HOUSE OF ASSEMBLY

Thursday 29 October 2009

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

ELECTRICITY (WIND POWER) AMENDMENT BILL

Mr PENGILLY (Finniss) (10:32): Obtained leave and introduced a bill for an act to amend the Electricity Act 1996. Read a first time.

Mr PENGILLY (Finniss) (10:32): I move:

That this bill be now read a second time.

This is not a complicated bill. It is more a common-sense bill and it factors into where we are going in Australia and, more particularly, in South Australia, with the generation of electricity. Currently, in the system we have the ability for a feed-in tariff on solar power. This bill is designed to accommodate the introduction of small wind turbines to be incorporated into the feed-in tariff as well. It is not a new idea. Freelite wind towers were a common source of electricity—32 volt generation—across the nation up until the time we had the 240 volt AC distribution network fed in. This has been brought about because of a need not to limit the feed-in tariff mechanism to solar power—photovoltaic cells.

Initially, I was approached by Mr Roy Ramage, the economic development officer with the Victor Harbor council in my electorate. He found a gentleman, Mr Mike Davison (an engineer, an inventor and a very clever fellow), who has developed a wind turbine and is somewhat frustrated by the fact that, although he can install it on his own property, there is no capacity to feed the electricity that he does not need back into the system in the same way as photovoltaic cells. In addition, he is also very keen—as are others, from the information that I have—to develop an industry in South Australia that can produce and build these small scale wind turbines and develop jobs and an industry for the state of South Australia. I think that is a good thing.

We have heard volumes from the government on sourcing energy and wind power. In another life I was involved in looking at wave power generated electricity. We have had the nuclear power debate, which goes on, but this is simply to harness an existing power that we have, that of the wind, which is in abundant supply down in my electorate, along much of the South Australian coastline and inland. One only has to go to the Mid North to see what is happening up there. The first wind farm in South Australia is in my electorate at Starfish Hill. It was an initiative, despite what the current government says, of the former Liberal government and came to fruition early in the term of the Rann government. I was down there for the opening of it, in a former life, and it has been a prototype for wind farms around South Australia, notwithstanding that it has had the odd issue, but I will not get into the that.

I would hope that the government would support this bill of mine, as it is in everybody's best interests. As I said before, we have plenty of sun to harvest and we only have to see the plethora of solar panels around South Australia, in my electorate and across the nation, to know that solar power has well and truly caught on. Solar powered hot water systems have been around for many years. It was a good thing for the state, for the people of South Australia and for jobs and industry to be able to produce wind power generators for putting in private homes.

Some of the objectives of this bill are: to promote efficiency and competition in the electricity supply industry; to promote and establish the maintenance of a safe and efficient system of electricity generation, transmission, distribution and supply; to establish and enforce proper standards of safety, reliability and quality in the electricity supply industry; to establish and enforce proper safety and technical standards for electrical installations; and to protect the interests of consumers of electricity.

If we are producing electricity through private residences, as it is aimed to do, any power produced over and above what is needed by the home can be put back into the grid, which is a good thing. I am not suggesting for one moment that people will make a fortune out of this system as that is not what it is designed for. It is simply designed to take the load off our current power system and to give people the opportunity to make a few dollars quietly and to produce some electricity rather than sucking out of power stations located around the nation.

I hope that the government will support this bill and, if possible, that the amended act could come into operation on 1 January next year. However, knowing this place, that is unlikely. I intend to speak with the relevant minister, and I hope that government members opposite might listen carefully, read this bill and see what it is really about. It does not take rocket science to work out that this is a commonsense and practical solution and, at the risk of repeating myself, I point out that wind power generators, the old free lights, that were around forever and a day—and you see them dotted around rural South Australia and across the rest of the country—were, apart from a generator, the only means of producing power for many. The free light towers fed into a series of batteries and, if you had a few days when the wind did not blow, you ran out of electricity and went back to candles. We do not want to go back to that. It might be possible to put in batteries, but that is not the idea of it.

The modern wind turbine generator I have seen is typically a vertical generator—a wonderful design that has been constructed by, in this case, Mr Mike Davidson. It is simple and, depending on its location, it does not need a great tower to be constructed. On the coast you would simply have it either on the roof of your house or on a tower to one side to catch the wind. It will produce considerable amounts of electricity to power your home.

Given that, in my view, the homes of today are nowhere near as efficient as they could be, for the life of me I do not know why we do not build homes that do not need air conditioning, that have wider eaves and verandas, and use a common-sense approach to construction, as they did 50 or 100 years ago. Those homes were far more suitable than the constructions that we have these days, which require all sorts of things to aid and abet the control of the climate in the house.

The defining change is the definition of 'qualifying generator'. Currently, the definition is associated with a small photovoltaic generator; however, the amendment would enforce a second definition to include a small wind turbine generator. The current provisions limit the scheme to photovoltaic systems with a capacity of up to 10kVA single phase. That, indeed, is what I am looking for with my amendment today. I think that, undoubtedly, this has to take place. I do not see any reason whatsoever why the government would not support this bill.

An honourable member interjecting:

Mr PENGILLY: Yes. As I say, I hope that the government will support it and that members of the government will lobby the ministers and the Premier on this bill. The Liberal Party will, indeed, support this amendment to the act, and we should be able to move on.

In closing, the best possible thing we can do is reduce the environmental impact of coal fired power stations and gas fired power stations. It would appear that this nation is not going to go into the business of nuclear power production for some considerable period of time, despite those in this chamber that support it.

So, if we are going to be stuck with our existing methods of power production, be it coal or gas, or whatever, this is a means of doing the right thing by the environment: it is a means of harnessing nature. It can work in tandem with photovoltaic cells, and it will create an industry. It could create a massive industry across the nation, and it could all come out of the electorate of Finniss, initially. What is really important is that we move on. With those few words I commend my bill the house and look forward to its rapid progress.

Debate adjourned on motion of Mrs Geraghty.

CRIMINAL LAW CONSOLIDATION (LOOTING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 April 2009. Page 2518.)

Ms SIMMONS (Morialta) (10:49): The government opposes the Criminal Law Consolidation (Looting) Amendment Bill 2009. Although the government understands the sentiment behind the proposal, as I will discuss in my contribution, this bill is fundamentally flawed and inadequate policy.

This bill seeks to make an aggravating feature of offending against division 2 or 3 of part 5 of the Criminal Law Consolidation Act 1935—that is, offences of theft or robbery if they are committed in a place where, at the time of the offence, there was either:

- a declaration under part 4 of the Emergency Management Act 2004 in force; or

- residents and others in the place, or in the vicinity of the place, had been advised by radio broadcast by the South Australian Country Fire Service that they should activate their bushfire action plans and that advice had not been withdrawn or ceased to apply; or
- residents and others had not been able to return to the place after leaving in response to a declaration or broadcast.

This bill also amends the penalty provision applicable to the offence of theft under section 134(1) of the Criminal Law Consolidation Act 1935 by prescribing a maximum penalty for an aggravated offence of 15 years' imprisonment. For a basic offence of theft, the maximum penalty is to remain unchanged at 10 years' imprisonment.

As the second reading explanation for this bill reveals, it was introduced in response to bushfires in South Australia, Victoria and Western Australia where there have been reports of people scavenging through people's burnt out houses and businesses and stealing from them. There is no doubt that the extent and horrific circumstances of the bushfire tragedy experienced in Victoria earlier this year caused all states and territories, in some way, to consider their respective arson and bushfire prevention measures. Indeed, bushfire and arson prevention is being considered at a national level in consultation with each of the respective jurisdictions.

This bill does not include the offence of serious criminal trespass as prescribed under part 6A of the Criminal Law Consolidation Act 1935. Given that most looting occurs at businesses or residences, this is a significant omission. I am curious about the member for Davenport's reasons for admitting this most relevant offence.

Further, the bill suggests that a declaration under part 4 of the Emergency Management Act 2004 or an announcement by the CFS to residents to activate their bushfire action plans forms the basis of aggravation. Regarding declarations, I am advised that declarations under part 4 of the Emergency Management Act 2004 are, thankfully, not common, with very few made in the past few years.

Sections 22 to 24 of the Emergency Management Act 2004 prescribe three classifications of emergency levels where declarations can be made. Whether an emergency is declared to be either a major incident, a major emergency or a disaster, dictates the method and means by which it is communicated. For instance, where a declaration of a major incident is made by the state coordinator, who is also the Commissioner of Police, it may be made orally, but must be reduced to writing as soon as possible and a copy provided to the minister. This remains in force while response operations are being carried out in relation to the emergency for a period not exceeding 12 hours.

By contrast, a declaration that the emergency is a disaster must be made by the Governor and must be made in writing and published in a manner and form determined by the minister. This remains in force for a period specified in the declaration, but must not exceed 30 days unless an extension of time is approved by a resolution of both houses of parliament.

There is a problem in using an announcement by the Country Fire Service to activate a bushfire action plan as a trigger for substantially heavier maximum penalties. How will the prosecution be able to prove that an alleged offender knew that an announcement had been made for residents to activate a bushfire action plan? To consider this scenario further, members must understand the criteria that the CFS uses to make such announcements.

In consulting with the CFS about the criteria used to determine whether an announcement will be made and the statistics on announcements made in recent years, it was advised that the CFS has two key triggers for making a public announcement for residents to activate their bushfire action plan. These are: when a total fire ban is declared, a bushfire information message is released specifically for ignition or development messages. The wording is standard and recommends that people activate their bushfire action plan.

The public communication for these is done through the media. For total fire bans a media release is produced and circulated to all media outlets across the state, including all print, radio and television stations, including regional outlets for all three mediums. Bushfire information messages are sent to all print, radio and television stations, including regional outlets for all three media, with specific verbal contact with ABC Radio and Radio FIVEaa to confirm receipt, as there is a memorandum of understanding with these two organisations which broadcast these messages immediately.

For the information of the house, I have obtained a summary presented by calendar year and by fire danger season. The information is provided in two main areas: the total number of fire bans imposed for the respective periods and the number of days fire bans were imposed as multiple fire bans may have been imposed for the same day.

The total number of fire bans declared for calendar year 2008 was 247, spread across a total of 48 days. Therefore, on 48 days we issued a media release recommending that people activate their bushfire action plan. The total number of fire bans declared for the 2008-09 fire danger season was 277, spread across 50 days. Therefore, on 50 days we issued a media release recommending that people activate their bushfire action plan.

As can be seen from the above statistics, it is clear that the use of bushfire action plans is fairly common during the bushfire season. The difficulty that arises with utilising announcements by the CFS for residents to activate their bushfire action plan will be for the prosecution to prove that the accused knew or was aware that such an announcement had been made.

