

HOUSE OF ASSEMBLY

Wednesday 28 October 2009

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

NATURAL RESOURCES COMMITTEE: KANGAROO ISLAND NATURAL RESOURCES MANAGEMENT BOARD

Mr RAU (Enfield) (11:01): I move:

That the 34th report of the committee, entitled Kangaroo Island Natural Resources Management Board Levy Proposal 2009-10 '*Don't tell the koalas...*', be noted.

I would like to say, briefly, that we had a very interesting discussion with the NRM board on Kangaroo Island. The most important issue for the people on the island must be the water resource allocation issue. It is basically a case of there being more agreement than disagreement in relation to this matter, but the disagreements concern a very important aspect of the policy.

I will briefly explain. There has been a division of the island into two zones for the purposes of water allocation. One part of that has a 25 per cent rule, which most people we spoke to as a committee agreed was not necessarily a bad idea. Where it gets a little difficult is the question: 25 per cent of what? Unfortunately, with the exception of Rocky River, most catchments on the island are unknown quantities, so to say that a 25 per cent rule will apply to those catchments is well and fine, but if you do not know what the 25 per cent is a fraction of it makes it a difficult exercise in terms of striking the right numbers.

I suppose in defence of the board and the department, they had to pick some methodology in order to apply that 25 per cent, but they have taken rainfall and catchment figures derived from the Mount Lofty Ranges and applied them to parts of Kangaroo Island. Now, I am not a hydrologist by any means, but I know that if you vary the rainfall, the topography, the land use, the gradient or the temperature in a particular area you dramatically affect the catchment. So, picking a figure from the Mount Lofty Ranges and applying it to a particular part of Kangaroo Island is, with respect, little more than an intelligent guess.

It is critical that accurate figures about those catchments be obtained so that the 25 per cent rule can be applied in a realistic way and farmers and other people on the island have an opportunity to make investments and business decisions based on known quantities rather than notional quantities which are probably not accurate.

This means that there is a great priority in having accurate measurements taken of those streams, and I understand that a figure in excess of \$1 million has been set aside for that purpose. Members of the committee have encouraged both the board and the department to treat getting those figures as an absolute priority, so that the water allocation rules can be applied in a way which is both credible and sustainable and which, at the same time, will give the land users on the island an opportunity to make informed and secure investment decisions based on known water supplies and known reserves.

As far as the committee is concerned, currently that is the most important issue on Kangaroo Island. We look forward to seeing those figures being obtained and that information being fed into all the equations so that accurate catchment figures can be obtained.

All that being said, it is an important step forward, however, that these plans are being put in place, because at least in the medium term it will guarantee a sustainable yield for people on the land and give greater information to the people living on the island, from the point of view of not only agriculture but also critical human needs and other important aspects of the water situation on Kangaroo Island. With those few words, I commend the report to the chamber.

Mr PENGILLY (Finniss) (11:06): I acknowledge the contribution of the member for Enfield as Presiding Member of the Natural Resources Committee. I also acknowledge the visit of the committee to Kangaroo Island earlier this year, which I thought was a most beneficial exercise. I am sure members of the committee from both sides of the house found it a most useful exercise. The member for Enfield has covered many of the issues on which I wish to comment. He neglected to talk about the koalas, however. Don't talk about the koalas, or don't let the koalas know. The fact is that it is still a topical issue on Kangaroo Island.

The water plan that has now been signed off by the minister is a vast improvement on what the island could have got if not for the intervention of the Natural Resources Committee, some members on this side of the house and almost the entire community of Kangaroo Island which, at one stage, came together at a public meeting at Parndana, totally irate about what was proposed.

As the member for Enfield said, the reality is that the poor devils who came over from the government to talk about the proposals for the water plan were basing their potential outcomes on Mount Lofty-Adelaide Hills data, which is totally and completely irrelevant to Kangaroo Island because it is a different area. They were hung out to dry, so to speak, although that is probably the wrong terminology.

I very much believe that, because of the public pressure and, I acknowledge, pressure by the Kangaroo Island Council on the KI Natural Resources Management Board, the government revisited this plan. It was wrong, it was dumb, it was stupid, and not in the best interests of the future of Kangaroo Island. There is absolutely no doubt that no-one had any objection to having a water plan per se; it was a question of getting that water plan right. If it had gone ahead as it was proposed originally, it would have been an environmental, economic and social disaster for the island. It would have been downright dumb and not in the best interests of anyone.

As it turned out, we have had a return to a normal season on Kangaroo Island this year. We have had normal rainfall and, from one end of the island to the other, with a couple of small exceptions, watercourses have been running as they have in the past. Dams have filled up. I know our own property in the Menzies area, which is the Wisanger district, had 19 or 20 inches of rainfall and the major house dam was overflowing in July.

One of the new dams that was visited by the committee is on the property of Mr Nathan Trethewey, and those in control of the destiny of South Australia had taken the option to restrict the size of that dam, which was totally ludicrous, because on the day the committee was there the dam was overflowing by a huge amount. Mr Trethewey made some estimations of by how much the dam would overflow for the rest of the winter; and the amount of water that has run out to sea across the island this year has been quite incredible.

As I say, it is simply a return to a normal season. We acknowledge we have had a run of dry years and we have had runs of dry years before but, across the island and across a lot of agricultural South Australia, there has been a return to a pretty normal season and, indeed, much of the state has also enjoyed a good spring. I can tell members that a lot of the rivers and creeks on the island are still running out to sea, some two or three weeks after the last rain, and will continue to do so for a long time to come.

So, the fact that the natural resources board on the island chose to try to implement the original water plan was a flawed concept and, now that we have divided up the island with the 25 per cent rule applying to some but not the rest of the island, I think that is a step in the right direction. It is always going to be a topical issue.

It is worth noting the agricultural and horticultural production which comes out of the island and which will continue to come out of the island as time goes on. The Natural Resources Committee of the parliament very kindly invited me along and we were shown some of the activities that are taking place over there and some of the uses that these vast amounts of water on the west end of the island, particularly, are being put to. A few examples are the marron industry, a cherry orchard, which the committee visited, and a potato growing enterprise. All these enterprises use surface water, because it is important to remember that the underground water on the island, although it is there and there is plenty of it, generally speaking, is saline, so you have to capture the surface water.

There is plenty of water to capture and there are too many restrictions put in the way, and putting bureaucrats in the way of progress of agriculture or horticulture is not in anyone's best interests. I will be watching extremely closely, and I know the Natural Resources Committee also will be watching very closely further attempts by bureaucrats to try to inhibit commonsense development of Kangaroo Island. It is critical that that go on and, if I get a sniff of a bit of mischief, I will be standing in this place and having a few words to say, and I am sure the committee will follow it with interest.

The last thing we need is further inhibition by bureaucrats who are mostly city-based, or young graduates who have just come out of university with the best intent in the world but have absolutely no practical experience of how the world goes. There is only one way to learn that, and

that is to get out in the field and learn, but you do not want to come out there and get in the way of progress.

So, I encourage them to learn, perhaps to shut up and listen a bit more to what the farming community says and not to what the university lecturers have told them. They should get out and get some practical experience. There are plenty of members on this side of the house who have had practical experience in land management who do know a bit about it. That is the way to go in the future. I do not know that the member for Unley has had a lot of experience, but quite a number of others here have.

As the member for Enfield indicated, there is a considerable sum of money being set aside to do the scientific research. I hope that it is spent well and wisely, and that the best long-term interests of the island are accommodated within that science and we can progress and go on to feed Australia and the world which, indeed, is most important.

It is fair to say that the same cannot be said for the Fleurieu Peninsula. The water allocation plan there continues to be the subject of a great deal of derision and concern. Residents and land-holders really do not know whether they are coming or going. The departmental people are messing a lot of them around and they are not happy about it. So, that is another thing that will unfold. It could be well worthwhile for the Natural Resources Committee in the next parliament to revisit the Fleurieu Peninsula and have a look at that water allocation plan.

To return to the subject at hand, the future is extremely bright for Kangaroo Island. A wonderful season has resulted in outstanding production. It is a pity that, because of the commodity prices and a few other things, the farming community across the state (and in this case Kangaroo Island) will not benefit to the extent it could by better prices. However, that is all a part of farming.

I will also take the short time remaining to say that the structure of the Kangaroo Island Natural Resources Management Board needs to be looked at. I have had indications that it is going relatively well at the moment, despite the best actions of the former minister for environment to stuff it up, as she stuffed everything else up. This one at the moment is not working too badly and we hope that in the future—

An honourable member interjecting:

Mr PENGILLY: Yes; well, I could do. I hope that in the future whenever those board positions come up again the minister for environment uses a few more brains than did the previous minister.

Mr RAU (Enfield) (11:16): I would like to thank the tremendous support staff we have on the committee, Knut and Patrick, who have again done a great job. I would also like to thank all my parliamentary colleagues on the committee, both in this chamber and in the other place. All of them have really made a tremendous contribution to this report.

I would also like to acknowledge the member for Finnis. He has always been of tremendous assistance to the committee when we have been into his electorate, which we have done on a number of occasions over the last few years. He has always facilitated the arrangements with people in his own constituency and, on behalf of the committee, I would like to thank him, because it has been of great assistance to the committee.

Motion carried.

NATURAL RESOURCES COMMITTEE: WATER RESOURCE MANAGEMENT IN THE MURRAY-DARLING BASIN

Mr RAU (Enfield) (11:17): I move:

That the 35th report of the committee, entitled Water Resource Management in the Murray-Darling Basin, Volume 2, 'The Two Rivers...', be noted.

In moving this motion I will again be very brief. The parliament is probably aware that a reference was provided to the Natural Resources Committee by the other place for us to inquire into matters relating to the River Murray. Since that reference was provided we have travelled extensively throughout the length of the river and have been trying to wrap our heads collectively around all the complex issues that exist in relation to the River Murray, its present difficulties and what the future might hold for both the river and all the communities (including, of course, Adelaide) that are dependent on the health and continuing viability of that river.

This is the second of what we anticipate to be three reports on that, and it really deals with some of our more recent inquiries. If members have an interest in the river (and I am sure most do), I would urge them to at least cast their eye over the report. It contains quite a lot of information and explains the different community groups and individuals with whom we have met over the course of our examinations. Much of the material contained in this volume of the report comes from inspections that occurred in South Australia, and again I would like to acknowledge the local members who assisted us in relation to that matter: the member for Hammond, the member for Chaffey and I think also again the member for Finnis, who seems to be popping up all over our activities throughout South Australia.

There is no doubt, as members would be aware, that irrigators and communities in South Australia are suffering terribly as a result of the plight of the river. Unfortunately (and I say this in all sincerity), there is no easy, quick fix to this problem. I know I have said this before, but this is a problem that goes back more than 100 years and it involves several state jurisdictions behaving as if the river was their own; as if it began and ended within their own jurisdiction and they could do with it as they wished. Unfortunately, that is not the case, and successive governments in various states have over-allocated water in a way that was completely unsustainable, even had the normal climatic conditions continued indefinitely. Now it appears that we are, at the very least, in one of the periodic dry episodes that occur in Australia. The last one was in the 1940s and the one before that was around the time of Federation.

If we are really lucky, that is what we are dealing with now. If we are not really lucky, we are dealing with a climatic shift that will see the whole river system operate under an environment of increased temperature and decreased rainfall, which has never previously had to be dealt with. So, the most optimistic point of view—and I guess you would have to be a climate change sceptic to have this point of view—is that we are probably in for a few more bad years and after that if we are lucky it will get back to where it was. If you are not a climate change sceptic, we are probably seeing the shape of things to come, and that means urgent action needs to be taken across the board.

I would say—and I am speaking here for myself, not the committee, because the members of the committee can form their own views about this—but for myself I am coming to the view increasingly that until the federal government uses some sort of coercive powers or lightens up on the carrots and beefs up on the sticks we will wind up with an unsatisfactorily long and protracted attempt to solve this problem.

We only have to look at the behaviour of, in particular, the Victorian government over the last few years and its imposition of caps and various other things to see that the spirit, if not the black letter law, of the intergovernmental agreements is being flouted really. That is unsatisfactory, not just because I am a South Australian and not just because I care about what happens down here; it is unsatisfactory as an Australian to have one group within our community taking advantage of their territorial jurisdiction to disadvantage people who are their fellow citizens of this country. It is completely unsatisfactory. New South Wales does not get off entirely scot-free either, because there are things that are going on there which have not been helpful.

And, of course, let us not forget Queensland, although in relation to Queensland I have to say that we, as South Australians, are not being directly greatly prejudiced by Queensland because whatever they are taking up there, by the time it got down here, it would be a fraction of what it is up there. There may be knock-on effects there, but the point remains the same: this is a national problem, it requires a national solution, and parochial views about this are unacceptable and will lead to outcomes that are unacceptable and unsustainable.

Unfortunately, there is no good news about this. I know that the member for Hammond, in particular, has worked very hard for people in his community and has been a great advocate for the people of his community and that he genuinely feels the anguish and pain that those people have been going through. For what it is worth, he has been able to convey very well to the committee, through the people that he has introduced us to and his own advocacy before the committee, the depth and the extent of that misery.

All of us on the committee are aware of it, but I say to the member for Hammond and to his constituents and to all the other South Australians who are suffering here: please remember, if there was an easy way to fix this, if there was a switch somebody could throw, if there was a pipe somebody could put in or turn off or turn on, it would have been done. If it was within the jurisdictional control of the South Australian parliament, it would have been done.

Leaving aside party politics, would any premier of this state—Labor, Liberal or Independent, or whatever—deliberately advocate or sustain or persist in policies that denied members of his own community the opportunity of having a viable living? The answer to that is obviously no. Would any premier of this state or any government of this state permit people living in Adelaide to be concerned about whether or not they would have water for critical human needs? The answer is that of course they would not, no matter who they were.

This is a terribly complex problem—it has no simple, easy, short-term solution—but the more informed we all are about the nature and extent of this problem, the greater the chance that some real progress will be made. As I said in opening, for those members who are interested in this issue—and I expect most people are to one degree or another—I would really urge them at least to cast their eye over this report and consider some of its implications.

In case I do not say anything at the end of this part of the debate, I would again like to thank the committee staff, Knut and Patrick, who have done an excellent job supporting members of the committee in this matter. Of course, none of this would be possible without the tremendous collegiate spirit that has existed in this committee throughout the whole period of this parliament, and I would again like to thank all my parliamentary colleagues here in this chamber and our colleagues in the other place.

It really has been a very cooperative, positive experience to be involved in the work of this committee. We have been lucky enough to have members on this committee who have had many years' experience in this parliament. In fact, I think the collective experience in this parliament of members of the committee if we take just one of them is 40 years. Just imagine that: 40 years in one person, and that is just the beginning.

An honourable member: That's your future.

Mr RAU: I don't want to go down that track, but I have to say that it has been a great experience. I really am very pleased and proud to have been able to participate in the work of the committee, and I am very pleased to be able to say in all sincerity that the cooperative nature of the way in which the committee has operated and the wealth of experience that each member has brought to the committee has been invaluable. I commend the report to the house.

Mr PEDERICK (Hammond) (11:28): I, too, rise to make a contribution on the report entitled, Water Resource Management in the Murray-Darling Basin, Volume 2: The Two Rivers.

Mr Venning: Pretty name!

Mr PEDERICK: They come up with some very good names in the Natural Resources Committee. I just want to go over the committee's findings. The committee's finding No. 1 is that buying Cubbie Station would be of little if any practical benefit to South Australia; and finding No. 2 is:

Our best hopes for water security lie in the Murray system. Over-emphasis on the Darling system, especially the Upper Darling, as a solution for our water troubles is to raise false hopes.

I acknowledge the chair of the committee, the member for Enfield, for his work with local members. I think the committee got on very well in all electorates in South Australia associated with the river, certainly with the member for Finnis. I know that when I worked with the member for Enfield on working out where people should go on a bus trip around the Lower Lakes, we had very open discussion about what we should do.

However, I disagree to a major extent with the committee's findings. Yes, buying Cubbie Station on its own is not a silver bullet and yes, the Darling River on its own is not a silver bullet. However, in the overall management of the Murray-Darling Basin we must remember that there are two parts: there is the Murray and there is the Darling. At the moment (and I have said it in this place many times) we do only manage the Murray. Yes, the Darling side is a lot more variable: it is about 700 per cent variability compared to 250 per cent variability for the southern Murray system.

The problem is that the southern Murray system has been in drought for years. The mouth of the Murray closed over in 1981 and, essentially, the southern system has been in drought since at least 2002. That is a long time for a sustained drought. As a farmer, I know we will come out of this and have inflows, and we will come back.

The \$10 billion plan that John Howard instigated (before it was diluted by the present Rudd government) would have been a major step forward. The proposal to take all the power away from the states and give it to the federal government would have been a great step forward. That plan

has been diluted and we are taking microscopic steps moving forward. There has been buy-back where, essentially, a lot of low security water is bought. That does not exist at the moment—or minute parts do—but there will be some of that available in the future when we get flows.

We need the Eastern States to put up their infrastructure projects so that we can get open channels into pipes. I have mentioned in this place before that I, along with the member for MacKillop, the federal member for Barker and our candidate for Chaffey (Tim Whetstone) visited New South Wales where the Murray and the Murrumbidgee originate in the Snowy Mountains. It was a very enlightening tour.

In one of the irrigation districts it was indicated, 'If we go into pipes we'll have to pay for pumping.' Hang on—bad luck! South Australia has bitten the bullet over the past 15 years or longer, put the pipes in and paid to manage its system. It is all in pipes with barely a channel to be seen in South Australia. However, there are thousands of kilometres of channels in New South Wales and Victoria. For example, in one area, to deliver three gigalitres of stock and domestic water you have to send seven gigalitres. That is a 130 per cent loss: you have to send seven gigalitres to get three gigalitres of useable water.

We really need to get infrastructure upgrades into the system and rolled out. However, the irrigation communities are not in a rush, so the federal government needs to get people to take action. I agree with the member for Enfield that the federal government should take the stick approach. In fact, it should go further: it should step in and use emergency legislation to take over the system and get on with the job. We will work with that because the states have been bluing over water since the late 1880s, when irrigation started to have a major effect on flows down the river, and that is why the locks and the barrages went in. In 1885 New South Wales and Victoria decided, 'We'll just split the water between us and South Australia can go he.' That is exactly what happened.

I will go back to talking about the benefits (or disbenefits, depending on how you look at it) of buying a place like Cubbie Station. It is interesting to note in media reports this week that it could not get enough money from international bidders on the open market to cover its \$320 million debt to the National Australia Bank. We have heard at various times about how communities will disappear up there because it is obviously not sustainable for cotton to be grown there. Cubbie is not the only place up there. When I was there on a business trip last year there were at least 22 properties. I flew over properties where there were hectares of water. Most were growing wheat, trying to crop their way out of a debt situation. Meanwhile, people in this state relying on the Murray have lost their irrigation areas.

Recently, the New South Wales and federal governments got together and said, 'Well, perhaps we can ferry environmental water down south.' That is a step in the right direction, but to see it happen will be another thing. That is the only way that buying a place like Cubbie (and others) will benefit South Australia. Yes, it would raise pump take-off heights at Bourke and lower down and people will access that water. It would have to be ferried down but it would have to be part of a process of regulating the whole basin.

As far as losses go, if we had to get our critical human needs water for South Australia out of the southern basin alone—and all of it, 100 per cent of it, the 201 gigalitres—we would get only 11.5 per cent of the water delivered to us by the time we take into account transmission losses and that sort of thing. We do have losses in the southern basin. I acknowledge that taking action in the Darling will not be the total silver bullet but it will be a major part of the process. If we do not manage the basin as one (instead of managing it as we are doing, with two components), we will not get there.

It comes back to the irrigators in this state and the strife they are in. They are on only a 34 per cent allocation of so-called high security water, yet in the east there are some on 97 per cent on the Murray and 95 per cent high security water on the Murrumbidgee. Essentially, in trading water, all the cheques come out of South Australia. If people believe it is too hard to grow a crop in New South Wales they just take the money and get on with life.

There was talk in the report about the proposed Wellington weir. It is interesting to note the member for Enfield's comment about a government not letting people run out of water. Hang on: when the Premier announced the Wellington weir in November 2006 there was nothing about making sure that people below Wellington did not suffer from lack of a water supply. It has only been in the past two or three weeks that people at Point Sturt and Hindmarsh Island have been told

that pipelines will be built. For three years these people have been waiting to see if they will have potable water. There has to be more equitable access to water.

I note that Kerry Muller, a scientist from around Strathalbyn, has talked about the reverse head if the weir was put in of up to 400 ml. To get water through the barrages you need at least plus 0.3 AHD and probably more likely plus 0.5 of a metre. So, it is a bit of a fallacy to think that you would protect Adelaide's water with a weir if you have dirty water blowing in over the back.

In regard to the government taking up action on the river in this state, I note the reluctance of ministers Weatherill and Garrett and Premier Rann to go down and meet with the public. Minister Weatherill had his own little trip down there, minister Garrett flew down without telling anyone, and Mike Rann will not go anywhere near the place because it is bad news. We need to stand up for our communities, and I have seen the problems elsewhere, but we need to fix the basin as a whole.

Time expired.

Mr PENGILLY (Finniss) (11:38): Much of what I would have said has been covered most capably by the member for Hammond who, indeed, has done an enormous amount of work and is most aware of the situation relating to the Murray and the Murray-Darling. Suffice to say that, being down at the bottom end of the Murray and the Murray Mouth where my electorate boundaries are, the subject of water further up has been something of a hot topic for a considerable period of time.

I was also disturbed last week, whilst at the public works and environment and resources conference in Tasmania, when talking to a number of members of parliament from the Queensland parliament to find that they have a totally different view of the world from what we have in this state. It alarmed me that they seemed to think that they were right and we were wrong. That is a concerning thought.

Going back to what the member for Hammond said a few minutes ago, the tragedy of this is that the \$10 billion water plan that was put up by John Howard, some years ago now, and sabotaged by Brumby in Victoria for purely political reasons, would have to go down in history as one of the saddest failures throughout the history of Australian democracy. It was just a nonsense that for political purposes this was sabotaged.

The member for Enfield talked about the situation in the Riverland, and the member for Hammond talked about it as well. I do not profess to be an expert on the situation by any means, but the irrigators up there are in a terrible way, largely through no fault of their own. The fact that we have irrigation pipes rather than open channels was also talked about, and, for the life of me, I cannot understand why we do not have irrigation pipes rather than channels in the rest of the country. In a system as precious as the Murray-Darling, quite frankly, it is just environmental, economic and social neglect that that has not been put in place.

I have just a few other comments on my end of the river. There is some artificial semblance of normality taking place again in the Goolwa Channel because of the dam at Clayton. I am delighted that we have river levels increasing in the miniscule part of the Murray-Darling system that is the Goolwa Channel, and the people around the channel are happy that things have improved considerably, that there is water back in the river, that activities are taking place and, to a great extent, that this has been fixed up. The tragedy is that it has taken far too long for that to occur.

The people down there were saying 12 or 18 months ago, 'Here's what you need to do; this is a part answer to an enormous problem,' but it took forever for the Rann government to take action on it. It took forever for the Minister for the River Murray to do anything about it. You just have to make hard decisions and get on with it. As indicated, the complete failure by the Premier to go anywhere near the river, the complete failure by the Prime Minister, even a week or two ago when he went to Murray Bridge, to go anywhere near the River Murray, the complete failure by minister Garrett (who would have to be the biggest failure for the environment in Australia's history; he should never have given up his day job in my view, because he is totally useless as a federal environment minister), and the failure by others to do anything about it is an outrageous disgrace.

We have held public meetings in my electorate. There have been public meetings at Goolwa. To the credit of the Minister for the River Murray, at my request and the request of others, she has come and fronted the community. I will give her credit where credit is due, but she is a very small cog in a very big wheel. The fact is that, by and large, there has been a failure to address the issues.

