HOUSE OF ASSEMBLY

Thursday 18 June 2009

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

BAIL (ARSON) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 April 2009. Page 2517.)

The Hon. R.B. SUCH (Fisher) (10:33): I wish to make a brief contribution. Within the general scope of arson, I recently made a submission to the Victorian Bushfires Royal Commission, suggesting—and I have done the same here to the relevant minister—that where someone has a conviction for arson, they be required to stay in their house on an extreme bushfire day or be confined to a geographical area. It might be, say, within a township so that they do not go on to do further damage to the community.

As we know, we have had the very successful Operation Nomad, but I believe that ties up something like 40 police to operate that program in trying to keep an eye on would-be arsonists or those who are going to commit further arson. So, I put the suggestion that people with a conviction for arson be confined to their house and required to stay in their house on an extreme bushfire day or, as part of that, be confined to a township or an area where they are not likely to cause harm by lighting fires.

Debate adjourned on motion of Mrs Geraghty.

GAMING MACHINES (HOURS OF OPERATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 April 2009. Page 2519.)

Mrs GERAGHTY (Torrens) (10:35): I move:

That the debate be further adjourned.

The house divided on the motion:

AYES (20)

Bignell, L.W.	Breuer, L.R.	Caica, P.
Ciccarello, V.	Conlon, P.F.	Fox, C.C.
Geraghty, R.K. (teller)	Hill, J.D.	Kenyon, T.R.
Lomax-Smith, J.D.	Maywald, K.A.	Piccolo, T.
Portolesi, G.	Rankine, J.M.	Rau, J.R.
Simmons, L.A.	Stevens, L.	Thompson, M.G.
Weatherill, J.W.	White, P.L.	

NOES (15)

Brock, G.G.	Evans, I.F. (teller)	Griffiths, S.P.
Gunn, G.M.	Hanna, K.	McEwen, R.J.
McFetridge, D.	Pederick, A.S.	Penfold, E.M.
Pengilly, M.	Pisoni, D.G.	Redmond, I.M.
Such, R.B.	Venning, I.H.	Williams, M.R.

PAIRS (6)

Koutsantonis, A.	Chapman, V.A.
Rann, M.D.	Goldsworthy, M.R.
Wright, M.J.	Hamilton-Smith, M.L.J.

Majority of 5 for the ayes.

Motion thus carried.

ELECTRICITY (FEED-IN RATES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 June 2009. Page 3059.)

Mr WILLIAMS (MacKillop) (10:41): When I started to talk about this matter, several weeks ago, I mentioned the electricity feed-in amendment that we passed through this parliament some considerable time ago and the fact that the legislation was more about giving the Premier an excuse to go out and promote himself as being clean and green and claiming that his government is doing something positive, rather than getting a proper feed-in scheme to encourage people to spend substantial amounts of money to put in photovoltaic generators, particularly in their homes and small businesses.

Since that original legislation we have seen several other moves. We have seen the commonwealth government substantially reduce access to the $8,000 subsidy that it was giving. They put a cap, so that those households with a combined income of over $100,000 per year were excluded from accessing that subsidy, and we also, more recently, have seen the commonwealth pull the plug on that $8,000 and basically say: 'We've run out of money and we're going to walk away.' The renewables sector is aghast at what the commonwealth is doing and at its lack of action.

This bill, which has already been through the other place, seeks to redress a serious flaw that occurred in our legislation. The reality is that, before the government bill was passed by the parliament, electricity retailers were buying the amount of electricity that was, in a net sense, fed into the grid from people who had a photovoltaic cell generating electricity, and they were paying on a one-to-one basis. They were paying about the going rate of what the retailers were charging householders for their electricity; it was in the order of 20¢ per kilowatt hour.

When the legislation was enacted to ensure that a net feed-in rate of 44¢ was paid back to producers of such electricity, a number of electricity retailers stopped paying for the electricity that was fed into the grid from photovoltaic cells: they just stopped paying it. The 44¢ that is being paid as a net feed-in tariff is not paid by electricity retailers. In fact, it is paid by all electricity consumers, and it is collected by ETSA Utilities, which runs the distribution network. It is collected as part of their charge, and it is what is known as a flow-through event. ETSA Utilities can then go to the Essential Services Commissioner and seek to have an appropriate increase in their fees to make up for the charge and so that they can collect it through an increase in their tariff.

That is where the 44¢ is coming from. The retailers are not providing the 44¢ but they are getting the electricity that is generated by photovoltaic cells and then on-selling it, so they are getting a proportion of free power and on-selling it to other consumers—maybe next door or just down the street from where it has been generated, meaning that there is very little cost in actually transporting and distributing it through the network.

It is estimated that at the moment the amount of electricity that is being generated in South Australia, if you multiply that by the going rate (which is around 16¢, I am told), equates to about $350,000 per year. So the electricity retailers are making a windfall gain of about $350,000 a year because of the flaw in the legislation the government put through parliament 12 months ago. This bill seeks to redress that. This bill seeks to establish a fee (and ESCOSA maybe would be involved in establishing that fee) by which the electricity retailers would be obliged to buy that electricity before they on-sell it, and it would be on top of the feed-in tariff already paid, the 44¢.

It is estimated that under such a system those who install photovoltaic cells would get an actual payback equivalent to about 60¢ per kilowatt hour—substantially more than the 44¢ they are getting now—and, obviously, that will reduce the payback period for the capital cost of installing such a photovoltaic generator quite substantially, thereby increasing the incentive for people to install them. That has become even more important with the commonwealth government winding back its subsidies substantially—and, I add, the state government has been winding back its energy-related subsidies quite substantially over the last 12 to 18 months as well, whether it be for electricity, hot water or other energy uses.

So, the bill is quite simple. It establishes, on top of the 44¢ premium already in law (it does not alter that at all), an obligation on the retailers to actually pay for the electricity that is generated and put back into the grid and that they on-sell. It has no impact on the taxpayer; it has no impact on the government budget. Its only impact would be to take away the windfall estimated

$350,000 that the electricity retailers are now pocketing and give that back to the people who actually generate the electricity, those who install photovoltaic cells.

Surprisingly, our neighbours across the border in Victoria have recently introduced a not dissimilar measure, and it is the expectation that if you install a photovoltaic generating system in Victoria you would get a return of about 60¢ per kilowatt hour. The ACT has recently passed legislation so that your expected return would be about 50¢ a kilowatt hour. I understand other states are looking at doing the same, if they have not already passed legislation, and it is going to be of that order.

One very interesting thing is that one particular retailer, and I am told it is TRUenergy, is, indeed, paying for the electricity that is fed into the scheme and that it is on-selling. One retailer out of all the retailers that operate in this state is already doing the right thing. What this legislation sets out to do is to oblige all the retailers to do the right thing. The bill has already been through the other place. All it needs is the agreement of the government here and it will become law, and those who install photovoltaic systems will get paid for the electricity they generate, plus the incentive, which we already all agreed they should be paid, and they will be more inclined to install such systems.

All we need is the agreeance of the government. The government has had a long time to consider this matter because it was some months ago that it went through the other place. The government is well aware of it. All we need is the agreeance of the government and this can be enacted into the law forthwith, and all the energy retailers operating in South Australia will, from that time onwards, be obliged to do what they should be doing, anyway; they will be obliged to do what one retailer, TRUenergy, is already doing. I repeat: this will have no impost on the taxpayer, on the budget or on the consolidated account. It will merely make electricity retailers pay for all the electricity they on-sell. I commend the bill to the house.

Mr PICCOLO (Light) (10:51): I note that the bill was introduced into the Legislative Council by the Hon. Mark Parnell. I also note his concerns about some retailers electing to stop paying for electricity they receive from PV customers that is over and above the legislated amount of 44¢ per kilowatt hour as required by law. I fully agree that PV customers should receive fair value for the energy they export to the grid. More importantly, though, the question arises: what is a fair value and how should retailers pay for this energy? Despite what the member for MacKillop says, someone does pay for this. Other consumers will ultimately pay for it if it is not properly done, and that is one of the reasons I will be opposing this amendment.

Ultimately, if we are not here to protect the consumer then who are we protecting? The government accepts that the power remitted by owners of solar panels back to the grid has a value to electricity retailers, and that is not in dispute. These retailers need to recognise that value and pay for it, just as they expect their customers to pay for their power. That said, though, there are two fundamental weaknesses with the proposed amendment: first, the value of the power appears to be grossly over-estimated. The Hon. Mark Parnell has called this the 'base price' and valued it at 16¢ per kilowatt hours.

The advice available to the government is that it is worth of the order of 6¢ per kilowatt hours. This is because the proposed amendments are based on a price of delivered electricity, that is, they include in the price the energy, the network and the retail charges rather than the energy only charges, that is, the price of the actual energy generated by the PV owner.

Secondly, the amendment forces the wrong party to pay for the electricity, as I have briefly mentioned before. The honourable member requires the distributor to pay the additional base price, so that under this proposal consumers at large will ultimately pay for any payment increase and not the retailers, yet it is the retailer who is the recipient of the surplus power and receives the benefits, and some retailers will continue not to pay under this amendment.

The solar feed-in scheme has been operational only since July 2008. The scheme has been much more popular than anticipated. I seek leave to have incorporated into *Hansard* a graph, which indicates the take-up rates into the grid and the success it has been even under the current model. As the graph shows, in the first 18 months since South Australia announced its intention to have a feed-in scheme, the number of grid-connected solar systems doubled from 1,500 to 3,000 systems in SA. In the next 12 months that number doubled again.

The SPEAKER: Order! I missed the member for Light seeking leave.

Leave granted.

The SPEAKER: It is purely statistical?

Mr PICCOLO: It is. It is very hard to read it into *Hansard*.

The SPEAKER: Normally they are statistical tables with numbers rather than a graph.

Mr PICCOLO: But the graph has some numbers on it.

The SPEAKER: I am not sure whether it is easily incorporated. I will consult with *Hansard*. If they are able to do it we will do it. Normally tables with numbers are incorporated rather than graphical representations. I will consult with the member for Light. It may be that he is able to get it in a form which is a table with numbers on it and which is more easily incorporated into *Hansard*. Nevertheless, leave has been granted. We will take it as that for the moment.

Mr PICCOLO: In the first 18 months since South Australia announced its intention to have a feed-in scheme, the number of grid-connected solar systems doubled from 1,500 to 3,000. In the next 12 months that number doubled again. South Australia now has over 6,000 schemes—and the number is growing by the day.

By the time South Australia's scheme commenced in July 2008, Victoria and Queensland had announced feed-in schemes, using the same design principles that South Australia had developed. Queensland implemented its feed-in scheme in July and chose a net design and tariff rate that makes it virtually identical to the South Australian scheme.

The Victorian scheme, which is waiting to be passed by its parliament, has also been modelled on South Australia, legislating a net feed-in arrangement and a distributer obligation. The latest state to commit to the design is Western Australia. It, too, is committing to the net feed-in approach that has proved so successful in South Australia.

Feed-in schemes have provided an important support for the solar industry in Australia. When options for South Australia's feed-in scheme were originally developed in late 2006, the government's analysis indicated that solar owners were making an investment which had a pay-back period of 25 years or more. The analysis demonstrated that the feed-in scheme could reduce the pay-back period by up to 10 years, making it much easier for households to have a return on their investment.

The value of feed-in payments to solar owners cannot be underestimated. Feed-in payments have been shown to halve the pay-back time for a solar investment, even with the attractive offers that currently can be found in the solar installation market. I am told that some of the current offers appear to have a pay-back period of less than five years when feed-in is included.

Early criticisms of the net scheme claimed that feed-in payments did not provide adequate reward to solar owners. This is not correct, as can be seen by the take-up rate. I am advised the Department of the Premier and Cabinet carried out significant analysis that showed that the average system would receive feed-in payments for almost half the electricity produced. I am also told that no other Australian analysis of this magnitude exists as it was based on the actual export data from over 1,500 systems.

South Australia has long been a leader in this area and, despite strong growth in other states, over one-quarter of all systems installed across the nation are located here in South Australia. On a per capita basis, South Australia has 9.7 systems per 1,000 households—over double the installations of any other state. Again, it demonstrates the success of the South Australian scheme. The government is confident that the lead it has taken on this issue will keep South Australia at the forefront of supporting this form of clean energy technology, while paving the way for national harmonisation of feed-in schemes.

The Minister for Energy has said that the government would conduct a review of the feed-in scheme when the capacity of installed solar electricity reached 10 megawatts. The feed-in tariff has been so successful that the 10 megawatt criteria was reached in May this year. Against this background the government has directed the officials responsible for carrying out the review to include in the review scope consideration of the options to ensure customers receive fair value from retailers for energy exported to the network. It is incumbent upon the review process to get this issue right in order not to burden other consumers—as this amendment would.

It is anticipated that the government will be in a position to advise the parliament of the outcome of these deliberations in September this year. Managing the costs of the scheme and its impact on consumers is important to the government. The legislation was designed to reward small

customers who invest in solar energy generation. As was highlighted in the debate on the bill, the rate of 44¢ per kilowatt hour for net generation payable by the distributor was chosen because we need to balance the benefit to the PV owners, with the costs borne by other consumers, as well as not adversely impacting retail competition.

As part of the review, the government will also be examining what is occurring in the retail electricity market and the behaviour of PV customers. Importantly, we also need to ensure that any obligation placed on retailers does not discourage them from offering contracts to small customers, including those with PV systems. There is now full retail competition between electricity retailers in South Australia. Full retail competition allows customers to choose a retailer that provides the best package of price and services to meet their needs, and all customers, whether or not they have solar panels, would be very well advised to shop around and find the best energy deal for their personal circumstances.

Nevertheless, while the government agrees that solar owners should receive a fair price from retailers for their electricity, at this point in time it is too early to agree to any new amendments to the feed-in scheme and they would be premature. Given that, the government will be opposing this bill but undertaking a review, and will report to parliament shortly.

Mr VENNING (Schubert) (11:01): I certainly want to comment on this bill and support the position of the shadow minister who has put our case. This bill relates to the rebate which South Australians who have solar energy schemes receive for feeding electricity back into the grid. On 14 February last year, legislation was passed which enabled the feed-in tariff scheme to come into effect on 1 July. However, unfortunately, it is not working as intended and the retailers are now profiting from the scheme by onselling electricity generated through the scheme back to consumers. We also know that, even since then, the federal government has changed its mind and brought this on, which I think is a serious breach of confidence, because most people considered that they had at least until 30 June to finalise their contracts to purchase their cells. I think some people have certainly been caught very short, and I cannot understand why the government did that.

This bill, though, seeks to remedy the situation of the tariffs by establishing a renewable energy price to be paid to domestic solar panel owners, consisting of the 44¢ rate registered last year and a one-to-one rate; that is, if the retailer is charging 20¢ per kilowatt hour for the electricity you receive from them, as part of your contract you will receive 20¢ per kilowatt hour back from the retailer when you sell your electricity back to them.

I think it is necessary to get the scheme right. I know from driving around the Barossa, particularly in the past 18 months to two years, you see solar panels on so many roofs. People are becoming far more energy conscious and want to participate, even at a greater cost. They want to be part of a new clean, green environment. They want to feel that they are doing their part towards keeping our environment safer and cleaner. I do declare an interest in the issue. Personally, I am aware of the cost of setting up a solar array, and even with the federal government rebate, it is cost prohibitive.

It also became obvious to me, when doing my own feasibility on fitting an array to my own home, that the power providers have the ability to adjust the tariff rate—or they did. I, like most consumers, presume I have negotiated a pretty good deal with my current electricity supplier, but if I install one of these arrays, they reserve the right to charge me at a higher level. That was a huge disincentive for me to continue and, of course, I did not continue with the process. Guess what—you do the maths—I have not proceeded, although I would have liked to and still would. This may go some way to removing the anomalies.

This is better than the wind farms—it really is. As I said, every time I go home another one of these great windmills is visible from my backdoor. I do not mind them during the day so much, but at night they are certainly in your eyes—

Ms Fox interjecting:

Mr VENNING: The wind turbines.

Ms Fox interjecting:

Mr VENNING: At night, with the flashing lights. They all flash on and off in unison. They are really off-putting. I reckon that one or two of the recent road accidents could have been caused from people looking at these things, because people look at them. I think the way to go is to have people have the cells on their roofs, and I think this legislation might somewhat offset what the

federal government is doing. The federal government scrapped the big $7,000 rebate scheme but is going to bring it back on at a lower level. However, there will be no means test, so that means that everybody will be encouraged to hook them on. It is a very good motion, and I certainly support my shadow minister in what he is trying to do here. I look forward to his final remarks.

Mr PENGILLY (Finniss) (11:05): I also support this motion but I would like to add something to it. There is something missing from this whole debate that needs to be inserted and that is the capacity for private wind power generators to be able to feed into the system and get a feed-in tariff back. I say this because I have a Mr Mike Davidson down in my electorate, and some of you may have seen him with his wind turbine in the paper a few weeks ago. He has produced this wonderful machine, and in fact I am having another look at one next week. I would be quite happy to put one on my home, but the excess electricity cannot be sold and this is a problem. I think we need to adapt the legislation to cater for this provision of power generation by private wind generators.

It is all very well to have solar generators—a terrific idea. The ZEN company down in my electorate is at the forefront of solar power and energy efficient homes, and I know from talking with them that ZEN is also supporting putting in these modern wind generators. They, too, feel that people should be able to supply energy into the grid and claim some income back from it. I think that is an important thing that should be added. It is just a small thing; it is no different to any of us having solar panels and being able to feed it in. Why stop at solar? Why not include wind generators? These things are only five or six feet high, or a little higher depending on where you are, of course. Why not put them into the legislation so that people can also get the benefit from them?

Mr WILLIAMS (MacKillop) (11:07): First of all, can I say that I agree with the member for Finniss and I think that I raised that particular point when we originally debated this bill. The government at that stage did not want to go down that path and, hearing the comments from the member for Light putting the government's opposition to this matter, I can understand why it also opposes the idea of having a feed-in tariff applied to wind generators. It just reinforces my earlier argument that the whole feed-in tariff legislation that was introduced in South Australia was all about the Premier going out and getting a headline. It is not about supporting the renewable sector: it is about getting a headline. It was a minimalist approach.

Let me explain: the member for Light has just told the house that, if accepted by the government, this would have an impact by increasing the price for consumers. Wrong! It will have no impact on consumers, I tell the member for Light.

Mr Piccolo interjecting:

Mr WILLIAMS: 'Why?' he says. It is because the electricity retailers are currently making a windfall profit. They have not reduced their price to the general consuming public in South Australia because they are getting this electricity for free. They are still charging consumers exactly the same.

The difference is that some of the retailers—not TRUenergy but the other retailers—are making a windfall profit and they are putting the cash in their pockets. This matter would not take one more cent from electricity consumers. I have already stated that I believe that it will in fact take some $350,000 from some of the retailers—most of the retailers, but not TRUenergy who are already doing the right thing. They are paying the generators for the electricity that they onsell. But some retailers in South Australia are not paying for all of the electricity that they sell. They are getting it free; they are making a windfall profit.

If they are obliged to pay for that electricity, they will have no ability to increase their charges because it would not be a flow-through event. They will not be able to knock on the door of the Essential Services Commission and say, 'By the way, we need to increase our prices to make up for this additional cost,' because they have not been reducing their prices by dint of the fact that they are getting free electricity and onselling it.

If the government were concerned about that, the government could quite easily say, 'We do not think that the fair and reasonable price should be any more than 44¢'. Why doesn't the government come back and say, 'We will amend this matter and we will reduce the 44¢ which is paid by every consumer in South Australia' because it is a flow-through event under the definition and, therefore, enables the distributor to go to the Essential Services Commission and seek a price increase to collect that money. So, consumers are paying the 44¢.

If the government believed that that was a maximum fair and reasonable price, reduce the 44¢ and apply this piece of legislation so that the retailers are obliged to buy the electricity. That would retain the current feed-in rate at 44¢, which the government seems to argue is the appropriate rate. Nobody else in Australia accepts that; every other state thinks it should be higher.

It would be possible for the government to have that as the standard rate to make sure that the windfall profits are not gained by the electricity retailers. If any savings are to be made, they should be passed back to the retailers across the board. That is what the legislation aims to do, but the government does not have its eye on this ball, other than the headline which it received when the legislation was originally passed and put into practice on 1 July last year. That is the only interest the government has in this matter.

I commend the bill to the house and I hope that, between when I sit down and we vote on this, the government changes its mind.

The house divided on the second reading:

AYES (15)

Brock, G.G.	Evans, I.F.	Goldsworthy, M.R.
Griffiths, S.P.	Gunn, G.M.	Hanna, K.
McFetridge, D.	Pederick, A.S.	Penfold, E.M.
Pengilly, M.	Pisoni, D.G.	Redmond, I.M.
Such, R.B.	Venning, I.H.	Williams, M.R. (teller)

NOES (27)

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

PAIRS (4)

Hamilton-Smith, M.L.J.	Wright, M.J.
Chapman, V.A.	Koutsantonis, A.

Majority of 12 for the noes.

Second reading thus negatived.

VALUATION OF LAND (MISCELLANEOUS) AMENDMENT BILL

Second Reading.

Mr VENNING (Schubert) (11:20): I move:

That this bill be now read a second time.

The opposition certainly supports this bill, which was introduced in the other chamber. We congratulate the Hon. Mr Darley on bringing this bill to the parliament. As a previous valuer-general, I think the Hon. Mr Darley is a great asset to this parliament. This bill clarifies many points in the act, and this will have the effect of making the whole process more transparent and will lead to a more open state government. The valuation of land has implications for rates and taxes, and therefore landowners will be very interested in being able to assess the valuation of their property.

This bill will also reduce significantly the red tape. It is often a deliberate ploy by some government departments, particularly the lands department, to put before our constituents a barage of bureaucracy and red tape, and this bill will, where possible, reduce the red tape. The Hon. John Darley would certainly know where that red tape is because of his previous position as the valuer-

general here in South Australia, and his knowledge in that area is further proof that he is a great asset to this parliament.

Landowners will have free and open access to the information that the valuers themselves use to arrive at their valuations, and landowners will have much more information at their disposal to assess whether or not they agree with the valuation of their property.

I believe this is a very good motion, and the Hon. John Darley has certainly put a lot of effort into this bill. I also note that the Valuer-General of Western Australia has commented on how important it has been to the success of their system to make it possible for owners to discuss the valuation of their property with valuers before deciding to lodge an objection, and, of course, these objections can often have a cost to them. Many people just need a greater understanding of the evidence that the valuer used to reach a conclusion.

The Hon. Mr Darley also mentioned that it may cause some extra work for the office of the Valuer-General. However, if fewer claims are lodged, hopefully that will balance itself out. Under clause 6 of the proposed bill owners or occupiers will be informed of their rights to this information.

Clauses 4 and 5 make a few clarifications to the valuation of heritage listed properties. That is certainly of interest to me, because many of my constituents in the Barossa and even in the mid-north own heritage listed properties. It is difficult enough, as the member for Light has mentioned in this house, owning and developing heritage properties. I think it is great to have that clarified here, too, under this bill. These are important in order to retain their character rather than encourage the subdivision or the selling off of land because of excessive rates and taxes.

I believe the amendment in clause 3 is sensible. There is no compelling argument for two neighbours on identical properties to be paying very different rates and taxes based on substantially different valuations. As can be seen, it makes no sense at all. The Hon. Mr Darley has identified part of the Western Australian variation in land tax, which has been successful, and we should draw on that to create greater fairness and equity in our system.

I hope the government will support this. I cannot understand if it does not. I cannot understand what the government's position would be. The Hon. Mr Darley, as an Independent, has brought his wisdom and expertise into the council, and we thank him for bringing in this measure. The opposition certainly supports it, and I hope the government will too.

Debate adjourned on motion of Mrs Geraghty.

LOCAL GOVERNMENT (BOUNDARY REFORM) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 May 2009. Page 2771.)

Mr PICCOLO (Light) (11:25): The member for Fisher has called for the establishment of a commission of inquiry, to be known as the Metropolitan Councils Boundaries Reform Commission, to inquire into and report on the appropriate number and configuration of metropolitan councils in South Australia. The government does not support this bill.

The government considers that there are more important things for state and local government to focus on at the present time. This government is engaged in the most significant range of planning reforms that the state has seen in decades. These reforms will provide strong, sustainable direction for the future growth and development of Adelaide and the regions.

We need to plan for population growth and change, residential development, economic development and, more importantly, sustainability. The state is looking to local government to be a strong and strategic partner in this process and to participate on a regional basis. A key component of the planning reforms is—

Mr Pengilly interjecting:

The SPEAKER: Order, the member for Finniss!

Mr PICCOLO: Mr Speaker, the member for Finniss came to this place promising so little and has delivered even less, so what he says does not really worry me.