The difficulty in establishing this will result in the prosecution not utilising this feature of aggravation, even if it was available. The extra penalty possibly available will not be worth the effort required to reach a possible result.

The Hon. I.F. EVANS (Davenport) (10:57): I will not hold the house long because I know that other members have bills that they wish to get to. I wish to touch on a couple of things that the member has said in relation to this bill. This bill seeks to introduce a heavier penalty for looters who seek to rob people's homes or buildings during the evacuation for a fire, or post fire.

I think there should be a message sent to looters that, when people are evacuating for safety reasons or when their buildings have been partly destroyed due to fire, they are going to suffer a heavier penalty. Looters, at that point, are essentially preying on people who are in a weaker position because they are evacuating for safety reasons or their buildings have been destroyed.

The government has taken an interesting position: that the robber may not have known. I guess the question might be asked whether the robber should have known. I guess the community will ask the question: does it really matter about that particular aspect?

The government has suggested that the bill could be broadened to take in other aspects. No-one from the government has approached me suggesting amendments. However, I will put it on the record now that, if the government votes for the bill, I am happy to accept amendments to the effect that the member for Morialta has outlined to improve the bill.

Everyone knows that, in private members' time, the opposition does not have all the resources of government to get all the advice from the CFS, etc., in relation to every aspect. If the government has consulted its agencies and has come up with a way of improving the bill, I am happy to accept amendments to that effect so that they can be moved in the other place and the bill can be corrected.

I do not think we should leave South Australians in a weaker position over summer simply because the two sides do not wish to cooperate in moving or accepting amendments. Let us make it crystal clear: I am happy to accept the amendments because I do not think it is acceptable that looters should get off lightly. The government's position is that the looters will be treated the same as any other robber or thief. The reality is that, at the point when you are evacuating your home to get away from a fire or when your house has been destroyed, you are at a point of weakness. I think, at that point, the message should be sent that you are going to get a higher penalty.

The government has announced that it is going to be directing evacuations. So, in my electorate, you would be directing 40,000 to leave, and every robber out there will know that every house in that area—9,000 to 10,000 homes—will be vacant. If that is not an invitation for the criminal element to waltz into the district and wreak havoc, under the shade, if you like, of an approaching fire or fire risk—

The Hon. M.J. Atkinson: And they might be from the district.

The Hon. I.F. EVANS: Yes, there would be people with criminal records living in my electorate. That is their democratic right and I represent them as well.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: I represent them. I do not encourage them to be criminals but, if they live in my electorate, I represent them; that is my role. The principle behind this bill is common sense. I extend the offer to the government to put the bill through and that we work together on amendments between the houses so that the points the government has made can be dealt with so that looters are sent a strong message and householders are safer as a result. Why the government would oppose that, I am not sure. I thank members for their contribution.

Second reading negatived.

SPENT CONVICTIONS (NO. 2) BILL

Adjourned debate on second reading.

(Continued from 24 September 2009. Page 4096.)

Ms CHAPMAN (Bragg) (11:02): I rise to indicate that the opposition supports this bill. We compliment the mover, the member for Fisher, for bringing this issue to the parliament, not only with this bill; I think this is the fourth or fifth occasion on which the member for Fisher has attempted to—

The Hon. R.B. Such interjecting:

Ms CHAPMAN: I don't know whether that interjection about just being spent is an indication that the member for Fisher will not be contesting the next election. The opposition commends the member for Fisher for taking up this challenge and that, on the fourth or fifth attempt, the government has finally agreed to support it. The opposition commends him for his tenacity in continuing to advocate this cause.

Our understanding is that the government, in acquiescing to this bill, has done so subsequent to a meeting of attorneys-general and that there is agreement to have some similar legislation at a national level. That is allegedly the reason for the—

The Hon. M.J. Atkinson interjecting:

Ms CHAPMAN: You may well deal with that down the track—delay in not supporting the many previous bills presented by the member for member for Fisher. We are now 7½ years into the South Australian Labor Party's term of government, and it is beyond me why it could not have dealt with this at a council of attorneys-general before this. However, as the government has not even had time to deal with a national ICAC, I suppose that might be the reason the government is filling it up with things that are not as important. However, it has happened, and there has been public indication by the government that it will now support it, as we do. This bill will provide relief for those who, after 10 years, have been able to make it absolutely—

The Hon. M.J. Atkinson interjecting:

Mr PENGILLY: On a point of order, Mr Speaker: standing order 131.

The SPEAKER: The Attorney must not interject. The member for Bragg.

Ms CHAPMAN: If they have been able to demonstrate over the period of 10 years that they have been good, orderly citizens and have not breached the law, or at least not been caught doing so, they will be rewarded by having the record of their conviction removed. Regrettably, in this day and age, the registering or recording of a criminal offence, no matter how minor, sometimes has the direct effect of restricting their capacity to travel to a number of countries. A number of countries are on high alert now, and have very strict rules on admission and the issuing of visas. We now have a situation, here in the 21st century, where these very old convictions affect travel to a number of countries.

The second matter is this. For so many job applications now there is an obligation to disclose a criminal record—that is, obtain a certificate from SAPOL or disclose prior records. The opposition thinks that in those circumstances, and given the minor nature of these offences, people should receive a fair go. The opposition supports the bill.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (11:06): The government supports the bill introduced by the honourable member for Fisher. The bill is based on the model Spent Convictions Bill developed by the SCAG working group. Most jurisdictions in Australia have spent convictions legislation, with the exception of South Australia and Victoria. Internationally, spent

conviction regimes have been established in many Western countries, including most members of the European Union, the United States, Canada and Japan.

In the 1970s the Australian Law Reform Commission and other state law reform commissions examined and supported the desirability of this legislation. The South Australian Law Reform Commission supported the seminal UK Howard League for Penal Reform report of 1972, which considered the issue with some changes. In 1984 the Attorney-General's Department prepared a discussion paper, 'Rehabilitation of Offenders: Old criminal convictions', upon which was founded the Rehabilitation of Offenders Bill 1991. The bill was opposed by the parliamentary Liberal Party. I repeat that: the Rehabilitation of Offenders Bill 1991 was opposed by the parliamentary Liberal Party, and it therefore had to lapse. The Royal Commission into Aboriginal Deaths in Custody has also raised the issue of—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

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

Mr WILLIAMS: I rise on a point of order.

The Hon. M.J. ATKINSON: It is interesting that the member for Finniss takes a point of order about my interjecting, but does not take a point of order when the member for MacKillop shouts over me.

Members interjecting:

The SPEAKER: Order! The Attorney will take his seat. The member for MacKillop.

Mr WILLIAMS: Mr Speaker, I draw your attention to the fact that the Attorney-General cannot possibly be talking to the substance of the matter before the house when he reminds us of things that happened 25, 26 or 27 years ago.

The SPEAKER: There is no point of order.

The Hon. M.J. ATKINSON: There is, of course, no point of order; you are absolutely right, Mr Speaker.

Members interjecting:

The Hon. M.J. ATKINSON: It is remarkable that the Liberal Party's embarrassment about this legislation is so great that it has to change the subject to uranium mining.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: Apparently the Liberal Party says that I am a fool for supporting this bill. I do not know why they would say that. The Royal Commission into Aboriginal Deaths in Custody has also raised the issue of expunging criminal convictions from the records of Aboriginal people. It recommended that criminal records of past convictions be expunged after a lapse of time. Juvenile convictions were recommended to be expunged after two years of non-conviction as an adult.

The purpose of spent convictions legislation is to reduce the stigma of a criminal conviction. The legislation will help a person with an old conviction from experiencing discrimination in obtaining lawful employment, acquiring certain licences, appointment as a company director, obtaining credit or insurance, participating in public life, and admittance to a particular profession or vocation. The policy basis of a spent convictions regime is one of rehabilitation. The legislation will assist by providing an incentive for convicted offenders to rehabilitate themselves and rewarding offenders once the rehabilitation has been achieved. The legislation would achieve those aims by:

- allowing for nondisclosure of spent convictions;
- limiting access to spent conviction information to some approved bodies where exemptions apply;
- limiting the use that can be made of spent conviction information;
- protecting against unauthorised access and use of a spent conviction;

- reducing the legal disabilities that flow from a conviction; and
- assisting in the preservation of a past offender's right to privacy.

I am surprised, after the gutter conduct in question time yesterday, that the Liberal Party appears to be supporting privacy today: it was not supporting it yesterday. In particular, the member for Goyder was making an intrusion into the Premier's private life.

The bill provides that a conviction will become spent once a specified time has elapsed during which the individual has not been convicted of any other criminal offences—five years for youths and 10 years the adults.

Mr Goldsworthy: You have been in the gutter for years, you lot.

The Hon. M.J. ATKINSON: Sorry? Serious offences or offenders sentenced to a lengthy period of incarceration—more than 24 months for youths and 12 months for adults—will be considered ineligible. Other exclusions will apply, which are mainly limited to criminal justice officials and select government agencies. The bill includes these features.

The conviction definition means a conviction for an offence and includes a formal finding of guilt by a court, formal findings of guilt, findings were offences have been proved, as well as offences that have been taken into account. I refer to clause 3.

Convictions that attract less than 24 months' imprisonment for youths and 12 months for adults are eligible offences capable of being automatically spent after five years for youths and 10 years for adults. That is clause 7. The exceptions are convictions of bodies corporate or convictions of a prescribed class, that is, sex and other prescribed offences. That is clause 5(2). Further offending within the prescribed period, excepting minor offences, would extend the qualifying period. I refer to clause 7(4).

The bill does not allow for the spending of sex convictions. The bill does not affect legal processes that may arise from a spent conviction including, for example, breaches of sentence conditions, disqualifications, fine enforcement proceedings, demerit points schemes and the exercise of any enforcement powers or other processes by a justice agency. I refer to clause 5(4).

The bill proposes mutual recognition to recognise jurisdictions that have corresponding laws. The bill protects a person from having to disclose a spent conviction (I refer to clause 10(b)), including any legal process associated with the offence or conviction (clause 3(4)). It also protects a person's appointment to a position where there has been no disclosure.

Wrongful disclosure offences (unless alternative remedies are legislated for) lie against persons who have access to records kept by or on behalf of public authorities or persons who engage in the business of providing information about convictions.