On the other side of the Clayton dam there is a community that is still tearing itself apart over the tragedy that is unfolding day by day in front of its eyes. As we come out of winter and spring—the rains have finished, unless we have a flood of biblical proportions during the summer, which with the current weather forecast of an El Nino is unlikely to happen, I might suggest—they face another dry, barren summer looking out over a depleting lake and seeing their livelihoods and their environment suffer as a consequence of man's action and the inaction by Rudd and Rann to do anything about it.

We are still waiting for some action. It is totally pathetic that the government of South Australia, the federal government of Australia, the government of Victoria, the government of Queensland and the government of New South Wales continue to talk and talk, to put out paper after paper, to do spin press releases, and nothing has happened. It is absolutely pathetic. It is inexcusable and it is an outrageous disgrace.

Meanwhile, the river system deteriorates, the lives of the people who live along it deteriorate, the economy of the nation deteriorates and, notwithstanding the fact that, as the member for Hammond said, we have been in drought for a number of years now, that is an inescapable fact of life, but we should have had some action, instead of committees to plan committees to plan committees. It is ridiculous.

The report, as put forward by the Natural Resources Committee, had some recommendations, and I do not intend to go back over those recommendations. I say to the people in my constituency, leading up from the Murray Mouth, through the Goolwa Channel, Hindmarsh Island and up along Currency Creek and towards the Finnis River, that I do not know where it is going to end. I fear that the incumbent Labor government in South Australia and this disgrace of an incumbent federal Labor government will not do anything about it. You will not see the Premier anywhere near the river or the lakes. He will not go down there.

The debate is still on about the Wellington weir. Let me tell you, sir, that I am still getting it loud and clear from the majority of people that I talk to that they do not want to see a water solution for the lake—they do not want a solution of seawater coming in. We will have to wait a bit longer to find out whether or not the weir will be built. I am also aware that some on the other side of the proposed Wellington weir want to see a water solution. It depends where you live. Politics is extremely local and it depends where you live.

We must have some action and we must have some answers. The committee has sought to investigate this matter quite industriously for some time; I commend it for that. They visited up and down the length of the river, and I know that other members have gone with them. The member for Hammond has taken a drive or two up there and had a good look at it. The member for Mount Gambier tried to have a crack at him about that trip, which I thought was pathetic; it was totally unsuitable. The member for Hammond has done the work. This side of the house lives with reality. We live with practical answers—not the claptrap, spin and nonsense that comes out of the mouth of premier Rann and prime minister Rudd. I anxiously await a solution, quite apart from the breaking of the drought and the huge rains needed to flood that area, but I commend the report to the house.

Motion carried.

ECONOMIC AND FINANCE COMMITTEE: EMERGENCY SERVICES LEVY

The Hon. P.L. WHITE (Taylor) (11:48): I move:

That the 69th report of the Economic and Finance Committee, entitled Emergency Services Levy 2009-10, be noted.

The Economic and Finance Committee has examined the minister's determinations in respect of the emergency services levy for the financial year 2009-10. The committee notes the total expenditure on emergency services for that year is projected to be \$216.3 million, with total expenditure for 2008-09 expected to remain unchanged from the original estimates of \$218 million, which is a decrease of \$1.7 million on last year's projections. The reason for this is that the 2008-09 estimated outcome includes \$2.5 million of funding for the Community Aided Dispatch (CAD) project which was carried over from 2007-08.

With respect to the Community Aided Dispatch project, the committee was told that tenderers have been appointed to the CAD project, and delivery of the final project is estimated between the second and third quarters of 2010. There will be no increase in levy rates either for owners of fixed property or owners of motor vehicles and vessels in 2009-10.

The committee notes that the 2009-10 target expenditure of \$216.3 million on emergency services is made up of the following:

- \$115.5 million of contributions from private owners of property including land, buildings and motor vehicles;
- \$97.9 million of government contributions as remissions and levies on government property; and
- \$2.9 million on interest earnings and revenue from the sale of certificates.

The Economic and Finance Committee has maintained an interest in the collection costs of the emergency services levy and has been vigilant, year after year, in questioning the department on this matter.

The committee has been advised that the contracts for the proposed new integrated IT system being procured by the department to replace the two systems currently in place have been signed and the design stage of the system is proceeding. The committee has also been told that there is an expectation of reduced IT costs on an ongoing basis arising out of the one system.

Finally, the committee notes with approval the signing off by the Minister for Environment and Conservation earlier this year of the Native Vegetation Fire Management Code of Practice. The committee was also told that the Minister for Environment and Conservation has announced a further review of fire and native vegetation with a view to making it easier to carry out fire prevention works when native vegetation is involved.

As ever, the work of the committee on this matter has been exemplified by a spirit of cooperation. I would like to take this opportunity to thank all members of the committee and the departmental representatives who have worked together to assist the committee in fulfilling its statutory obligation in a timely manner.

I would also like to take this opportunity to acknowledge and thank, for his significant contribution, Mr Rick Crump, who has, in an acting capacity, filled a breach in the executive officer position of our committee. He has been with us for the last so many months, and has worked on a number of inquiries, and he leaves our committee shortly to return to his substantive position as Deputy Clerk.

This is not the first time Rick has acted in that role for the Economic and Finance Committee. Many years ago he was also the executive officer of that committee when I was on that committee in another parliament. He does a good, professional job, as always. On behalf of all members of the committee, I thank him sincerely for his contribution. I know that he will miss us, and we will certainly miss him.

Given the above discussion on this particular report and pursuant to section 6 of the Parliamentary Committees Act 1991, the Economic and Finance Committee recommends to parliament that it note this report.

Mr HAMILTON-SMITH (Waite) (11:54): I would like to comment on this motion as a member of the Economic and Finance Committee, even though I was not on the committee for the bulk of its inquiry into this particular term of reference, because I think this report has value and adds something to the political debate in this state.

In fact, looking into issues to do with tax is a very appropriate thing for the Economic and Finance Committee to be doing. In fact, it is exactly what the Economic and Finance Committee and the public accounts committee of the parliament should be doing. It should be looking at ways to improve the government's financing arrangements, looking at both the income and expenditure of government, trying to make constructive suggestions on how things could be done better, and allowing stakeholders to come in and give evidence and comment on the state of the state's finances.

That is why I am disappointed that the Economic and Finance Committee has not been more active in inquiring into taxes and taxation arrangements in this state. I was on the committee from 1997 through to 2002 and again for a period during the last term, but upon my arrival back in the committee it seemed that not a lot had been happening in the Economic and Finance Committee. That is another reason why I am delighted to speak to this report.

I just want to make a couple of observations. I think the tempo of the committee, when it is not a hung committee, as it was from 1999 to 2002, is very much set by the government members

of the committee. The government members of the committee have a clear choice: they can close down the committee and keep it out of the public limelight; they can have it address superfluous motions or motions that are outside of its normal ambit on whatever they like. The committee can explore, for example, energy issues, environmental issues, or dogs and cats. It can explore euthanasia. I suppose it can explore the legalisation of prostitution. It can explore anything it likes if the government members take it there, because they have the numbers when it is not a hung committee.

Of course, the result is clear, and that is why I am surprised that government members have not used this committee more effectively. The result of this is that the upper house picks up the cudgel. The result of this is that the upper house, which is hung, which is a minority house from the government's viewpoint, has established a Budget and Finance Committee. The upper house is now doing the job that the Economic and Finance Committee should be doing; so, the government is wearing it anyway. Not only is it wearing it, it is wearing it in a forum where it does not have the numbers to control, in any way, the agenda. As a result, the government has taken a number of punches.

It seems odd to me that the government might not choose to take on some of the roles presently being performed by the Budget and Finance Committee in a forum such as the Economic and Finance Committee, where it does have the numbers and could guide, to some extent, those discussions and inquiries.

I have a concern about this more broadly, and I think this is something that needs to be considered in a non-partisan way, because there is a real danger of governments (Labor or Liberal) closing down the House of Assembly committees to a point where they become ineffective and have no media profile, relevance or use at all. This house and its committees will be diminished to the point where the media and the people of South Australia will dismiss them as irrelevant.

That raises serious questions about whether or not the public expense of maintaining these committees is warranted in such circumstances, or whether the committees should be wrapped up and save the taxpayers the cost of having to pay the members of those committees, and whether the staff could be redistributed to the upper house where they could work more effectively with other committees in the upper house that are able to do their work. I think this is a very important thing for this house to consider.

I note that, like me, the member for Enfield has been to Westminster on a parliamentary workshop. He would have observed—as I did—that in Westminster, albeit a much bigger parliament, government backbenchers on the committees of the House of Commons use those committees to establish their credentials very effectively without fear or favour of the executive.

I know it is much more difficult in our parliament—a much smaller parliament with a majority of a bare 24. Now that we seem to have grown the executive to the ridiculous size of 15—where, arguably, a state of this size with a budget of this size would manage with an executive of perhaps 10, as it was in the Playford and Dunstan periods, but, certainly, as the opposition believes, 12—the executive can almost govern the governing party like a council. You could have a majority of 24 with 12 of them—so 12 and 12—and cabinet or the executive could have its way in the government party room.

In this government that is not the case. There is a decent majority and the non-executive, particularly in the House of Assembly party room for the government, outnumbers significantly the executive. That is why I am surprised that government members have not been a little more forceful.

Debate adjourned.

BRIDGESTONE AUSTRALIA

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (12:01): I seek leave to make a personal explanation.

Leave granted.

The Hon. M.F. O'BRIEN: In answer to the member for Unley yesterday in relation to meetings with Bridgestone, I indicated that I met with the CEO of Bridgestone Australia. As a point of clarification, I wish to advise that attending the industry luncheon (which I hosted) was the CEO of Bridgestone TG Australia Pty Ltd, Mr Toshio Sekimoto.

HYDROPONICS INDUSTRY CONTROL BILL

The Legislative Council agreed to the bill without any amendment.

AUDITOR-GENERAL'S REPORT

In committee.

(Continued from 28 October 2009. Page 4458.)

The ACTING CHAIR (Hon. P.L. White): We are considering the Auditor-General's Report 2008-89. I call on the inquiry of the Minister for the River Murray and Minister for Water Security. Are there any questions of the minister?

Mr WILLIAMS: I draw the committee's attention to page 1354 of the Auditor-General's Report. I note that there is a current asset increase of \$54 million due to, amongst other things, unused temporary water allocations. I also refer the minister to page 1365, 'Water allocations—permanent' and 'Water allocations—temporary' in gicalitres. How much water is held by SA Water as per the statement at the bottom of page 1369 for critical human needs for each of the water use years 2009-10 and 2010-11, including any carryover from the 2008-09-year?

The Hon. K.A. MAYWALD: I will provide a detailed answer to the honourable member. We have a requirement to get 201 gicalitres for critical human needs through the River Murray system for our country town licences and our metropolitan Adelaide needs and, also, stock and domestic needs. I can confirm that 39 gicalitres was carried over from purchases last year into this year, but as to the actual purchase amounts I will get the details for the honourable member and provide a statistical answer.

Mr PEDERICK: I refer to Volume V, page 1699, 'Save the River Murray Fund', the first paragraph, last sentence, which states:

These monies are then to be paid into the fund and may be applied by the minister toward programs and measures to improve and promote the environmental health of the River Murray or ensure the adequacy, security and quality of the state's water supply from the River Murray.

On DWLBC's website describing the Save the River Murray Fund, its purpose and the Living Murray fund it supports, there is no reference to using the fund to ensure the adequacy, security and quality of the state's water supply from the River Murray. At what stage and by what authority was the fund's purpose changed from being for the environment to include water security and water supply?

The Hon. K.A. MAYWALD: The fund has always been to secure water for the environment and enhance and implement environmental programs in the state towards a healthier River Murray in South Australia. The Save the Murray levy was identified as a funding source for the Living Murray initiative, and South Australia's contribution for the purchase of water (35 gicalitres) was secured through the Save the Murray levy. There has been no inconsistency in the application of the fund in accordance with the way in which it was established in the first instance. An annual report is presented to parliament every year on the details of the application of the water in accordance with the principles of setting up the fund.

Mr WILLIAMS: I refer to page 1352. Under the 'Expense' heading, it is noted that there was an appointment of additional employees for drought and water security initiatives. How many additional employees were appointed under each of these two initiatives and what is the total number of FTE employees for SA Water as at 30 June 2009? Is it intended that any of the additional staff employed under those aforementioned initiatives be shed when the drought ends?

The Hon. K.A. MAYWALD: A substantial investment from this state government has been appropriated through general revenue for drought programs. SA Water has been providing support to those drought programs. A number of the initiatives involve SA Water providing water security. In regard to the exact number of staff that have been employed in each division to deal with drought-related issues, I will come back to the member with a detailed answer on that question.

There are a number of issues that we have been required to address as a consequence of the drought, and agencies across the board are providing a collective response through the Water Security Council to those measures. The Water Security Council identifies projects that are required to be undertaken to secure our water supply so that we can manage in the extreme conditions that we are dealing with at the moment and assigns different tasks to different agencies, including SA Water, to project manage different projects on behalf of the government. I will come back to the house with the details of exactly how many employees.

Mr WILLIAMS: There are two other parts to the question. What are the total FTE numbers for SA Water as at the end of June and will the employees taken on specifically for drought measures be shed when the drought breaks?

The Hon. K.A. MAYWALD: The employment of any employees specifically funded under the drought funding will expire when that funding is no longer available. The drought funding is contingency money that has been applied to specific drought programs to assist us to manage in a very difficult time. They are relevant to the project that is being undertaken and, of course, once the drought funding concludes—hopefully, when we achieve recovery—those programs will no longer be required to be funded and therefore the people associated with those programs will not be employed.

Mr PEDERICK: I refer to Volume V, page 1693, 'Corporate Governance', and the grant management framework. The last sentence states:

DWLBC has advised that developing a policy/framework was not considered an imperative or priority in the short term but that it will consider the development of a framework as part of its overall continual improvement processes.

My question therefore is: given that the auditor has recommended this action in previous years to better manage significant grant-funded initiatives and grant income and expenditure, why has the department continued to give it a low priority?

The Hon. K.A. MAYWALD: The Auditor has identified areas where he expressed a desire for the agency to address matters relating to the grants program. The department has had significant discussions with the Auditor-General and explained to him that under each of the grants programs there are different clients, there are different customers being serviced and there are different requirements on the funds coming through DWLBC and the way they need to be applied. So, the governance arrangements are built to be specific to the particular needs of the program that we are administering on behalf of whoever the customer or client is, whether it be the federal government or others.

We have also identified the process that is in place, that is, that all of these grants administrations must be managed in accordance with Treasurer's Instruction 15, and we believe that to be a sufficient overarching management of the grants program.

Mr PEDERICK: This has gone on for years, and I am still at a loss as to why it is deemed in the Auditor-General's Report to be a low priority by the department.

The Hon. K.A. MAYWALD: For exactly the reasons explained. The department believes it is adequately being managed through Treasurer's Instruction 15. Complying with Treasurer's Instruction 15 has exactly the same effect of having an overarching framework, because Treasurer's Instruction 15 is an overarching framework for grants administration across government.

Mr WILLIAMS: I refer to Volume IV, page 1355. The fifth dot point near the top of the page notes an expenditure commitment for the operation and maintenance of the desal plant of \$600 million. On page 1357 it is noted that on 16 February the operation and maintenance contract was signed for a 20-year period. It is further noted that cabinet approved capital expenditure for expansion from 50 gegalitre to 100 gegalitre capacity on 1 June 2009, five months later.

Does the \$600 million operation and maintenance commitment cover the full 20-year cost? Is this cost applicable just to the 50 gegalitre capacity plant; and, if so, what will be the impact of increasing the capacity to 100 gegalitres? What are the implications of turning the plant on and off and having a varying output? Is the \$600 million contract a take-or-pay contract, or will we see a variation in the cost of operation and maintenance as we turn the plant on and off?

The Hon. K.A. MAYWALD: I certainly will take the details of that question on notice but I will give the member some broad principles. Basically, the comment on page 1355 refers to the decisions that were made for a 50 gegalitre plant. There will, of course, be impacts on the operational costs depending on the variable use of the plant. Yes, the price will go up and down depending on how often it is switched on and off.

SA Water is currently working through the development of a profile for how water will be sourced from different resources under different conditions, which will include when and how the desalination plant will come into effect. The detail of that is currently being established, and there will be a whole range of different scenarios depending on the climatic conditions at the time. The ongoing operation and maintenance contract enables us to switch the plant on and off as needed.

Mr WILLIAMS: I know SA Water has signed a contract with AGL for power supply. Does the \$600 million commitment for operation and maintenance include the cost of power, or is that exclusive of that contract?

The Hon. K.A. MAYWALD: The \$600 million would have included the estimated costs of the electricity at the time of that decision, which was the 50 gigalitre plant. The 100 gigalitre plant, as I said before, will have additional costs if it is operating at full capacity. The AGL contract includes the full 100 gigalitre operation, of course, on renewable energy. As I said, the \$600 million is a number with respect to which I will come back and update the house once I have the information from SA Water about the impacts of the decision to go to 100 gigalitres—a very good decision.

Mr PEDERICK: I refer to Volume V, page 1693, 'Water Information Licensing Management Application system'. The first sentence states:

Audit has previously reported upon the limitations of the Water Information Licensing Management Application system.

These limitations include compliance with aspects of the NRMA, effective management of outstanding debtors and provision of complete and accurate data. A further note in the report refers to a required error correction totalling \$506,000. Similar recommendations in earlier reports for certain action to be taken on various matters is a recurrent theme in this department. To quote the report, why has limited progress been made in this area, and is the minister fully satisfied with the limited progress that has been made in recent years?

The Hon. K.A. MAYWALD: It is directly attributed to the unbundling of water rights and the work that is going on at the national level towards a national register. WILMA, from a financial perspective, has become somewhat problematic. Due to development requirements in WILMA to enable unbundling of water rights and national developments in striving for a water register with compatibility, a decision was made to develop the financial part of the system as a separate module.

The WILMA Finance Transition Project was developed during 2008-09 to ensure that a solution was developed to finally alleviate the Auditor-General's concerns of the past. During this period, because this is effectively an accounts receivable system, Shared Services SA, as mandated operator of the government's financial transaction system, has needed to be briefed and be brought up to speed with respect to the DWLBC's proposed solution. The proposed solution has now been resolved and will be available for implementation in early 2009-10.

This is not to say that nothing has happened in 2008-09—quite the contrary. DWLBC undertook independent testing of transactions on a monthly basis in order to provide comfort to the Auditor-General as to the integrity of the existing manual system. This is undesirable, costly and inefficient and not a long-term solution for the department. This process resulted in an error correction of \$506,000 to the 2007-08 financial year, in accordance with the provisions of AASB 108. The restatement has been made to the earliest prior period presented in so far as it is determined practicable for the purposes of AASB 108. The 2008-09 account balances are correctly stated.

This disclosure comprises an adjustment to the carrying value of accounts receivables that were previously overstated in the department's Water Information and Licensing Management Application system. The action that DWLBC is also taking now is that it has formalised a high level system solution that is based on utilising a clustered ICT infrastructure arrangement involving existing Westpac and Shared Services SA environments, a project board and project plan and an implementation and communications strategy. The project is currently tracking to plan. It is highly complex in nature, and made more so because of the existing manual-based systems that have been used to identify, record, account and manage existing debtor information. However, the good news is that it will be fixed in 2010.

Mr WILLIAMS: Well done, minister. You picked one of the questions we were going to ask and had a substantial prepared answer. I refer to page 1354—

The Hon. S.W. Key: You're so transparent!

Mr WILLIAMS: Well, she got one right after six. I thought we had done a reasonable job, Steph. I refer to the first dot point on page 1354, explaining the change in total assets. It notes assets contributed by developers of \$39 million. It also notes the Glenelg to Adelaide recycled water project of \$58 million and the Lower Lakes pipeline project at \$25 million. Given that those

two projects and the Virginia project (for which I have not listed the cost) were funded by the commonwealth government, will they be considered as contributed assets for the purpose of calculating water price increases when considering the return on capital or will they be considered as shareholder assets (as I think the minister referred to), notwithstanding that they were not paid for by the South Australian government?

The Hon. K.A. MAYWALD: I am advised that they will be considered as contributed assets.

Mr PEDERICK: I refer to Volume V, page 1717, 'Grants and Subsidies', line 3, 'Irrigators—Lower Murray reclaimed irrigation areas'. What future work or support will be provided to maintain the integrity and function of works carried out on river banks and levies in this district, bearing in mind the department has stated that in 2009-10 it would maintain the Lower Murray embankments to preserve the river channel and prevent flooding of adjacent farming?

The Hon. K.A. MAYWALD: This is a very complex issue, which has been exacerbated by the extreme drought conditions and the dropping of water levels in the River Murray. A task force has been established to look at and develop solutions for the issues that the irrigators and other landowners are experiencing as a consequence of the current circumstances. There is no simple solution, and we are working as best we can with the community to try to identify what can be done and what can be achieved in the future for those communities. That task force is yet to report, so I have no further advice on that as yet.

Mr WILLIAMS: I refer to page 1358, which notes that a separate project team has been established within SA Water to deliver the desalination project. Has this entailed the employment of additional staff? If so, how many and at what cost, and is this cost included in the \$1.824 billion cabinet approved for the project or is it additional to that money?

The Hon. K.A. MAYWALD: An extremely expert group of people have been employed, as I understand it. I am advised that about 40 have been employed with respect to the project team and the costs of employing those people are included in the \$1.8 billion.

Mr PEDERICK: I refer to Volume V, page 1692, 'Implementation of the revised Treasurer's Instructions 2 and 28'. The last sentence states:

DWLBC has advised that it has a documented strategy and timeframe in place to work through and resolve the above issues.

The issues referred to are business plans, disaster recovery, business continuity plans and internal and external communication protocols. My question is: what is the time frame for completion of the work being done to address the Auditor-General's concerns about a business plan, a disaster recovery plan, communication protocols and accounts receivable debtor management?

The Hon. K.A. MAYWALD: I have been advised by DWLBC that these are matters that DWLBC raised with the Auditor-General and that it was pointed out to the Auditor-General that, whilst there were separate disaster and recovery plans and business plans, there was yet to be developed an overarching plan to encompass all of those. This work is underway and we expect that the work will be concluded during the 2009-10 financial year.

Could I perhaps ask the members opposite if, rather than my advisers having to jump up because we are switching from SA Water to DWLBC, we could ask the SA Water questions en bloc and then the DWLBC questions en bloc? It would just make it easier for the people who are moving in and out of the chamber.

Mr WILLIAMS: I thought your advisers would like the opportunity to get up and walk around and get a bit of exercise. We will do two or three at a time and see how we go. Referring to page 1352, it is noted that increases in electricity costs are due, in part, to renewable energy and carbon offset programs. Can the minister explain to the community exactly how much renewable energy is purchased by SA Water, what carbon offset programs, if any, have been utilised in the 2008-09 year, and what is the cost of each of these initiatives?

The Hon. K.A. MAYWALD: The matter that the member refers to does not include what is happening with renewables with the desalination plant. These are other programs and we will provide further details of those to the house. I do not have the specific details of each and every one of the programs, but we have committed to a program on an annual basis of investing in renewables and also carbon offset programs and I will provide the details to the house.

Mr WILLIAMS: I refer the minister to page 1385. In the notes in the accounts under key personnel compensation, it lists post-employment benefits for 17 key management personnel of \$632,000. The 17 key management personnel include the seven directors. Can the minister specify what are the post-employment benefits and specifically to whom they accrue?

