If there is no previous enrolment, or if any previous enrolment was not in this state, then they would look at the next of kin. So (and I think I used this example in my second reading contribution), if I had a homeless brother living in Adelaide and I lived in Stirling, then that would be the next place; if my homeless brother in Adelaide had never been enrolled, or had never been enrolled previously in South Australia, he would then be entitled to enrol in the electorate of the Heysen. If I had a homeless brother living in Adelaide, and he had never been enrolled anywhere else, he might even vote for me! Thirdly, if neither of those provisions apply, then it would be the place of residence of the homeless person.

In fact, there are four provisions. There is the previous place of enrolment, the place of enrolment of the next of kin, the place of birth (which may or may not be relevant; if the person was not born in South Australia then clearly the place of birth would not apply), and finally there is their

closest place of connection. There tends to be an aggregation of the homeless in the city of Adelaide—because services are provided here and it is not as cold as Stirling and some other places—so, assuming we have a lot of homeless people who are focused on enrolling to vote, we will have significantly more of those homeless people becoming enrolled for the seat of Adelaide than for any other electorate, disproportionate to the number of homeless people and how they would normally be spread throughout the state.

I would like to know whether my interpretation of this is correct, and whether it is anything more than a decision by the Electoral Commissioner regarding how the decisions are made on how one is to achieve enrolment as a homeless person.

**The Hon. M.J. ATKINSON:** The member for Heysen is right in thinking that the Electoral Commissioner will determine this. I am afraid I have heard some conspiracy theories from the Liberal Party about changes in enrolment, and we have had the situation recently where the federal Liberal spokesman on electoral matters tried to say that it is very suspicious indeed that between elections 30 per cent to 35 per cent of people change their address, and that this must be a Labor conspiracy to place people in the right federal divisions to win the federal election. Of course that is nonsense. People die, people move, people turn 18; it is perfectly natural and there is no conspiracy.

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** Yes, I think the member for Heysen has a good point there. If the turnover went up to 50 per cent that might be suspicious—and who knows, perhaps the turnover is higher in, say, the state district of Adelaide than it is in this state district of the Heysen, given that there is more rental accommodation and more student lodgings (such as university colleges) in the state district of Adelaide. The average turnout to vote in the state district of Adelaide is lower than the turnout to vote in other states districts because so many people who were enrolled in the state district of Adelaide—for instance, in those university colleges—have gone home to where they really live by the time the election is held and do not turn out to vote in Adelaide. However, I digress again.

The point is that the Electoral Commissioner will determine what is the most appropriate enrolled address for an itinerant person. There will not be a conspiracy by St Vincent de Paul or Westcare or Anglicare to place itinerant people in marginal electorates such as Adelaide or Norwood. What is going to happen is that, in the rare case—and I think it will be rare—in which an itinerant person comes forward and says, 'Yes, I would like to vote and I would like to make this my base for the purposes of the electoral roll', the Electoral Commissioner will subject that claim to appropriate scrutiny and make a decision.

**Mr WILLIAMS:** I draw the Attorney's attention to new section 31A(6), which provides that 'the Electoral Commissioner will also undertake the role so as to indicate that the person is enrolled under this section'. I assume that the reason for doing that is so that the Electoral Commissioner can carry out the relative administration to comply with subsection (11), which provides:

A person ceases to be entitled to be enrolled under this section if—

- (b) the person fails to vote in a general election while enrolled under this section.

So, I am assuming that the Electoral Commissioner will be able to say, 'This person is enrolled under this section and, lo and behold, they failed to vote at the general election, so subsection (11) comes into force and their name is removed from the roll.' I assume that is why a note is made in the roll to say that this particular person is enrolled under this section.

Notwithstanding the answer just given to the previous question, my question is: given that there will be a notation on the roll to say that somebody is enrolled under this section, will that information be made available on the general roll, which can be viewed by any member of the public, or indeed made available to a member of parliament under the previous section that we have debated?

**The Hon. M.J. ATKINSON:** It is an excellent question from the member for MacKillop.

*Mrs Redmond interjecting:*

**The Hon. M.J. ATKINSON:** And as the member for Heysen says—she is quite right—how good the question is can be determined by how long I spend over at that carrel being briefed. I am going to try to wing this one myself.

**Mrs Redmond:** Would you like to come back to it tomorrow?

**The Hon. M.J. ATKINSON:** Yes, I will accept the member for Heysen's advice, because we have to receive a message from the other place.