Defences to unlawful disclosure include (1) consent by a person regarding the release of information about his or her spent conviction; (2) good faith disclosures by persons, provided they have taken steps to avoid breaches of the legislation by implementing appropriate safeguards; and (3) continuing disclosure of a spent conviction in published materials that cannot reasonably be altered, for instance, online publications. New schedule 2 contains these exclusions:

- investigation and prosecution of offences;
- national security;
- evidence before courts and tribunals, as well as proceedings associated with jury selection and service;
- parole decisions;
- occupations including judicial officers and associated officers, police, firefighters, special occupations, such as working with children or vulnerable people, and occupations or persons seeking licences for which there is a character test. The new expanded definition of work mirrors the Working with Children bill of the commonwealth to include various categories of paid and unpaid work; and
- official records, archival and library information, authorised reports and publications, and non-identifying information.

Exclusion 6 (working with children), exclusion 7 (working with honourable people) and exclusion 8 (character test applications) that employ a fitness test. Miscellaneous provisions include an offence

for improperly obtaining information about a spent conviction kept by a public authority. The prerogative of mercy is retained. Public authorities are prohibited from destroying records relating to spent convictions, quashed convictions and pardons.

The government in its support of the Spent Convictions Bill envisages that legislation will assist with the rehabilitation and reduction of reoffending by offenders by breaking down barriers to employment faced by many people who have a criminal conviction. The government is also pledged to the other worthy aim of ensuring that an offence should not go on forever for most people.

Mr HANNA (Mitchell) (11:15): I commend the member for Fisher for bringing into the parliament a bill to have certain convictions absolved. I note that the bill refers only to less serious offences, but the reality is that many people in the community engage in the follies of youth, and those issues should not be held against them forever, particularly in relation to less serious matters, so it is a fine reform. I support it.

The Hon. R.B. SUCH (Fisher) (11:16): First, I acknowledge the constructive support of the Attorney-General following the meeting of the Standing Committee of Attorneys-General and also the support of the opposition. With the passage of this measure, as I hope will be the case, this will be a historic day for people who have done something minor and silly and who want to get on with their lives. It gives them a fresh start. There are many thousands of people in South Australia who are looking forward to the passage of this legislation. I thank the member for Mitchell for his support as well, and I trust that members will now support the second reading of this bill.

Bill read a second time.

The Hon. R.B. SUCH (Fisher) (11:17): I move:

That this bill be now read a third time.

I do not believe there are any amendments on file. Once again, I commend the bill to the house.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (11:17): The government does not believe it has a monopoly on legislative or policy wisdom and, as with so many items in this chamber and the other chamber, we have been happy to support legislation proposed by Independents, minor parties and the opposition. Indeed, if you look at the record of the Rann government over almost eight years, we have agreed to more private members' legislation than has any previous government in my 20 years in the house. This would certainly not have happened under Trevor Griffin as attorney-general, and we will continue to support constructive suggestions by non-government members.

Bill read a third time and passed.

ROAD TRAFFIC (CONSUMPTION OF ALCOHOL WHILE DRIVING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 September 2009. Page 3893.)

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (11:19): We support the bill, with several amendments that have been picked up by the member under his own name. Drink driving is one of the main causes of road death in South Australia and each year over one third of drivers and riders killed in road crashes have a BAC over the legal limit of .05, with the majority more than three times over the legal limit. Drinking is undisputably a major issue in terms of the number of deaths and serious injuries that arise as a consequence of consumption of alcohol.

In recent years, the state government has introduced a raft of initiatives to deter drink driving behaviour. This includes increasing the number of breath tests being performed, the introduction of full-time mobile random breath testing and immediate loss of licence for high level drink driving offenders. Severe penalties apply to drivers who commit drink driving offences. Penalties may include heavy fines of up to $2,500, licence disqualification, demerit points, and even imprisonment in some cases.

On 1 May 2009, the government introduced a mandatory alcohol interlock scheme in South Australia. The mandatory scheme requires drivers who commit a serious drink driving offence to have an alcohol interlock fitted to their vehicle at the end of their licence disqualification for a period

of at least 12 months. These penalties are designed to send a clear message to drivers about the severity of drinking and operating a motor vehicle and to highlight the danger these drivers present to themselves and the safety of other drivers on the road.

While consuming alcohol while driving does not mean that the driver is impaired by alcohol or that they are committing a drink driving offence, I agree with the honourable member that this action sends an extremely poor message to the community, especially our young people, and goes against what the government is trying to achieve through its drink driving campaigns and separating drinking and driving.

I think most members have seen the Motor Accident Commission television campaign that has been run within the last month and will be run again on several occasions next year. The message there is: 'Plan ahead. Don't combine drinking and driving.' It is for this reason that the government supports the intention of the bill moved by the Hon. Bob Such MP.

I acknowledge that such an amendment will also move us closer towards national consistency, with New South Wales, Queensland, Western Australia and Tasmania already having a similar law in place.

Although the government supports the bill, we propose some amendments which have been picked up by the member for Fisher under his name, and they will be dealt with in due course. These amendments are supported by the South Australian police and are really their input into the bill.

The first amendment seeks to include an evidentiary presumption that the substance that was being consumed was alcohol in the absence of proof to the contrary. This is the same presumption currently found in the Liquor Licensing Act 1997 and will assist police prosecuting the prescribed offence.

Another amendment seeks to replace the reference to 'alcohol' with a reference to 'liquor'. Alcohol is found in a number of substances that are not usually consumed for the purpose of their alcoholic content but for other legitimate purposes: here we are talking about cough mixtures, medicines and mouthwashes. It is preferable to refer to 'liquor' to avoid including these substances in the offence.

Currently all expiation fees for offences under the Road Traffic Act appear in the regulations and are subject to the annual indexation process. If the expiation fees as currently proposed by the Hon. Bob Such were placed in the act, they would be the only expiation fees in that piece of legislation and they would not be subject to the annual indexation process. The honourable member has accepted that amendment, as I said, and is now proposing it under his own name.

I must also point out that the proposed expiation fees in the bill are relatively high in comparison to other road safety offences with similar road safety risks. For example, using a mobile phone while driving currently results in an expiation fee of $218, speeding less than 15 km/h over the speed limit is $190, failing to wear a seat belt is $240, and driving without having proper control of a vehicle is $99. The expiation fee for the more serious offence of driving with a blood alcohol content of between .05 and .79 is $438.

In addition, currently the expiation fee for offences involving vehicles that are not motor vehicles, such as bicycles, an animal-drawn vehicle, an animal that is being ridden or drawing a vehicle, as well as motorised wheel chairs that can travel over 10 km/h, is lower than for motor vehicles. The expiation fee for driving, towing, stopping or parking such a vehicle is around $26.

Accordingly, for consistency and relativity across different offences, the government proposes—and the mover has accepted—that the expiation fee for the proposed offence where the vehicle involved is a motor vehicle should be set at a lower level, for example, in line with the offence of driving a motor vehicle while using a mobile phone, that is, $218, with an even lower fee of $26 applying to the driver or rider of a vehicle if that vehicle is not a motor vehicle.

These amendments, which have been accepted by the honourable member, build on his bill, which is an excellent proposition, in a constructive and a practical way.

Mr GOLDSWORTHY (Kavel) (11:26): I am pleased to indicate that the state Liberal opposition intends to support the bill which the member for Fisher has brought before the house. Obviously, the bill looks to amend the Road Traffic Act 1961. It proposes that a person must not consume alcohol while driving a vehicle or attempting to put a vehicle in motion.

I understand that some amendments are to be moved in relation to the bill, namely, changing the actual name of the bill, as well as seeking to implement a penalty for the offence and the expiation fees in regulation and not have it stipulated in the bill in legislation as such.

The bill seeks to inhibit the consumption of alcohol while driving or attempting to drive a vehicle. Currently, South Australia and Victoria are the only two jurisdictions in Australia that do not have a similar ban in place. Western Australia has more extensive and tougher provisions than those proposed in this bill.

In Western Australia a person is banned from consuming alcohol or liquor on any road in the metropolitan area, including in a parked car or moving vehicle. In New South Wales a person must not consume alcohol while driving. This offence will attract a fine of $243 and three demerit points. In Queensland a driver of a vehicle must not drink liquor while driving. The maximum penalty is $1,500 and attracts a fine of $300, or $100 if a person is riding a push bike whilst consuming alcohol.

Tasmania has the most severe penalties in relation to this issue. No person shall drive a vehicle while he or she is consuming intoxicating liquor, and passengers in vehicles are banned from consuming alcohol. That is significantly different from what this bill proposes. The penalties for those offences can be up to a $1,200 fine or imprisonment for up to six months, plus disqualification of their licence for up to three years. So, obviously, Tasmania has the most severe conditions and penalties in relation to this issue. As I said previously, the bill will bring South Australia into line with most of Australia, with Victoria apparently to move shortly to rectify that state's situation in relation to this.

The intention of this bill is to make clear to the public that there is a distinction between driving and consuming alcohol. In relation to our position on this bill, the state Liberals undertook some consultation and sought advice from the Centre for Automotive Safety Research at the University of Adelaide.

Debate adjourned.

REGIONAL INFRASTRUCTURE

Mrs PENFOLD (Flinders) (11:30): I move:

That this house condemns this Labor government for wasting millions of dollars of taxpayers' funds on gimmicks, icons and non-income earning liabilities, while totally neglecting the infrastructure needed in regional areas that would underpin the industries from which the state reaps a massive export income and also the much touted mining boom.

After years of warning this government to be careful of blow-outs in expenditure, I note that this year the Auditor-General has given a final warning, stating in his report that years of continual growth in government revenues to fund increases in expenses were over.

In March 2002 the state Labor government took over a state that was financially viable and prospering. Labor's $9 billion debt had been paid off by the Liberal government, brought in when the state was technically bankrupt and unable to pay the interest on its debt. GST income was rolling in at higher levels than had been expected. New trade options were producing additional export revenue and a mining boom was on the horizon. South Australia looked set for a happy and prosperous future.

That scenario did not last long under this Labor government. The Treasurer and the Premier—both of whom were part of the previous Labor government that supported Tim Marcus Clark and oversaw the collapse of the State Bank—are still here and in control of the state's finances. Debt levels are rising, despite the increased revenue received: $6 billion more last financial year than the $9.3 billion received in 2002-03 by the last Liberal government.

Funding for rural and regional projects, such as the sealing of all rural arterial roads—which had been underway under the Liberal government—was slashed and then quietly dropped from the budget and future planning. Rural roads of economic significance, which the Liberal government had planned to seal, were relegated to Labor's 'not under us' basket, as its population-based funding policy took hold in all portfolios. Population-based funding requires that money is spent where the people are—which happens to be where the most Labor votes are clustered in the metropolitan area. I argue that money should be spent where the most benefit for all the people of the state could be gained.