The Hon. K.A. MAYWALD: It is the remuneration of the directors. Four directors are between \$40,000 and \$49,999. In the \$50,000 to \$59,000 bracket, there is one who is the chair of the Audit Committee. In the \$90,000 to \$99,999 bracket, there is one who is the chairman of SA Water, and the final one is the chief executive of SA Water.

Mr WILLIAMS: I questioned you specifically about the post-employment benefits. I am presuming it relates to superannuation. The question is: do any of those benefits accrue to directors or do they just accrue to the balance of the key management staff who, I assume, would be the 10 employees of the corporation?

The Hon. K.A. MAYWALD: I believe that is correct but, if it is not, I will get back to the member and provide details. I do not believe it accrues to directors.

Mr PEDERICK: I refer to Volume IV, page 1351, under 'Implementation of the revised Treasurer's Instructions 2 and 28'. The first line states, 'the Corporation engaged a contractor to conduct an independent review of the Corporation's compliance with TIs 2 and 28'. My question is: what was the cost of that review?

The Hon. K.A. MAYWALD: The costs are included in the costs of the overall internal audit review, and I am advised that the approximate cost of that particular component of the review was around \$20,000.

Mr WILLIAMS: I refer to page 1354 where it is stated that the biggest impact on the corporation's profit—noting that the corporation's profit decreased somewhat—has been various drought and water security initiatives causing higher operating and financing costs. Can the minister specify any costs under the higher operating reason—so, what higher operating costs other than the aforementioned increases in employees—and specify what drought and water security initiatives have incurred additional financing costs? Could the minister please itemise those costs?

The Hon. K.A. MAYWALD: I will come back with a complete list for the member, but just to give an indication of the kind of projects that that includes, there is, for example, the advanced pumping of water into the Mount Lofty Ranges which requires additional energy costs, and there is a whole range of other activities associated with the preliminary works and investigations for the weir and various other programs that SA Water is involved in. I will get a detailed list, but that is to give you an indication of the kind of projects that will be on that list.

Mr WILLIAMS: At the bottom of page 1357 it is noted that at 100 gegalitres capacity per year the Happy Valley distribution system is unable to distribute the output from the desal plant, and that a further interconnection between the Happy Valley system and the Hope Valley system will be necessary. Can the minister confirm that the \$403 million projected cost is in addition to the \$1,824 million cost of the desal project?

The Hon. K.A. MAYWALD: Yes, I can confirm that.

Mr PEDERICK: I refer to Volume V, page 1693 under 'Payroll', dot point 2:

Establish a central register to record and monitor the timely review of these reports and require follow up of all outstanding reports.

Why has the department chosen not to follow the Auditor-General's recommendation, also made in previous years, to establish a central register?

The Hon. K.A. MAYWALD: First, the comments that have been made by the Auditor-General are around process but they have not actually identified any areas where there has been a failing in the system that currently exists. The issue we have here is that the DWLBC has determined that we are able to undertake the assessment that the Auditor-General requires through, firstly, having further advice and education of the directors on their responsibilities, and then also using our internal audit procedures to be able to do internal audits, and we believe that will be sufficient to actually ensure that the objectives suggested by the Auditor-General can be achieved.

Mr WILLIAMS: I refer to page 1352 where it talks about other income and it notes that, 'Other income includes contributed assets and recoverable works.' What is the total contributed assets, because there is a \$7 million figure that it is said is the increase in contributed assets? I am trying to get my head around what have been the contributed assets for the 2008-09 year. I assume that the recoverable works are works which have been performed by SA Water where it recovers the cost of performing that work, and I am assuming that those costs have been paid for by some private individual or business. Do those costs therefore, then become contributed assets or do they become, automatically, a part of the corporation's asset, again when that figure is being used to set water prices in the future?

The Hon. K.A. MAYWALD: There is a lot of detail in that question, so I will take the question on notice, but I will answer a certain section of it. The recoverable works include things like extending the network to accommodate new developments and the like. There are also recoverable works that are undertaken by SA Water for DTEI, and those sorts of things, when projects are requiring the moving of infrastructure from road construction, and those sorts of things; recoverable assets are also included in that. So, the details of how much is applied to each I will have to come back to the member with, and I will take the question on notice.

The CHAIR: Thank you, minister, and thank you very much to the members, who provided a very orderly examination. It was a delight to chair. We now move to the examination of the Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation and Minister Assisting the Premier in Cabinet Business and Public Sector Management.

Mr WILLIAMS: I refer to Volume II, pages 403 and 404. The Auditor-General's Report indicates that the EPA has a budget shortfall due to the decline in the predicted waste levy. How does the minister believe he will cover the EPA's budget shortfall? Does the minister believe that the decline in revenues from the waste levy are related to a rise in illegal dumping, as was anticipated when the levy rates were doubled in 2007?

The Hon. J.W. WEATHERILL: To answer the second element of the question first, the projections about what revenue might flow through the waste levy obviously have to be looked at in the light of experience. The global financial crisis was expected to have an effect in relation to economic activity generally, which has an effect on construction activity—a large contributor to waste to landfill—and that has the effect of reducing the revenue because the EPA's revenue is tied to that. The actual experience may vary from that, so that is something we will have to monitor. There is no suggestion that illegal dumping is the reason for any projected shortfall in revenue.

As for how that would be dealt with, generally, if there is a shortfall and if it comes to pass that we need additional revenue to cover the expenses of the EPA, then that is a matter that would be the subject of discussions with Treasury. If there were to be a deficit, that shortfall would be made good by the general Consolidated Account.

Mr WILLIAMS: I refer to Volume II, page 377. Could the minister explain why grants and subsidies to community organisations and associations have been cut by \$1 million between the 2008-09 years from \$2.5 million to \$1.5 million, yet entities within the SA government have seen a 50 per cent increase in grants and subsidies from the same two periods from \$533,000 to \$1.8 million?

The Hon. J.W. WEATHERILL: Which organisation are you talking about?

Mr WILLIAMS: I refer to page 377. At the top of the page there is a table which shows that grants to community organisations and associations have reduced from \$2.4 million to \$1.4 million and, at the same time, we have seen entities within the South Australian government receive a 100 per cent increase in their grants from half a million dollars to a bit over \$1 million?

The Hon. J.W. WEATHERILL: I think I will take that question on notice.

Mr WILLIAMS: I refer to Volume II, page 356, which states:

Over a number of years audit has commented on the accounting treatment of crown land and the completeness and accuracy of crown land base information.

What steps will the government take to ensure that the accounting statements of the crown land are accurate and complete?

The Hon. J.W. WEATHERILL: This has been the subject of observations by the Auditor-General on a number of occasions. The fundamental issue is that it arises due, obviously, to the

large number of crown land parcels across the state and the resources that would be necessary to deal with that. The audit qualification relates to the inability to identify all of the land and determine an appropriate value for the assets.

The crown lands database project, which was initiated in relation to similar concerns in 2007-08, is progressing, addressing the identification issue. The scope of the project includes: changes to the tenements and billing system; an analysis of data quality and data cleansing requirements; implementation of appropriate conversion processes from the land ownership and tenure system; and implementation of the interface between the tenements and billing system and masterpiece fixed assets.

During 2008-09, the department's crown lands database project made significant progress, with the completion of a majority of data cleansing required to ensure the integrity of crown lands data reflected in the system as well as the transfer of data from the previous system. Activities planned for 2009-10 include the finalisation of appropriate valuation methodology for crown land and reflecting unallotted crown land in the administered financial statements for the first time. This work will involve working closely with Shared Services SA, due to the transfer of the fixed asset accounting function, as well as early engagement with the Auditor-General's Department.

It is worthwhile noting that the necessary verification and valuation of these tenures is labour intensive and requires significant resources, and, as such, will be phased in over a period of time and within available resources. So, it is a massive exercise. It is a council of perfection to have it all done, but we are gradually working through it.

Mr WILLIAMS: It is interesting that the Auditor says that the department has been unable to formulate a suitable methodology, but the department was able to come to some sort of methodology with regard to shacks on crown land.

The Hon. J.W. Weatherill interjecting:

Mr WILLIAMS: I'm glad to see that the department has its priorities right, minister. I refer to Volume II, page 382. The department has also failed to include unallotted crown land in the administered financial statements in 2007-08. The department held 104 parcels of land, which were then required to be held for sale as the parcels had been identified as surplus. In the '08-09 year, only 12 of those parcels were sold, and the remaining parcels were classified as 'held for sale'. Does the minister intend to sell the remaining parcels of land?

The Hon. J.W. WEATHERILL: The intention is to transfer the remaining parcels of land into crown land so there is no intention of selling those parcels of land.

Mr WILLIAMS: I refer to Volume V, page 1692, which states:

An internal review of DWLBC's implementation of TIs 2 and 28 highlighted the following:

- Business plans have not been completed to the 2008-09 financial year.
- No disaster recovery/business continuity plan exists.
- No internal and external communication protocols have been documented and approved.
- DWLBC does not currently have a policy or procedure in relation to accounts receivable/debtor management.

DWLBC advised in response to the 2007-08 audit that it planned to have the grant management framework completed by the first half of 2008-09. Clearly, this has not been completed. Will the minister advise why there has been a delay?

The Hon. J.W. WEATHERILL: I understand that minister Maywald received that question and answered it.

Mr WILLIAMS: Is that right? That is interesting.

The Hon. J.W. WEATHERILL: To the extent she did not answer it, I am prepared to take it on notice, but I am advised that she did answer it.

Mr WILLIAMS: Thank you. I refer to Volume II, page 376. Will the minister explain why there has been such a significant increase in the number of employees in the salary band over \$100,000? There has been an increase in the number of employees in this salary band from 47 in 2008 to 68 in 2009.

The Hon. J.W. WEATHERILL: The number of employees within the Department for Environment and Heritage that received a remuneration package greater than \$100,000 has increased by nine (from 59 to 68)—that is the change to which you are referring. The increase can be attributed to a yearly salary increase of 3.5 per cent, which has moved an additional 21 employees into the \$100,000 to \$109,000 bracket. During the 2008 year these employees' packages ranged from \$82,700 to \$99,500. Nine employees fell below the \$100,000, mainly due to retirement, resignation or secondment.

The remuneration includes salary, employee superannuation costs, use of motor vehicles and value of long service leave accrual, in accordance with prescribed conditions and associated fringe benefits tax, but does not include any amounts payable due to TVSP arrangements. Remuneration is reported as a cost to the agency rather than a benefit to the employee, so the figures reported in the financial statements do not equate to the cash component of an employee's salary.

It is notable that the reporting threshold of employees has remained constant at \$100,000 since the inception of accrual accounting from 1 July 1996, while salaries have risen between 3 and 4 per cent per annum during that period. Obviously, that sum of \$100,000 has a very different relevance from when it was reported against in July 1996.

Mr WILLIAMS: I refer to the same reference. If I heard the answer to the previous question correctly, the salary increases have been of the order of 3.5 per cent. The total employee benefits expenses line on page 1702 of Volume V shows exactly a 3.5 per cent increase and indicates that the total employment in full-time equivalents in the agency has probably stayed exactly the same. How does the agency propose to meet Treasury's call to reduce significantly the employment numbers? Is the agency offering targeted voluntary separation packages or is it expecting to be able to meet the Treasury's targets simply by attrition? Also, can the minister bring back to the committee how many full time equivalents that would entail?

The Hon. J.W. WEATHERILL: The approach that is being taken across all agencies is that a certain value of savings has been identified for agencies, and a range of tools has been used to do that. Obviously, attempts have been made to economise, where possible, within the agency; but there has been, as part of the measures to be applied, the offering of TVSPs to a range of employees whose positions are no longer required. That certainly has occurred in all the agencies that I have responsibility for, including the Department of Water, Land and Biodiversity Conservation. I will supply to the member the precise detail of that target that will be established under that act. Certainly, all the agencies have certain savings targets and they also have certain targeted voluntary separation package targets. I will take that particular number on notice and bring it back to the member.

Mr GRIFFITHS: I move to public sector management issues and refer to Part C, State Finances and Related Matters, in the Auditor-General's Report, specifically at pages 48 and 49 which refer to targeted voluntary separation packages. The Auditor-General's Report states that as at the end of August 2009 agencies have reported making a total of 951 offers of TVSP and have received a total of 400 acceptances. Of those acceptances, can the minister confirm how many people were identified as being excess employees?

The Hon. J.W. WEATHERILL: I think they all, by definition, have to be, because they would not qualify as a saving and, indeed, I think it is consistent with the taxation requirements that they be excess positions so as to attract the concessional taxation treatment. So I think the answer is they all must be excess for the purposes of achieving the TVSP.

Mr GRIFFITHS: I probably should have qualified it a little bit better. During estimates committee questioning, 419 people were identified as being excess, I think, as at 30 June. It is that part of the public sector from which I am looking for an answer.

The Hon. J.W. WEATHERILL: We would have to take that on notice to find out which of that cohort were offered and accepted a TVSP.

Mr GRIFFITHS: As part of the process of doing this, surely of the 419 people identified as being part of that group there must have been a reasonable spread from across the many departments for which you as public sector management minister have responsibility. Therefore, was a principle taken that those people should be identified in the first instance as being a target of a voluntary separation package?

The Hon. J.W. WEATHERILL: The starting point is that I do not have direct responsibility for managing each surplus employee in the way in which I think the question implies. Nevertheless, I can help with the answer. Individual employees who are excess to requirements are managed by individual agencies, and how they do that is a matter for them. It may be that they were excess for a very short period and that the initial attempts would be about trying to find them alternative employment. So, they are not necessarily the cohort that would first be offered a TVSP. That is not to say that they were not or could not be, but it should not necessarily be assumed that these people have been in that cohort of people who are excess to requirements for an extended period of time.

The other issue is that excess employees are not obliged to accept any offer that is made. I do not know whether the Treasurer has already had his examination, but the administration of the TVSP program certainly sits within his province.

Mr GRIFFITHS: I understand that the Treasurer has final responsibility for this because it is a part of the Mid-Year Budget Review announcements that he made last year. However, some confusion has always existed in my mind about the question of the areas of the minister's responsibility as the public sector management minister—as to whether crossover occurs and the dialogue that happens to ensue—especially in this case with the 419 people who were identified as at 30 June accounting for some \$30 million in recurrent labour costs of continuing employment.

When there is an identified need as part of the Mid-Year Budget Review and budgets that are put in place to reduce the cost and the numbers within the public sector, I would have thought that responsible management principles would demand that you cannot give a commitment that they would all accept it (I understand that; it has to be a voluntary decision), but there would be a process to ensure that those people would receive offers. Can the minister give a definitive statement as to whether these people have received offers?

The Hon. J.W. WEATHERILL: I cannot speak for every agency because I do not have that responsibility, but I can speak for DPC. In DPC's case, all the relevant people would have received offers of TVSPs, and it is likely that that would be the case in other agencies. So, the member should not take from my answer that all those particular employees have not received an offer: they may all have received an offer. I just cannot give the member that answer.

Mr GRIFFITHS: Continuing with the same reference, and still referring to the fact that the Auditor-General's statement refers to 400 TVSPs having been accepted, can the minister confirm what the cost was to that stage for those 400 acceptances?

The Hon. J.W. WEATHERILL: No. Once again, that is a matter that I will have to take on notice, or it could be directed to the Treasurer. However, I will certainly undertake through one of those methods to find the answer.

Mr GRIFFITHS: I will continue with the theme; hopefully, this is an area about which the minister has some knowledge. Is the minister aware that, where a TVSP is offered, normally there would be some payback period where after the separation occurring the budget is in a positive situation after the payment of that TVSP package. Can the minister define whether an average period is in place for all the 1,200 that are being sought?

The Hon. J.W. WEATHERILL: I think that is a question that would be best directed to the Treasurer.

Mr GRIFFITHS: My next question relates to public sector workforce data reports. I have previously asked the minister when we can expect the presentation of that report. My understanding is that it has not been presented for some two years. Is the minister able to provide the committee with the timing?

The Hon. J.W. WEATHERILL: I understand that the report is being progressively loaded onto the website. So, as elements of it are being completed it is being loaded onto the website of the Office for Ethical Standards and Professional Integrity. We are not waiting until all the data has been collated to present the report in a full form, it is being progressively put on the website, and I am advised that a substantial proportion of that data is already there. The report itself comprises a collection of data and as that data is being completed it is finding its way onto the website, and I direct the member to the website.

Mr GRIFFITHS: Does the minister have a final time line within which he expects it will be fully implemented?

The Hon. J.W. WEATHERILL: I am advised that it will be completed soon and that a substantial proportion of it is already there. However, I will try to get some clearer time lines.

The CHAIR: The time for the examination having expired, I declare the examination completed.

Progress reported; committee to sit again.

[Sitting suspended from 13:04 to 14:00]

PAPERS

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

Premier and Cabinet, Department of—Report 2008-09

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

Adelaide Cemeteries Authority—Report 2008-09

West Beach Trust—Report 2008-09

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

Legal Services Commission of South Australia—Report 2008-09

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

Bordertown & Districts Health Advisory Council Inc—Report 2008-09

Ceduna District Health Services Health Advisory Council Inc.—Report 2008-09

Northern Yorke Peninsula Health Advisory Council Inc.—Report 2008-09

Port Pirie Health Service Advisory Council—Report 2008-09

Quorn Health Services Health Advisory Council—Report 2008-09

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

South Australian Youth Arts Board—Carclew Youth Arts—Report 2008-09

By the Minister for Housing (Hon. J.M. Rankine)—

South Australian Housing Trust—Report 2008-09

By the Minister for Agriculture, Food and Fisheries (Hon. P. Caica)—

Advisory Board of Agriculture—Report 2008-09

Dairy Authority of South Australia—Report 2008-09

South Australian Alpaca Advisory Group—Report 2008-09

South Australian Cattle Advisory Group—Report 2008-09

South Australian Deer Advisory Group—Report 2008-09

South Australian Goat Industry Advisory Group—Report 2008-09

South Australian Horse Industry Advisory Group—Report 2008-09

South Australian Pig Industry Advisory Group—Report 2008-09

South Australian Sheep Advisory Group Report—Report 2008-09

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

Construction Industry Fund—Evaluation of Long Service Leave Liabilities—Report 2008-09

Construction Industry Long Service Leave Board—Report 2008-09

Industrial Relations Advisory Committee—Report 2008-09

Senior Judges of the Industrial Relations Court and the President of the Industrial Relations Commission—Report 2008-09

Rules made under the following Acts—

WorkCover Corporation—Workers Compensation Tribunal Rules 2009

Conciliation

By the Minister for Forests (Hon. P. Caica)—

South Australian Forestry Corporation—Report 2008-09

DISABILITY SERVICES

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M. RANKINE: I am pleased to inform the house that people with disabilities around South Australia are a step closer to being given a greater say about their care arrangements, providing more control and independence. Following two years of development, newspaper advertisements have invited people to take part in the first trial of a self-managed funding program. The Rann government is proud to be driving this new way forward for the delivery of disability services in South Australia, and it follows on from our many achievements in the disability sector.

Mr Venning interjecting:

The Hon. J.M. RANKINE: The shadow minister for ageing is interjecting. I think yesterday was the first time he had ever read an Auditor-General's Report. He did not even know how to construct questions around the Auditor-General's Report.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: Sir, they don't like good news. These achievements are highlighted by an 80 per cent increase in funding since coming to government, funding which has provided for more than 4,000 new people to receive services. Self-managed funding enables people with disabilities to have greater control and choice about the supports they receive. It provides control of the funding that has been allocated for their support needs, meaning individuals—

The SPEAKER: I am sorry to interrupt the minister. The gentleman in the gallery taking photographs must not take photographs in the gallery.

The Hon. J.M. RANKINE: It provides control of the funding that has been allocated for their support needs, meaning individuals will be able to choose what support they receive, when they receive it and who delivers it. The model works in a number of ways, ranging from a direction payment to a person with a disability to enable them to arrange and purchase the support they require through to arrangements which support a person with a disability to make real decisions and plan how funding will be spent on their behalf. Amid ever growing demand through the disability sector, it means individuals will be able to better utilise the resources allocated by the state government. Earlier this year, I had the pleasure of meeting with Simon Duffy of In Control, which administers individualised funding in the United Kingdom.

Members interjecting:

The SPEAKER: The member for Schubert!

The Hon. J.M. RANKINE: Mr Duffy spoke about the benefits of the program.

Members interjecting:

The Hon. J.M. RANKINE: You are all so rude. Mr Duffy spoke about the benefits of the program and said that clients who use the self-managed funding system in the UK feel they have a greater sense of wellbeing when they have a real say over their support arrangements.

He also spoke about the challenges regarding the delivery of services outside of government and the supports still required and expected by clients and their families. Because of these challenges, Disability SA is seeking 50 people to trial the new self-managed funding arrangements so that the state government can prepare for the full rollout of the system. We believe the opportunity should be available to anyone who wants it.

From today, people who are interested in participating in self-managed funding can register and 50 people with a range of disabilities will be chosen at the end of November. With the input of

these 50 people, the state government will be able to shape a system that best suits the needs of South Australians. It is important to note that this new way of accessing services will not be for everyone, and Disability SA will maintain its current service arrangement for those who would prefer not to participate in self-managed funding.

Self-managed funding is about supporting greater choice and autonomy. It is about offering choice to clients. A government knows that one size does not fit all and that it is important to get a disability model that works. Self-managed funding provides the innovation and flexibility that people with disabilities in South Australia deserve.

LEGISLATIVE REVIEW COMMITTEE

Mrs GERAGHTY (Torrens) (14:07): I bring up the 29th report of the committee.

Report received.

PUBLIC WORKS COMMITTEE

Ms CICCARELLO (Norwood) (14:08): I bring up the 352nd report of the committee, entitled Department for Correctional Services Relocation Fitout.

Report received and ordered to be published.

VISITORS

The SPEAKER: I advise members of the presence in the gallery today of students from Eynesbury College, who are guests of the member for Adelaide; students from Westminster School, who are guests of the member for Mitchell; and students from our Lady of the Sacred Heart College, who are guests of the member for Enfield.

QUESTION TIME

PANORAMA TAFE

Mrs REDMOND (Heysen—Leader of the Opposition) (14:09): Will the minister confirm that courses, including engineering, currently offered at the Panorama TAFE are being withdrawn from Panorama TAFE, the preferred training provider for the Submarine Corporation, Mitsubishi and the desalination plant?

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:09): I will have to return to the house with a specific response to that.

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: I can clearly indicate that in response to changing demand throughout the metropolitan area there has been a relocation of courses to different TAFE campuses—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: —with no diminution in the level of service that is being provided; in fact there will be a significant increase in the level of delivery that is provided through TAFE colleges in the metropolitan area.

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: Do you want to hear the answer?

The SPEAKER: Order! The minister will take his seat. The member for Unley might want to pay attention, he will notice that the chair is on his feet. Members of the opposition are very quick to hop up as soon as they think that a minister is engaging in debate to call a point of order. The minister is clearly not engaging in debate but is answering the question that has been asked by the Leader of the Opposition and should be able to do so without having to shout over a barrage of noise.

The Hon. M.F. O'BRIEN: I will return to the house with a specific answer and response to the relocation of the provision of engineering services at that particular campus, and I will inform the opposition as to whether—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: —that particular course is being relocated, and the emphasis is on 'relocation'. If that particular course is being relocated then I will inform the opposition as to the campus to which that course is being relocated.

SCHNEIDER ELECTRIC

Mr RAU (Enfield) (14:12): My question is to the Premier. Can he update the house on developments at the new Schneider Electric facility at Gepps Cross?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:12): I thank the honourable member for his question. This morning I had the pleasure of opening the new Schneider Electric facility at Gepps Cross. This facility represents an exciting new chapter in what has been a real South Australian success story. Clipsal is, without doubt, one of our state's most enduring and recognisable businesses, established in 1920 when Alfred Gerard developed an adjustable, one size 'clips all'—

Mrs Redmond interjecting:

The Hon. M.D. RANN: That is what it was called, one size 'clips all'—that is where the name came from; I am trying to explain that in the best way I can—metal conduit fitting. In 1930, Alfred and his son Geoff developed the first all-Australian light switch. Clipsal also pioneered the use of thermoplastics in the 1950s. During World War II the Clipsal factory at Bowden, which, of course, is going to be a centrepiece development, a green business hub, part of our transport corridor linking with the tram—

The Hon. M.J. Atkinson: Welcomed by the local residents.