A key component of the planning reforms is the proposed 30-year plan for Greater Adelaide. Consultation undertaken as part of the development of the plan included a series of workshops between state and local government. The workshops held with groups of local councils were positive and constructive, with councils ready and willing to work together to develop regional

perspectives, as well as bringing to the table their local knowledge and priorities. The state will continue to work with councils on a regional basis to drive the planning strategy and coordinate the joint implementation of infrastructure and services. I emphasise, Mr Speaker: to coordinate the joint implementation of infrastructure and services.

The member for Fisher has acknowledged that there is already a significant amount of collaborative activity between councils at the operational level, and I am happy to note that this is increasing. I am confident that, at this time, more effective resource sharing between councils and across the local government sector will continue to be a strong focus.

In summary, for the state and local government to focus at this time on a review of the structure and number of metropolitan councils, as proposed by the Hon. Bob Such, is a distraction from the important work that is already taking place. We need to concentrate on the main agenda, that is, we need to plan for the future of our state and manage growth by setting a long-term plan for metropolitan Adelaide.

Our metropolitan councils understand this and are willing partners in the process. They are taking a mature and responsible approach to the big picture issues facing our state today and into the future, and they are embracing strategies to work cooperatively and collaboratively together. The government does not support the bill.

Debate adjourned on motion of Mr Pengilly.

UKRAINIAN FAMINE

Adjourned debate on motion of Mr Hamilton-Smith:

That this house—

(a) notes that 2007-08 marks the 75th anniversary of the Holodomor, the Great Ukrainian Famine of 1932-33, caused by the deliberate actions of Stalin's Communist Government of the former Union of Soviet Socialist Republics;

(b) recalls that an estimated seven million people in the Ukrainian Republic starved to death as a result of Stalinist policies in 1932-33 and that millions more lost their lives in the purge that ensued for the rest of the decade;

(c) notes that this famine resulted in one of the greatest losses of human life in one country during the 20th century and that it has been recognised as an act of genocide against the Ukrainian nation and its people by the Verkhovna Rada, the Parliament of Ukraine;

(d) honours the memories of those who lost their lives and extends its deepest sympathies to the victims, survivors and families of this tragedy; and

(e) joins the Ukrainian people throughout the world and, in particular, people of Ukrainian origin and descent in South Australia, in solemn commemoration of those tragic events.

(Continued from 5 February 2009. Page 1420.)

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (11:30): We have just passed the 75th anniversary of the Holodomor, the Great Ukrainian Famine of 1932-33. In October 1917, the Bolshevik faction of the Russian Social Democratic Party staged a coup d'etat by armed force against the elected All Russian Duma, or parliament. Years of warfare followed, during which Ukraine sought to be independent of the newly-formed Soviet Union. Ukraine was the scene of heavy fighting between the Bolshevik Red Army, the Ukrainian Hetmanate, the Ukrainian nationalist unders Symon Petliura and his Polish allies, the White Russian forces under General Anton Denikin, and the anarchist forces of Nestor Makhno.

The Russian Bolshevik forces prevailed, and Ukraine became part of the Soviet Union, just as it had been part of the Russian empire of Tsar Nicholas—that is, with one exception: the area of western Ukraine around Lwow, that had been part of the Austro-Hungarian empire, became part of Poland.

In 1929, the Soviet government decided to force Ukrainian small farmers into collective farms (known in Ukrainian as kolhosps) and to take most of their production without payment for supply to Russia's cities and for export to Western Europe. The Central Committee of the Communist Party was afraid of Ukrainian nationalism and separatism, and also of Ukraine's small-scale independent farming economy, characterised by the free Cossack farmer, the selianyn. The Soviet government sent 25,000 Russian-speaking communist activists, many of them young city-

dwellers with no understanding of agriculture, to Ukrainian villages to enforce the government policy of collectivisation. These activists were known as 'thousanders'.

I am indebted for what follows to a book I have read three times since I was given it 24 years ago, Miron Dolot's *Execution by Hunger: The Hidden Holocaust*, and also Peter Kardash's *Genocide in Ukraine*. The government said it was intervening in Ukraine to liquidate the kulaks, a Russian pejorative for rich farmers who exploit other, smaller farmers. The Ukrainian equivalent is a kurkul. Possession of a one-room house, a cow and a few chickens, or the possession of a house with a tin roof or floorboards was enough for the communists to denounce one as a kurkul, an agricultural capitalist; and, from there, eviction, dispossession and exile to Siberia followed. Writing of the situation in the Zhytomyr region, an eye witness of events in 1932 and 1933 writes:

> Those who had a cow kept it inside and lived off the milk. When spring came, people boiled and ate nettles...people swelled up and died, whether they had joined the collective farm or not. While they were still alive, their skin was yellow, then almost black. The skin of people who had starvation edema burst and a watery discharge flowed from their wounds, which became infected with maggots.
>
> Even before the famine began, the village looked like a wilderness: the village soviet had dismantled the barns, stables and granaries, shipped the wood to the cities and sold it as firewood...unattended horses roamed the fields and the village. Little signboards were tied to their manes saying 'No master, no food, no-one to tend me, nowhere to sleep'.

Lovers of piano music may recognise Zhytomyr as the birthplace of the great 20th century pianist Sviatoslav Richter, who was raised in Odessa.

In the industrial city of Kharkiv in the east of Ukraine close to the Russian border, which the communists made the capital of Ukraine at this time, a witness said, 'I saw a starving woman being eaten alive by maggots on Kinna Square. Passers-by gave her bits of bread, but the unfortunate woman did not eat it because she was close to death.'

In 1932 the Hungarian-Jewish writer Arthur Koester, famous for his book *Darkness at Noon*, travelled through Ukraine by rail. He writes:

> All along the railway, all the way to Kharkiv, throngs of bedraggled peasants gathered at every station. They wanted to exchange icons and pictures for bread. Mothers held up their emaciated children with swollen bellies to the windows of train cars.
>
> ...The thousanders erected watchtowers around grain fields to try to stop the locals obtaining green stalks of wheat and boiling them to eat. There was a mandatory minimum sentence of five years' imprisonment for stealing Socialist property. Some people resorted to cannibalism, others to suicide.

In 1919 when the Soviets conquered Miron Dolot's part of Ukraine, his father was arrested on allegations that he was 'a servant of the old regime' and a 'bourgeois nationalist', and then murdered in prison. Mr Dolot writes:

> From the time of my father's death, fear dogged my mother's every step. She was afraid that at any moment she would be denounced as the wife of an 'eliminated enemy of the people', a charge that would have been fatal for the four of us. For 11 long years, she laboured under that fear, always having to be very careful in her speech. During those years, she had to appease many people in order to avoid quarrels and other frictions which might have resulted in denunciation. Indeed, she lived in a lonely and dangerous world.

It is this patience that has become a national characteristic of Ukrainians, both a virtue and a vice. Mr Dolot writes of the year 1932 in Ukraine:

> By this time, after only two years of compulsory collectivisation, normal human relations had broken down completely. Neighbours had been made to spy on neighbours; friends had been forced to betray friends; children had been coached to denounce their parents; and even family members avoided meeting each other.

As the winter of 1933 turned to spring and the snow melted, Mr Dolot describes the scene in his village:

> As the snow slowly melted away, human corpses were exposed to view everywhere: in backyards, in roads, in fields. Those dead bodies constituted a pathetic problem for the living. As the weather warmed, they started to thaw and decay. The stench which resulted plagued us, and we could do nothing about it. The villagers who survived were unable to bury the dead, and no-one from the outside seemed in a hurry to do it, so the bodies were left where they just happened to die. Those in the fields or in the forest fell prey to wild animals; those in their home became the prey of countless rats...
>
> Most of these desperate villagers reconciled themselves to death from starvation. They stayed at home. They were unkempt and haggard, and so weak they could hardly drag one foot after another. They just sat, or lay down silently, too feeble even to talk. The bodies of some were reduced to skeletons, with their skin hanging greyish yellow and loose over their bones. Their faces looked like rubber masks with large, bulging, immobile eyes. Their necks seemed to have shrunk into their shoulders. The look in their eyes was glassy, heralding their approaching death. The bodies of others were swollen, a final stage of starvation. Their faces, arms, legs and stomachs

resembled the surfaces of plastic balloons. The tissues would soon crack and burst, resulting in fast deterioration of their bodies.

In his epilogue, Mr Dolot relates a Ukrainian story I have heard more than once in South Australia. I quote:

> When World War II broke out I became a soldier and, eventually, I was taken prisoner by the Germans and interned in Stalag 3 in Germany. After the war was over knowing that all Soviet prisoners of war were declared deserters and traitors by Stalin's order and faced the firing squad, and because of my desire to live in the free world, I decided to stay in West Germany as a displaced person, and later I emigrated to the United States where I found my new home. My mother and my brother, who suffered with me, who shared with me the last morsel of food, and to whom I owe my survival, remained in the village. They had no other choice but to continue working on the collective farm. World War II separated us and what happened to them afterwards, I don't know.

It has been my honour to know members of the Ukrainian-Australian community since about 1984 and to share in their Holy Liturgy, their music and dance, their varenyky and their borscht, their beer and their vodka and their fellowship. From 1991 Ukraine became independent. I am glad that so many of the migrants to South Australia lived to see it. Ukraintsi and Ykpaïha were able to rediscover their history, get in touch with their relatives overseas (even visit each other), worship in a church of their choosing, vote for their Verkhovna Rada and erect memorials to the victims of the Holodomor.

It was one of the joys of my life as an MP to visit Ykpaïtta for a week last month. I laid flowers at three Holodomor memorials on behalf of South Australia in the company of my colleague the member for Torrens: one outside St Michael's gold-domed monastery in Kiev, a beautiful blue painted church at the opposite end of proyizd Volodymyrsky from Saint Sophia's, torn down by the Soviets in 1937 to terrorise Ukrainian Christians and re-erected in 2001; one at the rural town of Kominternivsky, outside Odessa; and the third being the exquisite and moving new memorial erected in Kyiv on the initiative of President Victor Yushchenko on the heights overlooking the Dniepro River on the road back from Percherska Lavra to Independent Square. Rest eternal grant unto them O Lord, and let light perpetual shine upon them.

Time expired.

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (11:44): I rise to close the debate and I thank the Minister for Multicultural Affairs for his contribution. Clearly, both sides of the house acknowledge and understand that this 75th anniversary of Holodomor, this terrible tragedy, caused by the deliberate actions of Stalin's communist regime, delivered horror and catastrophe to hundreds of thousands of innocent people. That seven million people in the Ukraine could have been starved or suffered so horribly at the hands of this dictatorial regime is a great crime against humanity.

It is pleasing to know that the house as a whole in a bipartisan way, having noted that the famine resulted in such loss, is prepared to honour the memories of those who lost their lives and extend its sympathy. The parliament is at one with the Ukrainian people as they remember this horror. I think that this motion is an example of how, in a bipartisan way, the state Liberal Party and the state Labor Party can signal together, arm in arm, their support for multicultural communities. This is a very important thing.

Remembering such things should never become a matter of contest between the parties. No party should ever feel that they need to prove better than the other that they care about these tragedies and about the people whose lives were affected by them. The reality is that we care equally together, and that is what underpins multiculturalism in this country. It is the fact that it has bipartisan support and that both major parties can work together on helping to repair the damage in the hearts and minds of those who live on with these memories in Australia, that we seek to unite and not divide, support and encourage and not dismiss, and that multicultural communities know that both parties are there for them. I commend the motion to the house.

Motion carried.

ITALIAN CONSULATE

Ms CICCARELLO (Norwood) (11:45): I move:

That this house—

(a) strongly urges the Italian government to reconsider its decision to close the Adelaide consulate in light of the important role it plays in promoting the cultural, social and economic relationship between South Australia and Italy; and

(b) urges the commonwealth government to lobby the Italian government to change its decision to close the Adelaide Consulate.

I thank all members for agreeing to move forward and support this motion because, as the leader said in the previous motion, we would like to have bipartisan support on many of the issues relating to our community. I will try to be brief, because I would like to give other members the opportunity to speak on the motion so that we can get it through as quickly as possible, because it is urgent.

I became aware on Friday last week that the Italian government intended to close its consulates in Adelaide and Brisbane. This decision was communicated through a decree, not even a debate in the parliament of Italy. It was a decision of the Joint Sitting of the Commission of Foreign Affairs of both the Senate and the Camera dei Deputati (the Deputies House) in the Italian parliament, without any debate, to close 22 consulates around the world. This will have a serious impact on not only our community but also our compatriots in many other countries.

We need to recognise just how important the role of the consulate is in our community. Many consuls over the years have brought with them different skills and priorities, but certainly it is a re-energised consulate in the services that it provides to the community.

As soon as I learned the information on Friday, I contacted the Premier who was very quick to put out a notice on Twitter regarding his concern about the decision of the Italian government. This matter has now had considerable exposure in the media, both here in Australia and overseas. The Premier, at the earliest opportunity on Tuesday, made a ministerial statement, expressing his concern about everything that was happening with the consulate.

Most people are aware that we have a very large Italian community here in South Australia. There are approximately 14,000 Italian citizens here but, including the second, third and fourth generations, we have at least 100,000 people of Italian background in South Australia. Many community organisations and committees, which probably number up to about 150 in the state, have been providing services to the community, working in conjunction with the Italian Consulate.

We have a dynamic Italian chamber of commerce, which works closely with both the state government and the Italian Consulate in progressing the affairs of the Italian community in South Australia, and it has been of enormous benefit to the state.

One of our principal concerns is that we have an ageing population in South Australia. Our Italian community is probably ageing at a faster rate than others because the great majority of them came here in the years after the war. Many of them are now needing to avail themselves of services. If we think of not just the elderly community but also young people and business people, the role the Italian Consulate plays with the chamber of commerce is extremely important in fostering business between our country and our state and Italy with not only the federal government but also the many regions and smaller provinces.

The Premier has been very dynamic in his efforts to promote the Italian community and what happens in South Australia. We have many agreements with both the Campania and Puglia regions. The South Australian government signed a gemellaggio with the Campania region in 1990, and in 2007 I was with the Premier in Bari where he signed a memorandum of understanding with the Puglia government.

Subsequently, South Australia has become the first state in Australia to have a presence at the Fiera del Levante (the biggest trade fair in Italy), where many South Australian companies were present to show the people of Italy the different types of merchandise and food products that are produced in South Australia. Also present were the various educational institutions that have a presence in Italy. Our universities have signed memoranda of understanding with universities in Bari and Lecce, and exchanges are taking place at the moment.

Currently, preparations are being made by the Department of Trade and Economic Development and the Italian chamber of commerce with regard to the Fiera del Levante, which will be taking place in September this year. Many of the companies which participated last year have already indicated that they will be present at the Fiera del Levante this year. In fact, one of the producers is sending over a couple of containers of fresh fruit juice that is produced in the Adelaide Hills. It was such a success last year that he has now been able to establish a lot of markets over there.

What concerned us very much about this decree, as I have already indicated, was that there was not a debate in the parliament giving people the opportunity of making the Italian parliament understand the significance that these services have to our communities overseas. As a

migrant and someone who came here at a young age, I know it is important for all of us to make the Italian government aware of the sacrifices made by the people who came from Italy and, indeed, other countries, and who have contributed an enormous amount to help make South Australia what it is. What also must not be forgotten is the enormous contribution they made to Italy and in helping to rebuild Italy after the war, because our migrants sent funds to Italy, and that certainly helped to bring Italy to the forefront after the war. I think those sacrifices certainly need to be acknowledged and rewarded by the Italian government, and that would not be by closing the consulate in Adelaide.

The decision seems to have been a fairly arbitrary decision, especially when one considers the other consulates around the world which have been touted as closing, one of them being in Detroit, which seems quite an absurd decision when one knows that Fiat has just signed a contract to buy Chrysler and it will be increasing its activities there. Why would the Italian government make a decision to close that consulate? One would think that they would be wanting to increase their activity.

The consulates in South America have been quarantined: they will not be closing, the reason being that there are enormous distances between cities in South America. Perhaps Mr Berlusconi needs to get a map of Australia and see what the distances in Australia are like because, as a consequence of this, Adelaide citizens will need to get their services from Melbourne, which is about 700 kilometres away. The people in Brisbane, whose consulate will also be closed, will have to get their services from Sydney; and people in the Northern Territory will need to avail themselves of the services in Perth. If the Italian government does not realise that these distances are enormous, perhaps someone should give it a lesson in geography.

As I have indicated, this has come at a very critical time. A petition has been organised and we are hoping to get as many people to sign it as possible. We are not just asking Italian citizens to sign the petition but anyone in South Australia, because many of our young people want work or holiday visas or information. Some of our companies might want information about trade and industry. There are whole variety of reasons, apart from passports and visas, why people would need to go to the Italian Consulate. This morning, I was very pleased to have someone come into my office saying that she had heard on the radio that we had organised a petition and she wanted a copy. She said, 'I am not even an Italian citizen.'

We will get the ball rolling and all members in this place will be encouraged to have petitions in their offices and to take them to any place they visit to try to get as many signatures as possible so that we can make the Italian government aware of just how strongly we feel about this. We would also like to ensure that we get these petitions back by the end of June, because the Hon. Marco Fedi, one of our Italian parliamentarians, hopefully, will be in South Australia, and we can give him copies of the petitions to take back to Italy in the hope that we can redress this situation.

If they are going to review and revise Italian consular networks around the world, I think they need to have some reasonable criteria as to how they go about doing it. We certainly do not feel the consulate in South Australia warrants being closed. It is an integral hub of our community. It does provide many services and links not only to our Italian citizens but also to the community at large, the government and government departments. With that, I thank members for their interest in this and look forward to the motion being passed as quickly as possible.

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (11:58): I rise to support the motion and signal that the state opposition and the Liberal Party will be giving it their 100 per cent support. The closure of the consulate will have a dramatic effect on the Italian South Australian community should it proceed. This has been raised with me not only as Leader of the Opposition but as shadow minister for multicultural affairs by our three Italian candidates for the forthcoming election: the member for Unley; the candidate for Hartley, Joe Scalzi, the former member for that seat; and Cosi Costa, our candidate for the seat of Light, all of whom trace their origins back to Italy. I call them my three tenors—some might say my three fivers. They are a very important part of our line-up and I know they are very concerned about and committed to issues affecting the Italian community, and particularly this news.

Of course, it has also been raised with me not only by a host of members of the Liberal Party who trace their origins back to Italy—and we have many of them across the state—but also by members of the community at community functions as I travel around. In recent months, I have enjoyed attending Carnevale at its new venue at Wayville, which was a smashing success not only for both old and young Italians alike but also for all South Australians who attended.

I have recently been to the Italian National Day at Fogolar Furlan, which was also a fantastic and well supported event. I joined the Premier and the ambassador for Italy at the opening of the Punto Italia Centre in Campbelltown just last week and, of course, I also attended the annual celebration of the Carabinieri at one of the clubs recently. The Carabinieri do a fantastic job at all Italian functions and the South Australian Italian community should be very proud of them.

At all those events, people have emphasised to me how important the consulate is to the work and the life of the South Australian Italian community. I know this is an issue for staff of the consulate, who I know have raised this, but I also point to the outstanding work being done by Mr Tommaso Coniglio, the current consul who, like his predecessor, is doing an outstanding job representing his government and the people of Italy and helping South Australians of Italian origin.

For all those reasons, I certainly agree with the member for Norwood that we need to save this consulate. I note the Premier's ministerial statement which preceded the moving of this motion and which confirms my understanding that, through this measure, the Italian government hopes to save around €8 million a year from 2011.

I understand that there are about 15 or so staff at the consulate, most of them from Italy but some local. I understand that the plan is for some, if not all, of those positions to move to Melbourne and that the community here would be supported from Melbourne. I think that is a less than desirable outcome. I think we should be aiming to keep the consulate here so that all the issues that affect the South Australian Italian community—passports and diplomatic issues, consular issues on the one hand through to cultural and artistic issues on the other—can be dealt with right here in our own backyard in Adelaide where they really matter. I fear there will be a considerable downgrading of support to the South Australian Italian community if the consulate closes. It simply must be saved.

I offer our complete bipartisan support to any action that the government may be considering in regard to this matter. I advise the government that I think the best way to proceed would be for us to do so together in a bipartisan way as a parliament with both the Premier and the Leader of the Opposition and all members of parliament jointly expressing their concern to the government of Italy, to our ambassador in Italy (Hon. Amanda Vanstone), to the Prime Minister and the relevant federal minister and also to the Leader of the Opposition in Canberra, Malcolm Turnbull, so that we can all work together to try to save this consulate.

Let us not try to make this, in any way, a matter of party politics. Let us not have any side try to score one up on the other by proving that they are working harder than the other to save the consulate. Rather, let us work on it together. Let us do it as a team and help the Italian community to fulfil its dream of having ongoing support from the Italian Consulate right here. I am happy to co-sign any letter or work with the Premier on any initiative that he feels is necessary to get our message through so that this decision can be reversed.

The opposition understands that, from time to time, governments have to cut costs. I understand that this is part of a plan to close about 20 consulates (or similar) around the world as part of a broader cost-cutting initiative. We all understand that these cost-cutting measures need to be taken from time to time, particularly with the global financial downturn, but some things should rise above the need for such economies, and I think that a continued presence from this wonderful country in our state and in our city is an example of that.

This motion has my full support as leader and that of all members on the side of the house, and I will certainly be communicating our position to my three Italian candidates, to all Liberals and to all Italians as I meet them at functions around the country and around the state in the weeks ahead.

Mr PICCOLO (Light) (12:05): I rise in support of this motion and I also welcome the support from the Leader of the Opposition and the Liberal Party. I would like to mention at the outset that I do not have any difficulties in tracing my origins. I was born in Italy. I am not a fake Italian or an instant Italian: I am a real one, but I am also Australian as well.

I wish to start my comments with some quotes from people who have emailed me over this matter, as I think they put the issue into context. They also put into context how important this motion is to the parliament and that it is important that we lobby the commonwealth government as well.

I quote from an email received from the Italian-Australian youth movement relating to preventing the closure of the consulates in both Adelaide and Brisbane:

I am of the firm belief that our chances of best beating this threat is with a united and coordinated national approach, as these closures won't just affect Italians living in South Australia and Queensland but those in the other states of Victoria, New South Wales and Western Australia too, placing further pressure on already underfunded and under resourced Consulates.

It is quite clear that these closures not only impact on our state but our whole nation. Another email about this motion from an Italian community leader states:

The support from the SA State Parliament and nationwide and the outcome of debate during the forthcoming Australia-Italia MP forum—

in Adelaide, and I will come to that bit later—

will be crucial to convey to the Italian Government the importance to maintain the consular offices in Adelaide and Brisbane.

I would like to reaffirm the comments made by the Premier in this place just a few days ago. There are a couple of quotes that I think need to be restated, because they very quickly and clearly get to the point of why this decision by the Italian government needs to be strongly opposed by not only people of Italian origin but all of us as a nation. The Premier stated, 'It will also be a body blow to the local Italian community affairs given the central role the Consulate plays.' That is very important. The consulate is not just an office: it provides an important facilitating role, helping to bring community organisations together. Without that, it could impact significantly on the Australian-Italian community.

Importantly, this comes at a time when the state government has supported a number of programs to improve trade, culture and education between South Australia and Italy and, therefore, needs to be strongly opposed. I want to read from the petition which has been circulated, as follows:

We, the undersigned, all being Italian citizens and/or residents of Australia, wish to express our strong opposition to the closure of the Consulates of Adelaide and Brisbane. The Consular network is a fundamental part of the Italian presence abroad. We believe that with the closure of the Adelaide and Brisbane Consulates, Italian citizens and residents of Adelaide and Brisbane will not be able to maintain contact with the Italian State/authorities and they will not have their rights protected as they will not be able to comply with their duties. We urge you to review the decision and maintain the Consular posts of Adelaide and Brisbane as part of an efficient and modern diplomatic network in Australia.

Today, not only do I speak as the member for Light in this parliament, but also I speak as a member of the Australian-Italian MP Forum of which I am the national convenor. That forum will have its next meeting in Adelaide on 2 and 3 July in this place, and this matter will be on the agenda. I have no doubt that MPs from across Australia will fully support the actions of this parliament.

That group, which is a bipartisan group, focuses on what we have in common and how we can work to support the Italian-Australian community; this is one way we can show our political strength to support it. A key objective of the forum is to promote and strengthen cultural, educational and economic ties between Australia and Italy. In particular, the forum seeks to strengthen the relationship between Italo-Australians and Italians and vice versa.

With the closure of the consulate offices in these two states, it does undermine that objective of the forum. To strengthen this relationship, we need to promote contemporary as well as traditional Italian culture in Australia, and it is important for us to have a consulate office here. Importantly, the forum seeks to work alongside existing Italian-Australian organisations and institutions to support them in achieving their aims and objectives. I would add very strongly that the support we received from the consulate network has been very important in our achieving our objective as a group of MPs across this nation.

As new and emerging immigrant communities settle in Australia, their needs will attract growing government attention. While this is natural and appropriate, we must work together to ensure that established communities like the Italian-Australian community are not forgotten or left behind. By closing the Italian Consulates in Adelaide and Brisbane, that is exactly what the Italian government is doing: enabling people to forget that we are here and how important we are in the contribution we have made as a group to Australia.