Investing in Nation Building infrastructure would provide a good return on investment from taxpayers' dollars and facilitate the exports that provide real wealth for this nation—money that is then churned in the city in the provision of services needed by these major export income earners. When the income base is sound more funding can be provided for all the things we want in order to ensure we have caring and supportive communities, with a good standard of living for all, both in the city and in country regions.

The Gawler Craton mineralisation that underlies Eyre Peninsula and the north has been described as one of the most underdeveloped prospective mining regions in the world. However, the region must have necessary rail, road, water and port infrastructure if the potential of its minerals is to be realised. Small mineral exploration companies do not have the funding, nor the expertise, to provide the necessary infrastructure to become mining companies. In most countries this infrastructure is provided by the government, which will benefit from the considerable mining royalties and economic activity generated by mining developments.

Instead of building regional infrastructure that will benefit everyone in the long term, the mining industry has been told by the state Labor government to provide its own infrastructure, while a tramline has been built at great expense in order to duplicate a public bus service along King William Street and North Terrace, adding to traffic congestion; and now the tram is being extended to the Entertainment Centre (where there is a train line within a short walking distance), with further extensions mooted ostensibly to drive development at Port Adelaide. The debacle over the cost and suitability of the trams brought from overseas and not designed for our climate is another story altogether.

The Liberal government, under premier Tom Playford, recognised the need to decentralise, diversify and develop the regions. He recognised the role of government was to spend taxpayers' funds to provide infrastructure that it is not viable for a business to provide initially to ensure export development, jobs and more state income from taxes and charges. He provided essential funding for the port, steel and shipbuilding industries at Whyalla, and a power station at Port Augusta. Thank heavens we had visionary decision makers at the helm when this state was established.

True to its dogma of centralist control, the government shifted public servants from the country to Adelaide under the shared services policy, ostensibly to provide better, more cost-effective services but sucking an estimated $165 million out of the regions. Only recently, the Treasurer was at complete odds with the PSA. On ABC Radio, Jan McMahon stated that shared services was:

> ...very stressful and there is a lot of high workload issues...at least a quarter of the workforce, 25 per cent, are temporary people...they struggle to get people to replace ongoing people who leave.

That is contrary to the Treasurer's assertions that:

> Shared Services is working very, very well despite what Jan McMahon and the PSA say.

I would suggest that perhaps Jan McMahon and the PSA are more in touch with how the people on the ground dealing with the stress and inefficiencies are really faring than the Treasurer with his defensive response.

Along with this is the government's metrocentric policy of bulk buying and contracting, cutting out local suppliers of fresh produce and locally provided products, services, repairs and maintenance, instead replacing these with stale goods and little or no maintenance and servicing, as the cost of bringing people to the country to provide these is prohibitive. Despite evidence that centralisation of providing goods and services is a costly exercise and has failed to be economically viable wherever it has been tried previously, this government ignored facts and went ahead with its agenda.

These activities are false economies of scale that rip the heart out of country communities where even the loss of one government job results in the loss of a family and children that keep an extra teacher and subject options in the local school. The domino effect that is devastating in small communities would go unnoticed in the city. Do members remember the Premier's pledge to South Australians prior to being elected? He said, 'We will cut government waste and redirect millions now spent on consultants to hospitals and schools—Labor's priorities.' Despite these grand words, consultants and consultancies are thriving and waste is rife across government, with the populist Premier and his ministers being very lavish with taxpayers' funds in promoting themselves in the media.

Liberal leader Isobel Redmond has publicly criticised the promotional waste and said a Liberal government would not spend public revenue on self-promotion. The opposition leader can be credited with causing the Premier and his colleagues to reduce their blatant personal promotion to some extent. There is no money to undertake the action to get essential water for South Australians, but there is abundant money to produce full colour, oversized pamphlets printed on quality and expensive paper about what the government is going to do. The Water for Good promotion that came out in booklets, extensive advertising and pamphlets reportedly is to be a regular feature to preach to the converted at great cost that could and should be used to actually do something constructive. Instead, they are burdening the volunteers in a region as big as Eyre Peninsula with more work and some of the highest per capita NRM levies in the state.

The Department for Environment and Heritage *Special Edition Landscapes* 36-page full colour booklet outlines past achievements and what the government intends to do, but without costing or information about where the money is coming from to pay for the proposed projects. I quote one such project:

> The aim is to identify conservation priorities for a 12,000 square kilometre area within the East meets West Naturelink.

Meanwhile, the state government has abandoned many of its responsibilities to NRM boards and has reduced the number of rangers to 100 to manage more than 300 parks in the state. I understand that the department has been asked to reduce its budget by $12 million in the next couple of years. So, just who is managing the pest plants and animals and ensuring that adequate fire prevention measures are in place?

In September, the minister announced that the government had purchased an additional 1,400 hectares near Streaky Bay to be added to existing parks in the area and that a new western districts office would be opened in Streaky Bay and a district ranger appointed. Smoke and mirrors! The staff position has been stolen from the Gawler Ranges National Park and I understand that the office is the former PIRSA office which recently closed but which has now been completely refitted for the relocated park ranger.

In a *West Coast Sentinel* article regarding this purchase, minister Weatherill was quoted as saying, 'In addition to this freehold purchase, the government is working on a previously foreshadowed plan to add unallotted crown land to the coastal parks and reserves'—more land tied up without adequate resources to manage it; just an expectation that farmers and local volunteers will keep doing the work.

The glossy expensive brochures are still being churned out; eight pages of full colour with the minister's photo and a spiel on the front. The Department for Environment and Heritage's spring issue *Landscapes* propaganda newsletter recently arrived; although how a photograph of a heavily tattooed, overweight supposed prisoner is promoting our cultural heritage is beyond me.

The hypocrisy does not end there. The remarkable Magill Training Centre turnaround and the ability to find funding when public opinion forces this government's hand is astonishing. The previous decision to remove the Magill Training Centre from the list of projects because funding it would threaten the state's AAA rating while allocating $43 million funding for a film hub on the Glenside Hospital site is the kind of hypocrisy that we are constantly seeing with this government. I have been told that there are (or, at least, were) private investors interested in providing the film hub at Port Adelaide using the old warehouses, which could have saved millions of dollars. However, that was not facilitated.

The gimmicks, smoke and mirrors and excessive waste is magnified when we look at the government's narrow vision and self-promotion in building a new icon hospital on the old railway yards instead of rebuilding—not renovating—the Royal Adelaide Hospital on the existing site. Hospitals have been successfully rebuilt onsite throughout the world, so why should Adelaide be any less able to undertake a project of this magnitude? The deceptive promotion of disruption and inefficiency as a reason for shifting our iconic hospital beggars belief. By rejecting the government's proposed new hospital, South Australians could immediately save $500 million, have a world-class facility on the optimum site and keep the rail yard site available for extending the entertainment centre of the city down to the old gaol along the river, as it should be.

Buildings do not in themselves make a service, it is the people and the attitude that make the difference, and $500 million saved on bricks and mortar can provide a lot of health services to people throughout the state. We do not deserve a fly-in, fly-out health service, as stated by the Minister for Health on the ABC on 17 September. He said, 'We can provide those services on a fly-

in, fly-out basis, which we're doing more and more of.' Regional people are driving to Adelaide more and more, as happened recently, when a young man broke his leg and could not have it set in Port Lincoln, Whyalla or Port Augusta. South Australians must not be hoodwinked and brainwashed by promotions into a wasteful Labor government icon for which our children and grandchildren will have to pay for generations to come.

Some 10 years ago, the Liberal government established the Regional Development Infrastructure Fund (RDIF), recognising and valuing the importance of regional infrastructure in driving economic growth, creating employment opportunities and acknowledging that regional communities are fundamental to the success of our state's economy. The RDIF has been instrumental in providing investment in essential power, water, electricity and telecommunications infrastructure, especially in growth industries such as horticulture, agriculture, aquaculture and tourism. Even former Labor premier John Bannon put funding into the Port Lincoln marina to provide a safe harbour for what is now the biggest fishing fleet in Australia.

Under the present state government, the current level of funding is $1.5 million lower than it was in 1999, despite the Rann government's presiding over seven of the best economic years that South Australia has ever had.

Again I use the analogy of the farmer who reroofs the farmhouse, paves the driveway, fences the house paddock, provides a ride-on mower for the grass, but puts nothing back into the farm where the income is being generated. It all looks good and prosperous on the outside, but with no income suddenly the farm goes broke and people are left wondering why. Adelaide might look fantastic with the new hospital, new trams and gimmicks like retrofitted solar panels and mini wind turbines, but it behoves the government to look after its income-earning assets and provide more in the state's regions where much of the real income is generated, even if the biggest population does not live there.

But back to smoke and mirrors. The populist state government has jumped on the bandwagon of world disaster through environmental changes in the future, with possible erosion in 200 years' time preventing developments. Coastal property owners have had land confiscated via restrictive planning controls for so-called coastal protection—in one instance up to eight kilometres inland from the sea. The area of land taken in the freeholding process and taken out of agricultural production in another example was up to two-thirds of the property. In addition, the family had to bear the cost of surveying and fencing, all without any compensation. The family, I have been told, have sold up and left the district.

Can you imagine the public outcry if this happened along metropolitan Adelaide's stretch of populated coastline? Would the government continue to defy understandably outraged public opinion? But, of course, this will not happen, because apparently the projected rise in sea level will only occur along the South Australian coastline that does not form part of the Adelaide metropolitan area.

South Australians are frustrated with the wrong priorities of this government and the wastage that continues to occur throughout this state. We all look to being supplied with green energy as the responsible way to go, but spending hundreds of thousands of dollars retrofitting miniature, depreciating wind turbines and solar panels on the top of buildings is ridiculous, expensive and shortsighted. These buildings already have affordable and reliable power.

Time expired.

Mr BIGNELL (Mawson) (11:46): I oppose this motion on behalf of the government.

Mr Pederick: I don't see you out in the regions.

Mr BIGNELL: Well, I will give you a little lesson, member for Hammond, on what is happening in the regions, because people like you and the member for Flinders come in here and all you ever do is talk down the regions. The Rann government is about supporting the regions. We actually appreciate the value of the regions and the value they bring to our state. As someone who grew up in the South-East and who has spent a lot of time in various regions in South Australia, I know the Rann government is out there caring about the regions, investing in the regions and delivering for the regions, as opposed to what occurred in the Olsen/Brown/Kerin years when the regions were neglected and left to whither.