The Hon. M.D. RANN: Welcomed by the local residents. During World War II it was involved in the war effort in making morse code sets and also making the switches for the release of bombs in aircraft, which I must say I found really interesting. Since then, the company has expanded into Asia and beyond.

The acquisition by Schneider Electric in 2003 has enabled Clipsal to benefit from the expertise and experience of a true global giant in the power and control solutions industry. Clipsal Australia is now the No. 1 brand of electrical accessories across Asia, and employs more than 1,000 South Australians. The new \$35 million development at Gepps Cross brings together all of Clipsal's metropolitan Adelaide operations under a single roof.

The facility also incorporates Schneider Electric Australia, as well as a number of shared services for the Schneider Electric Pacific Zone. It will be home to about 1,000 on-site staff, and occupies a total floor area of almost 30,000 square metres. It also features energy-efficient lighting, vast open space and soundproofing, and will host Clipsal's sales, marketing, manufacturing, logistics and support functions.

The new facility represents a major and ongoing investment in South Australia's manufacturing industry, and will help ensure that Clipsal Australia remains the pre-eminent supplier of electrical products in Australia and a significant player across the Asia Pacific region as part of Schneider Electric.

This new facility illustrates the growth and diversification of manufacturing industries in Adelaide's northern suburbs. It is also home to operations of a number of global defence companies—including BAE Systems, Ultra Electronics and Saab Systems—all of which are based at Tech Park at Mawson Lakes. There are a lot of other things happening in terms of the big infrastructure projects—the Northern Expressway, employing a huge number of people and contractors, the upgrade of the railway line and, effectively, a doubling of the size of the Lyell McEwin Hospital.

South Australia offers advanced manufacturing companies significant cost savings compared to other states, access to major markets and investment opportunities to build on their core capabilities.

Mr Williams interjecting:

The Hon. M.D. RANN: You want to talk about taxation? That is why we brought down payroll tax to equal lowest in the country. Independent commentators such as Access Economics have noted—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: They spend most of their time arguing with each other but it would be nice to be able to answer a question that, I have to say, I would like to have had more notice of but a question that I think deserves an answer. Independent commentators such as Access Economics have noted that South Australia is better placed than other states to emerge from the global financial downturn in good shape.

Access Economics forecast last week that our state will outstrip the national rate of economic growth over coming years. It also predicted that South Australia's unemployment rate will remain below the national jobless level throughout the entire five-year forecast period. Of course, that prediction comes after the annual rate of employment growth in South Australia has exceeded the national rate for eight consecutive months. Compare that to downturns in the past. ABS figures show that 101,000—

Members interjecting:

The Hon. M.D. RANN: If you want to hear the jobs figures, I am very happy to give them to you. ABS figures show that 101,000—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —new jobs have been created in South Australia since 2002—101,000 extra jobs, more than there was then, more than there was when you were in power, two AAMI stadiums full, as I know you are obsessed with stadiums—but there is always more that can be done.

In that respect, there can be few better examples in South Australia than Clipsal Australia in partnership with Schneider Electric which, from memory, was established in France in the Alsace region—it sounds like a name from the Alsace region—in about 1836. It now has offices in all Australian states and is represented in more than 25 countries worldwide. There was a lot of speculation when Clipsal was sold to Schneider about what the future would bring: would it be shifted holus-bolus to China or somewhere? What we saw today with the executives from France, as well as Hong Kong and Australia, is a big commitment here in South Australia in the northern suburbs.

PANORAMA TAFE

Mr PISONI (Unley) (14:18): My question is to the Minister for Employment, Training and Further Education. Will the minister confirm that a meeting was held with staff of the Panorama TAFE where they were advised that the facility is to close, and what is the future of the 2,500 students currently enrolled? The CEO of DFEEEST, Ray Garrand, told ABC Radio on 16 October that the department has reviewed TAFE campuses and found around 50,000 square metres more than required. The minister also admitted on ABC Radio on 21 October—

The Hon. K.O. Foley interjecting:

The SPEAKER: Order!

Mr PISONI: —that the election was a factor in delaying any announcement.

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:19): In relation to the earlier question asked by the Leader of the Opposition, I have been informed that it is business as usual for engineering at Panorama, and the issues alluded to by the member for

Unley are largely as a result of the state government receiving \$14.63 million from the commonwealth government—

Mr Pisoni interjecting:

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

The Hon. M.F. O'BRIEN: —from the commonwealth government to upgrade TAFE sites in the metropolitan area and through regional South Australia. Now—

Members interjecting:

The SPEAKER: Order! I will not be ignored. When I call members to order, particularly when I call them to order by name, I expect them to heed my order. The member for Unley is on his last warning. The minister.

The Hon. M.F. O'BRIEN: As I said, the commonwealth government has allocated \$14.63 million to the South Australian TAFE system under the Better TAFE program. What we are effectively doing is moving courses to TAFE facilities that have been upgraded as a result of the \$14.63 million from the commonwealth. Now, to me that sounds like a smart thing to do. It may not sound—

Members interjecting:

The SPEAKER: Order! The minister will take his seat.

Mr GRIFFITHS: On a point of order, Mr Speaker, the question was quite specific about the future of Panorama, and, indeed the 2,500 students currently enrolled there—

Members interjecting:

The SPEAKER: Order!

Mr GRIFFITHS: —and the minister has not referred to that at all in the answer.

Members interjecting:

The SPEAKER: Order! Just before the minister—

Members interjecting:

The SPEAKER: Order! The minister is answering the substance of the question and he is not engaging in debate. The question refers to, in particular, an explanation for the shifting of courses at TAFE. The minister is in order. The minister.

The Hon. M.F. O'BRIEN: As I said, we have received \$14.63 million from the commonwealth under the Better TAFE program. We are upgrading a number of facilities around the metropolitan area. The clever thing to do is to take courses from less than perfect existing TAFE locations and put them into the locations that have been upgraded as a result of commonwealth funding. In relation to the very specific question about the future of Panorama—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: In relation to the specific question about a possible closure of that site, no, a decision has not been made. To my knowledge—and I will seek advice on this, because it is contrary to everything that I have been told by DFEEST—if there has been—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: If there has been a meeting held at Panorama and staff have been advised that that campus is closing, I am unaware of that meeting and I am unaware that that advice was given to staff contrary to the advice that I have been given by the chief executive officer of DFEEST as recently as 24 hours ago. I will be having a discussion with him in relation to the question that has been asked, but I am of the firm view that the advice that has been given to me consistently over the last two weeks in relation to that particular site is accurate. The proposition that has been—

Mr Venning interjecting:

The SPEAKER: The member for Schubert!

The Hon. M.F. O'BRIEN: —tendered by the member for Unley is erroneous in the extreme.

CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION ACT

Mr BIGNELL (Mawson) (14:24): Can the Premier update the house on the progress of South Australia's first sector agreement under the Climate Change and Greenhouse Emissions Reduction Act?

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) (14:24): Of course, the honourable member has a profound interest in the industry in terms of his local representation. In May 2008, at the London International Wine Fair, I signed the first sector agreement under South Australia's Climate Change and Greenhouse Emissions Reduction Act. Obviously, a series of agreements have been signed subsequently, including with Adelaide Brighton Cement, the Anglican Church and a range of other organisations.

The agreement I signed in London was with Orlando's Chief Winemaker, Philip Laffer, on behalf of the South Australian Wine Industry Association, and Jim Caddy, on behalf of the Wine Grape Council of South Australia. In that event the wine industry became the first industry group in the nation to sign an agreement to accurately track, as well as reduce, its greenhouse gas emissions.

It was an important agreement for two reasons—and I am pleased that the member for Schubert was nodding in agreement then. It demonstrated a clear commitment that the South Australian wine industry is serious about adapting to climate change and responding to the targets set by the South Australian government's climate change legislation to reduce greenhouse gas emissions by 60 per cent of 1990 levels by 2050.

It also recognises that consumers and distributors internationally are beginning to favour winemakers who are actively reducing their carbon footprint. In fact, this is a key thing. It is not only the right thing to do but also the smart thing to do, because big companies in Britain are saying, 'We will be looking at the quality of the wine and the price of the wine in terms of its being competitive with other nations in the world, and we will also look at carbon miles in terms of travel of the wine to Great Britain.' So they will be looking for companies that do the right thing by the environment, and the retailers and distributors are looking at that in Britain because they know what their consumers want to know.

The latest ABS export data for the year to August 2009 shows that wine remains one of South Australia's top export commodities. It is no longer No. 1: the mining industry in recent times has gone ahead. Despite a recent decline, the state's wine industry is valued at over \$1.5 billion and represents almost one-fifth of our total exports. It is interesting to see the change in the export mix in terms of mining and education, which is now the fourth biggest export earner. That is why we have worked so hard to build our reputation as a university city, attracting international students, and I was pleased recently with Adelaide University's announcement with the Kaplan group.

This is an extremely important sector, with the wine industry currently contributing \$2.4 billion to the state's economy. Efforts to assist the industry in positioning itself to address change in the global economy and global demand are worth undertaking, as are efforts to address climate change. It is with this dual focus the wine industry sector agreement has moved forward with success. An interim progress report, covering the project through to June 2009, has been provided to the government. I would like to briefly summarise some of the actions that have occurred under this agreement and some of the key findings. The first stage of the project involved:

- the establishment of a project steering group, including the wine industry and the state government;
- the development of a project work plan and industry database;
- the review of existing programs and information; and
- the compilation of an information package.

That information package is distributed to more than 3,600 grape growers and industry participants through wine industry newsletters, media articles and regional information sessions.

Between January and April 2009, seven regional information sessions were conducted in the Barossa Valley and at McLaren Vale, Langhorne Creek, Adelaide Hills, Coonawarra, Clare and Riverland wine regions. I am advised that these information sessions attracted 277 attendees and resulted in 97 separate businesses signing participant commitment agreements to track and report greenhouse gas emissions using the Australian wine carbon calculator. Further, I am advised that these 97 businesses represent more than 200,000 tonnes of grapes grown and more than 700,000 tonnes processed in South Australia in 2008-09. Based on figures from the Australian Wine and Brandy Corporation, this represents 28 per cent of grapes grown and 99 per cent of grapes processed in South Australia—which is a truly remarkable response from the South Australian wine industry.

As the agreement enters its second year, the next phase of the project seeks to capitalise on the networks and contacts already established and to focus on collection, calculation and reporting of greenhouse emissions associated with the 2009 vintage. In August and September, five regional industry workshops were held and provided hands-on assistance in the use of the carbon calculator. These sessions attracted 95 attendees and secured an additional five signatories to the agreement, taking the total number of committed businesses to 102, now representing 30 per cent of grapes grown and 99 per cent of grapes processed in South Australia.

In addition to the work being undertaken on emissions reporting, the agreement also involves assistance to growers and winemakers in adapting to climate change and understanding national climate change policy initiatives; establishment of a 20 per cent by 2014 target for uptake of renewable electricity supplies; development of a participant recognition and promotion program; and demonstration of leadership for other industry sectors.

So, I commend the wine industry for its commitment, and I commend the wine industry for getting moving on making the sector agreement work. I am really pleased that it is the wine industry in South Australia that was the first industry in this state to sign up to tackling climate change.

GOVERNMENT PROBITY

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (14:31): My question is to the Premier. Do the probity guidelines relating to the proposed \$1.7 billion—

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! Start again, please.

Mr GRIFFITHS: I thought I was quite clear until the interjection from the Treasurer, Mr Speaker.

The SPEAKER: Indeed. Please continue.

Mr GRIFFITHS: Thank you. Do the probity guidelines relating to the proposed \$1.7 billion Royal Adelaide Hospital project allow consortium bidders to attend Labor Party SA Progressive Business dinners and to be seated at the same table as the Premier?

Mr Andrew Newman, a senior representative of a consortium bidding for the proposed new RAH, was shown in a seating plan published in *The Advertiser* at a much-publicised Labor Party SA Progressive Business dinner at the wine centre on 1 October 2009 clearly sitting at the same table as the Premier.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:32): I thank—

Members interjecting:

The SPEAKER: Order!

Mr Pisoni: The Premier stays away from that one.

The Hon. K.O. FOLEY: Well, I am actually responsible for it, and can I say that everyone knows my views about the deputy leader. I was attacked twice on morning radio this week by Rob Lucas—

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

The SPEAKER: Order, the Deputy Premier!

Mr WILLIAMS: The question was directed to the Premier. The Deputy Premier stood up in the belief that he could answer it but he is not trying to answer it, sir. I request you draw him back to the substance of the question.

The SPEAKER: Order! The member for MacKillop will take his seat. The Deputy Premier must answer the substance of the question.

The Hon. K.O. FOLEY: And I intend to, Mr Speaker. The shadow treasurer has his committee meetings on this very issue. Mr Lucas has the standing committee on finance and the budget, whatever he calls it, which indeed has covered many of these issues. Clearly, Mr Lucas, as the opposition's chief finance and Treasury spokesperson, debates me regularly on these issues. The embarrassing state is that it is bland and blander when it comes to finance.

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

The SPEAKER: Order!

Mr WILLIAMS: You have already ruled that the Deputy Premier should address the substance of the question. He is clearly disregarding your ruling. It is about the government's probity with regard to the Royal Adelaide Hospital tendering process.

The SPEAKER: Order! I am sure the Deputy Premier is about to make clear the relevance of what he is saying to the question.

The Hon. K.O. FOLEY: It is a joined up argument, sir. I am glad Mr Lucas has written a question for the shadow finance minister in the lower house to ask me. With regard to probity—and I could understand why Mr Lucas would not ask me this question, given his track record—the government has a very strict probity plan. We have very—

Members interjecting:

The SPEAKER: Order!

Mr Williams: Come and sit here and we will talk about it.

The Hon. K.O. FOLEY: Are you suggesting impropriety by government?

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Mr Speaker, I do not intend to combat the barrage of abuse opposite. If members want an answer, I am happy to provide it.

Members interjecting:

The SPEAKER: Order! The Deputy Premier.

The Hon. K.O. FOLEY: The probity process is very strict as it relates to Labor Party functions and/or meetings that we as ministers may find ourselves in with people conducting the—

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Sorry, do you want me to answer it or do you want to do the answering for me?

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: I am trying to give you an answer.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The advice that we have on probity is quite clear: it is forbidden for government ministers to enter into dialogue relating to the hospital project as it relates to the tendering process. If there is to be dialogue, that dialogue must be sanctioned through the probity process, which includes the Crown Solicitor and the head of Treasury and Finance and for officers to be in attendance at those meetings to ensure that there is no inappropriate discussion. I have made sure that we have observed those processes. They are incumbent upon government ministers and they are incumbent upon contractors. It is very strictly applied—

Mr Venning interjecting:

The SPEAKER: Order!

Mr Venning interjecting:

The SPEAKER: The member for Schubert!

The Hon. K.O. FOLEY: It is very strictly applied. People are not banned at all from attending functions that may be run by the Labor Party.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Sorry?

Mrs Redmond: I said they are happily encouraged.

The Hon. K.O. FOLEY: They are encouraged, are they? The tenderers are encouraged to come to our functions; is that what you are saying?

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: You are saying that, are you? So, you are implying that we are doing something wrong?

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: No wonder you are having trouble—

Mr Griffiths interjecting:

The Hon. K.O. FOLEY: Sorry?

Mr Griffiths interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Steve, you are embarrassing your own side in your role as the shadow. You are the weakest Treasury spokesperson the Liberal Party has ever, ever, ever had. You are the weakest, weakest shadow treasurer.

Members interjecting:

Ms CHAPMAN: Sir—

The SPEAKER: Order! The member for Bragg will take her seat. Everyone calm down please. The Deputy Premier.

The Hon. K.O. FOLEY: The deputy leader is the weakest shadow treasurer—

Members interjecting:

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

NATIVE GARDEN INITIATIVE

Ms CICCARELLO (Norwood) (14:38): My question is to the Minister for Environment and Conservation. What action is the government taking to build on the success of the Botanic Garden?

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) (14:38): The Botanic Garden is one of our state's great assets, visited by an extraordinary 1.5 million people each year and about 25,000 school students. Today, I had the opportunity to attend the Botanic Garden and the State Herbarium staff day. As representatives of the American Association of Museums commented, our gardens are one of the great gardens of the world and on the verge of a great leap forward to get even better. The Rann government is continuing to invest in our gardens to ensure their improvement.

I just want to touch on some of the recent initiatives, because they are impressive and there will be more of them. Earlier this year, the Premier opened the Santos Museum of Economic Botany following its renovation—

An honourable member: Economic botany?

The Hon. J.W. WEATHERILL: Indeed. Those were the days at the beginning of the colony when it was understood that the whole of the economy of the colony was integrally linked with the—

An honourable member: What?

The Hon. J.W. WEATHERILL: Integrally linked—

The Hon. M.J. Atkinson: 'Integrally'; it's an adverb.

The Hon. J.W. WEATHERILL: —yes—to the health of our natural environment. We are only just rediscovering that now with the challenges of climate change that are bringing those two questions together. As I think Robert Kennedy Jr famously stated, the economy is indeed a wholly-owned subsidiary of the environment.

The Hon. J.D. Lomax-Smith: That's a good line.

The Hon. J.W. WEATHERILL: It is a very good line, and I wish I could say it was mine but it was in fact Robert Kennedy Jr who came out to South Australia recently and was a fantastic speaker. On top of that fantastic institution, the Museum of Economic Botany, we had the seed conservation program run from the gardens, the first program in the world to meet its seed collection target for the millennium seed bank. This came on top of an earlier investment in the pavilion to house the giant Amazon waterlily, which has leaves 1.5 metres wide.

The Hon. J.D. Hill: It's huge.

The Hon. J.W. WEATHERILL: It is huge. The flower only opens in the evening, as well. We are in the process of adding a new western entry to the gardens—due to be open next year. As I advised the house a few weeks ago, the gardens will soon open a new native garden, a key part of our native garden initiative. This will showcase native gardens and demonstrates how we can use these plants in our own gardens. The native garden will be a forum for the Botanic Garden to hold a community day to celebrate native gardens. It will also include native flora arrangements and food, activities for children and family entertainment. It will be a great opportunity for families to have fun and learn more about our native plants.

Continuing this investment, today I am pleased to announce that the Botanic Garden is about to develop a sustainable landscape display garden in Botanic Park, along First Creek on Frome Road. This will involve the planting of 2,000 trees, shrubs and grasses. This new display will provide habitat for native birds and butterflies, bats and lizards, and will be an example of a garden that naturally thrives in South Australia's conditions. People will be able to enjoy it from a viewing platform and there will be seating and educational signage about the garden. The work will complement the projects taking place at the Adelaide Zoo in preparation for the arrival of the giant pandas and improve a somewhat neglected part of Botanic Park. Landscaping work for the project is expected to be completed by the end of this year, with planting to continue throughout this year's planting season.

CHANTELOIS, MICHELLE

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (14:42): My question is again for the Premier. Does the Premier stand by his statement that he has not met with or spoken to Michelle Chantelois in the last four years?

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The house will come to order or I will vacate the chair. I do not think the Premier has any responsibility to the house at all. However, the question has been asked; I think it is only fair that the Premier have an opportunity to respond if he so chooses.

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) (14:43): This is the subject of a police investigation before the courts and I certainly do stand by my comments.

Ms Chapman interjecting:

The SPEAKER: The member for Bragg is warned.

Members interjecting:

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

Mr HANNA: I rise on a point of order, sir. I seek your clarification on the sub judice rule, that this affair has been spoken of as being before the courts. We know that the gentleman concerned has not had to appear before court yet, so does that make it beyond the scope of discussion in this house or not?

The SPEAKER: My ruling was that the Premier had no responsibility on the matter to the house, and I will not make a ruling either way on whether or not it is sub judice. The sub judice rule is a complicated standing order. I would be more than happy perhaps privately to talk to the member for Mitchell about it. I am not going to give a pre-emptive ruling on whether or not the matter is sub judice. I have ruled, however, that the Premier does not have responsibility to the house for the substance of the question asked by the Deputy Leader of the Opposition.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! If the house does not come to order, I will vacate the chair. I will not have my calls to order ignored. The member for MacKillop.

WINE CENTRE INCIDENT

Mr WILLIAMS (MacKillop) (14:45): My question is also to the Premier. Has the Premier refused to make a statement to the police regarding the incident involving himself—

The SPEAKER: Order!

Mr WILLIAMS: —at the Labor Party Progressive dinner on 1 October?

The SPEAKER: Order! The Premier has no responsibility to the house for those matters.

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: He has no responsibility if the police are carrying out an investigation?

The SPEAKER: Order!

Members interjecting:

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

Members interjecting:

The SPEAKER: The Minister for Transport and the Attorney-General might observe that the Speaker is on his feet.

Members interjecting:

The SPEAKER: The house is suspended until the ringing of the bells.

[Sitting suspended from 14:46 to 15:06]

LAW AND ORDER ISSUES POSTCARD

Ms CHAPMAN (Bragg) (15:06): My question is to the Premier. When the ALP state secretary appears before the caucus to explain his authorisation of the distribution of a postcard to South Australians last week, will he be required to address: one, why he ignored Australia Post guidelines to use the ALP's address for receipt of mail for Isobel Redmond; and, two, whether he plans to issue more mail pieces as part of Labor's dirty tricks campaign?

Members interjecting:

The SPEAKER: Order! The question is out of order on a number of grounds. For one, it is hypothetical, hypothesising that there may be a court appearance.

Ms Chapman: Caucus.

The SPEAKER: Caucus. I beg your pardon. I am sorry. I thought you said when he appears before court. Could the member for Bragg bring up the question so that I could have a look at it, please?

The question certainly contains debate. I think it is beyond what any minister might be responsible for; however, given that the member for Bragg has put it in the public sphere, I will allow the Deputy Premier the opportunity to respond.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:08): The reason I am answering this question is because I was acting chair of Tuesday's caucus meeting and it was my idea. I thought it was a sensible thing to do. Fancy us being accused of dirty tricks after the email forgery and after—

The Hon. P.F. Conlon: Catch Tim.

The Hon. K.O. FOLEY: Yes.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The member for Bragg when she was president of the Liberal Party was part of the most—

Mr WILLIAMS: I rise on a point of order, Mr Speaker. The Deputy Premier is clearly debating the question.

The SPEAKER: Given that the question clearly and specifically accuses the Labor Party of engaging in a dirty tricks campaign, I think it is not at all unreasonable for the Deputy Premier to be given fair scope in responding to the question.

The Hon. K.O. FOLEY: Under Catch Tim the then president of the Liberal Party concocted a convoluted scheme designed to hide from public—

Ms CHAPMAN: Point of order, Mr Speaker: I am happy to give a personal explanation on this, but this has been to the Electoral Commissioner and we were completely exonerated as a party, so don't try—

The SPEAKER: As the member for Bragg says, she can give a personal explanation. The Deputy Premier.

The Hon. K.O. FOLEY: All I will conclude by saying is that there were many aspects of the then president's (the member for Bragg) tenure as president of the Liberal Party when it related to fundraising, and we will be more than happy to share those with the parliament in the months ahead.

LAW AND ORDER ISSUES POSTCARD

Ms CHAPMAN (Bragg) (15:10): My question is to the Attorney-General. In response to the postcard to which the Attorney-General said yesterday the response have been 'so overwhelming', can the Attorney-General tell the house how many responses have been received and why haven't they been forwarded to the Leader of the Opposition?