Since the unification of Italy, almost 27 million Italians have migrated from Italy across the world. I seek leave to have inserted in *Hansard* a table outlining the migration from Italy around the world, because it is very important to this debate.

Leave granted.

Table 1 1876-1985 Emigration and Migration rate (per 1,000)

	Emigration	Migration Rate
1876-1885	1,315	4.56
1886-1895	2,391	7.76
1896-1905	4,322	13.06
1906-1914	5,854	20.60
1876-1914	13,882	11.01
1915-1918	363	2.44
1919-1928	3,007	7.70
1929-1940	1,114	2.20
1941-1945	4,121	0.32
1946-1955	423	5.24
1956-1965	3,166	6.28
1966-1975	1,714	3.20
1946-1975	7,351	4.86
1976-1985	861	1.53
Total	26,595	

Mr PICCOLO: Over 26 million Italians have left Italy since unification seeking a better life across the world, from the north initially to Europe and from the southern parts to the Americas and Australia. They left because of economic hardship. Italian migrants have made enormous contributions to Italy, ironically, by leaving because they made growth eventually possible by reducing demand on the services and resources of that nation but, more importantly, they have introduced Italian culture to other nations, and that has boosted trade across the world.

As other members of Italian origin would acknowledge, often Italian migrants have sent money back to Italy to support other family members, thereby helping the Italian state. It is unfortunate that the Italian political system since unification has, on many occasions, abandoned the Italian migrants. Families were forced to leave their country of birth because of economic hardship and because the systems in place did not support their own people. My own family is one of those. We come from the South. Many left Italy because of economic hardship, corruption and a whole range of other things where the Italian state could not support them.

Today, with this decision, the Italian government is abandoning these migrants once again. It abandoned them and forced them to migrate; now it is abandoning these people and their countries where they have made their new home. This decision reinforces how sometimes the Italian government cannot get it right.

By reducing the number of consulates, it reduces access to services and the Italian government. This decision will not only damage Italy's reputation in Adelaide and across Australia but also across the world at a time when Italy is trying to play a more important and significant role in international affairs, as it should. It is one of the great nations in this world alongside Australia.

Ironically, as Italy seeks to play an important role internationally, it is now seeking to reduce its role in those communities where it has the most support in places like Adelaide and Brisbane and other places in America from which the Italian government and the Italian nation have received a lot of support but from which they are now seeking to withdraw inappropriately.

Support for Italian migrants abroad, as I mentioned, has been variable over the years and has significantly improved recently; I include South Australia and Australia as well. For the Italian government now to reverse that support for Italian migrants would be a shameful act and would be a gross betrayal of the Italian-Australian community.

Mr PISONI (Unley) (12:14): I am very pleased to support this motion and, in doing so, I think it is very important that we make it clear, as a parliament in South Australia, that we collectively represent all South Australians, and we do have a very strong and vibrant South Australian community. Rather than criticise the Italian government, I would like to talk about some of the reasons why it might want to reconsider its decision to close the consulate here in Adelaide.

Since becoming the member for Unley, I have noted the amount of work that the Italian Consulate in this state does, not only to help the Italian community in relation to their requirements and needs but also to enhance the Italian culture and, more importantly, to ensure that the Italian

language continues to have a place in Australian society and, in particular, in South Australian society.

In September last year, the current consul and I visited Unley High School. We did so because Unley High School is one of the schools that will benefit from the financial commitment that the Italian government has made to Italian language in South Australia. It was a small class of about 12 or 13 students, with a mixture of students of Italian heritage and students from other heritages, including plain old boring Anglo-Saxon heritage. The students were very interested in learning not only the Italian language but also about Italian culture.

Of course, in order to understand the significance of this story, you need to understand that, when students study a language in year 10, they do so through choice; it is not compulsory. So, these students had chosen to learn Italian in year 10, and most of them were intending to take it through to year 12.

Some people have raised a concern in relation to the new SACE that, with the reduction in subjects that are necessary, languages may well drop off in year 12, because there will be pressure on students to do other subjects in order to get a higher score to gain entry to university. However, that is an issue for another day. Certainly, it is of concern to those teaching languages around the state but, as I have said, I will talk about that at some other time. Both Tommaso and I spoke to the students. One student, when asked why she was studying Italian, replied, 'My grandmother is Italian. My parents do not speak Italian, and I would really love to be able to speak to my grandmother.'

Regardless of the fact that my mother was not from an Italian background, my father always taught me that once an Italian, always an Italian: a son of Italy is always a son of Italy. It was great to see this 15 year old student wanting to return to her Italian roots and have conversations in Italian with her grandmother. She was able to do that by studying Italian at school and through the support of the Italian consul in Adelaide.

Something that I have discussed with Tommaso in recent times is his dream of seeing an Italian centre here in Adelaide. We know that post-war Italian immigrants are now getting into their 80s. My father is 82. A lot of the clubs are no longer viable, and Tommaso came up with this great idea that it would be great if we could consolidate those clubs and establish in the city an Italian centre for culture, business and clubs, where the clubs could combine their assets and have an Italian centre. That could be done in conjunction with the Italian chamber of commerce, COMITES and other Italian organisations.

We have seen them combine in a single building in Newton, and it would be great if that concept could be expanded (including the various Italian clubs around South Australia, the Italian chamber of commerce and perhaps even the consulate itself) into a cultural and trade centre connecting South Australia with Italy. That is obviously something that would take some planning and some convincing to undertake, but it would be much more difficult to do if we no longer have a consulate here in South Australia.

I am very pleased to support this motion. We need to be subtle, and we need to appreciate the position of the Italian government. We do not want to insult or reprimand the Italian government: we want it to reconsider its decision. The Parliament of South Australia is not in the business of telling other democratically elected governments how they should run their country, but we want the Italian government to understand how important it is to the relationship between South Australia and Italy that this consulate remain open.

I also want to use this opportunity to express some concern that I might have if the Greek government decides to make the same rationalisation decision and follow the Italian government's lead. I think it is important that we take a stand on this with the Italian government and make sure that it understands how important we think it is. We should also get the message out to the Greek government that it should not even consider closing its consulate in Adelaide, because it is a valuable part of the South Australian community and a valuable tool for enhancing Greek culture, just as the Italian consul has been for enhancing the Italian culture and language.

I think that it would be a mistake for the Italian government to continue on this planned path to close the consul here. I understand that someone from treasury has probably put some figures in front of them, and they have not thought about the broader and longer term implications of carrying that through. We all know that treasury officials see numbers when, really, they should be looking at communities. I think it is important that we understand the importance of the Italian community

and, more importantly, the Italian community and its relationship here in South Australia with the general community and also the importance of a strong relationship with Italy and South Australia.

Ms SIMMONS (Morialta) (12:23): I rise to support the motion of the member for Norwood. In Morialta around a quarter of my constituents identify as coming from an Italian background. My electorate office has been inundated since the word has spread in the last few days from constituents who are extremely concerned about the status that they are left in by having no representative here in South Australia.

It is often the poorest and most vulnerable in our community who are in need of assistance from the consul, and will, therefore, not find it within their means to travel to speak personally to a consul in Melbourne. Many of them are older Italians and feel that they will not be able to conduct their business by telephone, fax or computer, as many of them do not have the skills to use the computer or get that information. They still rely heavily on that one-to-one contact, that personal relationship, that they build up with the consuls that we have in South Australia.

On their behalf, I want to join and express my disappointment at the decision made by the Italian government. I also want to express my disappointment that there was no debate on this issue in the Italian government and that it was made as an announcement rather than as a considered decision. I feel very strongly that, with around 100,000 citizens in our state who consider themselves to be of Italian background, this government supports them by protesting against the decision that has been made.

In my own area of Campbelltown, the Italian influence is so great that the Campbelltown City Council has, just in the past year, signed a memorandum of understanding with Paduli in the Campania region of Italy, because that is where the majority of the migrants came from, particularly in the 1950s. They have been able to maintain strong links between Campania and South Australia, but particularly Campbelltown, for all that time. That is something that is very strong and very significant, and it is really important to those constituents.

I feel that perhaps the Italian government does not understand the concepts of multiculturalism that we encourage here in South Australia, that we actually encourage our ethnic groups to maintain these links, to maintain their culture, to maintain their language, their dance, their song, all of those things that makes them Italian Australians. There have been two consuls since I have been a member of parliament and they have played a massive role in making that happen.

The trade between South Australia and Italy is a significant part of our trade. Perhaps they do not like the fact that two of our companies, which Italy is well known for, trade back to Italy. San Remo pasta, which is a South Australian company, exports pasta to Italy, which I think is an amazing achievement. Serafino Wines, Steve Maglieri's company, exports wine to Italy. There are many products that we produce here and Italy produces, and the trade between the two countries is very significant. Without a consul here, that trade is not going to be as easy as it has been in the past.

The Italian chamber of commerce and COMITES, as the member for Unley said, do a wonderful job, but it is facilitated by the fact that we have an active and interested consul here. Both the consuls I have known have been extremely hard working, extremely involved and very popular within their communities.

On occasions, constituents come into my office with a problem, and we are able to phone the consulate. Because it is often a problem that requires their intervention, they are extremely helpful and extremely good at facilitating a solution to those problems. To have to build up a relationship with an absent consul in Melbourne is not going to help the work that we do. It is most important that we as a government insist that there is a review of the decision that has been made in Italy, and that is reversed.

I endorse all the comments made by the previous speakers, and I will not take up any more of parliament's time. I fully support the motion of the member for Norwood.

Dr McFETRIDGE (Morphett) (12:29): I will not hold the house long on this very important motion, which I strongly support. I went to Salisbury High School and Salisbury Primary School with many Italians when we lived out there and grew up there. I do wonder what Joe Bivoni and Giuglio Di Vito are doing now. I had a lot of good friends then who introduced me to the Italian way of life, Italian extended families and, most of all, Italian food. One of the fondest memories I have is going to some of the market gardens out around the Salisbury and Virginia area and visiting with families

and spending the afternoon. It was a terrific experience. I realise that this great state of South Australia that we live in would be far worse off if it were not for the input of all the ethnic groups that we have in South Australia, particularly the Italian community, to which this motion refers.

In my veterinary practice I had a number of Italian clients who were part of my large animal practice. I was extremely fond of an elderly Italian couple, in particular, Mr and Mrs D'Aloia (I do not know their Christian names), who lived at the back of States Road at Morphett Vale. Going into their place was like going into what I imagine an Italian village would be like, with goats, chooks and ducks, and every sort of vegetable produce you could think of growing. I was always warmly greeted and left the place with a dozen eggs and some vegetables.

Being able to mix with the broad range of communities is something that I really treasure as part of living in South Australia. For the Italian government to not recognise the close connection that South Australia has with Italy through its Italian community and so downgrade its representation here I think needs to be rethought. I think it is a mistake, and I would urge it very strongly to rethink this.

One of the things that I comment on during citizenship ceremonies is that when you become an Australian citizen you do not have to give up anything. We urge all of our ethnic groups to ensure they maintain their culture and links with their past and be proud of where they have come from, because it is so important. This is why this particular move by the Italian government is very much a retrograde step. We should be maintaining our links.

I know there is a particular region of Italy, the Puglia region, that the Premier talks about and with which we have funding exchanges. Some of the groups come out to WOMAD. It is an important link. However, it is more than that: it is the families here—the second, third and fourth generation Italian families that are dinky-di Aussies who still have roots in Italy. I was born in England but I have an affinity with my Scottish ancestors, and that was strengthened through going to Scotland.

The need to maintain a link with your roots is something that I cannot emphasise enough, so I implore the Italian government to rethink this decision and support the Italian community—the Italian Australians. They are Australians first, but they value their heritage and are proud of it, so why does the Italian government not get behind these proud Italian families and do something for them by maintaining this representative at the appropriate level? We have had that in the past, and let us see it continue into the future.

Ms BEDFORD (Florey) (12:33): I put on the record my total support for all the remarks made on this subject this morning. As the house may realise, my mother is Italian born. She was born in Australia to Italian parents who migrated in 1912. Of course, Florey is the home of the Campania club, one of the largest Italian clubs here in South Australia. It is my pleasure to work with all the members who have spoken this morning and be part of taking up the petition, and we will do our very best to ensure the right outcome is reached.

Mr BROCK (Frome) (12:34): I heard the Leader of the Opposition, and I have to agree 100 per cent with him that this motion has to have bipartisan support. This is a very important issue for the whole of South Australia.

I will speak from my own experience. Port Pirie has a great Italian community and, as other members have mentioned, we need to retain that heritage and culture. Port Pirie is a leader in multiculturalism not only across South Australia but also Australia. Port Pirie also has a very large Greek community. I do not like to have anyone lose their heritage or contact with their own country. My late wife was from Scotland, so I have a great connection with people in Scotland and, even though we do not have a Scottish embassy in Adelaide, I still have fairly good contact with my relatives over there.

Port Pirie has what we call the 'blessing of the fleet', as does Port Adelaide. This year we will celebrate the 80th anniversary of the blessing of the fleet, which celebrates the heritage of the fishermen from Molfetta coming to Australia for a far better life. They chose Port Pirie, and the descendants of those people have now grown in number to 4,000 or 5,000. As a previous speaker indicated, they have become dinky-di Australians. In my previous role as the mayor of the Port Pirie Regional Council, I was very passionate about doing citizenships. I also urged the new citizens of Australia to retain their heritage, to retain their culture, and never to lose that.

As part of getting Australia to be more focused on the national stage, we need also to learn from other people. In terms of my own personal experience with the consul general, I had previous

contact with him and his wife. In fact, when the previous consul general's wife gave birth to their first child, my partner, Lyn, and I were in Adelaide and we had the opportunity to congratulate them and to visit them at the consulate. We have had a very close liaison with the consulate over the past seven years.

I understand that all governments, as the Leader of the Opposition indicated this morning, need to look at their expenditure, but I believe that this state needs to be very united in asking the Italian government to reconsider the closure of the Italian Consulate in Adelaide. As other members have indicated, we have that great link. Some people do not have the ability to make phone calls to Italy and things like that; they make contact with their homeland through the consulate.

I will not take up a lot of time, but I think this government and the whole of South Australia needs to be united in urging the Italian government to reconsider the closure of the consulate in Adelaide and to look at the long-term venture. I support the motion of the member for Norwood.

Ms CICCARELLO (Norwood) (12:33): I thank members for their comments, and I will just pick up on a couple of those. I agree that this should be bipartisan, but I would have to say that the Premier (in all these things) moves very quickly, as he did when I contacted him the other day with regard to contacting the Italian government. In some of these things, you have to, as we say, 'prendere la palla al volo': in Italy you have to take the opportunity as quickly as it presents itself.

Our members elected to the Italian parliament, the Hon. Marco Fedi in the Camera dei Deputati and Senator Nino Randazzo in the Senate, have been appalled by the unilateral decision that has been made. I do not think we can be subtle about it, because, as I indicated at the very beginning, the decision was a decree. It was announced to the Joint Commission of the parliament; it was not debated.

There seems to be very little rationale in the way in which they have selected the cities where these consulates are to be closed. As soon as I found out on Friday when I was in Caffe Buongiorno on the Parade, it was certainly the main topic of conversation. People are very appalled by what has happened.

The member for Morialta also indicated that about a quarter of her electorate is of Italian origin. If we look at those sorts of numbers, I have almost the same number in my electorate as there would be in Hartley and various other places on the western side of the city.

While much of our community is concentrated on the eastern side of the city, I acknowledge Port Pirie and its importance. The honourable member might be interested to know that the Molfettese community, in particular, has been used by many people in Italy to study the old dialects. Those of us who came to Australia—I was six when I came here—have a lot of the old language. We live in a bit of a time warp. Many of the dialects are dying out in Italy so they can come to Australia to study the dialects, because they now realise—as we have with the Aboriginal languages—that language is very important to a community. Language helps to indicate their sense of place and identity and how they evolved. From that aspect the community here is extremely important.

The issue of an Italian centre is not new. It has been discussed for at least the past 30 years I have been involved with the Italian community, and I think we will be discussing it for a long time before serious steps eventuate. At present our priorities should be concentrated on providing services for our communities. Monuments can be built at any time, but once people have died they no longer need various services. I think that is what we need to concentrate on at present.

I have worked with about 10 or 12 consuls in Australia. In fact, two of them lived in Norwood, including Francesco Azzarello, who is the chief of staff of Under Secretary Mantica who made this decision. I learned this only the other night, so I will certainly be contacting Francesco to remind him of his time here in South Australia. His two daughters were born in South Australia and attended Margaret Ives Community Children's Centre in Norwood. When Lorenzo Kluzer—one of the consuls who followed Francesco Azzarello to South Australia—learned he was coming to Adelaide, he was told by Francesco that he should, first, live in Norwood because it was a great place and, secondly, send his children to the Margaret Ives Community Children's Centre because it was very good; so Margaret Ives Community Children's Centre is very well known in Rome.

I am pleased that both this house and the other place have supported my motion and that the Premier was quick to put forward in the strongest terms to the Italian government that we do not want the consulate to close.

Motion carried.

SCHOOL AMALGAMATIONS

Mr PISONI (Unley) (12:44): I move:

That this house condemns the state government for its lack of community consultation regarding plans to close and amalgamate 44 schools and preschools in Port Pirie, Port Augusta and Whyalla and replace them with nine super schools.

I move this motion because of the influx of calls and emails to my office from members of the school community—school chairs and others—who are concerned about being pushed into a decision they are not ready to make. The state government has been working on plans to close or amalgamate 44 regional schools and preschools in the Upper Spencer Gulf and replace them with nine super schools. The problem is that, although they have been working on this agenda for a year or more, local parents, many teachers, students and even local councils have only just recently been made aware of the plans, and the community is now being rushed to reach a decision and vote by 30 June.

The department has also been using the federal BER funding as a driver, telling school communities that not signing up to the new plans will put that funding at risk. Of course, this is a distortion of process and the schools' entitlements, but typical of how the campaign has been waged thus far. I was astounded that the member for Giles in her grievance on 2 June was very angry to hear that I wanted to look at the issue of community consultation in relation to this issue. Who would be against ensuring adequate consultation in a situation where families are making decisions that will affect education in their local communities for generations—not just their own families, but future families?

I also note that she was sick to death of outside people coming to these communities and creating angst. I can only assume that she is referring to the slick carpetbaggers from Treasury with their list of education assets to sell off and the folks from DECS with their glossy plans and offers that locals just cannot refuse, but which the locals do not seem to like very much. There was an assertion from the member for Giles that outsiders are stirring the pot in Port Pirie regarding plans for a school closure and amalgamation. It is actually called taking an interest, something that the rebadged 'Country Labor' might want to take on board.

It is only because of the interest taken by the AEU, concerned locals and outside interests independent of the state government that this issue has now begun to be prominent in the community. However, their belated and tightly controlled public information meeting held in Port Pirie on 26 May resulted in a walkout by many of the audience who were not having their questions answered. As a matter of fact, they were told that they could not ask questions, and I believe a table of about 30 people walked out (so Terry Boylan, who attended that meeting, tells me).

In keeping with the theme of my motion, people attended a meeting being promoted as one at which they would have a say, but only 15 minutes was allocated for questions. It was clear that the meeting was about telling people about the new order and not answering questions on details—glossy but not inclusive.

Certainly, during my recent visit to the region visiting school communities and meeting with parents, educators, local officials and students, there was a great deal of dissatisfaction with the consultation process. People in the region were grateful that an outsider was taking an interest, but, of course, the Liberal Party is not an outsider in regional South Australia. The Liberal Party adequately represents members of the community outside Adelaide and is a party for both the city and the country. Labor is on the nose in the country—they know that—and that is why they have rebadged themselves as 'Country Labor' for those regional electorates.

I agree with the member for Giles that outsiders are driving the agenda—the education minister, the Treasurer and DECS planners in Flinders Street. These changes are certainly not being driven by the communities involved. The communities do not even know about these changes. It is only in recent time—that is, since I and the AEU intervened—that people have been made aware of what the government has planned for these school closures.

Many in the community are not only concerned about the lack of consultation and the rushed time frames but the whole concept of super schools. They are suspicious that the agenda is more about selling assets and grabbing cash than educational outcomes. Educational outcomes are given scant coverage in the education and care briefs relating to the government's plans for super schools.

Many in local communities are aware of the reverse trend away from larger schools and super schools overseas, for reasons of student engagement, parental involvement, teaching conditions, educational outcomes and the issue of violence and bullying. Bigger is not necessarily better. This is especially true for areas of higher social disadvantage which draw from a wider range of student demographic; in other words, where schools lose their local or community aspect.

The state Labor government needs to lift its consultation game regarding Education Works and other school closures and amalgamation situations. Let us talk about educational outcomes. Let us not just talk about new buildings. Let us talk about what children and families will get from the changes. The government has been very scant and evasive on this issue.

Every case needs to be carefully considered by the affected community on its individual merits with parents, staff, students and local authorities. People need to be fully informed of the facts and, most importantly, the consequences of merging or closing their schools including such issues as loss of staff and SSOs, loss of recreational space from mergers, transport and distance to school and the knock-on effect of this to educational outcomes and the local economy.

It is not good enough to say that there will be no forced closures and then stack the deck with inadequate consultation, compressed time frames for consideration, threats of losing federal funding and by allowing such a deterioration of school assets and maintenance that it seems as though there is no other option. A genuine consultation process is needed—not lip service and Treasury-driven agenda. The important education decision will have a long-term effect on schools and their communities. The people of upper Spencer Gulf deserve a proper consultation process and the right to decide the right educational future for their region.

I would also like to read into *Hansard* some of the emails that I have received. One is from a parent of a governing school council referring to a letter that was sent from Rowena Fox, the Eyre and Western Region Director of DECS, on 16 June, and I refer to a paragraph in this letter that went out to school chairpersons relating to a consultation event on 22 June in the Palms Function Centre in the Westland Hotel/Motel. Bear in mind that this consultation happens a day before the voting starts. The letter goes on to tell us that voting on the proposal will be between 23 and 29 June and yet the consultation starts with the community just a day before. The letter states:

> This event will provide visual displays for the local Whyalla Schools Community proposal—which is effectively underpinned by the Whyalla Education and Care Brief and attracted majority support in 2008 from parents and caregivers.

In his email to me, this school council chairman states, 'I have taken the liberty of underlining the statement that most distresses me'—and that is that statement that this 'attracted majority support in 2008 from parents and caregivers'. He has gone on to say that 'this statement is a lie'.

As chairman he was not involved in that process at all. He asks, 'How can this statement be made when school councils were not involved in making that decision?' He, as a school council chairman, sent me a copy of this letter which he received from somebody else because he, as a school council chairman, has not yet received it from the department, and yet we are told that there is a consultation process in place.

In his letter he mentions other questions that he would like to ask, namely: 'Who is responsible for this community involvement? Is this meeting convened here tonight the one intended by the steering committee?' He is referring here to the meeting that he convened as a school council last month, noting that, had he not convened the meeting, the meeting would not have even happened. It is interesting that the consultation process that the government claims to have carried out has left out the very people who will be affected by the decision.

Here I would like to read a letter that was sent to me from a representative from a group that describe themselves as the Parent Friendly Forum which had a meeting at the Left Hand Club at Whyalla on 15 June 2009 where a motion was passed. The letter was sent to the minister and I was sent a copy of that letter as the shadow education minister. It states:

> Last night, a group of interested parents met to discuss the Education Works proposal in Whyalla. There were many questions and issues raised. As a result of the lack of clarity about the details of the proposed concept and the obvious confusion and lack of information in the community, the following motion was passed unanimously.

So, we have been told that there has been community consultation process happening but a group of parents and those involved have got together and passed this motion. It reads:

> We call upon the Education Minister to place—

Ms Breuer interjecting:

Mr PISONI: Well, apparently, you got a copy. Did you get a copy of the letter?

Ms Breuer interjecting:

Mr PISONI: You've got a copy of the letter, member for Giles, and you have done nothing about it. It states:

We call upon the Education Minister to place a moratorium on the Education Works process in Whyalla until the following conditions can be met:

- A properly elected working party is formed consisting of parent, staff, student, local council and community reps. It should have a majority of parents and could include retired educators.
- Time must be allowed for the implications of the proposal to be properly researched and the community informed.
- The voting process needs to be conducted by the AEC.

We hope that these matters can be discussed in a very constructive manner at the public meeting in Whyalla on Monday, June 22nd.

This letter went to Jane Lomax-Smith, and I will be very interested to see whether she will take any notice of it. Of course, it came about after a series of emails between the group and the member for Giles. The emails are a bit confusing because they tend to suggest that there has been government consultation, but it is obvious from the motion that there has not been. People are very concerned. It is a concern of the opposition that such a dramatic change in school culture and education practices is happening and that those who are most affected are not being included.