The Rann government cares about the regions. The Rann government has invested and will continue to invest in the regions and lead renewal in the regions. The Rann government recognises the importance of the regions for the whole of South Australia. The Liberals, when in

power, neglected the regions and in opposition continue to talk them down. We recognise the importance of the regions to the state's export performance and through agriculture, horticulture, forestry, fishing, aquaculture, wine production, food processing, tourism, manufacturing, mining, and mineral production and processing. The regions also provide South Australians with fresh, healthy, clean and green food products, and they are great places to visit . They are increasingly becoming the source of green energy, positioning the state for a more prosperous and sustainable future.

The member for Flinders bemoans the fact that some wind turbines are being erected on buildings in the CBD. I have been to Eyre Peninsula for the opening of wind farms. The government has helped bring on wind farms not just on the Eyre Peninsula but in the Mid North, the Fleurieu Peninsula and throughout the entire state. When we came to power in 2002, there was not a single wind turbine in this state.

Mr Pengilly interjecting:

Mr BIGNELL: No, the member for Finniss needs to go back and check his history, because I was working in the minister's office when we came to power in 2002. I was in the office of the minister for energy when the proponents were trying to get Starfish Hill up. They had had nothing but frustration and disinterest from the previous Liberal government, which did not care about the regions and wind energy. Have a look at where South Australia is now. Seven and a half years later, we are leading this nation with wind energy and solar power. You did nothing and you are a disgrace as a party and as a government. The people of this state know what you did not do and they will acknowledge that on 20 March next year when they go to the polls and you will lose even more seats. You were a government that did nothing.

One can look across the border at when Jeff Kennett got in and turned the state around. What happened when Dean Brown and John Olsen got in here? They argued with each other; you backstab each other. The same backstabbing has been going on, led by many of the regional members, for the past 40 years. You are a disgrace as a party. The Rann Labor government is in here, investing in our regions and doing the best by them so that everyone in South Australia can prosper.

Since March 2006 the unemployment rate in regional South Australia has fallen from 6.6 per cent to 3.9 per cent, with the creation of over 38,000 jobs, just in seven years. How about listening to some of the facts instead of coming in from the regions with your whingeing and moaning. Regional population has increased by 1.3 per cent since 2006 and regional populations comprise 19.1 per cent of the state's population, ahead of the South Australian State Strategic Plan target of 18 per cent. Since the 2002-03 budget we have spent $658 million on regional roads. Since 2006 we have resurfaced around 2,953 lane kilometres of rural roads. In the 2009-10 budget an additional $23 million over the next four years was allocated for the rural road safety program.

We have spent more than $150 million on rebuilding our regional schools, more than $150 million to help rebuild our regional hospitals, $12.5 million on a GP Plus Centre in Port Pirie, building children's centres in Port Augusta, Renmark and Murray Bridge. We have provided more than $60 million for drought support programs since 2002. We have provided funding for new police facilities at Murray Bridge, Roxby Downs, Victor Harbor, Aldinga, Berri and Port Lincoln. We have built a new $7.5 million MFS/CFS/SES facility at Port Lincoln, not that the local member ever comes in here and says thanks for anything or argues in a coherent way for benefits to go to her region. She comes in here, whinges, whines and attacks. Everyone will be very grateful when there is a new member for Flinders after 20 March next year.

Mr Pengilly interjecting:

Mr BIGNELL: I'll tell you what: Mary-Lou Corcoran will be the next member for Finniss.

Mr Pengilly: Dream on!

Mr BIGNELL: No, you dream on pal! Look at the result in Frome. You are on the nose in your heartland—the people of Frome proved that. You will be out of Finniss and we will win Stuart as well. We have a great candidate in Stuart in Sean Holden. The regions are well represented by the Rann Labor government. The people in the regions appreciate that, and you will be the voted off the island.

The Rann government has invested more than $10 million to support regional government open space projects that have helped beautify and improve country towns through landscaping, walkways and barbecue facilities. This program has also helped provide local jobs in regional

South Australia. We have established Services SA regional call centres in Port Lincoln, Murray Bridge, Berri, Gawler, Kadina and Whyalla to help deliver government services, such as motor registration. Through the regional development fund we have invested $24.7 million supporting infrastructure projects, energy assets, water, waste, roadworks and telecommunications, among others, creating an estimated 4,900 new jobs and enabling an estimated $1.1 billion in total investment.

The Rann government has provided $18 million over five years for Regional Development Board programs to provide advisory and support services direct to individual local businesses and to state and local government in the regions, and a service delivery mechanism for a number of other state and commonwealth programs. Through the Rural Town Development Fund we have provided $2 million for the development of iconic projects to enhance attractiveness and liveability in four regional centres across South Australia, and funding of the Riverland Futures Task Force to promote the strengthening, diversification, enhancement and sustainability of local enterprises and infrastructure in the Riverland.

That is not an exhaustive list. We have done so much for the regions in South Australia during the past seven years of the Rann government, and we will continue to do so because the regions play such an important role in our state. Everything that happens in the regions benefits everyone else in South Australia, and we are very keen to promote and to increase our funding and level of support in the regions because we do care about them. We do not just come in here, like so many on the opposition benches, and whinge about it.

I commend the member for Stuart because he is someone who knows how to work his region well and knows how to come to ministers and get things done for his region. He is not one to just come in here and whinge, whinge, whinge; he works in a constructive way. I think he is someone who has done a lot for his region, and maybe some others could learn from that example. It is for those reasons that the government opposes this motion.

Mr PEDERICK (Hammond) (11:55): I rise to congratulate the member for Flinders on bringing this motion forward and I totally support it. I note the comments from the member for Mawson, and I want to look at, in his region, the issue with the Willunga Basin dam project. If it was not for our candidate, Matt Donovan, getting on board perhaps things would not have been progressed. So, let us not paint such a good picture of this so-called caring government which, supposedly, does so much for this state.

We note that, under this government, the Regional Development Infrastructure Fund was cut from $4 million to $2.5 million per annum. For a government that supposedly does so much for the regions, I think we need to do a few of the sums. This is a government that was prepared—and I believe still is prepared—to cut the absolute guts out of country health, with absolutely no consultation until afterwards, and then it confronted thousands of people—well, no, the government did not, it peddled out its chief executive officers, if people were lucky, to meetings about country health to say what they were going to do to us.

It is typical of the way this government operates: we will put something out there and then we will have to take the backlash. You wonder why people in power do not learn from this. It was such a huge backlash. The government has no links to the rural regions of this state, apart from the member for Giles, and she—

The Hon. M.J. Atkinson: What about the member for Frome?

Mr PEDERICK: Is he one of yours, is he? Is the member for Frome one of yours? The Attorney-General is giving the game away again with another one of his little dirty tricks campaigns, indicating that the member for Frome is one of his Labor stooges. I will leave it up to the member for Frome to—

An honourable member: Put it on the record.

Mr PEDERICK: Yes. The member for Frome can put it there himself, but we see that the Attorney-General has laid it on the record that he is one of theirs. It is not for me to defend the member for Frome but I think it just goes to show the idiocy that the Attorney-General peddles in this place.

As I was saying, there was a major outcry about country health, but I still believe that in the background the government still has plans to wreak havoc throughout country South Australia as far as hospitals and health care services are concerned.

Talking about gimmicks that have been brought in by this government, the member for Flinders mentioned the windmills that were barely functional, if at all; the little windmills that were supposedly to show how this government works on sustainable wind energy. We have the tram line that was built up King William Street—it blocks one lane of traffic and creates havoc for people trying to use King William Street—in an area that was already serviced by a bus service.

So, there was no net win for $31 million of investment, and now we see about the same amount of investment (about $30 million) on an overpass over South Road. We also see, as the member for Flinders pointed out, the proposal to build a so-called iconic hospital on the rail yards, which will not give us any chance to have the opportunity to develop it as a cultural and entertainment precinct.

There are issues with power supplies in regional areas. If anyone wants to they can talk to the people, as I do, in the Mallee at Pinnaroo and Lameroo about the power cuts that happen quite often out there, and when Australian Zircon was thinking about getting out there. It is sad to see that Australian Zircon is in caretaker mode at the moment. It would have been far better for the power supply to have been brought up from Tailem Bend so that the power supply through Karoonda, Lameroo and the Greater Mallee area out at Pinnaroo could have been increased by 50 per cent, but that opportunity was lost.

Also, we talk about roadwork in the state. There is almost 20 kilometres of road, partly on the Pinnaroo-Loxton Road and some on the Pinnaroo-Bordertown Road, which, quite frankly, needs a major rebuild. But no, does this government care about that? These are roads that service the Riverland to bring produce down from the Riverland and through to the Dukes Highway so that it can then be transported through to Melbourne or, by turning off at Pinnaroo, through to Sydney. But no, most people from the other side of the house would not have been anywhere near those two roads. The Dukes Highway should be duplicated.

There is talk about how this government has done so much for the regions. As far as water infrastructure goes, if it was not for the people in the Langhorne Creek-Currency Creek area doing it off their own bat in the planning stages, nothing would have happened. Admittedly, the government did come on board and assist down the track, but those people still had to find $10 million of their own money for the irrigation project. It is a tragedy that this government, while not actually having control, has been in charge of the demise of the Lower Murray and the Lower Lakes. Only in the past couple of weeks have we heard that two communities at Point Sturt and Hindmarsh Island, after years of battling and being told originally that they would have to fund $100,000 each per connection just to get potable water to their home, will now get it at a reasonable rate of about $3,500 per connection. But it took years of battling to get that.

In closing, in regard to regional funding, there is so much more to be done. I note the mining opportunities on the West Coast, on the Eyre Peninsula in the seat of Flinders, that could be taken up if only port, roads and power infrastructure and localised desalination plants were provided. There is so much potential in that part of the state. With those remarks, I commend the motion.

Ms BREUER (Giles) (12:02): I am not going to say very much because I do not think I need to say very much. I refer members to my grievance speech yesterday, when I talked about the impact of the mining boom on my part of the state. I am sure that the member is genuine in presenting this motion, but it is really pandering to that perception in the regions that nothing ever happens out there. We hear this constantly.

I know this is not true. I live out there; I know this is not true and I would say that, per head of population, people in our part of the state probably get far more than their metropolitan counterparts with the money that goes in. It is just incredible to consider the efforts we put in out there. When I came into parliament, in my first four years we got nowhere. Unemployment was incredibly high in my city and the rest of my electorate, but it has now gone down to about one-quarter of what it was. There are jobs out there if people want them.

When we came into power in 2002, there were four mines operating in South Australia. There are now 11 mines operating, mostly in my part of the state. By the end of next year there will be 16 mines operating. Mining companies are crying out for people to work for them. There are training courses going on everywhere. We are pulling in as many people as we can from all over the state.