The SPEAKER: I do not think the Attorney—

Members interjecting:

The SPEAKER: Order! I do not think the Attorney has any responsibility. I have not seen the card, but I do not think the Attorney is on it. But if the Attorney wants to respond—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:11): Clearly, the Leader of the Opposition has lost control of the tactics of the parliamentary Liberal Party today. The situation is that it is a fact, an irrefutable fact on *Hansard*, that the parliamentary Liberal Party voted against the recidivist youth offenders provision—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —in the Young Offenders Act.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: Isobel Redmond wanted to keep the Gang of 49 out of detention, or if they went into detention—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —Isobel Redmond wanted them to serve as little time as possible.

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: Mr Speaker, the question was very specific: how many and why haven't you handed them on to the Leader of the Opposition?

The SPEAKER: The Attorney-General.

The Hon. M.J. ATKINSON: All Isobel Redmond wants to do is hug the Gang of 49, not put them in detention.

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: Point of order, Mr Speaker: I ask that you rule—

The SPEAKER: The Attorney I think has completed his answer—the Attorney-General.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: The leaflet or card, distributed by the Australian Labor Party, is entirely factual; it is entirely correct in its reporting—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —and I am sure that the Australian Labor Party will be willing to share the responses with the Leader of the Opposition.

SAFE WORK MONTH

The Hon. S.W. KEY (Ashford) (15:13): My question is to the Minister for Industrial Relations. Minister, can you outline what contribution Safe Work Month makes in improving health and safety in South Australian workplaces?

The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (15:13): Thank you very much, Mr Speaker.

Ms Chapman interjecting:

The Hon. P. CAICA: I will talk about that afterwards—safety in the workplace. I thank the member for Ashford for her question and I acknowledge her lifelong commitment to the health and wellbeing and welfare of workers. It was on Monday that I had the honour of launching the metropolitan week of Safe Work Month at the Adelaide Showgrounds. Safe Work Month, with the theme of 'Workplace safety is in your hands', remains a centrepiece initiative for educating the community about the importance of safety at work and the practical ways by which this can be achieved.

Safe Work Month commenced on 4 October 2009 at the Loxton Show and has so far provided over 120 free workshops, giving practical, how-to safety information that can be easily applied in workplaces. So far, the North-East, North-West and South-East regions of our state have

benefited from dedicated week-long events in their areas. The expanded Safe Work Month format has allowed presenters to focus workshop topics in regional areas on providing vital information specific to the high-risk industries that support their area.

For example, in Whyalla, Roxby Downs and Port Pirie, those sessions focused on the manufacturing and construction industries, while Port Lincoln, Streaky Bay and Ceduna workshops were hosted on aquaculture safety that included factual case studies on common industry hazards. A workshop in the Coonawarra region was dedicated to design and installation requirements for winery tanks and a cross-agency workshop in Struan offered an insight into the safe handling of cattle in confined spaces.

The metropolitan week of Safe Work Month hosts events all over Adelaide. In addition to workshops, it includes a health and safety representatives' network meeting, a networking breakfast for women in occupational health and safety, and a mock industrial court trial.

As in previous years, Safe Work Month is being conducted through the auspices of the SafeWork SA Advisory Committee, which is chaired by Mr Tom Phillips. I must say that Mr Phillips is an outstanding chair of the advisory committee. Certainly, in his commitment to improving occupational health and workplace safety in this state he is doing an amazingly good job. I know the house would join me in congratulating him on the work he has done, but, importantly, recognise that there is still a long way to go, and Tom is an important part of that process.

Safe Work Month is also conducted in partnership with SafeWork SA, Business SA, SA Unions and WorkCover SA. Safe Work Month 2009 culminates in the Safe Work Awards this Friday night, which recognise excellence in OH&S. It is encouraging to see that entries for the awards have increased by over 50 per cent from last year. The awards recognise technical innovations, leading workplace safety management systems, and the hard work and dedication of individuals.

The award categories for 2009 are: Best Workplace Health and Safety Management System; Best Solution to an Identified Workplace Health and Safety Issue; Best Workplace Health and Safety Practices in Small Business; Best Individual Contribution to Workplace Health and Safety (one for the best health and safety representative and one for the best employed safety officer); Employer of the Year; and Best Public Safety Event.

The Augusta Zadow Scholarships are incorporated into the Safe Work Awards program, with two scholarships of up to \$10,000 each offered each year to assist the recipients with further education, research or occupational health, safety and welfare initiatives for the benefit of working women in South Australia.

Sir, you would testify to the fact that there was a little accident here earlier today, when I inadvertently knocked over some water. As is appropriate, I advised the people around me of this hazard to their safety, and came up to you and advised you that there was a hazard here, but that we had under control and that everything was in order. I guess the point I make, without being trite or flippant, is that workplace safety is everyone's responsibility. Our workplaces will be much safer places if everyone takes their responsibilities seriously.

LAW AND ORDER ISSUES POSTCARD

Ms CHAPMAN (Bragg) (15:18): Does the Premier agree with the member for Reynell that the dirty tricks postcard campaign against the Leader of the Opposition is absolutely disgusting and offensive? The opposition is informed by a constituent—

Members interjecting:

Ms CHAPMAN: Are you listening to it? By a constituent—

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: Ready? The opposition is informed by a constituent of the member for Reynell, in a telephone conversation with her, that she (the member of parliament) did not know that cards were going to constituents in her electorate and that she found it absolutely disgusting and offensive and was appalled that they could attack Isobel Redmond in that way.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (15:19): Can I say, this is from the Liberal Party, where the second floor of the Liberal Party not only has fake email sites, IT sites and Twitter sites that forge other people's identities, which issued and distributed forged receipts, forged emails and fake documents. Can I just say this: the Liberal Party's dirty tricks section on the second floor is like a crime scene; that is what it is like. We have seen—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: They should put blue tape around it with the words 'crime scene'. What we have seen under this opposition and under this opposition leader and her predecessor is that they are prepared to do anything to smear their way into power, because basically they are so divided—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: They spend all their time fighting with each other. Here we have an opposition—a Liberal Party led by Isobel Redmond—with a dirty tricks unit, which has fake email sites, fake Twitter sites—

Mr PISONI: I have a point of order, sir. This has nothing to do with the question. My point of order is relevance.

The Hon. P.F. CONLON: With respect, Mr Speaker, the question again referred in debating terms to dirty tricks. If the Premier wants to respond to a question couched in those terms, he is entirely in order.

The SPEAKER: Order! I have been giving the Premier a fair bit of latitude in his answer, but perhaps he might wind it up.

The Hon. M.D. RANN: Thank you, sir. Politics is about comparing—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. M.D. RANN: —and contrasting. It is about being prepared to stand by what you say—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. M.D. RANN: —and it is about meaning what you say and saying what you mean. They have come in here with a series of law and order issues and always backed the soft option on crime. We have a situation here where the previous leader of the opposition and deputy leader of the opposition lost their jobs—

Mr PEDERICK: I have a point of order, sir, on relevance.

The SPEAKER: Order! The Premier has concluded his answer. The member for Bragg.

GLENSIDE HOSPITAL REDEVELOPMENT

Ms CHAPMAN (Bragg) (15:22): My question is to the—

Members interjecting:

The SPEAKER: Order, the member for MacKillop and the member for Schubert!

Ms CHAPMAN: Thank you, Mr Speaker. My question is to the Minister for Mental Health and Substance Abuse. Is the \$19 million for the redevelopment of James Nash House coming out of the \$130 million budget for the redevelopment of Glenside Hospital?

On Friday last week the minister referred to the Glenside redevelopment as a '\$130 million mental health and substance abuse hospital at Glenside'. Today, *The Advertiser* reported that the James Nash House redevelopment is part of the \$130 million mental health overhaul.

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (15:22): I am really excited about the redevelopment of our mental health facilities. I cannot think of a better legacy to leave our community than a new 129 bed hospital—

Ms CHAPMAN: I have a point of order, sir. My question was not what the minister is excited about. My question was: is the \$19 million part of the \$130 million?

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

The Hon. J.D. LOMAX-SMITH: I am really delighted that over the last week we have made two very significant announcements, including the announcement last week by Monsignor Cappo that we would be going ahead with the rebuilding of Glenside Hospital to produce a new 129 bed hospital on this site ahead of the predicted schedule and some 18 months ahead of the predicted finish date so that the development would be ready for occupancy in the middle of 2010.

This week we have announced our plan to rebuild our mental health forensic facilities. Currently, that facility is spread across two sites, with 30 beds at Oakden on the James Nash House site and 10 beds in a closed secure ward on the Glenside site. The redevelopment of the hospital is separate from the forensic facilities. As members would recall, the forensic facilities were part of the proposed redevelopment of the prisons.

Since the deferral of that project and the reconfiguring of our plans for the prison development, of course we have had to look at our mental health forensic facilities. They are occupied by prisoners with mental illness, on the one hand, and also by those people who are regarded as unfit to plead in court, who are incarcerated and treated for a period of time. Those facilities are a separate development with separate funding lines.

NORTH-EAST PASTORAL DISTRICT

The Hon. G.M. GUNN (Stuart) (15:24): My question is directed to the Minister for Agriculture, Food and Fisheries. What action is he taking to assist constituents of mine in the north-east pastoral district of this state to ship out their stock due to the exceptional damage caused by the dust storm a few weeks ago?

The minister would be aware that people in Sydney complained about the dust, but they only had a bit of inconvenience. My constituents in the north-east of the state have had their ability to make a reasonable livelihood drastically affected, and they have to get rid of the stock so they can be agisted in other parts of the state. Many of them are in financial difficulty, and I ask: what assistance can the minister provide to these people?

The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development) (15:25): I thank the member for Stuart for his question and acknowledge the outstanding work he has done in representing his constituents over many, many years. One of the difficulties we have had to date, and certainly in the reports that I have been receiving, is assessing the total damage and, importantly, the specific damage that has occurred on some of the properties. The information we are gathering is accumulating each day.

The anecdotal evidence to date has indicated a range of damage to pastoral properties and livelihoods of those affected by the dust storm in the upper north-east area, although, to date, as I mentioned, the objective information has been difficult to collect.

PIRSA has been working closely with the relevant contacts, and that has included the South Australian Farmers Federation. I noticed their comments in the paper today. In fact, we have been seeking information from them and they are using their resources as best they can, so I was a bit confused by Peter White's comments, or certainly found them curious.

We have also been working with the northern regional drought task force, the SA Arid Lands Natural Resources Management Board, the Pastoral Board, the Outback Areas Community Development Trust, the Rural Financial Counselling Service and various other government agencies to assess the level of damage to enterprises. A survey has been sent to all pastoralists to assess the levels of damage, and responses are currently being collated.

Both the South Australian drought assistance measures and provisions under the NDRRA are aligned with the nationally agreed policies in this area. The provisions of the New South Wales Rural Assistance Authority and the National Disaster Relief and Recovery Arrangements are very

similar to the EC interest rate subsidy arrangements that, as I understand it, many of the member for Stuart's constituents are already in receipt of.

South Australia, for decades, has aligned its policy with the national assistance policy and avoids, wherever possible, the use of market-distorting programs such as subsidies for transport, fodder and payment for water. Again, the member would be aware of that.

Since this area is in an EC-declared area, we could offer (and this is what we are looking at) to extend the planning for recovery grant, even to those without the ECIRS approval, and this would support the preparation of a business plan, plus a grant to implement the plan.

I can say to the member for Stuart that I look forward to working with him and feeding the information that he has into the processes that we have in place to ensure that we are able to provide whatever practical assistance we can for, amongst other things, the agistment of stock, if that is what is required. If there is any other practical way to assist those pastoralists who have done it very hard over the last several years, the government will do whatever it can to support people in that region.

MEMBER'S REMARKS

Mr VENNING (Schubert) (15:29): I seek leave to make a personal explanation.

Leave granted.

Mr VENNING: Just prior to question time, the Minister for Families and Communities, and disability and ageing, inferred that yesterday, during examination of the Auditor-General's Report and the ageing portfolio, I could not understand the Auditor-General's Report. If members read *Hansard* at page 4457, line 40, they will see quite clearly that it was I who quoted to the minister the relevant lines to a question I asked, after the minister was confused and did not know the subject matter.

GRIEVANCE DEBATE

GLENSIDE HOSPITAL REDEVELOPMENT

Dr McFETRIDGE (Morphett) (15:29): Today in question time the Minister for Mental Health and Substance Abuse talked about the transfer of 10 secure beds from Glenside to James Nash House at Oakden. The big problem is that those beds are required not by people in the justice system or the prison system but by people who have committed no crime but are still in desperate need of acute mental health assistance and require those mental health beds to be kept at Glenside. Today I wish to read into *Hansard* a letter I received signed by 'very concerned staff at Glenside Hospital'. The letter states:

Given that nursing staff are scared to speak publicly about the destruction of the Glenside Hospital (the fear of losing their jobs and other disciplinary action) we would like to give you a quick summary of the deliberate running down of this once wonderful hospital.

There is then the title 'The plunder of mental health resources and just what the patients have lost'. Some of this goes back to Liberal Party times, but I guarantee that this was not all due to the Liberals. The letter continues:

Mid 70s—Z ward given to Mines Department (99 year lease)

Late 70s—The large orchard was sold to the Jewish community for school.

Mid 80s—The large passenger bus, bought by proceeds of the patients canteen and was used extensively for patients ward outings and camps, was sold and the money put into general revenue, with the promise of it being used later.

Late 80s—The holiday house that patients had at Carrickalinga that was bought by the proceeds of the patients canteen, plus a bequest and used for the wards to take patients for holidays, was sold—and the money put into general government revenue.

Then in the 1990s—I reckon my colleague the veterinarian and then health minister Dr John Cornwall initiated this and if I am wrong I am sure I will be corrected, but it is something that I can say I would not do, because you can see what is happening at the moment with Glenside—the land along Greenhill Road and Conyngham Street was sold for a retirement village and private housing. Then we jump to the 2000s. The letter further states:

2000+—When mental health came under [the other venues of] state control, none or minimal repairs were done to heritage or other buildings (they were allowed to fall into disrepair to justify off-loading them due to repair costs down the track).

Late 2008—Maintenance staff i.e. carpenters, plumbers, electricians, painters etc. given packages or redeployed. Now no regular maintenance work is done (urgent repairs only) by private contractors. You have to wait despite the inconvenience.

Now the patients and staff have lost the beautiful heritage administration building to SA Film. That contains still old antique furniture that was made in workshops by talented patients—given to the arts—not even the general public, so only the select few will benefit. The patients have even lost their old bluestone chapel to private enterprise, sold from under them. This chapel was used for memorial services for patients, and in the current transition plans all the patients get in return is a sad, clinical multid denominational 'contemplation room'. How could Monsignor Cappo allow this? Social inclusion of the mentally ill? A nice way of saying the rape and plunder of resources of the mentally ill. The new Glenside—42 per cent of what's left.

We should reopen wards that have been closed down. Many of these were only built in the 1980s and are sadly going to be bulldozed to the ground to make way for private housing when Rann sells off the land. We have thousands of people homeless in this state, and a big percentage of them suffer from mental health issues. There is nowhere for them to go to get help. We have prisons that are overflowing with mentally ill inmates, where are these people going to go once released? And with the chronic drug problems we have in Adelaide, amphetamines, ecstasy, ice and so on, we are headed for a tsunami of seriously ill people who will fall through the cracks and put the safety of our community at risk. Mike Rann is not doing this to Glenside for the mentally ill, he is doing this for his close personal friend Richard Harris the CEO of SA Film. Rann even took him on a holiday last year to meet with Arnold Schwarzenegger. Did South Australian taxpayers pay for Mr Harris for this jaunt? Even Monsignor Cappo is good friends with Cheryl Bart—

The Hon. A. KOUTSANTONIS: I rise on a point of order, sir. The member, I think unintentionally, is implying improper motive with respect to the Premier, and I think he can only do that by substantive motion.

The SPEAKER: I have to admit that I have not been paying close attention. I will listen to what the member for Morphett is saying. I think he has another 10 seconds or so. So, if the member for Morphett wants to complete his speech.

Dr McFETRIDGE: I will not read all the letter because it is extensive, but it is an indictment of what is happening to mental health in this state today and it is a shame. This will be Jane's shame. Glenside will be forever remembered as Jane's shame. The changes that are going on there are a disgrace. What is happening to mental health in this state is a disgrace and Jane Lomax-Smith, the Minister for Mental Health, should know a lot better being a medical professional.

HANCOX, MR R.V.

Ms BEDFORD (Florey) (15:35): Raymond Vincent Hancox was a quiet achiever. He was 61 when he passed away on 7 October. At his funeral on 18 October, many well respected union officials gathered to pay their respects to a wonderful man. Roger Jowett, a friend for 30 years and former national secretary of the Rail, Tram and Bus Union and the Australian Railways Union, spoke at Ray's funeral service and reflected, reminisced and remembered with pride the contribution Ray made as a unionist. Ray's love of family was evident during the many wonderful contributions shared in the Heysen Chapel, which was filled to overflowing in a very fitting and final tribute.

I would like to quote from Ray's eulogy, as my own family heritage in Newcastle, New South Wales involved the railways and work in what is often a very dangerous industry. Roger said:

Railways have always been that type of industry where the vocation for many has been lifelong, the skills acquired not easily transferred to other industries and where a sense of history and service to the community is deeply embedded. Ray was a man of many interests and above all passions. Whether it is Aussie Rules, the qualities of single malt or the wonderment of the Australian outback and the characters that inhabited it, Ray had a zest and enthusiasm for life.

His personal qualities were second to none. He would be the first to protest at any accolades or singling out of his contribution to the union. He would go about his union business in the same way hundreds of thousands of Australian trade unionists do day in, day out, protecting and advancing the interests of their members.

When history is written, the contribution of unions, their leaders and delegates is often overlooked and this is even more so in Australia's smaller states. Certainly unionism in South Australia has come a long way since the first threatened strike in the colony in July 1836, when seamen, sailing the first vessels for the South Australian Agricultural Company and landing on Kangaroo Island after an eventful journey, issued an ultimatum that said they would go on strike unless given extra pay for landing passengers and cargo.

Railway unions are amongst the oldest in Australia. The explosive growth of railways in the second half of the 19th century not only opened up new frontiers for settlement and industry but railway unions were spearheads in the rise of mass unions in Australia. The rail, tram and bus unions in South Australia were and are part of a progressive tradition. This sense of continuity is what Ray Hancox represented.

An emigrant to Australia in 1963 as a 17 year old young man, who, after several jobs, tried something new and began his railway career as a porter at Peterborough in 1967, he was soon promoted to the signalling grade and had appointments at Yunta, Coomandook, Long Gully and Port Pirie.

The various skills of labour and their role within industry are known to few. Ray's occupation (like all) had unique characteristics and its evolution is testimony to technological and structural change. In the 1960s, the majority of the signalling was undertaken in small signal cabins dotted throughout suburban and regional Australia. The work, in many instances, was manual, being in charge of a single frame of various sizes, depending on the density of the railway traffic and many other contributing factors. The work was often undertaken alone and there existed a strong camaraderie and a sense of their industrial strength.

Ray's development as a unionist and job delegate was influenced by this environment and the leadership of the signallers' section, the irrepressible John Crossing, former secretary of the ARU and first secretary of the RTBU in South Australia. Over the course of a generation, the signallers have disappeared or joined the ranks of train controllers as functions were automated and centralised. Ray, as job delegate through his section, was heavily involved in the introduction of the CTC system in the metro network and the development and commissioning of the then new control centre for Adelaide's metropolitan rail system.

Train controllers are the eyes and ears of the railways. They are the interface between the railway track and associated infrastructure and the operational side represented by trains. The train controller's job is, above all, about safety and the application of railway rules and procedures. The work of a train controller is 24/7 and challenges work/life balance and the attainment of the development of strong family relationships. Many sacrifices are made by railway workers and their families; it is a major issue and deeply felt.

Ray spoke fondly of his signalling days, the mishaps, the misadventures and social cricket matches. It is said that the strongest steel is forged in the hottest furnace. Ray was appointed as relief organiser in 1993, being appointed full-time when the RTB was formed. He was appointed acting branch secretary in 1999 and served as branch secretary to 2006. He then worked as a branch organiser until his retirement in 2009.

Roger continued and summed up:

For the first time ever the railway history in South Australia was a major employer and enabled through industrial legislation commissioned by John Howard's government. Ray was a powerful advocate for union education whether it was in the form of a chat with workers or around a fire with a mug of tea. Times of mass redundancies can be the most soul-destroying times with members frustrated, employers evasive, and governments shielding themselves from behind the latest economic fad or fashions. Ray's steadfastness, approachability and genuine empathy were treasured attributes during the most difficult period the union members had faced.

Ray was able to leave the union in the safe hands of Ashley Waddell and a great group of officials, staff and rank-and-file members. His legacy lives on and we extend our deepest sympathies to Lesley and his family and friends. He was a great man and when we assess and appreciate Ray's contribution to our Labor movement and his role as a quiet achiever whose life's work influenced thousands of his fellow workers and their families, we can collectively proclaim that we are proud that he was a union man.

LAW SOCIETY RESPONSE

Ms CHAPMAN (Bragg) (15:40): Today I rise to place on the record the concerning—and I think now toxic—relationship between the Attorney-General and the legal profession in South Australia and, in particular, refer to the statement made by the Attorney-General in this parliament on Thursday 15 October 2009 in which his poisonous invective was at its best.

I and other members of this house have received a letter dated 19 October 2009 from the former president of the Law Society of South Australia in response to those statements. He refers to the issue of a Mr Goode—that is Mr Andrew Goode of Mellor Olsson—in respect of a bill to the Guarantee Fund which was the first subject matter of the Attorney-General in his statement to the parliament on 15 October, and this letter states:

You stated that Mr Goode was claiming outrageous costs and you also said that despite you giving me as Law Society President the opportunity to respond to your concerns I said that I was satisfied that there was no impropriety in the manner in which Mr Goode submitted his claim for costs.

What you failed to tell Parliament was that you sought my response and that I provided a response in an email to you of 4 March 2009 where I informed you of the circumstances in which the account was submitted.

And he goes on to detail that. Further, he says on page 2 of his letter:

You [the Attorney-General] also said, 'Who investigates lawyers in this state? The answer to that is: lawyers do.' As the Legal Practitioners Act falls within your portfolio as Attorney-General, you should be well aware that the investigation of misconduct by lawyers is carried out by the Legal Practitioners Conduct Board, a body that is independent of the Law Society and the legal profession. It falls upon you, Attorney-General, to appoint the majority of members of the Conduct Board.

As to the case of Mr Niarchos AM to which you referred, he made an application pursuant to Section 49 of the Legal Practitioners Act to the Supreme Court for leave to continue to practise while subject to an insolvency

agreement. He applied to practise as a barrister only and accordingly there was no likelihood of him handling or dealing with clients' money. In accordance with a settled procedure, Mr Niarchos's application was served on the society and in accordance with a Protocol signed by you, was referred to the Legal Practitioners Conduct Board.

The conduct board made no objection to the application. The Society advised the Court that in the event the Court granted the application, it should be done on stringent terms and be monitored by the Society. The terms of the Order made by the Court including their requirement to report on a quarterly basis, were as suggested by the Society. The Professional Standards Section of the Law Society monitors compliance and instances of non-compliance would, as appropriate, be referred back to the Supreme Court.

The Legal Practitioners Act does not mandate a role for the Attorney-General in this type of application and prior to the case of Mr Niarchos AM, I am not aware of any interest shown by you or any of your predecessors in any such application by insolvent practitioners. In any event, the decision making authority is a Judge of the Supreme Court; it is not the Law Society and it is not the Attorney-General.