This has ramifications right around regional South Australia. I have been advised that 150 schools have been earmarked for this so-called education revolution of the state government in closing and amalgamating schools. I put it to the Premier that, if the super schools concept is such a great idea—and I know how this premier works—he would be doing this in marginal seats. However, he is not doing it in marginal seats: he is doing it in the safest seats that Labor holds. He is doing it in regional South Australia for one reason alone, because it does not matter. The Labor Party does not care what happens in the regions and they know that their seats are very safe in those areas where they are building the super schools and they know that there will not be any political ramifications when it goes badly wrong.

It is interesting that, at a time when this government is looking at increasing the size of schools in bringing in the super school concept, similar societies around the world are closing their super schools and going back to community schools, for the very reasons that have been raised by parents who have contacted me.

Ms BREUER (Giles) (12:58): I am feeling very angry, so I am being told to control myself by the Government Whip. For her benefit, I will control myself. I have never heard such rubbish in my life as the member opposite has just dished out to us. I wish people would mind their own business and keep in their patch. This is exactly what happened with country health where the Liberal Party came in and created problems where there did not need to be problems.

They are trying to do exactly the same thing with this issue. They are trying to hijack this education issue and create problems in our communities. Just keep out and mind your own business. There have been some issues in Whyalla where this process has gone on for almost two years. Unfortunately—or fortunately perhaps, as I do not know what the end result will be—the federal money has now become available, and that is why decisions have to be made a lot more quickly than was proposed in the past.

That is exactly what it is all about. It is not about things being hidden and decisions being made in a hurry. It is about the fact that the federal money is there, so we now have an opportunity to have enough money to build these beautiful schools that are proposed. In the past, I have wondered where the money would come from to build this super school, but now we have an opportunity to do it, and that is what the urgency is all about. It is not about hiding or secret squirrel or anything else.

I have some issues with the process that has happened in Whyalla and I have made that quite clear in my community. All the way through I have said we have to consult with the wider community, not just the school community, and I have told the minister that consistently. We have tried to get it to happen. Suddenly, it has come to a head. The community now is aware and I want my community to make sensible decisions based on what is best for our children.

I do not know whether or not I want a super school—I have not made up my mind yet—but I want my community to make a decision that is sensible and looks at all the issues. I do not want it based on crap that is put around by the Liberal Party, statements that are made, getting people stirred up. I am dealing with my people in my community, as I know the member for Frome is for the people in his community. We are trying to get a sensible decision from our people. We do not want to lose our heritage, no, but we also want the best for our kids. That is really important. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answer to a question be distributed and printed in *Hansard*.

ONKAPARINGA RIVER

42 Mr HANNA (Mitchell) (30 September 2008). Has there been an investigation into whether there are acid sulphate soils present in the vicinity of where the proposed rail corridor traverses the Onkaparinga River over the effluent evaporation ponds?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): The Minister for Transport has advised:

The $4 million Transport Sustainability Study announced by the State and Commonwealth Governments includes a detailed analysis of infrastructure requirements in extending the Noarlunga line over the Onkaparinga Valley and will include a preliminary assessment of the extent of sulphate soils within the proposed construction area.

BANKSA *TRENDS* BULLETIN

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: The June 2009 BankSA *Trends* bulletin released today shows that South Australia remains best placed of all states to weather the current global economic downturn. The bulletin argues that Australia is in a better position than many other advanced economies and, within that, South Australia is best placed of all states to continue to prosper through the global downturn.

The *Trends* bulletin notes that Australia was already experiencing high population growth and high levels of engineering and commercial construction work when the crisis hit. We were further protected by our healthy banking system, cuts to interest rates and significant fiscal stimulus that Australian governments, both state and federal, have put in place. In South Australia, the *Trends* report states:

> The [South Australian] government is spending to maintain the momentum and has retained our AAA [credit] rating, placing us in a prime position to prosper through the global downturn.

I welcome this latest report, which follows a string of recent data releases showing that South Australia is holding up well in the face of significant global economic turmoil.

In May, official statistics showed that there was a record number of South Australians in jobs. Total employment has increased by 104,500 jobs since this government came to office in 2002. While we only receive updated gross state product figures annually, recent state final demand figures give us reason for some confidence that our economy is bearing up well. In trend terms, state final demand increased by 0.6 per cent in the March 2009 quarter to be 4.2 per cent higher than a year earlier. South Australia was the only state or territory to record an increase in the March quarter and also recorded the strongest growth over the past year when compared to all other states.

Our housing sector is resilient. The *Trends* bulletin notes that, in South Australia, finance commitments, building approvals and spending on construction have grown steadily, above

national trends. The *Trends* bulletin singles out the strength of our defence sector and the economic benefits of the mining projects which are coming on stream. These economic benefits were the reason that this government so aggressively pursued defence contracts and opened up mining exploration in this state.

We pursued and won the $8 billion air warfare destroyer project, which is conservatively estimated to create 3,000 jobs. To win that project, this government made an investment of more than $300 million in building the most modern and sophisticated shipbuilding facility in the southern hemisphere—the Techport Australia facility at Osborne. This investment has already paid dividends. It was key to our success in winning the next generation of submarines, which the commonwealth government has confirmed will be built in South Australia.

We have also actively pursued the relocation of the Army's new 7RAR mechanised division. I am advised that construction for the battalion is generating about $100 million worth of investment—actually, I think that is about $700 million—into the South Australian economy, and about 1,600 jobs. I think—and I stand to be corrected—it actually also delivers up to $100 million annually in extra expenditure.

When the government came to office, some seven years ago, South Australia had four operating mines. In 2009 we have 11 mines, and the likelihood that the number will grow to 16 next year. More than 20 additional mineral projects are at the advanced exploration or resource assessment stage or are currently progressing through prefeasibility to mining proposal stage.

This increase in activity is due in part to our very successful Plan for Accelerated Exploration scheme (PACE), which encourages much more exploration. Exploration data released for the March quarter shows the anticipated decline in exploration expenditure across all states in Australia. However, thanks to our PACE scheme, we have had an exploration boom over the last five years, and it has paid significant dividends. We found a range of long life, high quality and diverse resources, and many of these are being actively developed.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Isobel, he doesn't vote in your caucus.

The Hon. J.D. Hill: Yet.

The Hon. K.O. FOLEY: Yet, oh right. This means jobs for our regions, and jobs for the service industries which support the mining industry—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. K.O. FOLEY: What did he say yesterday? He said: 'Will you rule out a leadership challenge?' I think so. The *Trends* report also highlights the solid pipeline of capital works in South Australia as a reason for confidence. The government remains committed to its infrastructure program to support jobs and build critical transport, health, education and water infrastructure into the future. Our $11.4 billion infrastructure program will support 14,000 jobs over the next 12 months alone.

Current economic times are uncertain, and we are certainly not out of the woods yet. But I believe, as do the authors of the Bank SA *Trends* bulletin, that we can be confident that this state will emerge from this crisis in a strong position.

The Bank SA *Trends* bulletin underlines many of the factors considered by the credit ratings agencies—Standard & Poor's and Moody's—when they both decided within hours of our state budget being handed down earlier this month to reaffirm South Australia's AAA credit rating. I believe it also demonstrates—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: —the value of establishing good working relationships with the rating agencies, financial institutions and financial commentators both in Australia and internationally. It is my belief that such a relationship cannot properly be maintained by sitting in my office in Adelaide. Travelling to meet with the agencies to explain our strategy to return the state to surplus while continuing to invest in critical infrastructure was well received at the time and

supported by their decision to maintain South Australia as a AAA rated state, a decision that was noted as positive in the BankSA *Trends* report.

I am aware that there are some on the opposition benches who questioned the strategy. As I have previously advised the house, I was away for a week and not on holiday. For the record, I can say that I was in New York from Monday 18 May to Friday 22 May on business, meeting not only with Moody's but also with other financial institutions and commentators. At the weekends either side of that working week I took the opportunity to visit some friends at my own expense, not the government's. I do wish to correct the record and acknowledge that the total time I was away was longer than a week, as I had previously advised the house.

Ms Chapman interjecting:

The SPEAKER: Order, the deputy leader!

PAPERS

The following paper was laid on the table:

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

Transport, Energy and Infrastructure—Report 2007-08

ROYAL ADELAIDE HOSPITAL

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:09): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: On Tuesday 2 June 2009 an employee of the Department of Health's Major Projects Office lost his USB flash drive containing an electronic copy of some new Royal Adelaide Hospital working files. Later that day the employee advised his director in the Major Projects Office of the loss of the drive. An extensive search has been undertaken; however, the drive has not yet been located.

SA Health and the Department of Treasury and Finance officers were advised of this loss on Wednesday 3 June. Both the Treasurer and I were advised of this event by our respective departments on Friday 12 June. This matter has been reported to SAPOL and the Crown Solicitor's Office. The government's internal and external probity advisers have also been apprised of this event.

Security protocols that were already in place for this project have now been tightened. The government has ordered a review of this breach by the Crown Solicitor's Office to establish whether additional revised protocols and procedures are required to minimise the risk of such an event occurring in the future.

The government remains 100 per cent committed to the building of the new Royal Adelaide Hospital and is progressing its procurement as a public-private partnership through the expressions of interest stage that began last week. The advice to the Treasurer and to me is that this event is not expected to have any impact on the work going on at the moment in preparation for the construction of the hospital.

NATURAL RESOURCES COMMITTEE

Mr RAU (Enfield) (14:10): I bring up the 29th report of the committee, entitled South Australian Murray-Darling Basin Natural Resources Management Board Levy Proposal 2009-10.

Report received and ordered to be published.

Mr RAU: I bring up the 30th report of the committee, entitled Eyre Peninsula Natural Resources Management Board Levy Proposal 2009-10.

Report received and ordered to be published.

Mr RAU: I bring up the 31st the report of the committee, entitled Northern and Yorke Natural Resources Management Board Levy Proposal 2009-10.

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 members of the 82 Masters Association, who are guests of the member for Newland; members of Magill Neighbourhood Watch, who are guests of the member for Hartley; and citizens from the electorate of Reynell, who are guests of the member for Reynell.

QUESTION TIME

MINING SECTOR

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:13): My question is to the Premier.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: Why has employment in South Australia's mining sector fallen by 37 per cent in the last six months, to reach its lowest level since 2004? The ABS figures released today confirm the rapid fall in mining jobs. However, on 24 April 2009 the Premier said:

> This continued job creation in mine construction and production in South Australia underlines the pro-employment credentials of this Government...

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

Members interjecting:

The Hon. M.D. RANN: I have been watching the numbers on the Adelaidenow site. If I can forgive Martin, why can't you? Here they are: 14 per cent; Isobel Redmond 19 per cent; Vickie Chapman 29 per cent—I would like to see her phone bill.

The SPEAKER: Order!

The Hon. M.D. RANN: Iain Evans—

Ms CHAPMAN: Sir, I rise on a point of order—

Members interjecting:

The SPEAKER: Order! The Premier has to answer the substance of the question—

Ms CHAPMAN: The Premier might not have anything sensible to say—

The SPEAKER: The deputy leader will take her seat.

Ms CHAPMAN: —but we want an answer that is relevant.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Can I just say this: we have gone from four operating mines to 11 operating mines. The latest was the opening of the Prominent Hill mine. Of course, what you see during the build-up to the opening of the Prominent Hill mine is a huge amount of building work and production that then converts to operating work. This would not be considered to be a moment of genius revelation. The fact of the matter is that under a Liberal government—when you were in that cabinet for that one, brief, shining moment, that moment of genius that we keep hearing about—we had about $35 million worth of mining exploration each year, and I might be being generous.

An honourable member interjecting:

The Hon. M.D. RANN: It was about $30 million. It went up to $360 million—a tenfold increase in mining exploration under this government—and we have gone from four operating mines up to 11 operating mines, and I will be making some announcements soon about some more. In fact, I would envisage by the end of next year that there will be about 16 operating mines and probably another 20 in a queue.

So I guess you might want to talk down the mining industry, just as you wanted to talk down the defence industry, because we know what your strategy is. It is to attack everything that happens in this state. Where were you last week? Last week the unemployment figures came out from the ABS in Canberra. We were pleased that there are 104,500 more people in work last week than when you were in cabinet, but there was a deafening silence from the Liberals, because you do not want to be on the side of our state. I guess this is the key point: you are so busy fighting for your own jobs that you do not care about the jobs of South Australians, and that is the difference. You can fight and squabble amongst yourselves, but we are going to keep this state going.

Members interjecting:

The SPEAKER: Order!

MODBURY HOSPITAL

Ms BEDFORD (Florey) (14:17): My question is to the Minister for Health. What improvements have been made in delivering services at Modbury public hospital since it was taken back into government hands?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:17): I thank the member for Florey for this important question, and I acknowledge her strong advocacy for the Modbury Hospital. As members would recall, Modbury Hospital was privatised by the Liberal government in 1995. On 1 July 2007, this government fulfilled an election commitment when the management of Modbury Hospital was transferred from Healthscope (the private manager) back into state government hands. Since coming back into government hands in July 2007, we have increased the workforce at Modbury Hospital by 11 extra doctors (full-time equivalent), 10 nurses (full-time equivalent) and 13 other full-time equivalent staff. In fact, since the last year of the last Liberal government, Modbury Hospital's budget has grown by 60 per cent ($32 million).

As part of South Australia's Health Care Plan (also released in 2007), Modbury Hospital was identified as a high-volume elective surgery site. We also announced that the hospital would tailor its services to meet the needs of the ageing population in the north-eastern suburbs by expanding in the areas of rehabilitation, aged care and palliative care. In the first full year under government hands, 2,351 elective surgery procedures were performed, which was 304 (or 15 per cent) more than in the last year that Healthscope ran it, which was 2006-07.

The recent state budget included a further $1.08 million for an elective surgery ward upgrade and $275,000 for elective surgery equipment from the commonwealth elective surgery reduction plan. Of course, this is in accordance with South Australia's health plan to transform Modbury Hospital into an elective surgery and rehabilitation hub. Additionally, I can advise that, since February 2009, Modbury Hospital has reintroduced a plastic surgery service, with the appointment of a visiting medical specialist. A fifth general surgeon also commenced in February this year.

South Australia's Health Care Plan also committed $12 million towards improving the infrastructure at Modbury Hospital and identified Modbury Hospital as a general hospital. The recent state budget allocated $832,000 plus for the 2009-10 year (as part of the $12 million) to continue the upgrading of sewer pipe infrastructure and airconditioning plant. We have already undertaken work, which includes $1.7 million in upgrading the plumbing. The rest of the $12 million will be allocated to work on sewage systems, cooling and hot water systems, energy and water saving measures and the removal of asbestos.

As part of the transformation of Modbury Hospital, a Geriatric Evaluation Management Unit (GEM unit) was opened in March this year. Patients in this unit will be assessed by a range of different medical specialists who will provide an interdisciplinary assessment to minimise functional decline and ensure a safe and timely return home, if and when appropriate.

I understand that doctors at Modbury still have some concerns regarding the changes at the hospital. I was at Modbury Hospital last Wednesday, along with the member for Florey, to give a presentation and to listen to what the doctors and other staff had to say. I understand doctors met again last night and have expressed some concerns about the establishment of the GEM unit and they also restated their wish for an intensive care unit at the hospital. In fact, Staff Society minutes from last night claim that 'the government plans to progressively erode clinical services at Modbury'.

I reject this claim. Our plan is to establish an integrated health system for all South Australians. Under this plan, not every hospital can provide every service. In fact, no hospital will provide every service. Modbury Hospital has an important role to play in this integrated health system and will provide services for its community.

I am confident that, as clinical negotiations continue with the doctors at Modbury, further improvements can be made to inter-hospital transfer arrangements and other issues revolving around peri-operative care. However, the advice I have from intensive care experts is that a significant amount of elective surgery can be undertaken safely with a high dependency unit. An ICU is not needed for the profile of the hospital and, indeed, would be impossible to staff. There has not been an intensive care doctor at the hospital since the last half-time intensivist left in 2006, when the hospital was still under the management of Healthscope.

I am always prepared to listen to doctors and, following my meeting last week at which they raised concerns about bed numbers, we are now examining the possibility of increasing the flexibility in bed numbers to meet demand in peak seasons, particularly over winter. We are also examining the possibility of establishing an acute assessment medical unit, with additional beds to relieve pressure on the emergency department by providing capacity for longer term emergency care.

The government remains committed to South Australia's Health Care Plan and, in particular, the GEM unit is an important step in achieving this plan. I remain confident that these issues will be overcome and that the people of the north-eastern Adelaide area will continue to receive excellent health care tailored to their needs at the Modbury Public Hospital.

MANUFACTURING SECTOR

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:23): My question is to the Minister for Employment, Training and Further Education. Why has employment in South Australia's manufacturing sector fallen to the lowest level since industry employment records began—

Members interjecting:

The SPEAKER: Order! The leader should be given the opportunity to ask his question.

Mr HAMILTON-SMITH: Why has employment in South Australian's manufacturing sector fallen to its lowest level since industry employment records began 25 years ago? Data released today by the ABS indicates manufacturing employment has fallen 12 per cent in the last three months.

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:24): In extremely simple terms: the global financial crisis.

Members interjecting:

The SPEAKER: Order!

LOXTON RESEARCH CENTRE

The Hon. L. STEVENS (Little Para) (14:24): My question is to the Minister for Agriculture, Food and Fisheries. What is the government doing to ensure the continued provision of high quality services to the Riverland agricultural community through the Loxton Research Centre?

The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (14:25): I thank the honourable member for her question and, just as was the case yesterday, I certainly get the feeling that they will not listen to this answer. The Riverland region is valued by the state government as a major contributor to horticulture and viticultural production—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: —providing significant economic benefits to the people of the region and to our state as a whole. The Loxton Research Centre is recognised as a key point for the delivery of services to irrigators and land managers in the Riverland region. I am pleased to reaffirm the point that was made yesterday, which again was not listened to by the opposition;

however, I will do it again. I confirm that the Loxton Research Centre will remain a key centre for the delivery of PIRSA programs in the Riverland.

The centre will no longer directly provide commercial soil and plant testing services due to its no longer being financially viable—and we know about the recklessness that was displayed by the deputy leader the other day with respect to finding $2 million out of your back pocket. Ivan might be able to find $2 million out of his back pocket, but not all of us can.

The simple fact is that the service there was no longer financially viable. Arrangements are already being put in place to transfer current clients to alternative providers, of which there are a number who, importantly, can provide an efficient service at a lower price. The service will continue to be available to the farming and irrigation community in the Riverland at a lower cost.

The government, of course, is also concerned to ensure that the four staff affected by this change receive appropriate assistance, and the department is working with employees regarding redeployment and other options. As I mentioned yesterday, we do not sack public servants.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: The good news is that a number of new arrangements are currently being developed to maintain and improve service delivery to the region. Initiatives include the development of a consolidated water resources and irrigated crops program. A team of SARDI, Rural Solutions, SA Water and irrigation experts will provide an essential resource for Riverland growers, irrigators and water managers who are dependent upon the River Murray for the sustainability of their enterprises.

The team will provide a dedicated research development and extension capability focused on assisting clients to better manage their water resources and improve farm productivity and viability of their businesses in a context of climate variability and productivity pressures.

Members interjecting:

The Hon. P. CAICA: They are not really interested. You are interested in moving that way; that is what you are interested in. You are not interested in anything else other than moving that way. Other new arrangements foreshadowed for the centre include the strengthening of services provided by Rural Solutions SA, particularly in major programs involving environmental and community services for local government, mining companies, water infrastructure and climate change. There will also be greater use of electronic information delivery and new arrangements to improve leadership and coordination of PIRSA services for this region based at Loxton.

The state government's commitment to the Riverland community is further demonstrated by the ongoing contribution to drought response and the drought support programs being delivered in this important region. I urge the opposition to get behind programs like this and not to get behind programs that are essentially aimed at getting rid of Martin.

MAGILL TRAINING CENTRE

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:29): My question is to the Minister for Families and Communities. Has the government completed a review into the Magill Training Centre and assessed the centre against compliance with international treaties to provide facilities and services that meet all the requirements of health and human dignity for juvenile offenders; if so, does the centre comply? George Mancini, the President of the Civil Liberties Council, has expressed concern that the Magill Training Centre does not meet—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: The Attorney-General will come to order!

The Hon. M.J. Atkinson: Not long to go now, Martin!

The SPEAKER: Order! The Leader of the Opposition.

Mr HAMILTON-SMITH: The President of the Civil Liberties Council has expressed concern that the Magill Training Centre does not meet international treaties.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: The Attorney-General is warned!

Mr HAMILTON-SMITH: Pam Simmons, the children's advocate, has expressed her concern regarding the conditions in the centre. The social inclusion commissioner said on 9 June that he thinks the centre should be bulldozed. Frances Nelson QC has said publicly, 'If we don't deal appropriately with juvenile offenders, there is a strong probability they will turn into adult offenders.'

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:30): I thank the Leader of the Opposition for the question. Obviously, the government making the decision not to continue with the PPP over the prisons and the juvenile detention centre was a particularly difficult decision. We acknowledge that these facilities are old and that we would like to have been able to replace them. The simple fact of the matter is that in this budget we were not able to do that.

The Leader of the Opposition refers to Monsignor Cappo and the guardian for children making comment about the standard of the facilities there. What was really pleasing is that they had high praise for the staff and for the programs that are operating at that facility. They are important programs. Many of these young children have not had significant attachments to adults in their lives. Many of these young people have not been exposed to nutritious diets. Many of these young people have not been regular attendees at school.

These things are happening in Magill. It is not bricks and mortar that make for good rehabilitation programs, and it is not bricks and mortar that are providing a good education and the skills these young people need to keep them on the right track when they leave the detention centre.

SCHOOL AMALGAMATIONS

Ms BREUER (Giles) (14:32): My question, on a subject very dear to me, is directed to the Minister for Education. How will the Whyalla school communities spend the funds allocated to them under the commonwealth Building the Education Revolution initiative?

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:32): I thank the member for Giles for her question and I also thank her for her leadership in working with those school communities in Whyalla who are at the moment going through a very important consultation. She has shown extraordinary leadership with these 19 schools and preschool communities who are, at this very moment, discussing the future configuration of their education facilities.

The short answer to her question about how they might spend the commonwealth money is that, if they comply with all the commonwealth regulations, of course, they can spend that money in any way they wish. Over the past two years, the Whyalla communities have been discussing the best ways to deliver services in their town and have been looking at the state government's Education Works stage 2 proposals to see how they might engage with this system and benefit the community and provide better educational services.

Certainly, as part of this initiative, being able to spend part of the $82 million that has been allocated for this fund to reshape their education services is a great opportunity for them to work out what would be best for their students in their community with their educational opportunities and employment opportunities in the region. The commonwealth's investment is very significant, but it has been layered on top of the proposals from Education Works and they required that the system should be improved by a range of means.

One of those requirements was to improve curriculum choices and opportunities. Another was to put in place those arrangements that support collocated birth to school continuums of education, so that there is a one-stop shop. The other requirement was the suggestion that the school size should allow a broader curriculum with more diversely relevant curriculum offerings for the local area and the employment opportunities, but also systems that would involve other agencies across government to have other support mechanisms in place in schools and to find a solution for their educational needs that would be demographically sustainable.

I say 'sustainable' because we all know that families are having children later in life, families are smaller, and the number of children in all of our communities is falling over time. Certainly, we know that the unique opportunity the commonwealth has given us with its Building the Education Revolution has put an enormous complexity in place around these plans because now

that community has $18.5 million of commonwealth funding to spend, which is a very significant sum of money and must be spent wisely.

As the schools are considering reconfiguring their services, nobody would want that money to be spent on school locations that are no longer going to be in existence and, therefore, there is an onus on us to make sure we spend that money correctly. At the end of the day, the $18.5 million is to be spent by the Whyalla community on their schools, and that money cannot be taken away. It will be spent in that community. The only question is: which sites will it be spent on?

Clearly, no-one denies the time frames in the Building the Education Revolution stimulus package are very tight and it is important that the consultation finds a way of delivering the best services for those schools. I stress that those 19 school communities must decide how they restructure but, whichever way they restructure, every last penny of the money coming from the commonwealth will go to them.

In light of some of the members of the community proposing to bring together or reshape those 19 schools, we have amended the normal Education Works voting process to allow a two-stage procedure. We recognise that Whyalla, Port Pirie and Port Augusta have similar issues and very large plans being discussed. Rather than taking a vote for the schools to close, a special two-step process is being proposed for these large and complex propositions. That is, although there has been much discussion over the past two years, these are very significant proposals with a large amount of capital works depending upon them, and we must get it right.

Rather than voting once, beginning next Tuesday, these three school communities will be asked if they support the proposals put together as a result of the consultation by their local planning committees. If they choose not to support such plans, the commonwealth funds that they have been allocated will be spent on the schools that exist now and the whole issue will be stopped and we will have business as usual.