Real estate has boomed in the cities of Whyalla and Port Augusta, and Port Pirie is starting to move. Our rents have got to such a price in our cities now that it is very difficult to get

professionals and public servants, etc., to come in because they have to pay so much more rent than in other parts of the state. So that is how well it has gone; in fact, it has backfired and is an issue, but it shows how well we are doing out there.

Yes, we have issues; yes, we have problems, but this government is looking after regional South Australia and we are doing a very good job of it. I went to a meeting this morning with the mayors of the three cities—Port Augusta, Port Pirie and Whyalla—at which we talked about the issue of an MRI in Port Augusta. We talked about Country Health and the fact that it is now coordinating the approach to health in our regions. No longer do we have this ad hoc situation of hospitals in the cities. Communities are trying to fight for the resources that are available. This is now being looked after and controlled very well by Country Health and making sense.

For example, they are looking at the whole concept of imaging X-ray machines; tenders have been out, and we will have out there a very satisfactory service which has been ad hoc in the past. So, this motion is just rubbish, an attempt by the member to get some attention, to get on the ABC and to have some notice taken of her.

I am very comfortable with what is happening in my part of the state. Yes, we can do more, and I will continue to lobby for more. My government knows that I will continue to do that. However, this is rubbish. She talks about gimmicks and icons, etc. This is a gimmick to get some attention.

Mr VENNING (Schubert) (12:05): I have heard some speeches in my time but I reckon the last one was a doozy.

Mr Kenyon: Better than any of yours.

Mr VENNING: At least I have been here 19 years. The member made an interjection but I doubt whether he has 19 months left in this place. We will see, won't we? I certainly commend the member for Flinders for this motion.

The Hon. A. Koutsantonis: 19 weeks, Ivan.

Mr VENNING: Is it only weeks until the election? The motion is very relevant because we have had a string of failures by this government. We have a big expectation on us out there. We talk about the mining boom but I think the member for Flinders has hit it on the head by moving this motion this morning.

I want to particularly concentrate on the shared services disaster. This was brought in to give efficiency in government and to centralise services to provide better services more cheaply. What do we see? Twelve or 18 months down the track we were supposed to see savings in the millions but we have a savings shortfall of $125 million.

To make it worse, we see that $2.2 million worth of rent has been paid on unused accommodation—empty accommodation—$2.2 million. However, if I am trying to get $2 million to upgrade the Gomersal Road, for instance, there is no money in the kitty but the government can hire empty offices which are not used and the cost blow-out for the whole project is $45 million.

Go to the seat of Chaffey and to Loxton and tell the people there this story and see what they think. The member for Chaffey is a minister in the Rann Labor government. Tell those people that they cannot get their infrastructure upgraded purely because the money is not there. In Loxton, particularly, we are seeing many government services being pulled out, including the department of agriculture's Regional Research Centre. There are four positions under threat in Loxton. That will hurt, I can tell you.

The member for that area is a minister in the Rann Labor government. How can she justify these cost blow-outs? The whole concept was ridiculous in the first place—absolutely crazy. The concept of shared services was wrong and unfair. In smaller communities these jobs are important but, most importantly, government workers in small towns are much more accountable. You can actually see them doing work.

Workers in the city are put inside a high building where they get lost and smothered in bureaucracy. They just sit there and a lot of them hide and do not attract attention. Only the other day we saw in the local media the huge increase in government workers being paid in excess of $100,000. That is a huge increase, especially when the Treasurer promised us that he would reduce the cost of the Public Service.

An honourable member interjecting:

Mr VENNING: The member says it is because of inflation. Inflation is right! It is ridiculous. Try to tell your constituents that you can justify those numbers. In the 2008-09 financial year there were 5,372 public servants earning over $100,000. That is the base salary in here. How can you justify having that many public servants on that level? Do you know why? The government has lost control. It is easy to go around and hit country communities with shared services programs. It is easy because it does not hurt your electorate, apart from the member for Giles—and she will be feeling that pain.

I am really upset that the shared services program has been a total disaster. Nobody on the other side of the house, particularly the member for Chaffey, can say it has been anything else but that. So, I do not know how she can justify that. I can assure you, Madam Deputy Speaker, that during the coming election the constituents are going to be reminded that she has served on the Rann Labor cabinet for all this time, and she has allowed this to happen with nary a word in this place, not one word, in defence of country people. So, who is she thinking about? Is she thinking about her constituents and regional South Australians? No, she is thinking about herself and her position within the government.

The Hon. A. KOUTSANTONIS: On a point of order, Madam Deputy Speaker, the member is implying an improper motive upon a member of this house, and he is not doing it by substantive motion, he is doing it by debate.

The DEPUTY SPEAKER: I will listen to what the member for Schubert has to say.

Mr VENNING: Thank you, Madam Deputy Speaker. I heard the point of order. Yes, it is a long bow, but I am happy not to continue along that line. However, I think that in debate we have to refer to the performance of individuals, governments and oppositions, of course. I am happy to take criticism myself, not personally but in relation to what I do. I thought I was reflecting on the member in relation to her performance as a member of this house and her representation of her electorate.

Anyway, I have said it and it is on the record and, no doubt, I will be saying it very much in the next few months, because I know from the time I have been in this place and working with members that when we were in government certain things were said at the time. I can assure members that I have not forgotten some of the things that were done and said, and people need to be reminded.

The DEPUTY SPEAKER: Member for Schubert, I suggest that you address the topic of the motion.

Mr VENNING: Yes. The next issue I want to raise is what the government has been doing in relation to the cons and trickeries and the general innuendo it puts out there. It is all about perception politics. I am very concerned about how this government cons the people by coming up with huge projects such as the new Adelaide hospital. We have dropped the name 'Marj', and I feel very sad for the lady and I cast no aspersions on her character. It is sad that this project is going to cost so much money. It will soak up all the money for health, particularly country health.

I am trying to get a new hospital for the Barossa. This new project would build 10-plus new hospitals in the Barossa—and that is just what we know about. I put on the record that there is every prospect that there will be a huge blow-out in the cost of this project, because when they try to clean up this site, who knows what they will find. My colleagues—and I in particular—are opposed to this new hospital. We support the upgrade of the Royal Adelaide where it is. We are on an electoral winner here because, even though the government is spending thousands of dollars of taxpayers' money on advertising, I do not think it will convince the constituents of its value. I think that building a new hospital on the rail yards is a further waste of money. It is all about perception politics.

Also, as the member said, in relation to the wind generators on government buildings, including the solar cells on this building, the government is spending big money purely on perceptions because we know it is not practical. I know it is good to have solar cells on this building. Is it a message? It probably is, but look at the cost. Do they have a practical use? No, they do not. So, I am most concerned about that.

I also put on the record that I am concerned about all of the wind turbines that have been built around our state. There is rising opposition to them. The member for Light would know that there is a move to put some wind turbines in the Barossa Valley, at Keyneton. I have not said anything publicly about this. If the people at Keyneton want to put these wind turbines on their horizon, I will not say anything about that. However, people need to go and have a look at some of

these beautiful areas where these windmills have been put across the horizon. All I can say is that, when the wind does not blow, or if it blows too much or it is too hot, they do not use them. So, I am most concerned about that.

I am very pleased that, in the last few days, a future Liberal government has made a commitment to spend money from the royalties of our mining industries in our regions, through the regional development boards. That is a proper move, and it is a low cost initiative. We created the regional development fund, and I believe this government ignored it. So I think the government needs to have a good look at what has happened in Western Australia in terms of the money it is spending in its regions. I understand that two Western Australian Labor MPs have defected; I may have it wrong, but that is my information. Two Labor MPs have defected on the government's total lack of support for country regions.

Time expired.

Mr PICCOLO (Light) (12:15): I will speak against this motion, because it is just a nonsense. I will not outline the government's achievements in regional and rural Australia; the member for Mawson has done that, and 10 minutes would not be enough. However, I would like to highlight some of the hypocrisy of the Liberal Party when it pretends to stand up for rural and regional Australia.

One of the Liberal Party's chances to stand up for regional Australia was in the Economic and Finance Committee, to support it in its inquiry into warranty issues regarding farm machinery. Every Liberal on that committee opposed it. That is how they show they are standing up for rural and regional Australia. I can tell the house that all the Liberal voters in my electorate know about it—and they are really happy with the Liberal Party; they think it is a really smart idea to vote against the inquiry!

Mr Venning: Right issue, wrong place for it.

Mr PICCOLO: Wrong issue, wrong place. In fact, the Liberal Party members said that it was a trivial matter not worthy of the committee's consideration.

Mr Venning interjecting:

Mr PICCOLO: Not worthy of our committee's consideration—

The DEPUTY SPEAKER: Order, member for Light! The member for Schubert will remain in his seat while another member is speaking.

The Hon. A. KOUTSANTONIS: I rise on a point of order. The member for Schubert stood up in an aggressive manner, attacking the member for Light and claiming that he was provoked when he was not provoked. He is being exceptionally disorderly and I ask that he apologise to the member for Light immediately.

Members interjecting:

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

Mr PICCOLO: As I said, the Liberal Party members on our committee said that the matter was too trivial and not important enough for the committee to consider. That is what they think about the farmers in our community. Then they went public and tried to justify what they did; they tried to shift the blame, saying that the Labor Party members opposed an inquiry into land tax. In fact, when they went out publicly they talked about tax reform generally—and I will get to that and to what they said.

This is how the Liberal Party demonstrates its support for rural and regional Australia. It opposes an inquiry designed to find out what is happening on the farms and how the machinery issue is impacting on the viability and productivity of farms. Wrong issue, wrong place the member for Schubert said.

Mr Venning: Right issue, wrong place.

Mr PICCOLO: Well, I say that it is the right issue, right place to discuss it, because we care about rural and regional Australia. In that same committee meeting the Liberal Party pulled a stunt, as it usually does, and put up a motion regarding land tax reform—just land tax. It is important to note the difference, because what it said publicly was quite different. They put this motion, and it was just a political motion, given that we had only a few months left of sittings. It

wanted to reform the whole land tax and the whole taxation system in a few hearings. It was a stunt, and they went out publicly with that.

That is fine, I can live with that, but within a fortnight the Liberal Party announced its land tax policy. So it was a stunt. Either it was not going to wait for an inquiry before it announced its policy or the member for Waite, in the committee, had no idea his party was forming a policy—which is probably more accurate. Liberal Party members have difficulty communicating with each other; they speak to other parties and other people, but not to each other. I know that the member for Schubert and the member for Hammond are quite embarrassed by their colleagues on the committee, because they voted for the farm machinery reference. They went out of their way to distance themselves from their colleagues—and I am not surprised; I can understand that, as most of them do. I do not have to be distanced from my colleagues because I support what my colleagues do on this side.