He goes on to, of course, refer to these matters in some detail, but particularly in respect of having had no notice. He states:

Nor for that matter does your claim that there was some form of cover-up by the Law Society or by me. You said in parliament that, 'It was only upon requesting that a staff member of mine attend a matter in court that I learned of the nature of Mr Niarchos's appearance.' That is not so. You learned the nature of Mr Niarchos's appearance in the Supreme Court from me prior to the hearing.

The Hon. A. KOUTSANTONIS: I rise on a point of order.

The DEPUTY SPEAKER: Order! Minister, point of order.

The Hon. A. KOUTSANTONIS: The member for Bragg is implying that the Attorney-General has misled the parliament. She can only do that by substantive motion.

The DEPUTY SPEAKER: That is correct, she can only do that by substantive motion.

Ms CHAPMAN: I have not got to the allegations yet, Madam Deputy Speaker. I am reading out a statement of a former president of the Law Society. It continues:

We both attended dinner at the Naval and Military Club for military lawyers—

The Hon. A. KOUTSANTONIS: I rise on a point of order. The member for Bragg is canvassing argument that the Attorney-General has misled the house. She may only do that by substantive motion, and she knows it.

The DEPUTY SPEAKER: It is the case that she may only do that by substantive motion. I am now paying close attention to what she is saying.

Ms CHAPMAN: It continues:

I informed you that Mr Niarchos was making an application to the court to continue to practise while insolvent. In the circumstances I take objection to your characterisation of my conduct as 'calculated silence'—

The DEPUTY SPEAKER: Order! The member's time has expired. I think she was moving into dangerous territory.

GAWLER COMMUNITY HOUSE

Mr PICCOLO (Light) (15:45): Recently, I attended the annual general meeting of my local community house, which in my case is the Gawler Community House. The community house has been operating since 1981. I take this opportunity to inform the house of the activities of the Gawler Community House and the important role that it plays in the Gawler community.

While the community house receives some government funding it is essentially run by volunteers. The management committee, headed by the chairperson, Councillor Brian Thom, is comprised of volunteers and they are ably supported by the coordinator, Ms Jill Talbot. Jill has taken on this role quite recently, but has already made a positive impact on the activities of the community house.

The community house is a focus for a broad range of community events and activities. Like other community houses, the Gawler Community House's key objective is to build community through the programs, activities and events that it runs. This group of volunteers who run the community house do a stellar job in achieving that objective. I should also add that the work of these volunteers has been recognised in an Australia Day award for the town of Gawler, and in 2007 the community house won the Australia Day community group award.

Unashamedly, the community house has become a lighthouse for those in the community who, for whatever reason, have fallen on hard times. More importantly though, the house invests a

lot of resources into building community capacity and helps rebuild the lives of some of its clients. The community house recently undertook a postcard campaign which gave people who had some association with the house an opportunity to write down what the community house meant to them.

I will now read into the record some of their comments, because I think it is more important that I let the volunteers and the clients of the community house speak for themselves. It also gives me an opportunity to reinforce how important the house is to the Gawler community. The first quote reads as follows:

I came to Gawler Community House as a client over 10 years ago. In the past 10 years I have volunteered, facilitated groups, been on the board of management and gained my Advanced Diploma of Community Services Management. All because of the Gawler Community House.

This quote from one of the volunteers at the house clearly indicates how the house has helped in two ways: one is to build community capacity, and by building skills in this particular individual. I have a second example of building skills:

I like to volunteer in the centre in the school holidays. Through my volunteer work I now have a real interest in community services and wish to pursue this as my career.

So, the house in this case has helped this person find a career direction in life. Another quote:

I volunteer here and make new friends. I am able to keep using skills I already have and learn new ones. Hopefully it is helping to keep my brain active! It is good to be able to help other people.

So, the house actually provides a venue to build friendships and also community connections. That is a common theme throughout these quotes, that the house provides an opportunity for people to connect with other members of the community.

I will also mention some activities that the house runs. For example, the house is about to facilitate a forum on housing and look at accommodation and housing for older people. Recently, the community house ran an Anti-Poverty Week event, again bringing people together to support those in our community who have difficulties for whatever reason but also, importantly, to share the various experiences and things they have learnt at the house itself. The house also recently held an event called Every Generation, which I attended. They are also promoting a community urban garden, they own and operate an op shop, and they run counselling services and training courses. They are promoting the Christmas lunch and also planning for an urban orchard.

The community house, through various partnerships, contributes to the wellbeing of the community by working with other community groups—for example, the Gawler Refugee Association, the Gawler Community Services Forum and, more recently, the Fatherhood Project, which is designed to assist first time and young dads. As you can see, the community house is the core of community life in the town, and it is run by volunteers successfully.

VICTOR HARBOR HIGH SCHOOL

Mr PENGILLY (Finniss) (15:51): I bring to the house's attention a matter of considerable concern across the state, which is also a concern in my electorate, particularly at the Victor Harbor High School. Fortunately, we have governing councils and people in positions who provide information. I take a close interest in my schools. Victor Harbor High School is the one and only high school in my electorate and, being attended by hundreds of children, I spend quite a bit of time dealing with these issues.

When the Rudd government came to office, it made some promises—in fact, it made a lot of promises—but it has not delivered on too many. The situation with the digital revolution in the secondary schools is a disgrace. The time lag imposed by the Rann Labor government is even more of a disgrace. The information that I have is a cause for real concern around the government and the decision-making around the digital revolution.

On the night of the federal Labor victory, it was announced that every year 9 to 12 student would have a computer. Within a week, this was scaled back to 'everyone would have access to a computer'. Now that there is talk of a federal election, the Digital Education Revolution (DER) will not be delivered as intended by the time the election comes around. This has caused Victor Harbor High School considerable grief and delay in the acquisition of the machines. At the end of the day, the students have missed out. They are the ones who have missed out. It is my belief that the schools are too easily manipulated by DECS and the Rann government.

These matters have been raised with me. Not only are we seven or eight years late in getting the upgrade to the Victor Harbor High School and the TAFE, but now we have just a blatant

abrogation of responsibility. The fact is that the Victor Harbor High School students are still waiting for a lot of this gear to be rolled out and a lot of concern is raised about the round two process. Round one has been successful. They are currently at a computer-student ratio of 1:2 and they are in the process of installing a ratio of 1:2 with brand new machines that have a four-year warranty.

However, round two schools are a different story. They are yet to receive their Digital Education Revolution promise; 113 round two South Australian schools which completed their DER application before the cut-off date were allocated a number of computers, which would bring them to a ratio of one computer per student, which includes replacement of machines older than four years at 30 June 2008.

The school and the parents would not have raised these issues with me if they did not think they were being duded by the Labor government yet again. This promise has not been delivered to the DER registered state government schools in my electorate—Victor Harbor High School being the main subject today.

Another issue that branches from this is that round two schools are now being told that they are unable to replace their current four-year old computers with the extra DER computers and will have to budget for them using school funds. So much for the government's digital revolution funding! Normally, annual school budgets are drafted in term one; however, Victor Harbor High School did not allocate extra funds for the cost of replacement computers as they were under the impression that DECS would deliver them, as promised—another broken promise.

According to Victor Harbor High School, 25 of their existing computers need to be replaced which will be about \$200,000 out of their original allocation to get to the national average computer to student ratio of 1:2.

Parents are one of the fund options for state government schools. Is the federal government expecting parents to now fund the promise that they made in the lead up to the 2007 federal election? I seriously question where they are going on this. They have failed dismally in this revolution. They have promised the world, they have not delivered, and the computers are still waiting to happen. The Rann Labor government has failed to follow it up. DECS have not done their part. Now we are looking at parents having to fund this process.

No wonder the families of children attending the Victor Harbor High School are a bit up in arms about it. No wonder there is a lot of concern down there. It is simply not good enough. The 47 DER round 1 schools, which for one reason or another had old machines or did not have the 1:1 ratio, now have, if their networks can manage it, 1:2 and are now in the process of installing 1:2 with new machines, under guarantee for the next four years. Depending on the state of their networks, these schools will be able to order up 1:1 over the next two years. Then, there are the 113 round 2 schools. Victor Harbor High School has struggled with this, and it is not good enough.

Time expired.

QUEAMA, MR JEFFREY

Ms BREUER (Giles) (15:56): Today I want to pay tribute to a man I call a friend, Mr Jeffrey Queama, who lives in Oak Valley. Mr Queama is not very well at present, and I thought I would use this opportunity to talk about him and the important role he plays in the Oak Valley community, and has played for many years.

I was delighted, at the weekend, to see him on television in Message Stick talking about Maralinga and the Anangu of the area. I was also very pleased to see his wonderful wife, Hilda Moodoo, who has worked alongside him in the community for the betterment of that community and its people and shaped it into the great place it is, which is one of my favourite places. I mention Mr Queama because he is one of those unsung heroes who works so hard and never gets any acknowledgement for the work that they do.

Oak Valley went through a terrible time in the last few years. Mr Queama and others were accused of all sorts of awful things, including bullying, misappropriation of funds, etc., and this was caused by a white administration at the time, and it was an awful time for all those people involved. But Mr Queama, who is a very important wadi in that area, stuck firm and helped overcome and lead through the mess that occurred.

His calm, firm and inspiring manner convinced me to go in to bat for the community, and, thankfully, things are now back on track, they are working well, and it has a very positive future. I know that Mr Queama and Hilda look after the children in their community and make sure they are

cared for and safe. I know that they ensure the old people are we all cared for. They ensure that the services are there.

Mr Queama has been on numerous boards, including the NRM board, and he is passionate about his land and land management issues. He has played a valuable and important role in the Maralinga handover and the history of the area. He has played a very important role in all of that. In fact, if he was in a white community he probably would have been nominated for an Order of Australia by now. My thoughts are with him and his family at this time. I want this parliament and this government to know what an important man he is and what a valuable community member he is. I thank him and congratulate him for all his work and effort over the years, and I wish him and Hilda well.

Today I also want to express concern at the situation at Olympic Dam and the impact of the recent mine accident on the community there. Production, of course, has been cut to a quarter. While I still believe that Olympic Dam has a great future, certainly—and I am not concerned about that—there is a short-term impact of that accident, particularly for contractors who are working there. I am concerned that their jobs will be lost, that contracts will fold, and that people have to leave that community. I certainly hope that it can be resolved quickly and normal production resumed.

Mining has played an important role in my part of the state. I am very proud to be part of a government which has had a major impact on mining in this state. We have gone from four to 11 mines from when I first started, and we will soon have 16 mines. The PACE program has been vital in this and has involved much exploration, and the benefits have paid off to all of our state. It has changed the outback from when I was elected. There was little work, communities were shrinking, people were leaving. Now we have hope and we have jobs for the future, even for our Aboriginal communities; there are many jobs involved for them.

It has had a major impact on the Spencer Gulf cities of Whyalla, Port Augusta and Port Pirie. There has been a real estate boom, particularly in Port Augusta and Whyalla. There is a downside, however. House prices have gone up and rent costs for public servants, including police and teachers, have risen. In fact, currently it is difficult to attract police to Whyalla because of the high rents they have to pay compared with what police officers are paying in other cities, including Port Lincoln. I will be talking to the ministers about this issue, because it has an impact on recruitment to our area—which is always difficult, but particularly difficult at present.

However, we have had great results in the mining industry, and I can go into the election campaign feeling very proud of the government's record. I pay credit to minister Holloway, who has been behind mining—pushing and helping—which has made a vast difference to our Outback areas. I also pay tribute to Treasurer Foley and Premier Rann and other cabinet ministers who have been involved in this matter. We can be very proud of our record because we have made a major difference to the Outback, and we can confident about our future.

STATUTES AMENDMENT AND REPEAL (TRADE MEASUREMENT) BILL

Second Reading.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (16:01): 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.

Council of Australian Governments (COAG) reviewed the state and territory trade measurement systems and decided that a national system should be introduced. This Bill gives effect to that policy decision.

Background

The Commonwealth has constitutional power for 'weights and measures' under section 51(xv) of the Constitution. The *National Measurement Act 1960* established a national system of units and standards of measurement and provided for the uniform use of those units and standards throughout Australia.

Since Federation the Commonwealth has delegated its constitutional authority for the administration of weights and measures law in respect to transactions in trade and commerce to the states and territories. Until 1990 the states and territories were autonomous in the administration of trade measurement within their jurisdictions.

The Commonwealth through the *National Measurement Act 1960* set the requirements for the standards used in measurement throughout Australia. The enforcement of the use of those standards on business has been separately regulated by the states and territories under the trade measurement legislation.

The trade measurement legislation of the states and territories provides the legal framework for regulating the accuracy of measuring instruments used for trade. The legislation requires that all goods sold by measurement (weight, length, volume, area or count) are accurately measured, labelled and the correct price calculated. This includes petrol pumps, shop scales, weighbridges, pre-packed articles and machines for measuring length.

In 1985 the Scott review of the trade measurement system recommended a national system but the result was the development of uniform model legislation that was not fully adopted in all jurisdictions. In 2006 Western Australia was the last jurisdiction to implement uniform trade measurement legislation. The relevant South Australian legislation which is based on the uniform model is the *Trade Measurement Act 1993* and the *Trade Measurement Administration Act 1993*.

Under the current system, changes to legislation have been introduced at different times in the different jurisdictions which has led to inconsistencies and differences in trade measurement practices across the country.

COAG

In February 2006, COAG identified trade measurement as requiring reform and asked the Ministerial Council on Consumer Affairs (MCCA) to develop a recommendation and timeline for the introduction of a national trade measurement system.

MCCA reviewed the current national arrangements and recommended the development of a trade measurement system that would be administered by the Commonwealth.

On 13 April 2007, COAG formally agreed that the Commonwealth would assume full responsibility for the administration, enforcement and funding of a national trade measurement system. A referral of powers is not necessary due to the Commonwealth's power under section 51(xv) of the Constitution.

COAG agreed to a three year transition period, setting 1 July 2010 as the commencement date for full administration of trade measurement by the Commonwealth.

New Commonwealth legislation

The *National Measurement Amendment Act 2008* came into operation on 1 July 2009 and provides the legislative basis for the Commonwealth to establish and operate a single national trade measurement system based on the uniform legislation.

The Commonwealth has appointed the National Measurement Institute (the NMI) which is part of the Department of Innovation, Industry, Science and Research to coordinate Australia's national measurement system. The NMI will commence administration of the new national trade measurement system on 1 July 2010.

It was agreed by COAG that the Commonwealth, State and Territory officials will work together to develop detailed transitional arrangements. Progress in implementing the proposed national trade measurement system is being monitored closely by the Business Regulation and Competition Working Group.

South Australia

This Bill has been drafted to give effect to the COAG decision and to enable the NMI to begin providing national trade measurement services on 1 July 2010.

The major provisions of the Bill include:

- the repeal of the Trade Measurement Act 1993;
- the repeal of the Trade Measurement Administration Act 1993; and
- transitional provisions to provide that trade measurement documents and information relating to the administration or enforcement of those Acts may be provided to the Commonwealth for the purpose of the administration and enforcement of the National Measurement Act 1960.

The Bill makes a minor consequential amendment to the *Natural Resources Management Act 2004*.

I commend the Bill to the Honourable Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal. The commencement date for the main amendments is 1 July 2010. This date has been fixed for the scheme by the amendments to the Commonwealth *National Measurement Act 1960*. The provision allowing information to be provided to the Commonwealth is brought into operation on assent to allow for preparatory action for the handover.

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

4—Amendment of section 106—Determination of quantity of water taken

Section 106(2) provides that if the Minister uses meter readings or uses any other measuring instrument to determine the quantity of water taken under the Act, the Minister will be taken not to be using a measuring instrument for trade for the purposes of the *Trade Measurement Act 1993*. This State exemption cannot operate under the Commonwealth Act and so the subsection is deleted.

Part 3—Repeal of Acts

5—Repeal of *Trade Measurement Act 1993*6—Repeal of *Trade Measurement Administration Act 1993*

These clauses effect the repeal of the State Acts.

Schedule 1—Transitional provisions

1—Transfer and disclosure of information etc

This clause expressly authorises the State agency to hand over relevant information and material to the Commonwealth agency.

2—References to repealed Acts

This clause provides for references to the State Acts in contracts and other documents to be read as references to the Commonwealth Act unless the contrary intention appears or the context requires a different interpretation.

Debate adjourned on motion of Mr Goldsworthy.

LOCAL GOVERNMENT (ELECTIONS) (MISCELLANEOUS) AMENDMENT BILL

In committee.

(Continued from 27 October 2008. Page 4407.)

New clause 4A.

Mr GOLDSWORTHY: I was part-way through my comments in relation to the reasons for my amendment to insert new clause 4A, which would provide for local government election cycles of three years instead of four years. As I, and others, said in the second reading debate, this amendment is consistent with our position of supporting three year terms. There is considerable concern in the community that a four year term in local government is too long for people to make the big commitment to stand for election and be successful as a councillor or mayor in local government.

We fully understand that it is a big commitment. There is a considerable amount of reading and a lot of time needs to be committed, and the sheer number of meetings that are required to be attended by councillors and mayors makes for a very large commitment in people's lives to a role in local government.

Some members of the community are not attracted to making that commitment over a four-year term. There has been anecdotal evidence from people who have talked to a range of members on not only this side of the house but also on the government side that, if it had not been four-year but three-year terms, they may well have run in local government elections. The government, particularly the minister, is taking measures to improve the profile of local government in terms of voter participation and, I understand, the number of candidates and the level of interest in the community of candidates to run in local government elections. It is for those reasons that I have moved the amendment.

The Hon. J.M. RANKINE: Obviously, the government is very aware of the commitment that people make in standing for election to local government, and whether it is three or four year terms, their commitment to serving their community should be appreciated and applauded. We accept that when the legislation was changed in 2005 this was a controversial move, but it would appear that this issue has not been raised since.

During the independent review, I understand there were 20 responses to the question 'What change, if any, should be made to the timing of local government elections? For example, do they need to be further apart from state elections in a different year?' Six respondents recommended no change to the current provisions, nine proposed a different year, three proposed that it be held at the same time as the state election and two proposed only that November was not a good time. As I understand it, there was not a single response to this question that suggested we should revert to a three-year term.

We heard during the second reading contributions that members were concerned about cost to local government in relation to promoting election campaigns. If we accepted the opposition's amendment, we would have an election every three years instead of every four years, so there would be four elections in a 12-year period rather than three. I think we could argue that that would be a significant cost put on local government.

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: Well, it is significant—

Mr Goldsworthy: Of course, you can have four elections—

The Hon. J.M. RANKINE: Yes, I am not saying you can't. I am saying—

Mr Goldsworthy: You don't have to be a professor of mathematics to figure that out.

The Hon. J.M. RANKINE: No, I am not saying that. What I am talking about is the cost. As I said previously in response to the second reading contributions, we have not even yet finished the first four-year term, and it is suggested that four-year terms will discourage candidates from standing. The simple facts of the matter do not support this, and again I referred to this in my response. However, so that people are clear, there were 1,236 candidates in 2006, a record number of nominations since the amalgamations of the 1990s and an increase of 3 per cent over the previous elections in 2003. The ratio of candidates to positions available was the highest on record, so these assertions do not seem to be borne out in fact.

New clause negatived.

Clauses 5 to 7 passed.

Clause 8.

Mr GOLDSWORTHY: I move:

Page 4, lines 13 to 15 [clause 8(1), inserted paragraph (a)]—Delete:

'person is enrolled as an elector for the House of Assembly in respect of a place of residence within the area or ward; and' and substitute:

person—

- (i) is enrolled as an elector for the House of Assembly in respect of a place of residence within the area or ward; or
- (ii) is a ratepayer in respect of rateable property within the area or ward and is the sole owner of that rateable property; or
- (iii) is a ratepayer in respect of rateable property within the area or ward, is the sole occupier of that rateable property, and is not a resident in respect of that rateable property; and

This amendment relates to the issue that was again highlighted in the second reading contribution concerning those people who are automatically entitled to be enrolled for local government elections. The bill proposes to create, one could say, two classes of ratepayers. The first class who are automatically entitled to vote are those who are resident ratepayers and the other class of potential voters are those who are non-resident ratepayers. So, the government in this bill is trying to create two separate categories of ratepayers and, therefore, voters. I would have thought it would be against ALP policy to create a class structure, if you like. It is certainly against our policy. We support an egalitarian society. I am a little surprised that the government has looked to bring about these changes. It puts the onus and responsibility onto those non-resident ratepayers to have to enrol to make application to the chief executive, I think the bill states, to enrol to be eligible to vote.

Strong representations have been made to the government from a number of areas. There have been strong representations from the Property Council in relation to this issue, that it is basically disenfranchising a section of the ratepayer community, and also from a Local Government Association region, the Southern and Hills Local Government Association. The Southern and Hills Local Government Association comprises some quite significant district councils: the Adelaide Hills Council, Alexandrina Council, Barossa Council, Kangaroo Island Council, the District Council of Mount Barker, The Rural City of Murray Bridge, the City of Victor Harbor and the District Council of Yankalilla. The state Liberals have received correspondence from the Southern and Hills Local Government Association. In part, that correspondence states:

The government proposes this change as a strategy to raise the voter participation rate in local government elections, purging those who now have a vote but may not exercise it from the roll. By requiring this class of electors to undergo a commitment test prior to each election, the strategy is that only the very interested will complete the registration and then vote. The argument is that there will be less cost than maintaining the roll in the current manner. These provisions will impact on those councils that have a high proportion of shacks and holiday homes in the area. There are several member councils that would be affected by these proposed changes. This association is opposed to these changes as certain ratepayers will be required to separately register to vote, thus creating two classes of ratepayers. It should also be noted that some councils affected have completed their representation reviews based on their current electoral roll should the representation provisions be enacted and a reduction in registration result. As planned by the government, the outcome will be variants of greater than 10 per cent of representation that could continue for eight years should Part 2 of the bill also be enacted.

As I said, a number of large councils are affected by the government's proposal. In relation to non-resident ratepayers, I also have some statistics to provide to the committee. We understand that Yankalilla, Kangaroo Island and Robe councils have 46 per cent, 54 per cent and 60 per cent respectively non-resident ratepayers. There are some quite compelling statistics in relation to the impact on 60 per cent of Robe's ratepayers having to make application to enrol to vote. Other arguments also put forward were that it was costly, a burden administratively, and time consuming for the councils to maintain these roles.

As I said in my second reading contribution, the councils have this information. They have the ratepayer database. For an officer employed by the council to match the House of Assembly roll to the non-resident ratepayer database, we do not think is terribly onerous. The Property Council does not think it is terribly onerous. All those other councils—the Adelaide Hills Council, Alexandrina Council, Barossa Council, Kangaroo Island Council, the District Council of Mount Barker, the Rural City of Murray Bridge, the City of Victor Harbor and the District Council of Yankalilla—say that it is not onerous. All right, there are 68 councils out there, maybe some of them did not respond. These are big councils. A fair proportion of the state's population live in these eight or nine council districts, so for the government to ignore that is at its peril.

The Hon. J.M. RANKINE: The member for Kavel refers to the legislation as creating two classes of ratepayers. Let us be really clear: that was the situation prior to this legislation being introduced. What we have is a class of resident who applies for commonwealth-state enrolment and is automatically enrolled on the local government roll. You have to apply to go on the roll to be a voter in a federal election or a state election, and you are then eligible to vote for local government.

The anomaly under this legislation allowed property franchisees not to have to apply. They did not have to take any action to enrol, they automatically had it, and so you had two classes. These people have an additional privilege and all the legislation is doing is asking them to enact that privilege, just like we enact the privilege to vote in a state or federal election. The honourable member made reference to Yankalilla and to the fact that the Liberals do not think it is a particularly onerous task requiring someone in a council to match up the resident database—

Mr Goldsworthy: Nor do those other councils that I mentioned. So, do not pick and choose what you are talking about.