If they choose to support the proposals in principle, there will be enough time for them to decide on the actual locations of the proposed schools. The date of 10 July is the date by which the last round of proposals have to be in. To clarify: if they choose not to proceed with their restructuring, the sites will be where the schools exist now and they will get the full $18.5 million spent on them; if they decide to vote to proceed, the school communities will progress their proposal.

The way we will proceed with the BER investment is, in agreement with the commonwealth, build the new infrastructure starting on the likely future locations of the schools. If, at the end of the continued work, those schools decide they want to pull back because they have changed their minds, they vote not to close, then the rest of the BER funds will be spent on the old sites. If they decide to progress, they will get a share of the $82 million and there will be a restructure according to the proposal that that community supports.

It is complicated but I wish to stress that they will get the entire $18.5 million, that it is a voluntary process and the school community can walk away from Education Works if they decide they like the status quo. There are very few things that rival the importance of high quality education and the only purpose of this whole consultation work we have done is to get more choice, more options and better outcomes for our children.

The worst brain drain for our children is for them not to fulfil their potential. We want to have the best education system possible, but we do it in consultation with the community. I am sure that, regardless of the outcomes, the community will be engaged and choose what they want.

ROYAL ADELAIDE HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:40): My question is to the Minister for Health. Why did it take your department nine days to report to you the disappearance of the Royal Adelaide Hospital electronic file? If you do not know the answer to that, why hasn't it been included in the terms of reference of the inquiry that you have told us about today?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:40): I can say that it is a mysterious concern as to why the delay occurred between the minister being made aware of it and myself, who has overall responsibility for the PPP. What I have done in relation to my discussions with the minister, is write to the Crown Solicitor expressing that very point.

Ms Chapman interjecting:

The SPEAKER: Order! Deputy leader, just let the Deputy Premier answer the question.

The Hon. K.O. FOLEY: I am answering the question as to what has occurred. I am very concerned that such a time delay occurred in the proper notification of ministers. As a responsible minister for the PPP, I have written to the Crown Solicitor asking that he review what occurred and advise the government as to what, if any, further improvements or changes need to be made to the process. I think it is only appropriate that the Crown Solicitor review all probity matters that relate to this, and that is what I have done.

TERRY ROBERTS MEMORIAL SCHOLARSHIP

The Hon. S.W. KEY (Ashford) (14:41): Can the Minister for Employment, Training and Further Education advise on who the recipient is for this year's Terry Roberts Memorial Scholarship for Aboriginal South Australians?

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:41): I thank the member for Ashford for the opportunity to advise the house on a matter that I know is very dear to her heart. She was very close to Terry and shared his passion for remedying the plight of our indigenous community.

Later this afternoon, I will have the welcome opportunity of presenting this year's Terry Roberts Memorial Scholarship to a remarkable young woman, Ms Jharny Love, the third recipient of the scholarship. Jharny is enrolled at the University of South Australia in the Bachelor of Nursing. Jharny has the talent and determination to develop into an influential role model and leader within her community and, indeed, the broader community, and this scholarship will help support her on her chosen path.

Jharny's long-term goal is to work in Aboriginal health as a registered nurse and to use her skills and knowledge to better develop health outcomes in the Aboriginal community. In her own words: 'I will have the knowledge base to share with my own community so that we as a community are informed and can make better health choices which, in turn, prevent bad health as well as heal.' Jharny and our other recipients will use the opportunity of the Terry Roberts' scholarship to make a difference within their community.

As many of you will know, this scholarship is given in honour of our late colleague the Hon. Terry Roberts, member of the Legislative Council. Terry was a dedicated minister for Aboriginal affairs and reconciliation and a passionate advocate for Aboriginal people, who won the admiration and respect of South Australia's Aboriginal communities. I know that his family is deeply proud that a scholarship in his name helps support indigenous young people in their chosen careers.

The scholarship is designed to assist indigenous people to undertake full-time undergraduate study at a South Australian University by providing financial assistance towards meeting living and study-related costs. Each recipient receives $2,000 per annum for up to four years, to a maximum of $8,000.

Both our previous recipients have been enrolled in a Bachelor of Arts degree at the University of Adelaide, majoring in psychology. I know that the entrance TER score for psychology is very much at the upper end, and I think it is a great feat for indigenous young people to be getting into both the University of Adelaide and psychology. Both of these individuals hope to work in regional or rural South Australia to take their knowledge back to their own communities.

The scholarship is an important way to improve access and opportunity for indigenous young people and has the ability to transform lives. One previous recipient, for example, has recently returned from the United Nations Permanent Forum on Indigenous Issues in New York. The Terry Roberts Memorial Scholarship is helping to transform the lives of indigenous young people by encouraging their participation in tertiary level education. I am pleased to advise the house of the latest outstanding recipient of the Terry Roberts Memorial Scholarship.

Honourable members: Hear, hear!

STATE BUDGET

Mr GRIFFITHS (Goyder) (14:45): My question is to the Treasurer. Treasurer, why has the your budget contingency provision increased by more than $100 million in 2009-10 to a record

$467 million? In the December Mid-Year Budget Review, the Treasurer committed to a much smaller contingency sum, which is commonly used for unbudgeted employee costs and policy initiatives. The Mid-Year Budget Review states, 'The contingency for possible future projects has been reduced, saving $150 million by 2011-12.'

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:46): I will get a detailed answer for—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: —the minister. I don't know what is hilarious about that. I heard the deputy leader refer to this last night as my 'slush fund'. Can I assure you, sir, that for things to go into a contingency it has to have an application. You do not just say, 'I'll get $400 million and put it in an account with nothing to spend it on,' because, if we had nothing to spend it on, it would go to the bottom line, and it will actually deliver, in this instance, an improved bottom line.

It is contingency money, and, as I have explained to the member before, contingencies involve allocations for wage increases. They involve allocations for projects that we have approved for expenditure but as yet have not given the agency authority to spend the money. We hold it in contingency until such time as we are satisfied that the agency for whom that money will be made available has actually got its processes in.

Mr Griffiths interjecting:

The Hon. K.O. FOLEY: Well, as I said, I will come back to the house and explain it to the best of my ability without obviously giving away what I have in contingency for wage outcomes. I would assume that there are various—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Sorry?

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Oh, my God, it's happened! There has been a leadership stoush, and Vickie has lost. Mitch is now deputy leader. It may be—and I will check—that things such as—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: It may be, for example, that some of the teachers' wage is in that contingency, because we have not yet settled with the teachers union. We have a contingency available for the settlement of that, and we have made an offer to the union. It may be that that has been carried into the forward years as an example of something—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Sorry?

Ms Chapman: You should know exactly what it is for.

The Hon. K.O. FOLEY: You just said that I should know what it is for. It is contingencies. If the member honestly believes that I would come in here and say exactly how much of that contingency is for wages, well, you are bonkers, because we are not going to flag what provisioning we have for wage outcomes in the budget. But, the vast bulk of that money, I would assume, is wages and some programs for which we have not as yet given authority to the agencies to expend. But, within my ability to be releasing public information, I will come back to the house with an answer.

INDUSTRIAL RELATIONS

Mr PICCOLO (Light) (14:49): My question for the Minister for Industrial Relations concerns South Australia's involvement in the national system of industrial relations. What benefits does the government believe will accrue from South Australia's participation in the national system of workplace laws for the private sector?

The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (14:49): I thank the honourable member for his question. Unless otherwise preoccupied, most members would be aware of the recent announcement by the South Australian government of its intention to formally participate in a single national system of industrial relations for the private sector. This position was confirmed at the Workplace Relations Ministerial Council meeting held last Thursday in Sydney, where the Deputy Prime Minister (Hon. Julia Gillard) acknowledged South Australia's leadership throughout this very complex process.

Ever since Federation there have been numerous attempts to achieve a national system of workplace laws in the hope that a simpler, fairer, more accessible and more unified system could be created to better serve the needs of both employers and employees. The announcement of last week is a big step in that direction for our state.

South Australia brought considerable expertise to these discussions and was able to lead, influence and shape the policy framework to better cater for the requirements of employers and workers in our state. In particular, I commend SafeWork SA for its commitment and leadership in advancing this important work.

At the local level, the key industrial players, including those on the Industrial Relations Advisory Committee, were kept informed of the developments and were provided with opportunities that helped shape the outcome of the negotiations with the commonwealth and other jurisdictions. Both employer and employee representatives were consistent in their support for South Australia's participating in a national system of industrial relations for the private sector.

Our state's partnership with the commonwealth government in the new national system will include the retention of a cost efficient, dedicated and resourced local service delivery infrastructure that recognises the needs of regional South Australians. The final detailed arrangements will be contained in a bilateral agreement between South Australia and the commonwealth and a contract between the relevant South Australian and commonwealth compliance agencies. South Australia will participate in the national system through a text-based referral of powers coupled with an amendment referral that will limit the capacity of the commonwealth government to change the fundamental elements of the system in the future.

The public sector and local government sector will be excluded from the national system with a state system of industrial relations being retained to regulate employment in those sectors and to administer continuing state laws such as occupational health and safety, long service leave, training arrangements and outworkers. This approach will provide the legal certainty to the South Australian community that has been lacking since the Howard government's WorkChoices amendments in 2006. It will also provide the private sector employers and employees with one simple system of regulation.

The approach taken by the South Australian government to participate in a national industrial relations system will ensure that future state governments can maintain a capacity to play a constructive role in supporting local employers and employees. I have just been advised that the necessary legislation has been passed by the federal parliament today.

PUBLIC SECTOR WAGES

Mr GRIFFITHS (Goyder) (14:52): My question is to the Minister for Industrial Relations—

An honourable member interjecting:

Mr GRIFFITHS: And he looks forward to it! What public sector enterprise agreements are coming up for negotiation, and how will he keep public sector wage demands at or below 2.5 per cent, when each of the past five annual wage increases negotiated under his government has been at or above 3.5 per cent?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:53): I will answer that, because it was a matter that was dealt with in the budget, and I have made a very strong position clear to public sector unions. Firstly, we have had very good wage outcomes, in terms of the recipients of those wage outcomes, during a period of strong economic and revenue growth. What I have said to the trade union movement—the public sector unions—is this. We have a savings requirement. In the fourth year of our savings schedule, it totals $350 million a year. We can do it in one of two ways. You can either take a wage increase in excess of 2.5 per cent, and you may take it right up to our contingency, and therefore we will have to get $350 million a year through saving

efficiencies, which will equal job loss; or during this period of economic constraint and difficulties, you take a lower wage outcome—arguably 2.5 per cent.

If we could achieve it across the entire public sector, one would realise upwards of $290 million of those savings, on our estimates. But we are realistic; we know that will be very difficult. We are not saying that we will get 2.5 per cent. We are saying that we will do all we can to achieve 2.5 per cent, but we can really only do that with goodwill and cooperation from the unions involved.

I appeal to them to recognise the financial times that we are in and the state government's capacity to pay. We have an independent industrial relations commission, and every union is entitled, as the teachers are currently doing, to take the offer from the government and reject it and appeal to the independent umpire. We have no way of avoiding that if that was to be the end outcome. I think that would be very disappointing. The member should be careful taking advice from the member for Unley, particularly if it involves a document.

The government hopes for an outcome that can meet the objective of providing the budget with substantial savings, providing a real wage increase to employees, and ensuring that, all round, there is an adequate outcome. However, members should also remember that, in previous years when wages have gone up by a larger amount, they have also been through periods, I would suggest, when inflation may well have been higher, so you actually have to look at the real wage outcome. Because inflation is so low this year, and will be next year and for the forecast forward estimates period, we still think a 2.5 per cent wage outcome would provide anywhere between 1 per cent and 1.5 per cent real wage growth for those employees.

So, we are still in a time when we all know there are many employers who are freezing wages, cutting staff, cutting hours that people can work and reverting to three-day weeks, and we do not think, as the major employer in this state, that it is an unfair burden that we are asking the public sector workforce to bear. Ultimately, the outcome of that is in their hands. We would take a very firm line. We know what we have to offer and that will be it. We will not be going above it.

PUBLIC SECTOR WAGES

Mr GRIFFITHS (Goyder) (14:57): I have a supplementary question, Mr Speaker. Therefore, Mr Treasurer, given your answer, why is it that the provision in 2009-10 for ministerial staff wages and salaries is increasing by 5.5 per cent?

The SPEAKER: I do not think that is a supplementary; I think it is a question. The Treasurer.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:57): Again, I will get that. I assume it passes on to your staff as well, because I know we have to indemnify Kevin Naughton, on the initial advice, for matters relating to defamation. So, I assume any wage increases for ministerial advisers would pass on to your staff as well. I will check that. Whether that is to do with the number of employees or whether it is actual wages outcome as it relates to previous agreements—sorry?

An honourable member interjecting:

The Hon. K.O. FOLEY: It's a good look. I will get an answer for the member.

HAMPSTEAD PRESCHOOL

Mrs GERAGHTY (Torrens) (14:58): I would like to ask the Minister for Early Childhood Development whether he can inform the house about the latest developments in preschool services in the north-eastern suburbs?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (14:58): That is a very good question, and I can assist the honourable member with her inquiry. I was very pleased to carry out a pleasurable duty the other day in the north-eastern suburbs, and that was to open the Hampstead Preschool (the first preschool I have had the opportunity to open during my tenure in this job) at Greenacres. I attended that site and was greeted by a group of lovely four year olds, who were very well behaved and very happy to see us there. It is a very important school—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That is right, they were very happy to meet their local member of parliament. This is a preschool that was established to meet a need, because in this state we have an extraordinarily good outcome in terms of preschool attendance. Something in excess of 80 per cent of four year olds go to preschool in this state—an enviable record—and we are going to lift that to 95 per cent, but in this particular area of the state it sits around 50 per cent.

One of the issues that was diagnosed in this area was the accessibility of the preschool to a number of families who, obviously, had difficulty in accessing other preschools. In those areas where there are very low rates of car ownership and also a number of main roads which basically intersect and make different communities much less accessible than they would be otherwise, it was important to establish a new preschool.

We first trialled the concept of a preschool, and there was an extraordinary take-up. We now have a fully equipped preschool which not only is a fantastic example of a preschool but which also focuses on a multicultural community. We saw Asian children, Aboriginal children—some coming from as far afield as the Northern Territory—and Afghan children. Indeed, it is a very multicultural community. That places special obligations on teachers to provide high quality teaching and early learning, which they do wonderfully at this school. There is a wonderful connection between the preschool and the primary school, and a very supportive primary school principal. I pay tribute to the principal of the primary school, Angela Falkenberg, a wonderful principal. It was really her passion and drive which allowed her to work together with the education department to establish this new preschool. It was a very pleasurable experience. The member for Torrens has been a strong advocate for this preschool. She was welcomed by the school community and thanked very much for her efforts in participating with the education department in making this a reality.

MOTOR ACCIDENT COMMISSION

Mr GRIFFITHS (Goyder) (15:01): My question is again to the Treasurer. Why has the solvency level of the Motor Accident Commission reduced in the last three months during a period that has seen the stock market rise by 25 per cent? On 4 March 2009, the Treasurer told the house regarding the solvency of the Motor Accident Commission: 'Our Motor Accident Commission is at about 100 per cent and it is doing pretty well.' However, yesterday, he said that the Motor Accident Commission was 93 to 94 per cent solvent. Since 4 March 2009, the Australian equities market has increased by 25 per cent, but, in the same time, the reduced solvency level has resulted in compulsory third party insurance premiums being increased by 8.5 per cent.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:02): It really does pain me and disturb me, the fundamental lack of understanding of a shadow finance minister about financial markets.

An honourable member interjecting:

The Hon. K.O. FOLEY: Way ahead of me, jeepers.

An honourable member interjecting:

The Hon. K.O. FOLEY: 'Jeepers', I said.

Members interjecting:

The Hon. K.O. FOLEY: I said 'Jeepers'. What were you suggesting I said?

Mr Goldsworthy: I thought you blasphemed.

The Hon. K.O. FOLEY: Blasphemed; no. I don't do that; I'm a Catholic. I often say 'jeepers willikers'. Where did that come from, Michael, by the way? Am I the only person who uses that expression? The stock market, the member says, has recovered 25 per cent in the last three months—that sounds about right—but what you would have to appreciate is that, thankfully, the Motor Accident Commission does not put all of its $1 billion plus (or whatever the number) of investments into the stock market, because if they were all in the stock market, we would have a hell of a lot worse problem than we have currently.

What we do with the Motor Accident Commission—as you do with WorkCover and Funds SA—is we have asset allocators. Now I am not sure, I think it is Frank Russell for the Motor Accident Commission, certainly Frank Russell for Funds SA. Of course, we are now transferring

those funds into Funds SA. An asset allocator for an insurance company would have a more conservative asset allocation program than what you may have for Funds SA, where you tend to be more in equities than you are in other asset classes. For example, the Motor Accident Commission invests in direct property. They invest in cash and bonds and would have far more of their investments, I would assume, in bonds and cash than Funds SA would.

Those various markets have performed differently in respect of the stock market. so I will again get the member a more detailed answer. Indeed, Roger Cook, the Chairman of the Motor Accident Commission, will be in my office later today. However, I can say this: the Motor Accident Commission has been outstandingly managed, at both the corporate and board level.

One of the things we have done in this government, which the last government was not courageous enough, strong enough or disciplined enough to do, was lift premiums in our first term in government, and since coming to office, much more in line with what the Third Party Premiums Committee had recommended, so much so that, prior to the financial crisis engulfing the world, we had solvency levels at the Motor Accident Commission upwards of 160 per cent solvency.

Had we not taken that very difficult decision and introduced legislation to mandate certain targets, imagine if we had been 100 per cent solvent when the crisis hit. We would be in a very sick and sorry state at the Motor Accident Commission. The fact that it has been able to keep solvency at or near 100 per cent in the midst of the worst financial crisis it has had to manage through is an outstanding achievement.

If the member opposite looks at the premium increase for compulsory third party, it is less than the premiums committee had recommended. Also understand this: the premium increase that is recommended to us is not just a factor of financial performance in terms of the investments of the Motor Accident Commission, it is also a factor of accident numbers and serious injury. It is based on actuarial and other assumptions that are not just financially based. It is the way trends are heading in terms of accident rates, etc.

So, it is disappointing that the shadow finance minister was under the impression that all the investments of Funds SA and the Motor Accident Commission were in stocks or securities, as such, and not diversified across other asset classes. That is an alarming admission from somebody who wants to be the finance minister.

Members interjecting:

The Hon. K.O. FOLEY: Well, it is. This is a finance shadow minister who asked me why we have not had an improvement because the stock market had gone up 25 per cent, by that assuming that he thinks that everything they invest in is in the stock market. That is the ridiculous proposition put forward by the shadow finance minister, and I appeal to him to get briefed on how these funds are established, how these funds are managed and how these funds allocate their assets so that next time he will ask a more intelligent question.

HEALTH DEPARTMENT LIBRARY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:08): Has the Minister for Health approved the closure of the Department of Health library and the reduction in policy staff of up to 64 personnel, full-time equivalents, within his department? A memorandum distributed on 17 June 2009 by Dr Sherbon, the Chief Executive of the Department of Health, states that the current Department of Health library, amongst other services listed in the memorandum, will be transferred and/or closed. The memorandum also states that the full-time equivalent reductions will be made from the strategic planning and analysis team in policy and intergovernmental relations.

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:09): I thank the deputy leader for her questions. I know her great interest in jobs, particularly her own.

Members interjecting:

The Hon. J.D. HILL: Yes; not her own—other person's jobs. In December 2008, the state government announced a number of initiatives to address the impact of the global financial crisis. This government is committed to prioritising front-line service delivery and, in fact, as we have said many times, we have increased the number of doctors by over 900 and the number of nurses by 2,800-plus since we have been in government but we do have to make some changes to other non front-line services.

I assure the house, the member and anybody else who is listening that there will be no forced redundancies, as is our policy, but across SA Health a number of efficiency initiatives have already been implemented including ICT centralisation, finance reform and supply chain reform projects which have saved an enormous amount of money.

A number of areas have been identified where services can be consolidated. The Department of Health library function, which is currently in the Hindmarsh Square building, will be transferred and combined with the RAH SA Pathology Library which will manage those services. It makes sense to have those services closer to where people are working.

The functions of the Aboriginal Health Division's Liaison and Strategy Team and Community Health Improvement will be transferred to the regions and other divisions. However, as part of the national agreement on indigenous health, we are hiring 133 full-time equivalent front-line Aboriginal health workers, so fewer people in head office and more people out in the field.

The Health Intelligence Branch in the Policy and Intergovernment Relations Division will be amalgamated with the Health System Performance Team in Operations and there will be full-time equivalent reductions in strategic planning and policy areas of the department and other administrative services. Full-time equivalent reductions will occur in epidemiology and there will be a review of clinical epidemiology roles within the health regions.

These changes will result in 64 full-time equivalent positions being declared excess to requirements. I just point out that, within the health sector, I think we have something like 26,000 people working, mostly delivering services, so we are looking at 64 full-time positions. Targeted voluntary separation packages are expected to be on offer to the affected permanent employees.

I do find it strange that the Deputy Leader of the Opposition would ask questions about public servant numbers and the loss of a number of positions given her continual aggressive attack on public servants within the health portfolio and the continued attack by those opposite on this government's management of the Public Service. They, at the last election, promised thousands and thousands of job losses. We are making small targeted changes to maintain our budget.

REGIONAL DEVELOPMENT INFRASTRUCTURE FUND

The Hon. G.M. GUNN (Stuart) (15:12): I direct my question to the Minister for Regional Development and I ask the minister: will he agree to increase the Regional Development Infrastructure Fund to $7 million as proposed by the Liberal opposition? In the last financial year, the government spent $2.5 million and there are no qualified provisions in this budget for the Regional Development Infrastructure Fund. I point out to the minister that there are thousands of tourists going to the north of South Australia enjoying the benefits of the great scenery in the electorate of Stuart.

An honourable member interjecting:

The Hon. G.M. GUNN: And I suggest to the honourable member, perhaps she could go too, she might learn something. But I point out that there is an urgent need for road signs, upgrading of airstrips and passing lanes—small projects with great benefits—and it appears that they have been overlooked. Will the minister rectify this problem?

The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (15:13): I thank the honourable member for his questions. As always, they are very well considered questions that come from the minister for Stuart. I can answer it this way. No, I will not be adopting Liberal Party policy as it relates to the regional infrastructure fund. With respect to the very important matters that the member has raised and with respect to some of the issues that are impacting upon not only regional development but his electorate, I am happy to talk to him on any occasion about how I might be of assistance to his constituents.

STATE BUDGET

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:14): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: Earlier in question time, the shadow finance minister asked a question about a contingency in the budget of some $400-plus million. it was referred to last night by the deputy leader as a slush fund for government.

I now have the answer to that question. I can advise the house that, as has previously been the case, contingencies are three groups: employee entitlements wage provision, a small investing contingency and a contingency for supplies and services.

The large increase—$141 million in employee entitlement contingencies between the 2008-09 budget and the 2008-09 estimated result—partly reflects the disclosure issues that I have just mentioned as well as the impact of significantly higher than expected wage outcomes, previous agreements for doctors and the recent Industrial Relations Commission decision regarding a work value claim for ambulance drivers.

There is other information that I wish not to provide to the house as it does go to wages but I am happy to have a private discussion with the leader (or would-be leader), the shadow finance minister. But I can also say that the 2009-10 entitlement figure is considerably higher than in previous years as it includes a significant amount of money for targeted voluntary separation packages as a result of the government's announcement in the Mid-Year Review of 1,600 positions to be abolished, of which we make voluntary separation packages one of the mechanisms. That is a large component.

The general capital investing contingency, of course, covers new capital investment requirements that may emerge over the forward estimates period and where specific projects have not yet been confirmed. We keep head room in the budget for urgent and unexpected requirements in the budget and forward years, and I can assure the house that this is not some slush fund as referred to—

The Hon. M.J. Atkinson: And gee whillikers.

The Hon. K.O. FOLEY: And, sir, I wish not to proceed with encouraging people to look up the definition of jeepers whillikers.

SERIOUS AND ORGANISED CRIME (CONTROL) ACT

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:17): I seek leave to make a ministerial statement.

Leave granted.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: I was asked by the Iranian community to dress in black for the rally.

Members interjecting:

The SPEAKER: The Attorney-General has been given leave.

The Hon. M.J. ATKINSON: All done, all finished? On Thursday 14 May, I announced in this place that I had declared the Finks Motorcycle Club under the Rann government's Serious and Organised Crime (Control) Act 2008 because I had formed the view, after considering evidence put before me by SA Police, that members of the Finks associate for the purpose of organising, planning, facilitating, supporting or engaging in serious criminal activity and that the organisation represents a risk to public safety and order in this state. Part 6 of the act requires that, before 1 July each year, I must appoint a—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —retired judicial officer to conduct a review to determine whether authority under this act were exercised in an appropriate manner. A report of the review must be presented to me before 30 September and I must, within 12 sitting days of receipt of the report, cause copies to be laid before this and the other place.