However, what is more important is the land tax reform issue. The government and the Treasurer have said that; in fact, the Treasurer is on record as saying that he would like to do more to reduce the land tax burden in South Australia if we could afford to do that as a state. The Liberal Party decides to have all these cuts in taxes but what it has not mentioned—but what the voters know—is the matter of any cuts in expenditure.

Mr Bignell: Smoke and mirrors.

Mr PICCOLO: Exactly. Some farmers came to see me in my electorate office this week, and they were all talking about land tax. I said, 'You've got a legitimate issue. It has to be addressed, and it will be addressed when the state can afford to do so. The Liberal Party is offering this,' and they said, 'We don't believe them.' These are farmers. This is your natural constituency. Your record speaks for itself.

You had a lame policy last time. When you do get a chance to support your rural people, you do not in committee and then go out in public and say all sorts of things. You do not have any credibility. As your federal member said, the Liberal brand is not worth a cracker at the moment. The Liberal brand is just not worth it, and that is why, in rural and regional Australia, Independents and regional candidates are popping up—the Liberal Party does not represent their interests.

Mr Kenyon: They're going backwards.

Mr PICCOLO: They are going backwards. Look at Frome, which is a classic example of where the Liberal Party got it so wrong. At the next election, I am quite happy to compare this government's record with that of the Liberal Party. I am happy to compare what we do and say with what it did and what it says it will do.

The member for Schubert raises shared services and the impact on the regions. Talk to the country communities about the impact on regions when they privatised SA Water, when they privatised ETSA, etc., with the reduction in public utilities in those communities, what happened then? The member for Schubert says nothing because he knows that the impact on those communities was devastating. He sat there quietly while his Liberal government did it. Where was he at the time to speak out for regional and rural Australia?

It is hypocrisy for the Liberal Party to say that it is concerned about small communities and the impact on them of the reduction in public services—because they did it, they led the way on it and they are the masters of it. With those comments, I oppose this motion.

Dr McFETRIDGE (Morphett) (12:22): I do love private members' time. I rise to support this motion moved by the member for Flinders. It is a very good motion, and I am sure that those who read *Hansard* will be able to sort out the wheat from the chaff—and there is certainly a lot of chaff in here.

The indisputable facts are that in 1993, when the Liberal Party came to power in South Australia, this state was an absolute basket case. Why did the then Liberal government lease out ETSA, or sell it, if you want to call it that? Ask the Auditor-General: because the state was a basket case. We had no money to do all the things that needed to be done. We worked very hard to recover the situation.

If you think it was the wrong decision, just ask Bob Carr and ask Iemma in New South Wales. Ask Ferguson, the federal minister for energy, what he is trying to support. Look at what Paul Keating did with the National Electricity Market. So, it was so wrong to sell ETSA? Well, buy it back, that is what I say to the government.

But let me get back to what this government is doing with its icons, its gimmicks and its tricks. This is a one-trick government—and it is one hell of a trick. It relies on pure populist politics. Don Dunstan did it: go back and read about the Dunstan decade, and it is there word for word. It is Hawker Britton and the same tricks all over again.

Look at water, for example: back then Don Dunstan was the general leading the campaign, now we have Premier Rann leading the campaign; then we had Mr Drip, now we have Captain Plop. The names have changed, but it is the same thing all over again. I emphasise the fact that they have no idea what they are doing, but they will make sure that they look like they know what they are doing.

Let's come back to the current situation in relation to roads: no transport plan, no transport policy and a $200 million backlog in road maintenance, not just in the metropolitan area but all over South Australia. One of the biggest causes of road accidents is poor road maintenance and poor road design, with $200 million of backlog. Ask the RAA what it thinks about that. What do we get? We do not get that fixed: we get a billion dollar 'superway' announced at Regency Park. The local member did not even know but, to top that off, my mate, the head of Infrastructure Australia in Canberra, when asked, 'What do you think of this,' said 'What?' He had no idea. The head of Infrastructure Australia had no idea that the Prime Minister is in South Australia spending half a billion dollars of infrastructure money.

There is no plan and no idea, yet for three kilometres of roadway the government will spend nearly $1 billion. That bit is the easiest part of South Road to negotiate, but the government will spend $1 billion on it. Instead of putting it back out into the regions, instead of doing the Victor Harbor and Port Wakefield roads and all the other roads in the regions, no: the government does the superway. Well, it is a super stuff-up; that is what it is, because there is no plan and no idea in this government. Not even the local member knew what the hell was going on. So, members opposite should not come in here and tell us they are fonts of wisdom. They know absolutely nothing about where the state should be, because they do not recognise where it has been. They are making the same mistakes again.

They have not recognised the past. Look at the Auditor-General's Report: net lending deficit, $1.541 billion; net cash deficit, $1.540 billion; net operating deficit, $304 million. The government is in debt, debt, debt, and it is driving this state further down the debt road. That is the only road this state is going down, because the government is doing nothing but spend. It is populist politics, mark 2. Dunstan did it, and who was the media adviser then? That man who sits in the Premier's seat now. He is a disgrace. He is not a leader's shadow, that man. He needs to come out and tell the people—

The Hon. A. KOUTSANTONIS: On a point of order, madam: the member for Morphett was saying 'That man'—pointing his finger at me—'was Don Dunstan's media adviser.' I was not born when Don Dunstan became premier of South Australia.

The DEPUTY SPEAKER: I think the minister has made a personal explanation to correct something on the record.

Dr McFETRIDGE: I apologise to the member for West Torrens for likening him to the current Premier. The member for West Torrens is a different person altogether. He would love some roads to drive on that are safe and able to be negotiated at safe speeds; I know that.

Let us go back to the biggest icon of the lot: 'Mike's Monument', the rail yards hospital. It was a disgrace the way this was handled, right from the word go. Michael Owen blew it out of the water when he pre-empted it in *The Advertiser*. They tell me the paint was blistering off the walls when it was announced, because Kevin Foley wanted to make the grand announcement for this icon down there. By the time it has been cleaned up, I guarantee it will be a $2 billion job down there. What the government wants to do in the meantime is bulldoze $1 billion we already have at the eastern end of North Terrace with a world class hospital, the Royal Adelaide Hospital.

For those members who have not been there, I suggest they look at that world class hospital, with the world class research facilities of the University of Adelaide next door. Look at the Hanson Institute; look at the dental and medical schools. Look at the University of Adelaide and ask: where is 70 per cent of the medical research in South Australia done? It is down there, next to the current Royal Adelaide Hospital. How much has been spent on upgrading the theatres and the burns unit? Where have you been in the past few weeks? Did you not you see that the burns unit at the Royal Adelaide got accreditation from the American Burns Association? That is the protocol, but it is also the place where it is now.

Down there we have world class facilities and world class people running those facilities, but members opposite want to bulldoze $1 billion into the ground. They do not want to save another half a billion dollars. They have already blown a billion dollars on Regency Road down there. With more talk, less action down there, they just do not know what they are doing. If, as the Treasurer said, we did not just redevelop but properly rebuilt the Royal Adelaide Hospital down at the east end of North Terrace, we would have half a billion dollars spare and we would have a world class facility that would last for years.

The Royal London Hospital is 700 years old. What are they doing? They are rebuilding it. St Bartholomew's next door was built 900 years ago. They are rebuilding it. What about the Royal North Shore? They rebuilt it; they did not shift it somewhere else. It is a hospital that the Institute of Architects was told is going to last probably 50, 60 or 70 years—that is all. So, what will the government do—build another hospital at a cost of another couple of billion dollars so that this one can be turned into a museum or an art gallery? What this government is doing to health in South Australia is an absolute travesty. It is wasting money that needs to be spent on putting doctors and nurses in the front line. This is not about egos. This should be about delivery of services to the people of South Australia. What this government is doing is an absolute disgrace.

Let us look at Glenside. The government wants to mix seriously ill people over there with an industrial site. The film hub is not a cultural site: it is an industrial site. The government wants to mix seriously ill people with an industrial site, a commercial retail site and with high density housing. It is a disgrace! It will be to Jane Lomax-Smith's shame.

Then there is the matter of renewable energy—great, fantastic! Wind turbines, solar—fabulous! If you could get the sun farm at Umuwa on the APY lands working full speed, that would be wonderful, but it has not happened—promises, promises, promises! And what do we see from this show pony government again? It goes and spends nearly $300,000 on putting some wind turbines down at the Somerton surf club. The local member did not know about the superway. The local member did not know about the wind turbines at the Somerton surf club. People who know far more than I know about this matter estimate that the savings would be about $2,800 a year. So, it would take 100 years to pay those off. That is great economics. That is wonderful stuff. The local member did not know; the community did not know, and when the community and the local member found out, what happened to the turbines? They were stopped.

I understand that the sea rescue squadron want them now, or they might go out to Monarto Zoo—a much better proposition for them out there. Local members are not told by this government what is going on. It is the four horsemen of the apocalypse on their trick ponies; they are the ones running the show. All the backbenchers can stand in here and try to protect them, but we know that it is just pontification. The fact is that this government has done nothing. It stuffed up the state in 1992-93, and we spent eight years resurrecting it. It has had rivers of gold for the last eight years. There has been a bit of a hiccup lately, and, what happens? It turns to mud. It is a hiccup.

Members interjecting:

Dr McFETRIDGE: Well, there is world financial disaster but, according to the Treasurer, South Australia does not have a problem.

Members interjecting:

Dr McFETRIDGE: Look at the debt.

The DEPUTY SPEAKER: Order! The member for Newland.

Mr KENYON (Newland) (12:32): Is there any real doubt about the reason the Liberal Party is in such trouble in this state when it describes the global financial crisis as a hiccup? With that level of economic literacy on the other side, it is no surprise that they are wallowing in their own misery—no surprise at all—but we will come back to that.

What I would like to talk about very briefly—because I know that other members are champing at the bit—is the member for Flinders' assertions on infrastructure for mining. Her view seems to be that the government should just wander around the desert in this state, just plonking infrastructure in left, right and centre—a great big circle powerline, big pipelines, gas pipelines going all over the place. Build it and they will come. It is the field of dreams strategy for infrastructure. The problem with that, of course—other than the fact that we would spend large amounts of money on infrastructure that would never be used in some areas—is that you have to match the infrastructure to the demand. Even better than that, if we take the example of Charles

Court I (the elder) in Western Australia, the best result is for the companies to pay for it. That is what happened in Western Australia.

We hear members opposite raving about the greatness of mining companies and how the government should waltz out there and spend billions of dollars on infrastructure, laying infrastructure carpets down all over the desert, just for the good of these companies, when that is not what the Liberal Party has done on previous occasions in other states. What we are seeing is just a cargo cult mentality from the opposition. It is socialism run riot; it is socialism gone mad.