The Hon. J.M. RANKINE: No, I am going to use exactly your example. Let us compare apples with apples. You do not think it is a particularly onerous task for them to do that. I am not going to reflect on the work that would be undertaken by a large council because they do have significant resources and it is a fact that local government, I think, actually supports the legislation as it has come into this house. The Local Government Association itself agrees with this position.

Let us talk about Yankalilla. What was the figure you quoted? You said that 46 per cent of people would be entitled to a property franchise. I understand that, in the last election, an officer of Yankalilla council spent an estimated 124 hours of working time—the equivalent of more than three working weeks—doing nothing else but updating the voters role, including detecting and removing duplicate names. The council at the time had 5,060 properties. After she completed her task, she had a roll containing 2,764 property franchisees. Only 611 voted. What does that tell you?

The Hon. R.J. McEWEN: My question is to the mover of the amendment. What discussions did he have with the LGA in relation to this amendment and what views did they express to support or otherwise?

Mr GOLDSWORTHY: The LGA was supportive of the proposal in the bill.

The Hon. R.J. McEWEN: My question then is: given the LGA's position, what is the basis of his then wishing to move this amendment?

Mr GOLDSWORTHY: We are actually a political party and we make up our own minds in relation to what we support and what we do not in legislation. There has been a multitude of occasions where both the government members and the opposition members agree or choose to disagree in relation to representation that is made to them by whatever industry group or stakeholder group or whatever you like. It is freedom of choice. I do not actually understand the reason for the question because I thought that would be pretty obvious.

The member from Mount Gambier is an Independent member and one makes one's decisions on the merits that are presented. We had representation from other key stakeholder groups being, obviously, a regional association of the Local Government Association—the Southern & Hills Local Government Association—and the Property Council. The Property Council is regarded by both sides of the house as a fairly significant stakeholder organisation within the state.

The Hon. R.J. McEWEN: The reason for my question to the mover of the amendment might become clear. Given that he acknowledges on the record that I am an Independent member, therefore you would expect him to seek to explain the amendment to me and seek my support, but that did not happen. I wonder whether he approached any of the other minor parties or crossbench members in support of his amendment and, if not, how could he seriously at this stage be canvassing any support for it?

Mr GOLDSWORTHY: It is based on the numbers in the house. The government opposes it; we support it. We moved the same amendment in the other place. If members were interested in the legislation, they would have kept abreast of the debate in the other place and been aware that that amendment was moved and that we would be moving it here. Bearing in mind the dynamics in the house, again, I think the question is irrelevant.

Amendment negatived; clause passed.

Clause 9.

Mr GOLDSWORTHY: I move:

Page 6, after line 24 [clause 9(4)]—Insert:

- (14a) A person is entitled, on payment of the fees fixed by the council, to a copy of the voters roll in printed form.

This amendment relates to access by members of the community to the voters roll. At the moment any member of the public can purchase a copy of the roll. The suggestion put forward has been that an electronic copy be provided to candidates. The government has opposed that suggestion, and so do we. However, what the government also wants to implement is that any member of the public can only visit a council office, inspect the roll and then, I presume, record any details that person wishes to record. We do not see the necessity for that. We think the current arrangements are fine.

So, in line with our position on the Electoral (Miscellaneous) Amendment Bill when that was debated in both houses, and consistent with that position, we think that any member of the public can purchase a copy of the roll. I understand the argument the government puts forward that it may be used for inappropriate activity, but I am not aware of any examples of inappropriate use of the roll. There may well be, but consistent with our position on the Electoral (Miscellaneous) Amendment Bill that is what this amendment is about.

The Hon. J.M. RANKINE: The Electoral (Miscellaneous) Amendment Bill proposed amendments to restrict the availability of the electoral roll to the public and it would be futile to override that with this legislation. We do not think that it is appropriate for marketing companies and the like to have access to the electoral roll, so we will not be supporting this amendment.

Amendment negatived; clause passed.

Clauses 10 and 11 passed.

Clause 12.

Mr GOLDSWORTHY: I move:

Page 7—

Lines 24 to 31 [clause 12, inserted section 19A(2)]—Delete subsection (2)

Lines 32 and 33 [clause 12, inserted section 19A(3)]—Delete:

', for the purposes of subsection (2)(a), forward a copy of the profile of each candidate and substitute:

forward a copy of each candidate profile supplied under section 19(2)(b)

This concerns the legislative requirement that the LGA must construct a website and publish candidates' details and the like. On this side of the house, we do not believe it is necessary to legislate such a measure. We think it is better suited to a policy decision of the LGA so that, if it wishes, it can publish the candidates' statements and information on the website. If I am correct, the LGA is seeking a commitment from the government to assist in funding the construction and maintenance of that website—that is, if this clause of the bill is passed.

The Hon. J.M. RANKINE: Again, the government does not support this amendment. One of the reasons identified for low turnout at previous local government elections is the perceived difficulty people have in finding out information about the candidates standing for election. I understand that the LGA is concerned about the cost of this proposal, not the suggestion that information be provided. In our official response to the recommendation of the independent review, we agreed with the review's recommendation that the government, through the Office for State/Local Government Relations, would provide cash and/or assistance in kind—that is, web servers and the temporary service of administrative officers for web publishing. The government is offering substantial assistance to the LGA in setting this up.

Amendments negatived; clause passed.

Clause 13 passed.

Clause 14.

Mr GOLDSWORTHY: I move:

Page 8, lines 21 to 23—Delete this clause

This relates to ballot papers. The clause provides, 'as soon as is reasonably practicable after 4pm, on the day'. We have 68 councils in the state and we think that it is not necessarily convenient or appropriate that that time frame be set for each and every one of those 68 councils. We are moving to delete that so that it allows some flexibility for each council to manage its own affairs in conjunction with the returning officer.

This amendment provides some flexibility for each and every one of those 68 councils. It may well be that the majority of councils will adopt the proposal as outlined in the bill; however, 4pm, or as soon as practicable after that time, may not be appropriate or suitable for those in rural communities. They may still be out working on their farming properties or involved in other activities and it may be inconvenient for them to meet at the appropriate location to complete this process. As I said, it is a matter of providing some flexibility.

The Hon. R.J. McEWEN: My question is to the mover. In his explanation it seems that the mover was not only speaking against the amendment but also against the provision in the original bill. He now seems to have reflected on both the bill and the proposed amendment to the bill. Can he clarify that? If his amendment was to be supported, we would simply, from my understanding, revert to the bill, which he has spoken against.

Mr GOLDSWORTHY: Just for clarification, I may not have been as clear as I could have been. I admit that to the member. We want to delete the lines in clause 14 (page 8, lines 21 to 23) that stipulate the requirement for that process to take place as soon as is reasonable practicable after 4pm. The amendment is to delete that clause in the bill, thus not putting any time limits on individual councils to carry out that process. If I was not clear in my original explanation about what the amendment seeks to achieve, then I hope that I have clarified it.

The Hon. J.M. RANKINE: The reason for the insertion of that time frame is to avoid exactly what the member for Kavel is talking about. We understand that people do not have time to hang around and wait for hours and hours. At the close of nominations, it is not unreasonable to expect that people would have some idea of the time that the ballot draw would occur. If you do have farmers out harvesting, for example, they would not want to be in there hanging around for four, five, six or seven hours waiting for this to occur. This clause specifies a time for the ballot to occur or, as reasonably as possible, after that time—as close to that particular time as possible. It rectifies the issue that the member for Kavel is concerned about but which he is arguing against with his amendment.

Amendment negatived; clause passed.

Clauses 15 to 20 passed.

Clause 21.

The Hon. J.M. RANKINE: I move:

Page 10, lines 28 to 30 [clause 21, inserted section 91A(8), definition of prescribed contract]—Delete the definition of prescribed contract and substitute:

prescribed contract means a contract entered into by a council for the purpose of undertaking—

- (a) road construction or maintenance; or
- (b) drainage works.

An amendment to this bill was inserted in the other place, and it introduced the concept of a prescribed contract being a contract for a large sum that could be entered into by a council during an election period. As members would know, often there has been debate in this place about the appropriateness of councils in their last few days entering into significant contracts, whether they be employment contracts or construction contracts. That can be very controversial, notwithstanding any public consultation that may have occurred, and it does tie a newly elected council to the contract.

We do not want the new requirement for a caretaker period to disrupt the normal and uncontroversial infrastructure maintenance works program of a council during an election campaign, so we are inserting this particular definition of prescribed contract, be it for road construction or maintenance, or drainage works.

There has been consultation with the Local Government Association, which has wanted wider inclusion of what might make up a prescribed contract. However, we are moving this amendment, and I make the point that the Local Government Association is aware that it may approach the minister if it considers that other types of major contracts need to be excluded from restrictions during the caretaker period. I do not want to commit the minister to any specific matters, but I understand she is willing to consider other examples from the LGA for later inclusion in regulations.

Amendment carried; clause as amended passed.

Remaining clause (22), schedule and title passed.

Schedule and title passed.

Bill reported with amendment.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (16:43): I move:

That this bill be now read a third time.

I reiterate my thanks to those people who were involved in the very extensive consultation that was undertaken in the preparation of this legislation. It was far reaching and people's views were taken on board. We very much appreciate the support of the Local Government Association that partnered us in this process. We think this is a good piece of legislation that will support local government and encourage greater participation in local government elections. I thank the opposition for its general support for the legislation, and I also thank the officers who worked diligently in preparing the legislation to come before the house.

Bill read a third time and passed.

RAIL COMMISSIONER BILL

The Legislative Council agreed to the bill without any amendment.

MOTOR VEHICLES (MISCELLANEOUS NO. 2) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 October 2009. Page 4167.)

Mr GOLDSWORTHY (Kavel) (16:45): I am pleased to make a contribution in relation to the Motor Vehicles (Miscellaneous No. 2) Bill and advise the house that I am the lead speaker in relation to this piece of legislation.

I will give some background to the bill. It looks to amend the Motor Vehicles Act 1959 and make changes to the South Australian Graduated Licensing Scheme for what are regarded as novice drivers. The amendments will increase the required hours of supervised driving for learner drivers from 50 to 75 hours; and increase the minimum time on a learner's permit from six to 12 months for drivers aged under 25 years. Those two provisions are really an extension to the current scheme.

However, there are new initiatives that the bill looks to introduce, and they are: a restriction on driving high-powered cars for provisional drivers (both P1 and P2), again, under the age of 25 years; change the penalty for the failure to display two P-plates from disqualification to a fine and loss of demerit points; replace the current hardship appeal provision with the offer of a Safer Driving Agreement; and strengthen the current curfew conditions applying to drivers returning from a serious disqualification offence by restricting the carriage of passengers during the curfew period of midnight to 5am. In addition to those points, there are seven technical amendments with the aim of improving the operation of the current act.

The proposed changes to the Motor Vehicles Act 1959 are based on similar conditions already in place in Queensland, New South Wales and Victoria, and they have been in place since 11 July 2005 in New South Wales and 1 July 2007 in both Queensland and Victoria. Both Victoria and New South Wales require their learner drivers to complete 120 hours of supervised driving, although in Victoria a driver only has to complete this if they are aged under 21 years. Queensland learner drivers are required to complete 100 hours of supervised driving if they are under 25 years. This bill seeks to amend our act to require learner drivers to complete 75 hours of supervised driving. Obviously, that is less than in the other three states.

The bill also proposes a change to the minimum length of time a person must hold a learner's permit and, again, it will bring South Australia in line with Queensland, New South Wales and Victoria. New South Wales and Queensland both require their learner drivers aged under 25 to spend a minimum of 12 months on their learner's permit. Victoria requires learner drivers aged under 21 to spend 12 months on their learner's permit, and it is six months for learner drivers aged between 21 and 25 and three months for those over 25.

When speaking about the new initiative that the government is looking to introduce in relation to restricting the use of what is regarded as high-powered vehicles for both P1 and P2 drivers under the age of 25, it is also important to make a comparison with other states that have similar legislation covering these issues. Restrictions on P-plate drivers driving what is known as high-powered cars are in place in Queensland, New South Wales and Victoria, and I understand that this government bill aligns our proposed system with those operating in other states, it being reasonably similar to that of Queensland.

For P-plate drivers aged under 25 in those states, the ban applies to vehicles with eight or more cylinders, super-charged or turbo-charged vehicles (except diesels), vehicles with an engine output of more than 200 kilowatts and vehicles with a rotary engine above 1,146 cubic centimetres. These states also ban vehicles with any modifications that increase engine performance. New South Wales and Victoria also imposed a ban on certain high-performance six-cylinder vehicles. In the state of Victoria, vehicle restrictions also include a restriction on the power to weight ratio and the engine capacity weight ratio of a vehicle. The vehicle is restricted if it has a power to weight ratio that exceeds 125 kilowatts per tonne or an engine capacity weight ratio that exceeds 3.5 litres per tonne.

This bill aims to ban P-plate drivers under the age of 25 from driving high-powered vehicles, although it is my understanding that those vehicles will not necessarily be outlined in the legislation. That is an issue that we can explore during the course of the debate. The minister in his contribution during the second reading stage may like to outline more specific detail in relation to that matter.

It is my understanding that the bill requires the Registrar of Motor Vehicles to determine the definition of a high-powered vehicle for the purposes of the act. The minister has said in the media that the list of restricted vehicles is still being worked on. That was a week or so ago, so the minister and the registrar may have done some more work since that date. However, it is generally based on those vehicles that it applies to in Queensland.

As I have pointed out, other aspects of the bill refer to issues in relation to penalties for the failure to display two P-plates on the vehicle that the P-plater is driving. Currently, the failure to display P-plates is a breach of licence conditions and results in licence disqualification. Obviously,

that means that if a P-plater does not have both their P-plates on their vehicle it is instant licence disqualification. The bill looks to change this penalty from disqualification to a fine and a loss of demerit points. We think this is reasonable. I mean, a family may only have one vehicle and that vehicle will be used by all members of the family who are licensed in one form or another to drive that vehicle. It can be an innocent oversight that a provisional licence holder gets into that vehicle and, for one reason or another, forgets to put a P-plate on the front and the rear of the vehicle.

The current penalty of disqualification is seen in the community as being too severe. This bill will impose a penalty of \$1,250, an expiation fee of \$250 and two demerit points for this offence; that is, if no P-plates are displayed. If the vehicle has only one P-plate missing, the expiation fee will be \$125 and no demerit points will be incurred. On this side of the house, we think that is a reasonable provision. As I said at the outset, this bill looks to achieve quite specific but quite different amendments to the current act.

The next provision relates to the replacement of the current hardship appeal provision for P-plate drivers who are disqualified because they contravene a condition of their licence or incur four or more demerit points. We are looking to replace that with the offer of what is regarded as a safer driver agreement. That agreement will not be available for drivers who receive a disqualification for a serious offence. The current appeal process through the courts will remain for what is regarded as a serious offence. The bill outlines what a serious disqualification offence means on page 13, paragraphs (a) to (e).

By choosing a safer driver agreement, a disqualified driver would avoid the six month disqualification but would regress to a previous licence stage, and obviously agree not to breach a condition of their licence or incur four or more demerit points for the term of the safer driver agreement. It is relatively clear that, when they enter into this agreement, they have to drop back to the previous licence that was held. I presume, if they are a P1 licence holder, they drop back to their learners, or if they are a P2, they drop back to P1.

You might wonder what the value is in dropping from a P1 to a learner's permit. Under the agreement, they are able to work through their learner's period and then go on to P1 much quicker than if they had to serve out their six month period of disqualification. That is my understanding of it, but if it needs to be corrected, I will be keen to hear from the minister.

The safer driving agreement is not all a bed of roses, because any breach of that agreement would result in a 12 month disqualification with no right of appeal. So, if you enter into this safer driver agreement, you regress back to your previous licence—if you are a P2 you go back to a P1—but any breach of that, it is finito, it is 12 months' disqualification, no right of appeal. There are some reasonably definite ramifications for breaching that agreement. The offer of this agreement will only be available once in a five year period, and I think that is a reasonable proposal.

Another important part of the legislation relates to the curfew arrangements that are in place. Currently, a novice driver who returns from a disqualification for a serious offence is automatically subject to a curfew for 12 months between the hours of midnight and 5am unless accompanied by a qualified supervising driver. There is a definition or description of a qualified supervising driver, and I understand that it is a person who holds a full driver's licence, who has held that for two years and who has not been disqualified for two years.

The current act states that a novice driver returning from disqualification for a serious offence is subject to this curfew unless they have a qualified supervising driver. The bill seeks to strengthen this condition by providing that, during this curfew period, the novice driver must not carry any passengers apart from the qualified supervising driver.

I understand that currently under the act, during this curfew from midnight to 5am, as long as you have a qualified supervising driver in the vehicle with you, you can have as many passengers as the vehicle is allowed to carry whether they are qualified and supervising or not. However, the bill provides that you are not allowed to carry any other passengers apart from the qualified supervising driver. So, as I stated, it seeks to strengthen this measure.

I will speak about the seven technical amendments. The first of these amendments will provide that, upon gaining a provisional licence, the driver's learner's permit will be cancelled regardless of the expiry date. This was previously only implied, not stipulated in the legislation.

The second point is that the legislative requirement for police to conduct an annual check of driver's licences has been removed. This recognises that the checking of driver's licences is a

continuous police activity made possible by advances in technology, for example, mobile real-time computer terminals in every marked SAPOL vehicle.

If any member has actually seen inside a patrol car, they have a flat screen set-up in there and they are able to access a whole range of information. They can check car registrations to see if they are current and obviously check current driver's licences and a whole range of information that is important to police in carrying out their duties.

Our corresponding amendment to the Road Traffic Act provides for the checking of driver's licences to be combined with any random testing activity undertaken by SAPOL. Again, you could say that it is streamlining the legislation and streamlining the activities that the police undertake.

The third point relates to accumulated demerit points which will be reinstated in the event of a successful appeal against disqualification. Currently, every full licence holder has a limit of 12 demerit points within a three year period before they are subject to licence disqualification. Upon disqualification, all accumulated demerit points are erased. If an appeal is initiated against the disqualification and is successful, this amendment will ensure that only the demerit points relating to the offence in question are erased.

It is my understanding—and the briefing from the departmental officers provided me with this information—that, if your licence is disqualified for an offence where you accumulated three points and that leads to you exceeding the 12 point limit, then upon disqualification, those 12 are erased, so you are back to zero. However, the bill proposes that, if the appeal is upheld, then you only receive a deduction of those three points that you arguably accrued for the offence against which you are appealing. The departmental officers are nodding, so I obviously have interpreted that correctly.

The fourth point is that the legislation currently specifies that it is an offence to unlawfully alter or damage a licence or a learner's permit but it is often difficult to prove who actually caused the damage to the licence and/or permit. To assist the police enforcement of this, an additional offence has been created for being in possession of a licence or a permit that has been altered or damaged.

Again, to expand on this, I understand that the police would ask for somebody's licence or learner's permit and see that it had obviously been altered in some way. However, it was difficult to actually charge the licence holder with an offence in relation to the alteration of that licence or learner's permit. The responsibility is placed on the licence holder if it has been damaged or altered in an intentional manner, not just through general wear and tear. You can get your licence for 10 years, so you can have the same piece of plastic in your wallet or handbag or whatever method you use to carry or store it. So, it is my understanding that it would not necessarily be an offence if there is some damage through wear and tear. However, I would be keen for the minister to clarify that.

An amendment is made to increase the period within which a prosecution can be commenced for the offence of providing false and misleading information from two years to five years, with the authorisation of the Attorney-General. Fraudulent licences can be used for a wide range of purposes, including by persons who wish to continue to drive when their legitimate licence has been cancelled or suspended. As driver's licences can be issued for up to 10 years, it is considered necessary to extend the prosecution period for this offence. Again, we think that is reasonable.

It is currently an offence to drive a vehicle with an expired registration label. If a person has paid for the vehicle registration but does not receive the new label before the old period of registration expires and continues to display the expired registration label, they can be fined. The bill seeks to provide a defence to this offence, which will specify that the owner has 30 days to affix the new label.

My understanding of the current legislation is that, if the registration is expired and you have removed the old expired label, you do have a period of time in which you are able to affix the new label; however, under the current act it is an offence if you continue to display the old label. So, I think that is a bit of an anomaly, that if you have the old label on, you can get fined, but if you do not have the old label on, so long as you can prove that the vehicle is registered, you do not get a fine. This is a common sense amendment that enables a period of 30 days for the owner to affix the new label.

Lastly, the seventh amendment provides that provisional and probationary driver's licence holders and learner's permit holders who allow their licence or permit to expire and are then disqualified face the same consequences as a driver who remains properly licensed and then is disqualified. Again, that is fairly self-explanatory.

That is the outline of the proposals in the bill. I will spend a small amount of time on the consultation that the state Liberals made concerning this bill. I take this opportunity to thank the minister's staff, the departmental officers who provided me with a briefing. I certainly appreciated that, because there were some questions that I had relating to the bill that they were able to clarify at that time.

We went to a number of key stakeholder groups, obviously directly involved with road safety issues, measures, policy and the like. In my relatively short period of time as the shadow minister for road safety, I have met with some of the people at the Centre for Automotive Safety Research (CASR), and we had a connection with the Motor Trade Association, the RAA, and other key industry groups. The majority supported the extension of the provisions concerning learner's permits from 50 to 75 hours, including extending night driving from 10 to 15 hours, and also the extension of the permit from six months to 12 months.

However, there were some mixed views in the information that we received concerning the implementation of the high powered vehicle restriction on P1 and P2 drivers. Some research has been undertaken, but it is not necessarily conclusive, that points to the fact that restricting the power of a vehicle to this certain section of licensed drivers does not have any real effect. That is part of the research.

In my next breath, however, I will say that, since New South Wales, Victoria and Queensland have had these measures in place, there has not been any research undertaken as to the effectiveness of those measures in those states. So, it is difficult to draw the conclusion that they are not working when the research has not been undertaken. It would be one thing if the research had been undertaken and delivered an outcome, but it is my understanding that there has not been any research. The minister can provide that information.

My argument, and the argument I put to my party room relating to this—and I can tell you that we had some reasonable discussion about this—is that we are only talking about two years of these people's lives while they hold a licence to drive a motor vehicle. It is only two years out of a person's driving life—potentially 50 or 60 years or however long these people may live and hold a driver's licence. On balance, on this side of the house, we do not believe that two years is a severe imposition for drivers under 25. If people get their P-plates over the age of 25, they can drive whatever they want; they can drive the most high-powered vehicle that is produced on the planet. However, it is an imposition, for sure.

I understand that there are some exemptions that can be applied for and granted if that is the only type of vehicle that family owns or the only vehicle that person's employer owns in that qualified period of P1 and P2 under 25. It is my understanding that there are some exemptions available that can be applied for and granted by the registrar. It is not necessarily a total imposition.

The issue I raise is that, if a family has two vehicles, one of which is classed as a high-powered vehicle and the other not, and that vehicle not classed as a high-powered vehicle is for some reason involved in an accident or needs mechanical repairs and is off the road for a period of time, is the P-plate holder able then to make application to the registrar to drive that vehicle? I think if they are not, that is not fair. That is a serious implication. We need some clarification on that.

The other aspect that I also raised is that we are not comfortable with the registrar having the total say of making the decision on what constitutes a high-powered vehicle. We think the parliament should be able to respond in a formal manner. I know it is not intended to be in legislation but we would like that to be at least outlined in regulation. I do not think that is a tremendously onerous request. After all, this is something new to the state. This is a new provision within the act; we have never had this before. I think we have to proceed with some caution and some—

Ms Portolesi: Caution?

Mr GOLDSWORTHY: Yes, with some caution. I have been speaking for a while.

The Hon. M.F. O'Brien: The walking thesaurus.