A judicial officer, as defined by the act, is a person appointed as a judge of the Supreme Court or the District Court or a person appointed as a judge of another state or territory or the commonwealth.

The appointment of a retired judicial officer is important in ensuring the public and the parliament's confidence in the transparency of the operation of this legislation. Those detractors who have formed the view that this legislation is unnecessary and an attack on the civil liberties of South Australians should take comfort in the oversight of a former judge of the operation of the legislation.

Today I can inform the house that I have appointed Mr Alan Moss to conduct the review of the exercise of powers under the Serious and Organised Crime (Control) Act 2008. Mr Moss is a former judge of the District Court of South Australia and was the senior judge of the Youth Court. He has held the positions of magistrate, chief magistrate, assistant and deputy crown solicitor, assistant crown prosecutor and has acted as a deputy coroner. Mr Moss has extensive experience and is highly regarded.

Mr Moss is currently the presiding member of the Independent Gambling Authority. He has previous experience conducting reviews and inquiries for government including, in 2007, an extensive review of the Shop Trading Hours Act 1977. I hope that all in this house would welcome his appointment to conduct this most important review.

GRIEVANCE DEBATE

ROYAL ADELAIDE HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:21): Today we had the extraordinary revelation from the government—in particular minister Hill, followed by the Treasurer—that the working files (particularly in electronic form) for the new build of the Royal Adelaide Hospital proposed at the railway site have disappeared. We were told they were in the form of a USB flash drive and were last in the possession of an employee of the Department of Health's major projects office.

We heard from minister Hill today that that occurred on 2 June and that, later that day, the employee informed his employer in that unit. We also heard that the SA health department and the department of treasury were informed the following day, and I take that to be the senior people in those departments. We then heard that the Treasurer and the Minister for Health were informed by their departments nine days later. That, in itself, is an extraordinary delay, but I will come back to it.

The minister further advised the house that the matter was so serious and that he and/or the Treasurer's office have reported the matter to the police and to the Crown Solicitor's Office and that the government has apprised the external probity advisers—it is getting serious. We also heard that the security protocols that were in place have now been tightened from whatever they were before to what they are now—we do not know.

This situation is so serious that the government has ordered a review to be undertaken of the breach (presumably the loss of the item which contains all of this sensitive material) by the Crown Solicitor's Office—to quote Minister Hill:

> ...to establish whether additional revised protocols and procedures are required to minimise the risk of such an event occurring in the future.

The minister also advised us that the situation is so serious, members of parliament, that the Treasurer has also been consulted about whether this will compromise the current expressions of interest as the precursor to a tender process for the biggest single infrastructure project by this government, at $1.7 billion, coupled with nearly $2 billion in clean-up, rail yard site rehabilitation and relocation of the existing services, namely the rail yards on it.

This is how serious the situation is, yet when the government was asked today why it was not told for nine days, rather than give the parliament some explanation, the Treasurer stood up and said, 'That is why we are having a review. We have this matter being looked into.' What utter rot. The government is having a review of what went wrong when a member of the department lost this particular item containing this sensitive material.

There is no mention in minister Hill's ministerial statement about a review into why the two senior ministers for the Department of Health and the Treasury were then not told for nine days. The whole parliament and, therefore, the whole of South Australia is still in the dark as to why we were not told until today. Slipped into question time was the ministerial statement on the last day of the parliament, when both ministers—the Treasurer and minister Hill—knew this last Friday. Not a word.

We have had two days in this parliament, with question time and debates, during which time there has been much discussion about the expressions of interest procedure, the site, the development of the tender process and whether or not the whole project will go ahead. There was not a word from either the Treasurer or the Minister for Health about what has being going on. Well, we need to know some answers. We need to know about the level of sensitivity of the material on the documents. For example, if public sector factors are disclosed on this material and get out to the general population, will they contaminate or corrupt in any way the validity of that process? Was there password protector on that USB? We need to know.

Time expired.

CAMPBELLTOWN EDUCATION PRECINCT

Ms SIMMONS (Morialta) (15:26): I rise today to inform the house about an exciting development in the electorate of Morialta, where we are developing an educational precinct at Campbelltown. I am pleased to have been a part of this concept since its conception.

In 2006, shortly after being elected, I met with Anne Millard, who was then principal of Charles Campbell Secondary School, and David Lawton, Principal of Campbelltown Primary School, both excellent principals, who had already established a high level of cooperation between their schools.

Later that year, in cooperation with Rebecca Heath, Director of Il Nido Child-Care Centre, David Lawton started to have conversations about building a preschool on the land at Campbelltown Primary School. All three principals/directors saw great benefit and potential and need for a continuous and seamless path of education and care at Campbelltown.

In September 2006, I was pleased to be able to facilitate a meeting at Parliament House between the principals and Michael O'Brien (member for Napier), who had just returned from visiting superschools in the UK. The two principals were excited by the vision and also to learn that our Minister for Education, Jane Lomax-Smith, was keen to modify the idea for South Australia.

Although Campbelltown was not selected to be one of the initial superschools under Education Works, the idea of an education precinct started to take shape. All of the management team saw enormous benefit in pooling their resources and facilities. They saw a place with such a wide range and volume of skilled personnel that could cater for every need of a person from birth to adult. They imagined a place where resources were shared, extensive and developmental. They hoped for new facilities where they could provide a broader curriculum with state-of-the-art ICT. The federal government Building Education Revolution grants will go a long way to meeting these hopes.

They looked at existing programs of excellence in each site, and saw how much better they could become if they were offered birth to adult, not just in the high school or in the primary school or the early childhood setting, as they were at present. They saw the possibility of creating a concept that catered for career development opportunities of people employed at the site, of improving intervention and tracking of students, a seamless and resourced education in a culture of achievement and excellence.

They saw the potential of making links between health, education and care, to support child development, and they saw the potential of working with their neighbours—the Marche Club, the Italian Didactic Centre, the Italian Consulate, local business, local council and the numerous partnerships at the site already established over the years. Most of all, they saw it as the expectation of the community and the right of every child to achieve in an education setting, in order to succeed in the rest of their lives.

The leadership group met business people, government and local council and organisations, and had conversations about the idea. The idea grew, and from what was originally a good idea they saw the potential for a model of excellence to be developed. They even drew an early model of what it might look like if their dreams came true. All this thinking, all these ideas and all this potential could not simply be called a school or a super school. It was a precinct—a place that supported the learning, growth and development of all students, staff, volunteers, associate partners and visitors. It became known as a precinct.

In 2007, the Il Nido director, Rebecca Heath, and David Lawton, wrote an Education and Care Brief for a Children's Centre and two years later a $2.78 million centre (the largest in South Australia) is now being built and is due to be completed by 18 December this year and open for business in 2010.

To date, members of the leadership group have secured almost $7 million in funding from the Building the Education Revolution, children's centre development, National School Pride and the Trade Training Centres in Schools program, and they see potential for additional funding to be negotiated, both public and private. In addition, they have formalised lease agreements for the use of the land at Campbelltown Primary School as well as a memorandum of understanding and goodwill agreements, and are currently progressing with shared facilities development across the four sites using joint contributed funds.

They have employed an architect to physically put these ideas together and they are connecting these conversations with DECS architects to see what an education precinct might look like. They are hopeful that the educational precinct concept will include some significant building of new facilities. I congratulate them on this initiative.

ROAD SIGNAGE

The Hon. G.M. GUNN (Stuart) (15:31): Mr Speaker, I wish to—

The Hon. M.J. Atkinson interjecting:

The Hon. G.M. GUNN: Can I say to the Attorney that he looks after his problems and I will deal with my electorate and continue to raise issues of importance. I have received a letter from the manager of the Innamincka Trading Post, expressing concern about the lack of adequate signs in the Moomba Birdsville and Innamincka area. The house would probably be aware that there are very large numbers of tourists travelling to the north of South Australia to look at Lake Eyre and continuing on further. The letter states:

> During the past few months there has been much confusion on roads/tracks between Innamincka, Moomba and Birdsville area in regard to road signage or lack thereof. The first being the old Strzelecki Track where the Fifteen Mile Track branches off to either Moomba or Walkers Crossing. The sign has been missing for approximately two years causing people travelling the track to veer right causing them to head for Walkers Crossing, where they can get into fine sand drifts and sometimes have to be rescued by a recovery team...
>
> The second road in question is the Birdsville to Innamincka road via Walkers Crossing. There is no sign at the junction of Innamincka and Moomba and Tourists have taken the wrong road on numerous occasions meaning that they have ended up at Moomba and had to back track to Innamincka and on occasions tourists have run out of fuel due to the extra distance that is travelled. Running out of fuel in the summer can be very dangerous with not many vehicles on the road and temperatures in the high 50s. It should be noted that the only places that fuel is available within approximately 500 kms are Birdsville, Innamincka and Lyndhurst meaning that any extra distance travelled could be life threatening if they run out of fuel. This road is closed i.e. Walkers Crossing as is the Simpson Desert from the 1st December to 1st March each year as it is considered too dangerous to travel during the summer.

I bring this matter to the attention of the house, and I hope that the Minister for Transport can have his officers fix those problems as soon as possible.

I wish to make one or two other comments. I have before the house a bill dealing with an independent review of expiation offences, which is an important matter in a democracy, because the parliament in its wisdom has imposed an unfair—

The Hon. M.J. Atkinson: No, the LCL started it.

The Hon. G.M. GUNN: —well, you have perfected it—and unreasonable attack on people's civil liberties. I mentioned a case the other day where a constituent of mine had to put $2,000 in a lawyer's trust account before he could get the lawyer to go and defend him, even though he was innocent—and, fortunately, the magistrate agreed that he was innocent.

I received an extraordinary letter from the Local Government Association from one Wendy Campana, attempting to ridicule my decision to stick up for people against bureaucracy. I am absolutely amazed at this letter, and I wonder whether she has been reading *Alice in Wonderland* or *Winnie the Pooh*, because she makes a comment that she has a survey. I am dealing with members of local government all the time, and not one of them has complained about my bill. I am dealing with the immediate past president of the association on a regular basis. I am sure my brother, who is a mayor, would tell me very clearly if they were unhappy with it. Wendy Campana said in her letter:

> I am writing in relation to the Expiation of Offences (Independent Review) Amendment Bill...which you recently introduced into parliament...
>
> The LGA sought feedback from its member councils on the proposals contained in the bill, as councils have significant responsibilities under the Expiation of Offences Act...Responses indicated that councils do not support the proposal to insert a further layer of review into the act.

What my review does is give people the ability to defend themselves in a fair and reasonable manner. The current arrangement is quite unfair, and I would say that what the executive director is proposing is putting bureaucracy before the rights of individuals. That is what she is doing. The letter continues, 'Councils consider that there are currently sufficient safeguards.' That is an absolute nonsense and, if she believes that, I say: heaven help us; because what happens is the police delay the process deliberately, people cannot get before the courts and it costs them hundreds of dollars to prove their innocence.

The DEPUTY SPEAKER: Order!

The Hon. G.M. GUNN: Now, if they were given the chance to have the independent review—

The DEPUTY SPEAKER: Order! The member's time has expired. The member for Light.

GAWLER HEALTH SERVICE

Mr PICCOLO (Light) (15:36): Today I bring to the attention of the house some matters dealing with health. One is a particularly local issue and the other is an issue which is of general interest, I believe, to men in particular.

Members of the house may be aware that a recent federal government budget announcement has proposed that Gawler will no longer be classed as a rural zone for funding for health services. This means that Gawler has lost its RRMA 4 status and is now classified as Remoteness Area 1 (RA 1), and that puts it alongside other metropolitan areas. RAs are a new five-category system used by the ABS and Department of Health and Ageing to determine localities' remoteness and, the more remote you are, obviously, the more funding you have to support the health services.

The RA classification is determined using what they call an ARIA+ score, which is a way of determining distance using a whole range of things to determine how remote you are. The ARIA+ is a geographic measure of remoteness created by the University of Adelaide and the ARIA+ score is determined by dividing the distance of a location by the distance from its nearest service centre.

To cut a long story short, as a result of that, some of the benefits, if you like, which could accrue to local doctors to support the local health service will be removed over time. The local GPs, and also the local GP Inc service (which supports the local GPs), obviously have protested this change, as has the community. In fact, over 5,000 people have signed a petition which today I understand is already on its way to the federal parliament to be tabled.

While the doctors are rightly concerned about this change and its impact on the community, some assertions, such as the after-hours clinic service (the accident and emergency service) will be closed down as a result, are not correct. In fact, the health minister (Hon. John Hill) was in Gawler only this week and was able to reassure the Gawler residents about the future of local health services and, in particular, accident and emergency services.

The minister spoke at the Monday meeting of the Gawler sub-branch of the Australian Labor Party and said that, while the federal government decision to change the classification had created some challenges, obviously, for the delivery of health services in that locality, his department was working with local doctors to ensure these services could be maintained.

In fact, only last week, the minister received a delegation from local doctors (which was organised by me) and he reassured the doctors that the state government would support them in ensuring the services are maintained in that region. The minister also went on to say that communities like Gawler are growing and are different from country towns and metropolitan Adelaide, and therefore require different approaches to ensure that services keep up with the increase in demand. The minister also gave an assurance that the state government will continue to work with local health providers to deliver the best health services possible.

I also understand that the local doctors have now put a case to the commonwealth health department, with the assistance of the South Australian Department of Health, in relation to maintaining current benefits for a five year period, which will give local GPs an opportunity to maintain local services and provide a transitional period. This proposal will allow rural doctors to work in Gawler. It will allow overseas trained doctors to work in the emergency department and after-hours clinic at the Gawler hospital, and it will also maintain funding for mental health and palliative care. Hopefully, that proposition, which has been put by the local doctors, with the support

of the South Australian Department of Health and the minister, will be well received by the federal minister. It certainly has my support.

In the few moments I have left, I bring to the house's attention that this week is International Men's Health Week. Again I draw attention to the poor state (in a relative sense) of men's health in this country and that we need to address that. As part of my commitment to supporting that, tomorrow I am sponsoring a barbecue for blokes at the local men's shed in Gawler, which I helped to establish.

KANGAROO ISLAND DEVELOPMENT

Mr PENGILLY (Finniss) (15:42): I rise to raise a serious matter in relation to development on Kangaroo Island and particularly in relation to an appeal that was heard by Commissioner Green of the Environment, Resources and Development Court. Some years ago, the two councils came together and the development plan put together at the time acquiesced the 40 hectare subdivision in Dudley and 100 hectares in the old Kingscote, and brought it together to make 40 hectare subdivisions. The 40 hectare subdivisions in the old Dudley council general farming zone have been most successful and it made sense to translate it to the whole island.

I put on the record that I currently have an application in front of council. However, this is such an important issue to me that I need to speak about it today. I am vitally concerned that bureaucracy has been put before the rights of individuals and that the Trethewey family has been very badly treated by bureaucrats and a poor decision by Commissioner Green. Bureaucrats within state government agencies and poor decisions are absolutely hindering the orderly development of Kangaroo Island. No-one wants to see large scale farms cut up, but what has happened to Mr Trethewey is a nonsense. It is an area where there are many smaller subdivisions which add to the economy, the community and the population of the island.

It is very difficult for me to argue for increased funding for Kangaroo Island when bureaucrats are making decisions and recommendations that stop and inhibit progress. I think Commissioner Green (whoever he is—and I have never met him) has been absolutely conned. He has been conned by shiny backside bureaucrats. They have dealt Mr Trethewey and his family a blow.

I am putting in freedom of information requests on these matters. Since that plan has been put together, there has been a succession of planning officers through the Kangaroo Island council. An earlier planning officer allowed these subdivisions to go through with no problems whatsoever. Then we had another who came and went, and there have been others. The current officer has staff under him. I do not think they know where they are, quite frankly. I think they are all scared for their own security and prospects. They are all getting good salaries, whether they be employed by state or local government, or whatever.

As a consequence of that, the community is suffering and not being allowed to grow. It is not being able to create new titles. It is not allowed to bring in people. It inhibits the economy. When organisations come to me and say that they need more government money, how can I possibly stand here and argue for that when they are getting slaughtered in their own backyard? I think what has happened to the Trethewey family and its case is outrageous. I do not have enough time to go into the detail, as it is far too long; I may have to seek another time to do so.

Commissioner Green made some amazing points in his judgment. I do not know whether the bureaucrats put this up to him, and there is a list of so-called agricultural experts—Mr Brown, Dr Bishop, Ms Dohle and Mr Drew. I do not know whether they have ever run their own farms or whether they have a bent against letting the development of Kangaroo Island go ahead; I suspect they might and that they are living in the past.

I do not know whether Commissioner Green is green by name and green by nature; I would not have a clue. The information I have is that those who work in the ERD Court are not real good performers anyway, so he could well be one of those.

The Hon. M.J. Atkinson: Oh, excellent! I'll pass that on.

Mr PENGILLY: You can pass it on because I tell you what, Attorney: they are absolutely stuffing up Kangaroo Island. If you put it all together, there is a list here six metres long. The fact of the matter is that 40 hectare subdivisions are probably too large and perhaps should be 20 hectares, but who gives these bureaucrats the right to say what people can and cannot do on their own land? The Trethewey family has been penalised.

As I say, they are putting bureaucracy before the rights of individuals and their property. They are putting their own ethos and philosophy in front of the future development of Kangaroo Island. No-one wants to see farms on the major agricultural part of the island cut up, and that is not going to happen. In the area just across the road from this development, Mr and Mrs Graham Smith have subdivided their property into 40 hectare subdivisions, and it works exceptionally well. We have houses there, more farming taking place and it goes on and on. I am appalled at this result.

Time expired.

CHEESE AND WINE TRAILS

Mr BIGNELL (Mawson) (15:47): I often come into this place and talk proudly of some of the great wine and tourism products which are available in McLaren Vale and which have been developed and extended into other wine regions throughout South Australia and, indeed, to wine regions across the border, into New South Wales and Victoria.

I have seen one such product grow from an idea of Dr Mark Potter, whom many people in here would know if they have been to his former café, the Blessed Cheese, in the main street of McLaren Vale, or to his current café, the Three Monkeys, in the main street of Willunga.

Dr Mark Potter started up the cheese and wine trails about four or five years ago, and the idea was that you went along to his cheese shop and café and got a pass and a selection of cheeses to take along to the wineries you were going to and, depending on the winery you visited and the wine you would drink, he assembled the cheese platter accordingly.

It was a very successful business venture, and he extended it to the Barossa Valley and to other wine regions here and in New South Wales. By the end of 2007, the McLaren Vale cheese and wine trail alone had engaged more than 3,500 patrons and generated more than 15,000 cellar-door visits and wine sales in excess of $120,000.

In July 2007, Dr Potter was approached by the directors of the business Smartvisit Solutions, Mr Nick Carter and Mr Ryan Rievely, who ran a competing wine tourism product called the Cellar Door Pass. They offered to purchase the network for shares in their company and the contracted commitment to employ Dr Potter as their product development officer for a period of three years.

However, immediately after integrating the cheese trail product into their portfolio, in May last year SVS directors terminated Dr Potter's employment without cause. Dr Potter rightly sought to enforce the contract, as it was implicit to the sale of the business. After failing to find resolution, he initiated court proceedings against SVS directors in March this year.

On the eve of the hearing, SVS directors revealed that they had sold all their assets to another business, Smartvisit Holdings, and placed their business, SVS, into receivership. This action left SVS, with no assets, owing more than $500,000 to a range of creditors, including more than $130,000 to the Australian Tax Office and more than $250,000 to the company that provided them with their technology. This action also reduced the value of more than $1 million in SVS issued as payment to business partners such as Dr Potter to zero.

An ASIC search reveals that this new company, Smartvisit Holdings, is owned and directed by Mr Nick Carter and Mr Ryan Rievely. Mr Rievely and Mr Carter continue to trade seamlessly, having shrugged off more than one and a half million dollars in financial commitments, including those to Dr Potter, as if nothing has happened.

As they also own the business Smartvisit Solutions Australia, as distinct from Smartvisit Solutions Pty Ltd, they have continued to trade under the name Smartvisit Solutions and so have not had to reveal their actions to the business community. It is my belief that the directors, Mr Ryan Rievely and Mr Nick Carter, have contravened a number of statutes of the Trade Practices and Corporations Act and I understand that requests have been made of the ACCC and ASIC to review their actions.

This is a company which has engaged with several wine and tourism operators throughout this state and other states, and I would like to send out a warning to any tourism operator to be aware of who they are getting into business with, if this is the group that they want to engage in with business. I put a warning out there that these people are shonks. I wrote to them last month and I gave them a fair amount of time to get back to me with a response to my letter, putting these accusations. They have failed to meet that deadline of 22 May.

So the warning is now out there. I will be passing this on to our tourism minister and the federal tourism minister, to be aware to stay away from Smartvisit Solutions now trading as Smartvisit Holdings, because unless you want to do your dough you want to stay a long way away from this company that has taken a very good, sound business, developed by a constituent of the electorate of Mawson, and not only left him out of pocket but has stripped away from him his pride and joy, the little baby of an idea that he had built up into a thriving business. I would like to make sure that what has happened to Dr Potter does not happen to anyone else in this country.

SITTINGS AND BUSINESS

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:52): I move:

That standing and sessional orders be so far suspended as to provide that government business has precedence over Private Members Business Bills and Private Members Other Motions on Thursday 2 July and that any private members' business set down for that day be set down for consideration on Thursday 16 July.

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

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

Motion carried.

AUDITOR-GENERAL'S REPORT

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:55): I move:

That standing orders be and remain so far suspended as to enable the Supplementary Report of the Auditor-General entitled Agency Audit Reports and a Matter of Specific Audit Comment—June 2009, to be referred to a committee of the whole house and for the Minister for Transport, Minister for Infrastructure and Minister for Energy to be examined on matters contained in the report for 30 minutes.

Motion carried.

In committee.

The CHAIR: I remind everybody that this is not estimates. It is the standard committee procedure, so you must stand to ask and answer questions. It is imperative that questions relate to a line of this report of the Auditor-General.

Dr McFETRIDGE: I refer to the whole of the report. Does the minister expect this year's audit to be on time and unqualified and, if not, why not?

The Hon. P.F. CONLON: Do I expect this year's audit to be on time and unqualified? I would hope both of those things but—

The Hon. M.J. Atkinson: It'd be nice.

The Hon. P.F. CONLON: That would be nice. Can I assure the member that, unlike the previous government, we wait for the opinion of the Auditor-General. We do not seek to direct the Auditor-General as to what his/her opinion should be. Can I also say to the member, if he is concerned about Auditor-General's reports and whether they are qualified or make criticisms, I point out that what has occurred in the Department for Transport, Energy and Infrastructure is extremely mild in comparison to some earlier Auditor-General's reports on other matters.

The Hon. M.J. Atkinson: Patrick, it's not like publicans and sinners.

The Hon. P.F. CONLON: No. I might refer the learned member to the Auditor-General's Report on the Hindmarsh soccer stadium just so that we understand it in a proper comparison between this fear of a qualified audit and what a bad audit report really does look like.

That report, you might remember, had headings in it like 'In a Nutshell What Went Wrong', 'The Undermining of the Public Works Committee Process', 'Other Major Failures of Due Diligence' and 'Inadequate Feasibility and Cost Benefit Analysis', and there was a section about the tourism minister called 'Mrs Hall: A Conflict of Interest and Duty'.

I think it is sufficient to say that it was completely scathing of the processes of the previous government in regard to the soccer stadium. It was reported in the media as being unprecedented—I think was the term they used. They said it was damning. I think eventually it cost

a few people their jobs, but that is when you should be concerned. The problem was that it was not a lone occurrence for the previous government in terms of audit reports.

I refer to the Auditor-General's supplementary report—like this one—on the Electricity Businesses Disposal Process. It did not say that there was a problem with reconciliations. It said quite extraordinary things. It said that the Treasurer, as a matter of law, contract out of an obligation to ensure procedural fairness. It said that ERSU's (which was the unit set up) arrangements had 'significantly diluted the accountability obligations normally required of advisers'. It said that the government was at significant risk in terms of price because of them. It said that there was no evidence that the process was controlled.

I will remind members that we are talking about some consultants that were paid $100 million. It is quite a lot of money. It pales with the final failure of reconciliation, which I think was in the order of $5,000. I do not want to bore the house with it, but basically it is an absolutely scathing Auditor-General's Report on the processes for the sale of billions of dollars worth of assets and the payment of $100 million to some consultants.

There was another report on the engagement of advisers; another one on relevant long-term leases and another supplementary report on electricity. So, I just want to make the point—before we get all het up about a qualified audit because of some original problems with the software system making reconciliations which were eventually traced back—that, as I understand it, not a single cent was lost to the taxpayer. That is not what it was about. As I understand it—and I will check with the advisers—in the end, we found $5,000 that was in the wrong column; it should have been somewhere else. That is the extent of the problems, at least in a dollar sense, identified in the audit.