Progress reported; committee to sit again.

### STATUTES AMENDMENT (VICTIMS OF CRIME) BILL

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

No. 1. Clause 6, page 4, lines 19 to 23 [clause 6(6), inserted subsection (5), definitions of prescribed summary offence and total incapacity]—

Delete the definitions of prescribed summary offence and total incapacity and substitute:

*prescribed summary offence* means a summary offence that has caused the death of, or serious harm to, a person;

*serious harm* means—

- (a) harm that endangers, or is likely to endanger, a person's life; or
- (b) harm that consists of, or is likely to result in, loss of, or serious and protracted impairment of, a part of the body or a physical or mental function; or
- (c) harm that consists of, or is likely to result in, serious disfigurement.

No. 2. New clause, page 5, after line 17—

After clause 7 insert:

7A—Amendment of section 13—Order for payment of pecuniary sum not to be made in certain circumstances

Section 13(1)—after 'pecuniary sum' insert:

(other than a VIC levy)

No. 3. New clause, page 5, after line 41—

After clause 8 insert:

8A—Insertion of section 44A

Before section 45 insert:

44A—Assistance to victims etc

- (1) If—
  - (a) a court intends to—
    - (i) impose a sentence of community service on a person in respect of an offence; or
    - (ii) include a condition requiring the performance of community service in a bond imposed on a person in respect of an offence; and
  - (b) the court is advised by a victim of the offence, or by the prosecution on behalf of a victim of the offence, that the victim would like the defendant to be required to perform community service in accordance with this section,
 

the court may order that the community service, or a specified number of hours of the community service, consist of projects or tasks—

    - (c) for the benefit of the victim; or
    - (d) of a kind requested by the victim.
- (2) If a court refuses to make an order under this section, the court must state the reasons for that refusal.
- (3) If a court makes an order under this section in relation to a person, the community corrections officer to whom the person is assigned must consult with the victim before issuing any directions requiring the person to perform projects or tasks.
- (4) This section does not apply in relation to the performance of community service by a youth.

Note—

See section 51(1) of the *Young Offenders Act 1993* which provides that work selected for the performance of community service under that Act must be for the benefit of specified persons and bodies, including the victim of the offence.

No. 4. New clauses, page 6, after line 39—

After clause 9 insert:

9A—Amendment of section 64—Arrangements may be made as to manner and time of payment

Section 64(1)—after 'pecuniary sum' insert:

(other than a VIC levy)

9B—Amendment of section 70I—Court may remit or reduce pecuniary sum or make substitute orders

Section 70I(3)—after paragraph (a) insert:

(ab) defer payment of the pecuniary sum in whole or part until such time as the Court thinks fit, being a period not more than 2 years after the date on which the Court reconsiders the matter under this section; or

9C—Repeal of Part 9, Division 3, Subdivision 5

Part 9, Division 3, Subdivision 5—delete Subdivision 5

9D—Amendment of section 70L—Community service orders

Section 70L—after 'pecuniary sum' insert:

(other than any part of the pecuniary sum that is comprised of a VIC levy)

No. 5. New clause, page 6, after line 39—

After clause 9 insert:

9A—Report to Legislative Review Committee in relation to section 7A of *Criminal Law (Sentencing) Act 1988*

(1) The Minister must, at the end of 2 years from the commencement of section 6, appoint a person to conduct an inquiry into—

(a) the operation of section 7A of the *Criminal Law (Sentencing) Act 1988* as amended by section 6; and

(b) the likely impacts (including the costs) of extending the definition of *prescribed summary offence* in that section to include a broader range of summary offences.

(2) A report on the inquiry must be provided to the Minister and the Minister must cause a copy of the report to be laid before each House of Parliament as soon as practicable after receipt of the report.

No. 6. Clause 13, page 8, lines 17 to 20—

Delete clause 13 and substitute:

13—Amendment of Schedule 2—Exempt agencies

Schedule 2—after paragraph (k) insert:

(ka) the Commissioner for Victims' Rights, in respect of functions involving the provision of assistance to particular victims (but not functions involving the provision of assistance to victims generally or any other functions);

No. 7. New clause, page 9, after line 6—

After clause 15 insert:

15A—Amendment of section 32—Imposition of levy

Section 32(8)—delete subsection (8)

At 17:58 the house adjourned until Thursday 30 April 2009 at 10:30.