Mr GOLDSWORTHY: Yes, that is what I mean.

The Hon. R.J. McEwen: With some caution and reservation.

Mr GOLDSWORTHY: That is right. The member for Mount Gambier has actually been of assistance. It is a rare occasion! Some caution and reservation—they mean the same thing. As I said earlier, on balance, it is for two years of these people's lives. The Centre for Automotive Safety and Research (CASR) in its research reveals that when young drivers, aged 16½ or 17, come from their learner's licence on to their P-plates, the incidence of crashes is high compared to the other age groups. After the first three months, then six months, then 12 months, it declines significantly and then it basically flattens out over a four or five-year period after drivers come off of their learner's licence.

I attended a seminar conducted by CASR at the university where one of the academics, a gentleman by the name of Mr Craig Kloeden, presented that information. It was informative. As a consequence, the state Liberal Party obtained that research, and that is what I used partly as the basis for the argument for the adoption.

The other aspect I want to talk about is that with restricting these young drivers to two years of their driving life and not allowing them to drive what are regarded as high-powered vehicles, if it saves them or other members of the community (passengers in their vehicle, pedestrians or other members of the community) from serious injury or death, then I think it is worth pursuing. I think that is the crux of the argument: to allow the potential for the saving of lives and serious injury. We know that 10 times more serious injuries are caused through motor car accidents than there are fatalities. Research that I have done suggests that there are about 1,000 serious injuries a year (it might be more). Those serious injuries obviously require hospitalisation, rehabilitation, and, in some cases, the person never returns to their former state of health. They are either quadriplegic, paraplegic or have other serious life-long health related issues.

Based on those points, we are prepared to support the bill. However, we do want some more clarification on what a high powered vehicle is, and we want that included in regulations. I am asking the minister to explore those issues here, and, if we are not satisfied with the responses, we will consider some amendments between the houses. I communicated that to the minister before we engaged in this debate; we had a conversation about these issues yesterday and again this morning.

I regard the minister as a good person. He is an honourable man, and I think he will address our concerns appropriately and satisfactorily. I do not make that same observation of other members of his party, but I do regard the minister as a person with integrity and—

Mr Pederick: That's enough!

Mr GOLDSWORTHY: No, what I am saying is that if he makes a commitment he stands by his word. That is my assessment. So, don't let us down, minister! Alright? We've got some faith in you. If you let us down, then it is finito; all bets are off. With those comments, I will draw my contribution to a conclusion and indicate that we support the bill with a proviso that we may well look at some amendments between the houses.

Mrs PENFOLD (Flinders) (17:25): This bill strengthens South Australia's graduated vehicle licensing scheme for inexperienced drivers, and it will hopefully help to save some lives.

I have been reassured that vehicle restrictions will not affect young people who are driving trucks in our regional areas. With the first good harvest expected for many years, every driver will be needed, and I would not like to see any problems caused by the new act. Can the minister also confirm that there will be no problems that will inadvertently affect current truck drivers in their employment?

Driver safety education programs in all South Australian secondary schools are also needed to highlight the dangers of speed, the effect of alcohol and other drugs on drivers' capability, and any other relevant topics relating to driver and passenger safety. I have been pleased to note that many of the secondary schools on Eyre Peninsula have already undertaken driver training in an effort to reduce accidents.

This positive and proactive position to reduce fatalities amongst drivers under 25 must be taken seriously, particularly in our regional areas, where accidents are many and transport options are so few. I commend the sponsorship of Iluka Resources, which funded a presentation by the Department for Transport, Energy and Infrastructure, the Far West Road Safety Group, the District

Council of Ceduna, SA Police and Kalari Pty Ltd to educate children about road trains. Iluka's community relations officer, Karen Cosgrove, said:

...integrating road train safety into general road safety education programs by raising awareness and promoting the safety aspects associated with road trains travelling along the Eyre highway and through Ceduna is important for the safety of school children.

Schoolchildren had an opportunity to see a road train up close and learn first-hand from the driver how to be safe pedestrians around heavy vehicles. They were also able to take a drive in the Kalari driver simulator and discuss safety with different community representatives. Young adults aged 17 to 24 years of age make up only 11 per cent of the total population but account for 28 per cent of all road fatalities and 27 per cent of serious injuries.

Apart from the suffering of victims and their loved ones, the financial cost of fatalities and injuries to the South Australian community is more than \$900 million per year. It would seem, therefore, that the cost of driver education in schools would be more than offset by a reduction in accidents that result in death and injury, many of which happen in regional areas where there are no taxis or bus services.

Even quite experienced drivers can be traumatised by unexpected happenings on the road. A person who has never experienced a tyre blowing out when driving can have virtually no appreciation of the sudden and severe pull that is put on the steering wheel, and which, because of its swiftness, cannot be corrected in time to avoid going onto the wrong side of the road or off the road and, possibly, into an obstacle such as a tree.

In an article in the RAA magazine *SA Motor*, the Minister for Road Safety said that many drivers involved in fatalities have a previous serious driving conviction. He said:

To make significant inroads into SA's casualty and fatality rate we're going to have to address that group, which is why we are now classifying them as 'criminal drivers'.

These are the ones who most need driver education, but it needs to be proactively undertaken before they incur driving convictions and not as a reaction afterwards, when lives may have already been lost.

However, mandatory sentencing can be unjust. It allows no recognition of circumstances or the effect of the sentencing. For example, for a country person to lose their licence, particularly a farmer, or those who do not live in a town, it has a much harsher effect because there is no alternative transport as there is for people who live in the city where public transport is available. Conditional exemptions are required to ensure fairness in some circumstances, and I am pleased to see that they are included in this bill.

An example of where the implications of mandatory sentencing have a severe impact has recently come to my attention. A country driver from a remote area, when visiting other areas of the state, regularly drove an elderly frail friend as a passenger. Unfortunately, the driver was involved in an accident and her dear friend was killed. The driver is a strong community advocate and volunteer. At the court hearing the magistrate referred to the driver's personal character and, given the circumstances, awarded the minimum mandatory sentence and declined to set a fine or court costs.

The driver has to live with the loss of a friend, but the long-term ramifications of dealing with a loss of licence while living in a remote area without transport choices and the knowledge that driving with an at-risk passenger could create further risk has had an enormous, long-term effect. This driver highlighted the implications for carers who regularly drive an elderly, frail, sick or at-risk person. Any minor accident could put these passengers more at risk of death or serious injury than other able-bodied passengers due to their being more physically vulnerable. In turn, this has grave consequences for the driver. Because they could incur a mandatory sentence if an accident occurred, it makes them review their carer-driver role for self-preservation. The negative effect of this will be that frail, aged or at-risk people will not be able to enjoy mobility by having a driver take them places they want or need to go.

The number of unlicensed drivers picked up for traffic violations is considerable, and no amount of so-called punishment will change that—even if the offender is gaoled for a considerable time. Upon release from gaol the offender is likely to begin driving again immediately, with or without licence. Unlicensed drivers do not carry a notice on their forehead or have an unusual shade of hair so they can be identified from a distance.

Unlicensed drivers and unregistered vehicles need some other method by which they can be recognised. Today's science can provide answers. For instance, it has been suggested interstate that unregistered vehicles have a reflective mark that can be picked up from a distance, thus identifying the vehicle as being unregistered. A person who has committed a number of serious driving offences could be microchipped. Again, the microchip could be picked up at a distance.

Larger penalties, such as heavier fines, gaol sentences, confiscation and possible crushing of vehicles, and cancellation of a driver's licence do not of themselves change the behaviour of the core people who ignore the law. More innovation and lateral thinking is required. A number of propositions—

Mrs Geraghty interjecting:

Mrs PENFOLD: I would rather save the lives!

A number of propositions that could positively reduce the number of people in this category have been suggested. Despite opposition, a privately owned and operated track where drivers can let off steam (as discussed with me recently by the mayor of the City of Port Adelaide Enfield) sounds like a great idea. It is an option which would provide drivers with an opportunity to gain practical experience in how to react and deal with unexpected situations. I strongly support this circuit for Port Adelaide, so that risk driving can be undertaken in a controlled environment and professional training is provided, rescue services are quickly available if something goes wrong, and the lives of other road users are not endangered.

People who have driven only on sealed roads have no understanding of the effect of hitting a slippery patch on a dirt road—and dirt roads will be with us for decades. Some experience of them can only help drivers to drive more safely.

Another aspect of driver training is education in the mechanics and care of a vehicle. The Lower Eyre Peninsula Road Safety Committee has undertaken such training at schools, including Port Lincoln High School, Cummins Area School, Tumby Bay Area School and St Josephs School, taking along a lemon to teach students what to look for in order to ensure a vehicle they are buying is roadworthy and safe.

The year 10 and 11 students were asked to say what was wrong with the car and a police officer attended to point out deficiencies. Often young drivers acquiring their first car buy cheap vehicles because that is all they can afford. It is practical common sense for them to be able to look for traps which could mean the vehicle could become unroadworthy—if it is not already so.

Finally, I would like to see the promotion across the state of the successful Bag a Swag project, which is aimed at young people and which is supported by police on Eyre Peninsula. The slogan for the project is 'Crash at a party, not on the road,' with the aim being that young people take a sleeping bag with them rather than drive home immediately with a blood alcohol reading possibly over the limit. These bags could be hired out by entertainment venues for last minute cheap accommodation when driving home is not an option and alternative transport is not available.

While stronger laws and penalties are a component of our justice system—and hopefully a deterrent—they are only one aspect of ensuring people are safer on our roads. I ask the minister to investigate what else can be done to lower the number of deaths and injuries on our roads.

Mr PEDERICK (Hammond) (17:35): I support the bill. I note that amendments in this bill will increase the required driving hours of supervised driving for learner drivers from 50 to 75 hours; that the minimum time on a learner's permit will go from six months to 12 months for drivers under 25 years; that there will be a restriction on driving high-powered cars for provisional drivers, both P1 and P2 under 25 years; and that there will be a change to the penalty ranging from disqualification to a fine and loss of demerit points for failure to comply with displaying two P-plates.

Amendments within the bill also replace the current hardship appeal provision with the offer of a safer driver agreement. The bill strengthens the current curfew conditions applying to drivers returning from a serious disqualification by restricting the carriage of passengers during the curfew period of midnight to 5am. There are some technical amendments which aim to improve the operation of the act.

It is interesting how far we have come in relation to people obtaining a licence in this state. My father still drives at 89, even though he lives in low category residential aged care in Murray

Bridge. When he got his licence all he had to do was write in to whatever department it was at that time and they posted out a licence. The old joke, 'Where did you get your licence? Did you get it out of a cornflakes packet?' could not be closer to the truth, I guess. We have come a long way, and there are lots of reasons for that. My father would have attained his licence in the mid-1930s when there were not too many vehicles around. I know he, as a young lad, was involved with a horse and dray at an early stage, but they graduated to a Model T Ford car on the farm at Angle Vale, which they turned into a ute. I wish they still had it. I see the member for Schubert with a look of excitement on his face at my mentioning that.

Mr Venning: I have a Model T.

Mr PEDERICK: Yes. Model Ts were cut back to have a little tray on the back. I think the family had a little trailer and used to take a few prime lambs (they would have been fat lambs back then) into Gepps Cross. Obviously, things have changed dramatically since then. I look back to when I acquired my learner's permit in the 1970s. All you had to do was—

Mr Venning: A GTHO.

Mr PEDERICK: No, not a GTHO but, talking about driving high-performance vehicles, my family had a 308 cubic inch HQ wagon, and that was a very good motor. I should never have let that car go out of the family's hands but, be that as it may. That thing did go, and that is what I did some of my driver training in on my learner's permit.

Mrs Geraghty: I am just asking the relevance of it.

Mr PEDERICK: It is all about getting your driver's licence. I am going over the history and why the rules have changed. It is very relevant. Members on the other side will be able to make a contribution if they so wish at a later time, and I will be interested to see whether they are willing to make a contribution.

Being raised in the country was very fortuitous. We went out and checked the rabbit traps when we were nine or 10 years old. We had an automatic ute that we could drive out in, and that was very handy.

Mr Venning: That was legal, too, rabbit traps.

Mr PEDERICK: Yes, you cannot have rabbit traps now, either. Things have changed a lot. So we learned our driving skills from an early age. I know my two young boys like steering the car down to the bus stop, so at ages five and eight they are getting an early training in driving. In fact, Mackenzie, my oldest son, has his own motor bike at age eight, a little TDR 90 Yamaha. It was very interesting when I went to do my driving test with the local policeman at Coonalpyn—

Mr Goldsworthy: Was it Hausie?

Mr PEDERICK: Yes, I think it might have been John Hausler. You just had to do a drive around the block, essentially, and, as long as you managed to steer the car onto the road and get it around and back on the Dukes Highway and back to the police station, away you went. That is no reflection on John Hausler, who was a very good local policeman. I think the member for Kavel probably came across him when he was working down there in another life.

Mr Goldsworthy: All good, though.

Mr PEDERICK: All good, I must admit. In the country, and I think it still happens these days, you could get your truck licence at 17 years instead of having to wait until 18 years. I went down in our old International truck with the bulk bin on, loaded up. I think it was the same police officer, and away we went around the block. He asked me to double declutch up through the gears. I had been practising how to double declutch down through the gears but not up. So, I had a few problems and crunched the gears a bit and, by the time I got around to the local service station, I thought I had blown the test. Anyway, we got back on the road and back to the police station and he said, 'You would be better with a bit of load on in the truck,' and I said, 'It is half full of oats.' He said, 'You are laughing, then, you have got it under control.' Since then I have progressed.

In the early 1990s I went for my heavy articulated driver's licence and there was a compulsory operation you had to do that is probably still in place today. You had to back around a corner. It is a bit hard to describe, but you are down on your left hand and swinging around blind and you have to get the semitrailer within a metre of the kerb. Anyway, I failed the first test, so that was the end of that. Anyway, I did some instruction with some driver training in Murray Bridge, then I did the test. One of the O'Hara blokes brought up from Meningie was the tester, and I did it the

first time. He said, 'Would you like to do that again, Adrian?' and I said, 'No, I have done it once, I know I have passed.' I did not want to take any chances.

Mr Goldsworthy: Who was that? Mick?

Mr PEDERICK: I cannot remember, whichever one was working there. No, it was not Mick O'Hara. It was someone else.

So, things have changed, and rightly so. We have come a long way from the days when you could basically just apply for a licence and have it delivered. In my day you only had to have a learner's permit, then we graduated to having to get a P-plate, and now we have gone to P1 and P2 and different restrictions on supervised hours. It is a consequence of the change in the power of vehicles and the number of vehicles on the road, and also the modernisation of life as we have moved ahead. I think, in the main, these are good ideas.

I note that the bill talks about restrictions on P-plate drivers driving high powered cars also being in place in New South Wales, Queensland and Victoria; and for P-plate drivers aged under 25 years in these states the ban applies to vehicles with eight or more cylinders, supercharged or turbocharged vehicles, or vehicles with an engine output of more than 200 kilowatts. It is interesting, because I know what happened when motorbike licences (and I think rightly so) were changed so that people with motorbikes could not just go out and buy a 1,000cc or a 1,100cc motorbike and tear off down the road, and that was the first and last trip they ever did.

However, what would happen with the 250cc restriction on a motorbike was that when someone gained their licence they would just spec them up and make them go a lot faster. You only have to look at what the WRX Subaru can do. A relation of mine had to sell his because he was going to lose his licence; there was the temptation to drive fast.

I think we need to take a careful look at which vehicles are excluded. I have an old V8 ute at home, which I think is only 185 kilowatts, and it tickles along all right. However, there are certainly now four-cylinder cars which can be tuned up or which can generate better than 200 kilowatts. I am wondering whether there is a list of the sorts of vehicles that will be banned. Because of obvious engineering advances, cars are better made and more efficient, with turbochargers and intercoolers, and so on. You only have to look at the twin turbo 200 series diesel Land Cruisers these days. I am not sure what power they put out, but they can churn along.

I now want to talk about the statistics from SAPOL, which indicate that young drivers aged between 17 and 24 make up only 11 per cent of the total population but account for 28 per cent of all the road fatalities and 27 per cent of serious injuries. It is noted that the University of Western Australia has stated that its research indicates that a substantial amount of supervised driving is required to reduce the crash risk of novice drivers. I think that is certainly a good idea.

However, the problem is that we still get idiots out on the roads. Far too often we see on the news that people have been dragging each other or someone in a car has gone down the road and run into another vehicle that was just sitting at the lights and an innocent life was taken. It is the same with the young fools getting out on the roads, whether they be country or city roads. They think they are bullet-proof, but then we see the results: people have killed themselves or someone else or someone has lost a limb or has been put in a wheelchair—and that is for life. Not enough people think about the consequences. We see reports where someone has driven people home from the city and they are travelling down city roads at over 120 km/h. It is absolute madness, especially if they have been out drinking. However, either way, driving at that speed in the city is just sheer madness.

I note that the RAA is seeking more detail from the government with respect to the restriction criteria that I spoke about before.

Mr Goldsworthy: We have a bit more information.

Mr PEDERICK: I am informed that we have a bit more information coming from there. I note that the member for Kavel said that not a lot of conclusive work has been done on which restrictions have worked with respect to people not being able to drive high-powered vehicles.

We on this side of the house support the bill. It is a busy world out there, and people need to undertake the appropriate training and do the right thing.

Mr Piccolo interjecting:

Mr PEDERICK: I note that the member for Light interjected. The town of Gawler in his electorate is very busy in this day and age. I have had a bit to do with that area; my grandparents came from up that way. It has changed from quite a steady country town to a real metropolis. In some ways it is a little bit sad. It has one of the best main streets in South Australia, but there is so much more traffic on the road, as is the case on all other roads. Anything to keep everyone alive, but especially our young people, is a great thing. We were all young once, and we know it is hard to tell young people how to do the right thing. As a father of a couple of young lads, I believe that the more we can do to keep young people alive and not hurt themselves, all the better. I commend the bill.

Mr VENNING (Schubert) (17:50): I wish to very briefly make a few points. I will just pick out a couple of issues to show the minister that we agree with this measure. There are two or three items with respect to which I had to dissent from my party's position (not that it will make any difference). The first point is increasing the required supervised driving hours for learner drivers from 50 to 75 hours. I agree with that but, like other states, I believe that it should be for younger drivers. I do not know why we did not adopt this. In Queensland, you have to be under 25 years of age. If someone is over 25 years of age that rule does not apply, and other states have something similar. It is a big impost for members of the family to do the supervising: 75 hours is a lot of driving. Let us be honest: this is generally pretty well rorted; the piece of paper is signed. It is a trust thing about whether the driving has been done.

Mr Piccolo: So, you are suggesting that all those crowds of people have rorted?

Mr VENNING: I will bet you that the hour's driving will become two hours, or whatever. Anyway, irrespective of that, the idea is good, but I believe that people over the age of 25 should have a different rule. I also agree with increasing the minimum time for a learner's permit from six to 12 months for drivers under the age of 25 years, but does this mean that the L-drivers are still driving at 80 km/h?

I have to say that it particularly annoys me to see L-drivers driving at 80. I believe that is bad training, because they are being supervised. I think L-drivers should be able to drive, say, up to 100 km/h when the open speed limit is 110, because otherwise it causes congestion and frustration. People toot at them and semitrailers try to get past them. I believe that this is an impost. I do not agree with changing the learner's permit from six to 12 months for those over 25. Again, I believe, it should be for under 25 year olds.

I totally agree with the introduction of a restriction on driving high-powered cars for provisional drivers under the age of 25 years. This is one I have always supported. We had a seminar in Gawler one night, which, I understand, the member for Light attended. Let us be honest—and I reflect back to when the member for Stuart and I were young—yes, you are attracted to fast cars, noisy cars. I have told the house before how I had an EH Holden—I wish I had it now. We put on the two-inch system, and when dad was not home, up and down the main street—rah, rah, rah. You know, big deal. There was not the power in these cars.

Today, it is not just V8s but some of these high-powered four cylinders—and the WRX is only one. I particularly refer to the spate of accidents that we have had in the Barossa where we have seen six young people killed. I think, in four instances, they were four high-powered cars. I think only one of them was a V8. These were the imported V8 Toyota Soarers, the imported Nissan Silvias. These are two-door, high-powered cars, and I believe they would only just pass the Australian standards.

Mr Piccolo interjecting:

Mr PEDERICK: Mr Speaker, I rise on a point of order. The member for Light is interjecting out of his place.

The SPEAKER: Order! The member for Light is interjecting out of his place.

Mr VENNING: I really do believe that, if you put a young lad in a car like a WRX, with peer group pressure and being what young fellows are like, a bit of testosterone, and chuck in a little bit of alcohol, you have a dangerous mix. People think, wow, a WRX. And guess what? They see the kids watching, so they put their foot down and away it goes. I think that, quite clearly, we do need to send out a message. I bought my children's cars. Admittedly, I bought my first two sons Monaros. I wish they still had them.

An honourable member interjecting:

Mr VENNING: They were HQ Monaros; they were not powerful machines—big slow cars.

Members interjecting:

Mr VENNING: Bright yellow, but only because I was not allowed to when I was young. I was deprived the privilege of owning cars like that. One thing about it, though, my son thought it was smart, but when you have your son driving around a country town in a bright yellow Monaro everyone recognises it, and I heard about everything he did wrong. Suddenly, he realised it was not such a smart idea. So, there was method in my madness. However, I bought my daughter a six cylinder Holden Kingswood. She thought that was most unsexy, but that is what she got and she drove it around for two years. And touch wood, I got my kids through without any major accidents. There were a few—

Mr Pederick interjecting:

Mr VENNING: Yes, they were Holden HQs. Thankfully we got them through. The challenge for most parents today is to get them through. Now those parents in the Barossa were not so lucky—and the member for Light was there hearing those stories. I do not think the family will mind my saying this, but the lad who did the eulogy for one of the lads, six days later, he too became a victim. That is very hard to contemplate. I know the minister, too, had a fair bit to say about that on the radio at that time.

We are sending the wrong message to these young ones, putting them in cars like this. We have had a rule for motorbikes for years; that is, we do not allow people under a certain age to drive anything larger than a 250cc motorcycle. Good rule: it works. I know we can get 250cc motorbikes that go like the wind, but at least you do not have the huge 1,000cc bikes which I think are highly dangerous. I certainly support that. I generally support the idea, but I am a bit concerned that, although we are not living in a nanny state, we do have to send a message to our young ones, because, let us be honest, the biggest thing is this mentality they have that it will not happen to them. When I first got elected—and that was a long time ago—

The Hon. G.M. Gunn: Not long ago at all!

Mr VENNING: No, you're right. It is just like yesterday. When I first got elected, one of the first schools I visited was the Port Broughton Area School (as it was then). They had an education program for years 10 and 11, I think. A motor car was donated by Rosewornes, the local Holden dealer. It was not new: it was an older car. They all had lessons in this car. They taught them at school. They would drive around and around the school paddock in this Holden car. I thought it was great. Then they had an education process about what happens. Then the police came in and showed them the shock movies—you know what they use—showing all the carnage on the roads. Why do not we do that again?

I know it is being talked about being offered in the Barossa schools. I think it is already offered at Birdwood High School. They do have a program. It was highlighted that night in Gawler and they are going to pick it up for the schools in the Barossa. Why is this not part of school curricula? Why is it not at least a choice for children? I know most parents would insist their kids do it. I know we have heard about defensive driving lessons. They are not the answer. All they do is cause these people to race around like hoons because they have been trained to drive like hoons. Apart from that, I support the legislation.

The Hon. G.M. GUNN (Stuart) (17:59): This matter is something which I have taken a particular interest in, and I suppose, out of all the members in this place, I have probably driven further than any of them. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 18:01 the house adjourned until Thursday 29 October 2009 at 10:30.