I hope that the next audit will be on time and will be unqualified. If it is not on time or if there is going to be a qualification, what I am not going to do—if I can give this undertaking to the house—is institute legal proceedings against the Auditor-General, as we saw in regard to one of those reports, with actions taken by the former ministers in your government. So, I hope it is on time, but what I will say is that we will respect the role, the position and the opinion of the Auditor-General. If the Auditor-General decides that it should not be on time or that it should be qualified, that is what he will decide. What I will say is that I am absolutely confident that I will never get a report that looks anything like the ones you have under your government.

Dr McFETRIDGE: It was not under my government. I was not there. Things could have been done better, but that is just life. We will move on. We should look at the second page of the Auditor-General's letter; it is pretty interesting. Page 38 of the Auditor-General's Report states:

It is audit's view that the breakdown in controls over reconciliation procedures and other areas exposed the department to the risk of:

- loss or misappropriation of funds
- inaccurate processing and reporting of transactions
- not processing transactions in accordance with department policy

Minister, has anyone been charged for driving an unregistered or uninsured vehicle without a licence due to the SAPOL computer system not matching with the TRUMP system?

The Hon. P.F. CONLON: That is an interesting question, given that the Auditor-General's Report does not say anything of the kind. In fact, that is the sort of question that we say is slightly out of left field, or no field at all. The Auditor-General, for the benefit of the member for Morphett, has gone into great detail to identify issues with the operation of the TRUMP system.

Dr McFetridge interjecting:

The Hon. P.F. CONLON: Sorry? You want to interrupt during your half hour—be my guest. There was a reference there to being exposed to some risks, and you asked whether someone was therefore falsely charged.

Dr McFetridge interjecting:

The Hon. P.F. CONLON: The detail is very considerable. What it shows is that some of what the Auditor-General identified as failings concerned the reconciliation of moneys. Can I just say that, having gone into that much detail—it is a bizarre question, anyway—one would assume that that was not the case. What I would really like the member for Morphett to do is actually refer to something that is contained in the report and not some sort of invention of his own. There is

plenty of matter here to talk about. I am quite happy to talk about that, but you cannot just invent matters that have not been raised by the Auditor-General. I am utterly unaware of any circumstances that you suggest. None of my officers indicate that they are aware of any such circumstance. In short, it is yet another McFetridge special—a pure invention.

Dr McFetridge: We'll wait and see about that.

The Hon. P.F. CONLON: We'll wait and see, will we? Don't you think that, if someone was wrongly charged, they would have defended it? If you know of someone, we are quite happy to look at the circumstances, but it is not contained in the Auditor-General's Report.

What the Auditor-General did identify were risks, but I have to point out that he has not identified that any of those risks were realised; that is, the system, he says, exposed the department to risk, but he does not say that the risks were realised. There is no indication that the taxpayer has lost a cent out of it, and I have no indication that someone, as a result of this, was wrongly charged with driving an unregistered vehicle. I would have thought that, if a person was wrongly charged with driving an unregistered vehicle, they would probably say, 'Well, hang on, my vehicle is registered.' If you have that evidence, please be my guest. I suspect that if something like that did occur, we will see.

Dr McFetridge: It's sorted.

The Hon. P.F. CONLON: It's all sorted?

Dr McFetridge interjecting:

The Hon. P.F. CONLON: All right. I refer you to Madam Chair's suggestion that you confine yourselves to matters contained herein. None of my officers are aware of the issue you have suggested. If you believe it is there, you can explain it to me.

Dr McFETRIDGE: Same reference. The Auditor-General referred to inaccurate processing and reporting of transactions. Are all registration documents now being processed accurately? Are people still being given registration documents where the third party insurance and emergency services levy have been charged but not the registration fee?

I have copies of documents here, where the total fee was $437, but what was charged was the $265 for everything but the registration fee; and there is a receipt for $265 here. There is another receipt here for $33 for a trailer, but a charge of only $6 for the admin fee. There is another case here where a fellow paid $37; the receipt was for $26. When he paid the total fee of $37, the person at the Registrar of Motor Vehicles wrote it on there, but there was no further record, no official receipt was issued.

The Hon. P.F. CONLON: Yes. You refer to matters that were dealt with in this chamber some considerable time ago. There is no doubt that there was much discussion about some original teething issues with the introduction of the TRUMP system. I will point out two things. There was an allegation of somebody being wrongly charged, and now we have receipts that do not have the right figures. I come back again: it is a repeated form of behaviour of this member to raise matters that have no substance. Oh yes, the Legionnaires' disease in the trams. Does everyone remember that one? The toxic black substance, which turned out to be carbon. A good proportion of the honourable member is made of carbon, but, apparently, in this case it was a toxic disease.

There is no doubt—and it has been canvassed at some length—that the TRUMP system had a number of teething problems. I point out that the matters that were raised by the Auditor-General were also matters that occurred at the start-up of the TRUMP system. I would point out the difference between the degree of those problems and the difficulty seen in other states at the commencement of these new systems. I think WA went into complete gridlock for a fortnight with the introduction of its new system. We had some teething problems; I am happy to say they were much smaller. I regret that people may have been incorrectly billed. It is always very frustrating when a document turns out to be inaccurate. It has been deeply frustrating for a number of people on that side when documents turn out to be just not accurate but, yet again, complete inventions.

Dr McFetridge interjecting:

The Hon. P.F. CONLON: You can ask another question in a moment. I must say, though, that I am starting to wilt; the sweat is breaking out under the grilling. There is absolutely nothing new in what you have raised. If you want me to confess that there were teething problems with the start-up of the TRUMP system—

Dr McFetridge interjecting:

The Hon. P.F. CONLON: You can ask another question in a minute; you've got another 16 minutes. Yes, there were teething problems. Were they to the extent that we have seen in other states? No, not at all. Do we wish it had not happened at all? Yes. Do we regret any inconvenience that it caused people? Yes, but, you always take a risk when you start new and complex systems. As a result of the system, our software now has a greatly increased functionality for people, which has seen some benefits that I can go into, if you like.

Do we wish there had not been teething problems? Yes. Is the way to avoid teething problems with a new system not to install it, which, of course, was the approach of the previous government, which underinvested everywhere? Did things go wrong? Yes. Were they as bad as in other places? No. Do we regret them? Yes. I am always happy to come in and front up to my responsibilities in that regard.

Dr McFETRIDGE: Increased functionality—does that mean that it is fixed? I don't know. I refer to page 105 of the Auditor-General 's Report, which states:

> Audit found that, in relation to TRUMPS, excessive privileges had been granted to personnel which exceeded access necessary to perform their jobs. This provided the possibility for users to perform unauthorised transactions, to compromise the integrity of production data and change confidential data on the system.

Can the minister guarantee that no personnel compromised the department due to being granted excessive privileges which exceeded the access necessary to perform their jobs?

The Hon. P.F. CONLON: If the learned member reads the preceding introduction, from memory (I am not looking at it), it refers to EDS personnel and other private personnel who are employed to create software for the program. It does not refer to people not having access to data, because no-one had unauthorised access to data. It refers to those consultants having access—and this is the briefing that I have been given on it—to other areas of software that they did not need to develop the particular product they were making.

What they could have done, I am told, is go to another page and change one of our documents; not change data or access data, but change the look of one of our web pages or one of our documents. I guess it is a risk, but I am flat out bewildered why you would want to bother doing that unless there is something a bit odd about you. It has no risk, in any case, of anyone gaining access to data that they should not. Access to hard data is strictly controlled, and there is absolutely no evidence of anyone accessing that data who was not entitled to it, and there is no evidence of people who were entitled to access that data having not used it properly.

The other thing I am told they could have done by having excessive privileges is cut off access to a server. Again, I am not sure to what end they would do that, but, certainly, that is the risk. These matters have been dealt with, but I am afraid that it is not nearly as terrifying as the member for Morphett would have us think.

Dr McFETRIDGE: On page 36 of the Auditor-General's Report the following is stated:

> In April 2008 the external accounting firm reported to the Department the results of its review. The report noted that staff working with the new system did not have the knowledge and skills required to operate the system and that this was impacting on revenue collection and disbursement processes. It also noted that discrepancies arising from the system's implementation, variations in banking and clearing accounts were not followed up or effectively controlled.

Does the department now have staff with the knowledge and the skills to operate the system?

The Hon. P.F. CONLON: Yes.

Dr McFETRIDGE: What was the cost for the external accounting firm's report, and will the minister table that report?

The Hon. P.F. CONLON: I will take advice on whether it should be tabled. I do not believe that it should: I think it is an internal document. How much it cost I do not really know. We can find out. However, believe me, in terms of the cost of a brand new system of software with increased functionality—does the member want me to explain what that means? It means it can do more things than it did before. I am sure that the member will find that the cost of that was small and was a good investment, in terms of the introduction of a very substantial new software system with increased functionality.

Dr McFETRIDGE: 'Increased functionality' can mean it was turned on, when it was not working at all. Page 38 of the report raises the issues of loss or misappropriation of funds and not

processing transactions in accordance with departmental policy. Why were monthly bank general ledger reconciliations not performed until February 2008, even though TRUMPS had been in operation for five months?

The Hon. P.F. CONLON: There were, as has been identified—and, while the member was meandering off on thoughts of his own, when he said that increased functionality can mean that it was turned on, can I indicate to the member for Morphett that it is a completely ridiculous remark. I can give him an example of increased functionality. There are some services available—

Dr McFetridge interjecting:

The Hon. P.F. CONLON: No, mate; if you want to throw comments in you are going to get them answered. Increased functionality does not mean it was turned on. From memory (I do not have this in front of me), there are now things that can be done online that could not be done before. So, it is more convenient for the customers of those agencies. I understand that, in future, there will be further things that we can arrange, including BPAY, I think, which will be possible in the future as a result of the increased functionality of the new software. It does not mean that it was turned on. In short, it means that it can do more than the old system could: it can offer more convenience and more services to customers than the old system.

I might point out some of those. There is an increased range and availability of transactions via the internet; vehicle dealer and agent delivery channels; recreational boating system registration renewals now online; driver's licence renewals and replacements will be internet capable by September; increased state revenue through more stringent checking of client eligibility to claim concessions; and more flexible payment options, including the use of BPAY. The BPAY project is in the early development stage but should be delivered next financial year. The vehicle inspection booking system is online. There is a whole range of things that it provides to customers that the old system did not (you can turn over the page and there are more, but I am getting a bit bored with it). That is what that means.

With respect to the member's question, there were considerable complexities with the start-up of the TRUMP system that made it difficult for people to get those reconciliations done. They had to go back and do them over a several month period to bring them into line. However, again, I point out that, from where it started to the present, going back and doing all this work with the Auditor-General has seen us now, as a result, in terms of, I think, $1.1 billion of turnover, with $5,000 that ended up in the wrong column. That was the end net result of these difficulties. As I said, I wish it had not happened, but I will take that in front of giving a bunch of spiv consultants $100 million for buggering up the sale of electricity assets.

Dr McFETRIDGE: Page 103 of the Auditor-General's Report talks about the department's response to the formal sign-off and defect management. The report states:

> The Department advised that the Steering Committee made the decision to 'go live' subject to resolving matters raised by the South Australia Police. Audit was advised that both the DTEI Chief Executive and the Minister's Office were aware of the date the system was to go live.

Were the matters raised by South Australia Police resolved prior to the TRUMP system going live and, of the 308 outstanding defects in the system, ranging from critical and major through to minor, how many of them were those raised by South Australia Police?

The Hon. P.F. CONLON: The answer to the second question is none. Here is what the member for Morphett is suggesting: that we knew that matters raised by the police had not been sorted out but we went live anyway. We are smart guys, are we not? Of course those matters were sorted out before it went live. Can I tell the member for Morphett that, when the system was being introduced, as the minister, I was well aware of what had happened in Western Australia. We had very rigorous meetings, during which I asked these people whether, when we started it up, what happened in Western Australia was going to happen, and I asked them to make absolutely sure that that was not the case. In fact, from memory, I remember asking the then chief information officer to be involved and to have a look at the processes to see how we were going, and every care was taken.

I will explain. When you are in government you do not like getting in trouble: you kind of like not being in trouble. In fact, I love being bored. I reckon one of the best things in government is being bored because when you are bored nothing is going wrong, so I try to avoid it. That is what we did. The people did a big job putting this up—they did better than Western Australia and they did not do as well as we would have liked but, in the circumstances, I will take it. The truth was that we had to start it some time. People believed they had it fixed. They did that in good faith. They

believed they had got every base covered and, when it started, there were a few things wrong. There were a few inconveniences for people and some difficulties in reconciliation.

I point out again, from memory, it is $1.1 billion worth of turnover and something like four million transactions. For four million transactions and $1.1 billion worth of turnover, at the end of the day there is $5,000 in the wrong column. It is important that we keep it all in perspective. We did our best. They did their best to make sure it would work smoothly. It worked better than in some other places and it did not work as well as we all would have liked. However, I am sure you are happy that it did not work well, because what else would you have to talk about?

Dr McFETRIDGE: On page 52 of the Auditor-General's Report it states that $2,703,000 was obtained in 2008 as 'resources received free of charge'. Can the minister provide details of this item and where it is provided from?

The Hon. P.F. CONLON: I will have to take it on notice and get back to the member.

Dr McFETRIDGE: On page 41 of the Auditor-General's Report concerning debtor follow-ups, have debtor follow-up procedures now been implemented?

The Hon. P.F. CONLON: We can give you lots of detail if you want, but yes, they have.

Dr McFETRIDGE: I refer to Note 16 in the Auditor-General's Report at page 74. How much rent is the state government paying for the accommodation of DTEI in the new city premises?

The Hon. P.F. CONLON: There are a couple of small points about the question. One is that I do not think the department is there yet. Secondly, auditors-general reports look backwards to 2007-08. From memory, the decision to go there was at Mid-Year Budget Review time, after the end of the 2007-08 financial year that the Auditor-General has looked at here. So, it is a bit puzzling that the member would ask that question.

Dr McFETRIDGE: On page 34 of the Auditor-General's Report—and I know I have asked this question before but we would still like an answer—why has the minister not instructed the department to treat the commonwealth grants received as income as specified in AASB 1004 and APF V when the Auditor-General has raised this issue in previous reports?

The Hon. P.F. CONLON: The first time I answered this question was I think about a year ago, and I will answer it again. I am glad the member for Schubert came in, because he will like the answer, even if the member for Morphett does not. You asked me a few weeks ago and you are asking me again now, as if we did not tell you the answer. Here is what happened. I will go through it again, exactly, I think, as I have said previously.

About 24 hours before the end of the financial year, the federal government (then John Howard's government) sent us an offer of $100 million to do works on the Sturt Highway, many of which are now being enjoyed in the electorate of the member for Schubert, I think. They said, 'You have got 24 hours. Say yes or no.' Here is what we are arguing about: we are arguing about accounting standards. If it was accounted in one column we would have had to refuse it because it would have gone to the budget bottom line, and no-one can add $100 million to their budget bottom line 24 hours before the end of the financial year. What would have happened if you accounted it that way is it would have gone to pay off debts and then we would have to find another $100 million. So we asked Treasury and they said it could be accounted so that was deferred expenditure, or deferred income, or something. So we took Treasury's advice because that meant we could spend $100 million on roads in South Australia.

The Auditor-General subsequently believed that it should have been accounted differently. It was a little late, because we had agreed to spend the money. However, I will say this again so that the member can understand it. If I get advice from Treasury that I can take $100 million from the commonwealth and spend it on a South Australian road, I am going to do it every time. There are people driving on that road now who would not have been driving on it if it had been accounted differently because we would not have been able to accept the money. If the major criticism of the opposition is that I managed to get $100 million of commonwealth money and spend it on South Australian roads, I am guilty as charged.

The CHAIR: The committee has concluded its examination.

NATURAL RESOURCES MANAGEMENT (COMMERCIAL FORESTS) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:29): Obtained leave and introduced a bill for an act to amend the Natural Resources Management Act 2004. Read a first time.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:29): 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.

In the context of the unprecedented challenges we face as a result of drought, climate change and increasing demands on South Australia's limited water resources, it is imperative that the Government is able to meet its responsibilities for managing water resources sustainably. The demands on water are many—flows must be secured for critical human needs, sustainable industry development and environmental assets. An important component of this broader challenge is to ensure that the Government's support for commercial plantation forestry is aligned with its vital responsibilities for managing water resources sustainably.

In response to this challenge the Government has adopted the Statewide policy framework entitled: *Managing the water resource impacts of plantation forestry*. The goal of the Statewide policy framework is that South Australia achieve ecologically sustainable development of plantation forests, while protecting and managing our water resources for all users now and in the future.

The policy framework sets high-level principles, describes a number of water resource management options, and provides a decision support tool to help planners and decision-makers work out the best management option for a specific set of circumstances. The framework acknowledges that both permits and forest water licences can be appropriate tools to manage the water resource impacts of plantation forests. The *Natural Resources Management Act 2004* currently allows a permit system to be applied by regulation, however, there is no provision for forest water licensing. Accordingly, this Bill seeks to establish a mechanism within the *Natural Resources Management Act 2004* (NRM Act) that would enable forest water licensing where it is considered a reasonable measure to take to improve the management of a water resource.

However, which management option is ultimately applied will depend on whether a water resource is prescribed or not under the NRM Act, the condition of and extent of pressure on water resources, the current and future likely extent of plantation forests, and their impacts relative to other water uses. Proposals for managing the water resource impacts of plantation forests will be subject to public consultation through the NRM and water allocation planning processes required by the NRM Act. In addition, where forest water licensing is proposed, a declaration by the Minister responsible for the NRM Act, following a referral to the Minister with primary responsibility for commercial forestry, is also required before forest water licensing can be implemented.

The impacts of commercial plantation forests on water resources

Where commercial plantations are a significant land use in a catchment or landscape, they may reduce the amount of water that can be accessed by other users or the environment and may impact on the security of water resources themselves. In South Australia, plantation forestry is currently a significant land use in the higher rainfall areas of the Lower South East, Kangaroo Island and the Mount Lofty Ranges.

In areas where commercial forestry expands after water use has been licensed, new plantations can intercept water that otherwise may have recharged groundwater, flowed to streams and wetlands, or would have been available for allocation. Where they are established on aquifers that are shallow, plantations may also directly extract groundwater. Therefore, if commercial forestry expands to cover a significant portion of a catchment or landscape the amount of water available to licensed water users and the environment can be less.

The problem that can arise is that where it is found that water is over-allocated and it is confirmed that the water resource is at risk of imminent degradation, the amount of water allocated to current water licence holders can be reduced but the water use of plantation forests cannot. This situation can lead to inequity in the treatment of water users where water use needs to be reduced and if commercial plantation forests are using significant amounts of available water. For example, the South East NRM Board, in conjunction with its regional community, has been developing a draft water allocation plan for the Lower Limestone Coast Prescribed Wells Area. Preliminary drafts of that plan have proposed forest water licensing so that plantation forestry can equitably share in reductions to water allocation should it become necessary.

The forest water licensing system

To provide certainty to all water users regarding the processes that will be applied when considering such matters across the State, the Bill seeks to establish a system of forest water licensing that integrates with the current water licensing system. The Bill provides a mechanism in the NRM Act for commercial forestry to be licensed for its water use, and for this use to be reduced along with that of other licensed water users, in areas where this is

necessary for the long-term integrity of a prescribed water resource and the water allocations held by current licensees. However, the Bill also recognises the different nature of commercial forestry from other licensed water use—including that forest water use can not be 'turned off' quickly and that the planting of different tree species may lead to different levels of forest water use. Therefore it, provides that, where necessary, forest water allocations may only be reduced after harvest or partial harvest of a plantation has occurred or as authorised by regulation.

The Government will also promote use of the option in the Bill that allows the Minister to approve schemes prepared by forest managers that set how and when reduced water use will be achieved. This will allow plantations to be managed in ways that optimise commercial forestry outcomes while contributing to water resource sustainability.

The proposed system of forest water licensing also integrates with the current water licensing system to simplify administration and to facilitate trade in water between licensed water users and forest industry sectors. When forest water licensing is initiated, the Bill provides that existing plantations are recognised as existing users, and forest water licences and allocations are granted to reflect the water those plantations require.

Whether or not forest water licensing applies, and continues to apply to a particular area, is subject to a flexible and transparent process that involves the declaration of a 'forestry area'. This process:

- is informed by regional input through the water allocation planning process for a particular water resource—that is, the water allocation plan must identify the significance of the water resource impacts of commercial forests for that resource and it must recommend forest water licensing before the Minister responsible for the NRM Act can declare a forestry area that will be subject to licensing;
- requires the Minister for the NRM Act to consult the Minister primarily responsible for commercial forestry before making a decision to declare an area to which forest water licensing will apply, and this decision must be on the basis that forest water licensing is a reasonable measure to take to improve management of that particular water resource; and
- allows the decision to implement forest water licensing to be reviewed at any time—that is, the Minister can vary the declaration of a forestry area, amend the area in which forest water licensing applies, or revoke a declaration, where considered appropriate.

Water Allocation Planning

The forest water licensing system envisaged by the Bill also provides for a water allocation plan to determine the water use of commercial plantations taking into account factors relevant to that region and to distinguish between different classes of forests. A plan may also recommend that particular types of forestry be exempt from licensing requirements, for example farm forestry or forestry planted for salinity benefits.

In developing proposals to manage the water resource impacts of plantation forestry, regional NRM boards will be required to ensure they are consistent with the policy framework, which includes demonstrating that not only are the water resources being managed sustainably, but are being managed in a way that will support the development of prosperous industries and optimise net benefits to the community.

Once a forestry area has been declared, and the initial forest water licences and allocations have been issued, policy included in the relevant water allocation plan will apply to managing all water licences including forest water licences. Water allocation plans are prepared by regional NRM boards and are adopted by the Minister with responsibility for the NRM Act. They are required to set out water availability, the condition of the water resource, levels of allocation and, if necessary, how reductions will be implemented to protect the water resource.

Water allocation plans also identify where water remains available for future development, and govern how trades (transfers and variations to allocations) can occur. As statutory public consultation requirements apply to the preparation and revision of water allocation plans under the NRM Act, the system allows all interested parties to engage in the planning process.

In this way, transparency is embedded in the forest water licensing system and responsibility is shared with regional communities and affected parties for exploring options for addressing regional water resource management issues, including those related to commercial forestry. Policy options that may be explored by communities for inclusion in water allocation plans are constrained by the objects and principles of the NRM Act and policies that include the State NRM Plan 2006 and the Statewide policy framework for managing the water resource impacts of plantation forestry.

In summary, the proposed forest water licensing system envisaged by this Bill is intentionally different from the licensing system that applies to other water users to reflect the different nature of the activity. However, forest water licensing integrates with the water planning and allocation systems in the NRM Act to facilitate trade between forestry and other water users, to ensure that administrative systems are as simple and effective as possible, and to provide for both plantation forest industry development and sustainable water resources management.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause provides for the short title of the measure.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Natural Resources Management Act 2004*

4—Amendment of section 3—Interpretation

This clause inserts new definitions associated with the provisions to be inserted into the principal Act by this Act. A key definition will be *commercial forests*, which will be taken to mean a forest plantation where the forest vegetation is grown or maintained so that it can be harvested or used for commercial purposes (including through the commercial exploitation of the carbon absorption capacity of the forest vegetation).

5—Amendment of section 76—Preparation of water allocation plans

The scheme envisaged by this measure will include the preparation of amendments to any relevant water allocation plan to identify appropriate principles and methodologies to determine the impact that commercial forests may have on the prescribed water resource and to identify the commercial forests that are to be subject to the licensing scheme.

6—Amendment of section 101—Declaration of levies

The Minister will be able to declare and impose a levy in relation to commercial forests that are subject to a licence under this scheme.

7—Amendment of section 104—Liability for levy

This is a consequential amendment.

8—Amendment of section 124—Right to take water subject to certain requirements

This amendment makes it clear that rights of access to water apply subject to any requirement to have a licence with respect to a commercial forest.

9—Amendment of section 125—Declaration of prescribed water resources

This amendment recognises that it may be appropriate for a proposal to declare a water resource to be a prescribed water resource under the Act to set out any proposals to introduce controls relating to commercial forests under new Part 5A.

10—Amendment of section 127—Water affecting activities

This amendment recognises that a water allocation plan may regulate the activity of undertaking commercial forestry.

11—Amendment of section 152—Allocation of water

A water allocation will be able to be obtained from the holder of a forest water licence (subject to any conversion or adjustment under the provisions of any relevant water allocation plan).

12—Insertion of Chapter 7 Part 5A

This clause sets out a new scheme for the regulation of commercial forests under a licensing system in declared forestry areas.

13—Amendment of section 193—Protection orders

The scheme set out in section 193 of the Act to provide for protection orders will extend to the ability to be able to issue an order for the purpose of securing compliance with Chapter 7 Part 5A.

14—Amendment of section 195—Reparation orders

It will be possible to issue a reparation order to address any harm to a natural resource by contravention of Chapter 7 Part 5A.

15—Amendment of section 197—Reparation authorisations

It will also be possible to issue a reparation authorisation in relation to any harm caused to a natural resource by contravention of Chapter 7 Part 5A.

16—Amendment of section 202—Right of appeal

This is a consequential amendment.

17—Amendment of section 216—Criminal jurisdiction of Court

A number of offences under the Act—especially related to natural resource management—lie within the criminal jurisdiction of the ERD Court. This amendment will provide that an offence against new section 169L will also lie within that jurisdiction.

18—Amendment of section 226—NRM Register

19—Variation of Schedule 3A—The Water Register

These clauses contain consequential amendments.

Debate adjourned on motion of Mr Williams.

LOCAL GOVERNMENT (WASTE COLLECTION) AMENDMENT BILL

Received from the Legislative Council and read a first time.

WATERWORKS (RATES) AMENDMENT BILL

The Legislative Council did not insist on its amendment and made an alternative amendment in lieu thereof:

No. 1 Schedule 1, clause 1, page 6, after line 27 [Schedule 1, clause 1]—Insert:

(7) In addition, water rates for the 2010/2011 financial year must be fixed by the Minister on or before 7 December 2009 (and section 65CAA(1)(a) of the principal Act, as inserted by this Act, will not apply with respect to the 2010/2011 financial year).

(8) Subclause (7) does not apply to a charge or rate within the ambit of section 65CAA(1)(b) of the principal Act, as inserted by this Act.

Consideration in committee.

The Hon. K.A. MAYWALD: I move:

That the Legislative Council's alternative amendment be agreed to.

I acknowledge the work of the Hon. Mark Parnell in providing a compromise solution to what was a politically motivated agenda and, in doing so, in the longer term, preserved the integrity of the legislation as the government had intended. The government has no concern regarding making the announcement of the price this year, as we always intended to do so. So, gazetting the price for next year's water this year prior to 31 December is not a concern to the government because we always intended to make the price known, as I made quite clear in my remarks when speaking to the original amendment. The government is pleased to be able to support this amendment from the Legislative Council.

Mr WILLIAMS: Might I say that the opposition is somewhat disappointed that the other place has chosen to amend its position and somewhat weaken its position. The reality is that, unlike the government would have us believe, the annual increase in rates and charges for a whole range of government services is not part of the budget process and, by and large, is announced well before the budget. This was one of the few charges made by the government—and is one of the most significant charges made by the government—which will be announced after the budget. It will not be part of the normal budget process. It will not be handed down as a new rate announced with the budget. It will now be announced after the budget.

The budget documents with reference to SA Water are quite scant in the information they provide. Indeed, a table is provided in probably chapter 6 or 7 of Budget Paper 3, by tradition, which incorporates figures concerning the public non-financial corporations, which include SA Water, Forestry SA, the Lotteries Commission, etc. The only information that we get in the budget papers about SA Water is a small amount of discussion in that chapter (if I have the number right) and the table, which basically indicates the amount of dividend and tax equivalent that the government expects to get from SA Water. Currently, it does not give the fees that will be set. I do not expect that to change.

This legislation will allow the government (if returned next March) to announce its new charges in June, which is very close to the time when they come into being. Traditionally, the charges have been announced prior to 7 December. The process to establish the new charges—notwithstanding that I argued earlier in the house that in South Australia that is a flawed process—barely pays lip service to the national water initiative. Notwithstanding that, the process and all the work that goes in behind the scenes to come up with a figure to be adopted as the new water charges are already in train, and the timing is such that the end result and the figures can be presented to cabinet in late November in order for the charges to be announced in early December.

The government will now change all of that process—and I reiterate, in my opinion and in the opinion of the opposition—for no reason other than to ensure that they got past the next election. The government chooses to continue that charade. Unfortunately, the upper house has agreed to allow the government to continue that charade in so much as they will only insist that, in the first year of operation of the new amendments, the new prices will need to be announced again

in December. Fortunately, the people of South Australia will have the new water prices prior to going to the polls in March of next year, and I hail that.

I am pleased that the position the opposition originally put has now been accepted by the government, but the government must now accept that, whoever is in power in future times, it will always be the case (if this legislation is not amended at some future date) that governments of the future will go to the polls in the middle of March—we now have fixed four year terms—with a major service price increase to be announced after the election. I and the opposition thought it would have been sensible for such an announcement to be made not just before the next election but any election.

Since SA Water provides such a significant amount of the government's revenue base and has been certainly in the term of this government a significant milch cow, I think it would have been a good piece of law if we tied all future governments to making such an announcement before they go to the polls in subsequent years. The opposition reluctantly supports the amendment as it has come back from the other place, having expressed our disappointment.

The Hon. K.A. MAYWALD: In response to some of the remarks made by the member opposite, if we take this year as a case in point, his remarks would be incorrect given that the budget came out on 4 June and the prices would need to be set under the government's intended legislation by 1 June. So, the prices would have come out before the budget anyway.

How the government has referred to this is about setting the prices being part of the budget process. I accept that the member opposite, who is taking the lead on this legislation, has not had the opportunity to be in cabinet and part of the budget process. However, it does not happen days before the budget is announced; it happens many months before it is announced. Having the ability to include the pricing for water, as with other charges the government is responsible for managing, is a sensible thing to do.

We welcome the course of action that has been taken by the Hon. Mark Parnell in another place to deal with this political issue, which is about nothing more than the March 2010 election. We do not set any other prices seven months in advance; local government does not set prices seven months in advance. It seems a nonsense to build into legislation something that is obviously a politically motivated agenda for the March 2010 election.

As I said, the government has nothing to hide. We have been very open and very clear with the public of South Australia that we intend to have a series of price increases that will lead to a doubling of water prices within a five year span. We do not wish to hide from that fact, so we have no problem with gazetting the price for next year in December. However, we think that the longer term policy position we have adopted of 1 June is far more sensible. It is practical, and it is not politically motivated: it is good government policy.

Motion carried.

EQUAL OPPORTUNITY (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 June 2009. Page 3048.)

Mrs REDMOND (Heysen) (16:41): I am pleased to resume my thoughts on this bill, and I hope that I will not hold the house for long. When I last spoke, I was going through in some detail the various items that had been put to the opposition in a lengthy submission prepared by Family Voice, which I think is the new name for the group.

I had got as far as the items in the 23rd proposition, which talks about a new unlawful act of discrimination because of breastfeeding. I think that breastfeeding is a great positive and should not even be part of the discussion. In our society, it should be so normal to breastfeed that it is a matter of no comment, and there should certainly be no need for legislation; nevertheless, it is the group's 24th item.

I will go through the other items very quickly. The group talks about discrimination in accommodation, because of an assistant animal, being unlawful. Of course, an assistant animal is there to assist either a deaf person or a blind person, so it is a hearing dog or a seeing eye dog. Again, I have no difficulty with the idea that we should make it unlawful to discriminate against someone because, for the enhancement of the ability to overcome their disability, they need an assistant animal that has been highly trained. I think it is entirely appropriate that it be unlawful to discriminate in such a case. The submission then talks about the reversal of the normal burden of

proof and the employer or principal being liable to civil liability in the case of a discriminatory act. It states:

> Therefore, it would seem that an employer or principal is vicariously liable not only for compensation under the Equal Opportunity Act but also liable to any civil liability that may arise.

In fact, that is my normal understanding of the position of any employer with any employee. As long as the employee is acting within the bounds of their employment and not in direct contravention of specific instructions, things they do in the course of their employment will, of course, be covered by the vicarious liability of the employer.

The submission talks about the longer time for lodging a complaint and the new powers of the Commissioner for Equal Opportunity, as well as damages already awarded and people having to be vicariously liable for the act of a child. I think, in fact, that under the new bill, that may not be a consideration. Of course, there is a provision that the media must not identify a child when reporting on proceedings and that is consistent with our general law in relation to that. The media will not identify a child, whether by name or by photograph, and it is entirely appropriate that we maintain that position in our law, particularly for children under the age of 10 who, of course, can have no criminal liability in any event under our system.

In summary, Family Voice sent quite an extensive submission and I thank them for taking such an enormous amount of time and effort to put together a document about this legislation. It is a complex piece of legislation, especially given that it does not necessarily deal with the discrete topics in the way I have been addressing them; rather, scattered throughout the legislation are amendments to various aspects of discrimination, be that discrimination for someone's age, gender, sexuality, marital status or whatever it might be.

I think I mentioned that I had received submissions not just from Family Voice but from the Association of Independent Schools of South Australia and from the Christian Schools Association, and that organisation was a little more concerned with the legislation than perhaps the Association of Independent Schools.

I mentioned the submission that I had received from Carers SA, who are most anxious for the legislation to be passed, and also the submission I had received from the Youth Affairs Council of South Australia. In addition to those, I received numerous individual letters, emails and submissions, and I am sure that all my colleagues on both sides of the house have received many submissions in relation to this legislation.

I have to say that I do not approach this job by simply adding up who votes and how many votes I have for or against the legislation. I conceive it as my duty in these matters to do more than simply take a straw poll, be that of my electorate or of the people contacting me on a particular issue. I think I am paid as a representative actually to think about things.

It seems to me that, in a modern society, it would be impossible for people to stay abreast of all the issues and all the arguments for and against the various issues that confront society at large and this parliament in particular. I know that, when I came in here, I fully expected that I would be in a position to be able to read all the legislation and have my thoughts together on all the legislation and possibly make a contribution if I thought there was something to be said about all the legislation.

I am sad to say that that is far from the truth, although I have responsibility for a fair amount of the legislation going through this place. The legislation that is not within my direct portfolio responsibilities often passes through unread by me. I am sorry that that is the case and I think that perhaps we would be a better parliament if it were not the case and if we did pay more attention to the detail.

I remember giving a speech way back in about 2003 in this place which referred to an article in the *Oregon Lawyer* (which is the equivalent of our Law Society bulletin but for the state of Oregon in the USA), and that indicated that even then, every day, *The New York Times* contained more information in one day than an average 16th century person would have seen in their whole lifetime. Every day we were already being bombarded with something like 14,000 signs, messages and slogans and all sorts of other things. The human brain just does not have the capacity to deal with this information overload.

I am sorry that I do not have my head around all these things but as I said, the point I was trying to make was that I think that my job involves not just tallying up how many people are for a proposition or how many are against it but actually trying to do the research to understand the

question, to think of the arguments, to talk to people whose views I can glean and, on the basis of considering all that, come to a view about whatever the proposition might be. That is the approach that I have taken with the Equal Opportunity (Miscellaneous) Amendment Bill 2008.

I just want to run through a couple of the other things that are relevant in relation to this bill and our views on it. I think I had already dealt with quite a number of the issues and I had already pointed out, of course, that 80 per cent of the original bill was no problem to us because 80 per cent of it was already contained in federal legislation which was already binding on everyone in this state. So, all that the new legislation was going to do was provide a local and possibly more flexible access to redress, but the law itself, in terms of what was or was not discrimination, would still be the same.

In terms of the changes made by the government in the new bill, I would have to say that they have largely addressed the concerns that I raised. I think I pointed out that, in the earlier bill, it was the case that there were quite a number of areas where I thought (and my party thought) that the bill would be prejudicial to small business and, of course, small business is actually the backbone of the economy of the state.

The new bill that was introduced in 2008, I think, largely overcomes my concerns, and I thank the member for Hartley and the Hon. Ian Hunter for their participation in discussions about the issues that we had and their willingness to adjust the bill that is now presented to us so that it really does overcome rather a lot of the issues.

I know I had already dealt with the issues of the caring responsibilities; profession, trade and lawful occupation; and area of residence. Mr Speaker, you will remember that our problem with the area of residence was that there was no evidence that people were being unfairly prejudiced by someone saying, 'You live in a particular area and, therefore, I am not going to employ you'. Indeed, most of us as members of parliament, I think, probably try to employ locals. I certainly do when I am employing—particularly when trying to give a start to a new young trainee—I try to give a local the opportunity to work in a local office. So, I am pleased that has now disappeared.

The issue of chosen gender, which I have already indicated will be a conscience vote on the side of the chamber, is one upon which there has simply been new terminology. I had already indicated that the issue of religious dress or adornment was going to be a conscience issue for those on this side of the chamber. I think I had got as far as also talking about the recognition of domestic partners and, basically, all that does in this bill is broaden the definition of marital status to include domestic partners.

Members will remember that we put through legislation in the previous parliament which introduced the concept of domestic partners into a lot of our legislation so that, instead of married people and de factos—be they heterosexual or homosexual—the concept was broadened so that domestic partners could include people who may or may not be related by blood or marriage who live together but who did not necessarily have any sexual relationship; it was quite a broad definition. This bill proposes that the existing ground for discrimination on marital status be extended to what we now encompass within this state within the concept of domestic partners.

As to the onus of proof, the 2008 bill dealt with indirect discrimination, and I recall that I had already explained about what indirect discrimination was and how one could commit indirect discrimination. The 2008 bill proposed that it would be up to the employer to prove the reasonableness of the requirement which was being contested as indirect discrimination.

For instance, if an employer said, 'I am not going to employ anyone who is under six feet in height,' then a female might come along and make a claim that, although that was not direct discrimination saying, 'He is not employing me because I am female,' the argument that a female might put is that it is indirect discrimination because the reality is that the vast majority of females are less than six feet tall. They will not meet that requirement and that the intention of this proposition by the employer is simply to stop females from getting this job.

It is still the case that that will be indirect discrimination now that the complainant will have to establish the unreasonableness of that proposition because it could be, for instance, that an employer would say, 'Yes, I have said that everyone has to be six feet. It is a basketball team'—or whatever, some real reason having people only over the height of six feet for the job. If there is a legitimate requirement for that to be the case, that is fine, but it is the complainant that has to establish that it is unreasonable. That is as I think it should be.

The next of the areas where we said we would have a conscience vote is the right of religious institutions to discriminate on the basis of sexuality. That basically is an area where, once again, I will only express my own opinion—that is, that it is more than reasonable that the provision being put in be adopted.

The next area where we were to have a conscience vote was sexual harassment in schools. That has been adjusted from the previous bill so that now only students over the age of 16 will be subject to the provisions. That is in accordance with the recommendations of Brian Martin QC, as he then was (now Justice Martin). He recommended that we make it applicable to students aged 16 and over. We took that view previously, and I am pleased to see that that is now the way it appears in the new piece of legislation.

[Sitting extended beyond 17:00 on motion of Hon. M.J. Atkinson]

Mrs REDMOND: The issue of victimisation, as members would recall, was really the subject of the campaign that was waged by Family First and various other groups on the previous bill. I might venture to suggest that it was probably the main reason for failure of the previous bill, and the government has deleted it from the current bill. I think that is probably a wise course of action, not because I have any personal problem with the concept that was in the previous bill, but because I am a great believer in incrementalism as a political process.

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

Mrs REDMOND: The best way ultimately to achieve change is not to bring in wholesale, sweeping changes which people are not ready for but to take the first little step and, when everyone has got used to the fact that that did not bring about the end of the world, then to take the next little step.

I want to make another couple of points, though, on victimisation because, as I said, there has been quite an ongoing campaign about this whole issue of victimisation and inciting hatred. I want to make this point: earlier in my second reading contribution, I mentioned the Catch the Fires Ministries case, and the two pastors known as the two Dannys colloquially.

The two Dannys (Pastor Daniel Scot and Danny Nalliah) had spoken at a particular gathering, and a complaint was made about them. The upshot was that eventually the matter went up to the Supreme Court and the Supreme Court judges upheld the pastors' appeal. So, ultimately, the pastors were able to maintain their position. Their fear, of course—and the fear expressed in this state—is that it could happen here. I do not think it could. I do not think that the legislation is the same. Also, the cost of defending themselves had been quite a large amount of money—I think $1 million, or something like that—and there is no doubt that that was the case.

In essence, what the pastors said was, 'How could it be inciting hatred when all we did was quote directly from the Koran?' I want to make the point that that is a really unfair thing to do. I will just refer to what justices Nettle and Neave said. They said that laws against inciting hatred, contempt or ridicule can make it an offence to tell the truth where the truth would portray a religion in a negative light. I absolutely endorse what they said. I want to illustrate the point by taking everyone to a Bible. Pastors Danny and Danny, to justify their position, said, 'All we did was quote from the Koran. How can that be inciting hatred? We did nothing but quote from the Koran.'

I will just quote from the Holy Bible, Revised Standard Version, 1952 edition—and it will be available for Hansard. I will quote just a couple of things to show how simply quoting from the holy book of Christianity can be extremely misleading, and most Christians would find it unthinkable that anyone would stand and read from this and say, 'This is what Christianity is about.' That is, in effect, what happened in the Catch the Fires Ministries case. Exodus, chapter 21, verse 17 states, 'Whoever curses his father or his mother shall be put to death.' I thought that was interesting. I am about to take that home and tell my children about that one. Still in chapter 21, verse 20 states:

> When a man strikes his slave, male or female, with a rod and the slave dies under his hand, he shall be punished. But if the slave survives a day or two, he is not to be punished; for the slave is his money.

Chapter 22, verse 29 states:

> The firstborn of your sons you shall give to me. You shall do likewise with your oxen and with your sheep...

I will go to just one more. Leviticus, chapter 17, verse 14 states:

For the life of every creature is the blood of it; therefore I have said to the people of Israel, You shall not eat the blood of any creature, for the life of every creature is its blood; who ever eats it shall be cut off. And every person that eats what dies of itself or what is torn by beasts...

I want to get to the bit about when a man sells his daughter into slavery. It is at the very beginning of chapter 21 of Exodus. This is when Moses has come down. He has been instructed in the Ten Commandments, with which everyone is familiar—I am the Lord, your God, and so on.

The Hon. M.J. Atkinson: All right, what's the seventh?

Mrs REDMOND: Well, I will have to count them down, but 'You shall not kill' is probably about the seventh, or 'You shall not commit adultery'—somewhere around there.

The Hon. M.J. Atkinson: The latter.

The SPEAKER: That is sixth.

Mrs REDMOND: The Speaker knows them better than I do. Chapter 21 states:

Now these are the ordinances which you shall set before them. When you buy a Hebrew slave, he shall serve six years, and in the seventh he shall go out free, for nothing. If he comes in single, he shall go out single; if he comes in married, then his wife shall go out with him. If his master gives him a wife and she bears him sons or daughters, the wife and her children shall be her master's and he shall go out alone. But if the slave plainly says, 'I love my master, my wife, and my children; I will not go out free,' then his master shall bring him to God and he shall bring him to the door or the doorpost; and his master shall bore his ear through with an awl; and he shall serve him for life.

They are but a few quotes out of our holy book, the Holy Bible. I put it to anyone who is listening that the essence of what I am saying is that it is unreasonable for someone to stand here and read those selected excerpts from the book of Exodus or the book of Leviticus, or any of the other books of the Old Testament. If someone who knew nothing about Christianity heard me say, 'This is our holy book. This is it. This is what it says. This is absolutely the official version of it. I am reading these excerpts,' they would understandably get a very strange view of Christianity. Christians could be rightly upset that someone who knew nothing about Christianity was actually standing up and saying, 'This is what Christianity is about.'

I want to try to impress upon members that not only was the right decision ultimately reached in the Catch the Fires Ministries case—and I think we have nothing to fear in this state from that case—but I think we need to start thinking about being more tolerant and more willing to listen. In fact, if you look at the beginnings of Islam, Judaism and Christianity, they all have a very similar and profound basis. I simply say that.

I have a couple more points to make before I conclude my remarks on the second reading of this bill. The first is on the public funding of complaints. The existing law, of course, requires that the equal opportunity commissioner has to represent complainants in matters that go before the tribunal. I think I mentioned, when I was previously speaking, that the commissioner herself recognises that there is a bit of a conflict of interest. The equal opportunity commissioner is in a situation where she, first of all, has to try to mediate between two conflicting parties, and, if that is unsuccessful, then she must represent one party or the other; that seemed to be a bit unreasonable.

The earlier bill proposed that the minister would instead make representation available via the Legal Services Commission. We on this side opposed that on the basis that, whilst we did not mind the idea of a complainant getting access to the Legal Services Commission, there were many small business owners who were just as poor as the complainants and did not get access guaranteed to them; so, we do not think there was a level playing field. The new bill will not change the existing provisions. I think it is a question that we still need to address at some future stage, but I think it is important for us to get this bill through. Perhaps we will come back another time and deal with some of these niggly little things that may have stopped the previous bill getting through.

There was a requirement in the earlier bill that, if a discriminatory act complained of could be any part of the reason for someone making a decision, it would still amount to discrimination, and a person who committed the discrimination could be hauled before the tribunal and made to pay a fine. The fact is that, under the new bill, there is a change. In the past, we had a situation where, even if there were a hundred reasons why someone was unemployed and the 100th one was something that would amount to discrimination, it will still allow a person to bring a claim under the act. We said that was unreasonable, and, in fact, the government has removed that whole section from the current bill.

In terms of representative complaints, the 2006 bill proposed to allow a complaint to be brought by someone who was not aggrieved. For example, a union official could come into a workplace and bring a complaint on behalf of someone even if there was no-one actually complaining within the workplace. That was opposed by us, and it has been removed. As I understand it, the new bill will still allow the commissioner to go into a workplace to investigate; so, the commissioner has been given some investigative powers.

The Equal Opportunity Tribunal itself has a change which I think is eminently sensible; that is, there is a new provision that will allow the tribunal to be constituted of a presiding member, or the deputy presiding member, sitting alone when determining a question of law or procedure. I think that that is an eminently sensible and reasonable approach to take, because, basically, the presiding member will be a lawyer who has some understanding of questions of law and procedure. It is more than appropriate that that person be able to sit alone to decide that. Often, of course, people are not aware that tribunals, when they sit, are not necessarily triumvirate; they are often constituted of people sitting alone. Nevertheless, they are called tribunals, such as the Administrative Appeals Tribunal.

In terms of sporting or other clubs, I indicate that this is an area where we will have a conscience vote. Basically, there is an existing exemption which allows clubs and associations to discriminate on the ground of sexuality. There seems to have been some confusion out in the community. I think a lot of people got the idea from this that there is some sort of basis for saying, 'You're not going to be able to discriminate on the grounds of gender'—and I would prefer that we use 'gender' rather than 'sex' in those circumstances.

My personal difficulty with this is that the effect of this section, as it is now worded, seems to me to be that it will be lawful, for instance, for a group of gay guys to get together and form a football team—more power to them should they want to do that; that's fine. What I find strange is that it will be unlawful for a group of straight guys to get together and form a football team and say, 'We're not having gays in here.' Fair is fair, to me.

It is an area where I think we are going in for affirmative action, in a way. To some extent, I can understand arguments for affirmative action, because there are groups in our society that have been downtrodden for rather a long time. That said, I have generally, throughout my life, been opposed to affirmative action. I think if I get appointed to something because I am female, I want to be appointed really because I am the best person for the job.

Members are no doubt aware of my constant arguments in this place about the provisions when we set up a new board under any piece of legislation and the government insists on putting in a clause that provides there should be one member who is a male and one member who is a female. My view of equality is that we have reached equality only when we do not even have to think about that, that, obviously, the best people for the job get the job.

Mrs Geraghty: That may not necessarily be applying to these people a female agenda: it might be there for men.

Mrs REDMOND: Yes. As I said, I can understand the arguments for affirmative action. My instinct and my general habit has been that I do not approve of or support affirmative action clauses, so this will be a conscience vote. However, because I find it just so inconsistent that you can have an all-gay football team but not an all-straight football team, I do not think that is a reasonable basis for legislation. However, as I said, it is not something that I think is the be-all and end-all of this legislation.

I am glad that the legislation has been amended as broadly as it has been, so that most of the concerns that we raised (which concerned, as I said, the ability of business to just get on with running a business and not have to be tied up with the red tape of this legislation) have been addressed. Some of them have been compromised, some have been removed and with some the government has come to the position that we were putting to it when we last discussed the previous bill. So, I thank the government for taking on board many of our comments in relation to this legislation.

With those few words, I indicate to the Speaker that I have concluded my comments on the second reading of the Equal Opportunity (Miscellaneous) Amendment Bill 2008.

Debate adjourned on motion of Hon. S.W. Key.

APPROPRIATION BILL

The Legislative Council gave leave to the Minister for Mineral Resources Development (Hon. P. Holloway) and the Minister for State/Local Government Relations (Hon. G.E. Gago) to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (NATIONAL ELECTRICITY LAW—AUSTRALIAN ENERGY MARKET OPERATOR) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (AUSTRALIAN ENERGY MARKET OPERATOR) BILL

The Legislative Council agreed to the bill without any amendment.

NATIONAL GAS (SOUTH AUSTRALIA) (NATIONAL GAS LAW—AUSTRALIAN ENERGY MARKET OPERATOR) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

ROAD TRAFFIC (MISCELLANEOUS) BILL

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 6, page 3, lines 18 to 39 and page 4, lines 1 to 4 [Clause 6, inserted section 110AC]—

Delete section 110AC

At 17:30 the house adjourned until Thursday 2 July 2009 at 10:30.