The Hon. S.W. Key interjecting:

Mr KENYON: The member for Ashford is appalled, but she is appalled because the purity of the socialism has been completely destroyed by the opposition. Take the Western Australian example. We see them applauding Western Australia and the Royalty for Regions program over there—something they were upset about.

The Hon. R.J. McEwen: They support that now.

Mr KENYON: They love it now. After, I think, the intervention of the member for Chaffey they suddenly have a new-found love for Royalty for Regions, but what they fail to realise is that that is all based on infrastructure built by private companies. In fact, it was the federal Liberal government, the Howard government, that took that a step further and opened up that private infrastructure through the ACCC to third party access for the good of the state, not just for the good of the company.

You had the public good of having the mine developed funded by the companies and you had the public good of other mines being developed using infrastructure already developed by the first companies, and that is a rational way to go about it. That is how a proper Liberal Party should be behaving, but we do not see that from that economically illiterate group over there. What we are seeing is just splashing money around. We had the member for Hammond in here before calling for the duplication of the Dukes Highway—just barrel it out, roll it out. Now we have the member for Kavel supporting it, and that is another $1 billion.

Let's think of something while we are here—I know, let's roll out a highway! This is great. They come in a roll. It is like carpet. You just roll it out; it is cheaper by the square metre. What we are seeing is a completely economically illiterate and incompetent opposition just flailing about for some sort of way to criticise the government. There is not even some sort of rationale behind it. There is no economic rationale behind it, there is no strategy; it is just flailing in the darkness. It is like when your little brother comes at you with both arms swinging and he says, 'I'm going to come this way, eyes closed with my arms swinging and, if you just happen to get in my way, it's your fault.'

That is what we are seeing politically from members opposite; that is their economic strategy. I just cannot believe it. This is the party that produced Charles Court, Jeff Kennett and Nick Greiner, and this is what we are seeing.

Mr Venning: Land tax will kill you.

Mr KENYON: Yes, yes. I think that if we are ever going to see a Liberal government returned any time in the near future it just has to have some sort of policy. Government is not about attacking, government is not about whingeing, whining and carping from the other side; government is about policy. It is about doing things, having plans and thinking things through in a rational manner, and we have not seen that—

Mr Bignell interjecting:

Mr KENYON: Sorry. I apologise to the member for Mawson, one of my marginal seat colleagues. If you are going to come in here and expect to launch indiscriminate attacks with no strategy, with no policy behind them, with nothing, no thought and no idea, how do you expect to ever get into government? How do you expect to do that?

I am quite happy for you never to be in government because I have a vested self-interest in your never being in government. All we are seeing is personal attacks, we are seeing indiscriminate attacks and a complete lack of communication. And I acknowledge the presence of the father of the house in the chamber today.

This is what needs to happen. This sort of motion being moved is just more whingeing and whining. It shows a complete misunderstanding of how government works and the need for policy. It is a prime example.

The Hon. R.J. McEWEN (Mount Gambier) (12:38): I stand now in some fear because the member for Stuart has just joined us and I am sure that that means another speech before lunch when I was hoping to go to lunch without indigestion. Isn't this a hoot? This is about six sitting days before the opposition has to start telling the people of South Australia that it has some policies of its own, because this is that pointy end where you do not just spend your time criticising those people who are in government trying to do the best they possibly can, it is your time to say that you stand for something. And, of course, they do not stand for anything, or they stand for so many things.

Their policy on water is interesting. Recently, five people have made public statements. Secker, Williams, Pederick, Whetstone and Redmond have made statements in terms of water and, believe it or not, they were five entirely different statements: one topic, five spokespeople, five positions. So, you can see what the problem is. You can see why total denial and total disarray yesterday became total shame. When nothing else is left, what do you do? You get in the gutter! The people of South Australia want to hear from you in terms of what you stand for.

In telling people what you stand for at the next election, you also have to reflect on what you did when you were occupying the Treasury bench. For example, in relation to health, we have been told that what you do with hospitals is rebuild them. Why then did you tell the people of Mount Gambier that you do not rebuild hospitals? Renovating a hospital and rebuilding on a site is too expensive. It puts patients at risk and you have to find an alternative to provide the services while you are doing it. What do you do? You build a new hospital on a greenfields site. That is what you told the people of Mount Gambier. Why do you now tell the people of Adelaide something entirely different? Was it true then and not true now?

The people of Mount Gambier simply say, 'That's what you told us at the time and that's how you justified building a new hospital.' I might add, of course, that the new hospital has 92 beds and the old hospital had 220 beds. You cut the nursing staff by 40 per cent. You sent the deficit spiralling downwards. I do not need to spend more time on it, but I simply say that the people of South Australia will judge you on your past—and here is just one example. The member for Schubert sits their shaking his block head. He will be held just as accountable—

Mr VENNING: I have a point of order, sir. That is against standing orders. I ask him to withdraw the remark.

The ACTING SPEAKER (Mr Piccolo): The member for Mount Gambier will be more temperate in his language, please.

The Hon. R.J. McEWEN: I do not think there is anything unparliamentary about using the word 'block'. The point I am trying to make is that—

Mr VENNING: Mr Speaker, this is a reflection on my character and I ask him to withdraw the remark.

The ACTING SPEAKER: The member takes offence, so you might be able to use the word 'round' but not 'block', please. The member for Mount Gambier will withdraw the remark.

The Hon. R.J. McEWEN: As much as I was reflecting on the shape rather than the substance, I will withdraw the remark. Unfortunately, with the interjection, the honourable member said that he will stand on his record. One of the first things I learnt in this place was a trick at which he excels; that is, you say one thing and you do another because that gives you total cover wherever you go. For example, we debated the City of Adelaide and a dump at Wingfield. The member for Schubert came in here and argued the City of Adelaide's case and voted the Port Adelaide case. Why? Because he would find out where someone stood on the subject and either say, 'That's the way I voted,' or, 'That's the way I spoke in the house.' That is just one example. I will not bore the house with further details, but I have a whole list of them. A lot of people can learn from the member for Schubert in terms of both sides. It is brilliantly well done. Let me come back to the point I am trying to make. The second issue is infrastructure.

Mr Venning: A deal was struck with both councils and that is why we changed our mind.

The Hon. R.J. McEWEN: Well, I will not give any more examples—that is just one example—because it is all on the record.

Mr Venning: That's bullshit, absolute bullshit!

The Hon. A. KOUTSANTONIS: I have a point of order. The Leader of the Opposition has repeatedly said that she does not want to hear foul language from her members. The member for Bragg used offensive language on radio and now in this sacred chamber the member for Schubert has used a profanity that I find grossly offensive.

The DEPUTY SPEAKER: Minister, there is no point of order, but the member for Schubert should remember where he is.

The Hon. R.J. McEWEN: I want to continue on this notion of what they say will not be reflected in their policy—if they have one. Let me give a second example, which involves road infrastructure. The fact is that the South Australian Farmers Federation and all those downstream industries that have to take commodities from farms to export will tell you that it is the last mile that matters. They want the infrastructure money spent, not necessarily close to the farm but, rather, as close to the port as possible because that is where the congestion is. They come in here and say that is a waste of money because we are spending it in Adelaide. No: we are spending it on the last mile. We are spending it on that freight transport route somewhere between where it is aggregated at properties to where it is exported. So it is the best way.

The South Australian Farmers Federation will tell you that is where they wanted the money spent. Then the Liberals come in here and say we are not spending money in the country. Well, make up your minds! You want the money spent in the most appropriate way to achieve the greatest value, to take the bottlenecks out of the system, which is the last mile, but that does not suit you in the electorates. So you go to your electorates and say the government is wasting money somewhere else.

Mr Venning interjecting:

The Hon. R.J. McEWEN: I would like to hear the member for Schubert stand up here in a minute and say the South Australian Farmers Federation is wrong, everyone else is wrong but him, and we want the money spent in his electorate. Rubbish! They ought to have the guts to come into this place and say that when it comes to freight transport it is the last mile that matters. The problem they have got—

Mr Venning: Leave jobs in Loxton! And that's not my electorate. It's your friend's.

The Hon. R.J. McEWEN: You can see the problem they have got. Between now and next March—

Mr Venning: A good old Independent, aren't you? You are a good Independent.

The DEPUTY SPEAKER: The member for Schubert will cease interjecting.

The Hon. R.J. McEWEN: Unfortunately, now I need to add something else, because he says 'good old Independents', and we say that as well. We have proved the point with good old Independents. What do we have the Deputy Leader of the Opposition announcing in Mount Gambier last week? He said the Liberal opposition supports royalties for regions and, what is more, he told our people it had been their policy for 18 months, and they just looked at him gobsmacked. Do members know that a month ago they were saying they did not support it? If it was their policy 18 months ago, why would they not have said something the morning of our conference? That would have deflated the whole conference.

Who are their strategists or, more importantly, what is their policy? I do not believe that 18 months ago they even considered royalties for the regions, so why would they go to the committee and say, 'That is the policy we have been developing for 18 months,' and a month ago they are denying it? They have to get one script. They cannot have five people speaking on water having five different positions. Do you know what the Liberals have to do between now and next March? Somehow, they have to find a policy.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (12:47): Two shadow ministers in a period of 20 minutes spent $1 billion in this chamber. The shadow minister for agriculture wants to duplicate the Dukes Highway and the shadow minister for health wants to rebuild and relay Port Wakefield Road and Victor Harbor Road. They just got up, had a stream of consciousness and vomited it out into the chamber. If you wish to govern this state, if you wish to put yourself forward as an alternative government to the people of South Australia, they expect a few things from you. They expect financial literacy and they expect you to be able to pay for what you wish to do in a responsible

manner. In order to try to win a debate, the Liberal Party just spent $1 billion, just now, in 20 minutes.

There is no fiscal restraint by members opposite and, if members can just walk in and do that, what they are really saying to us is that they do not expect to win. They cannot win based on their policies and they cannot win based on their arguments, so we have seen now a new tactic emerge from the Liberal Party, and that new tactic is the politics of smear, the politics of innuendo, and the politics of smoke and mirrors. It is the politics of not attacking the idea or proposing the idea. It is the politics of dog whistles. The policy is one of standing up and asking the Premier a question and sitting down and walking away and hoping that the void that is left with the innuendo in the question is filled with sleaze. That is their policy.

I will put this to members opposite. The new Leader of the Opposition did two things when she became leader. She said that she wanted the new Liberal Party under her leadership not to use profanity. Her then chief rival for that position went on radio and used words like 'shit' and 'turd' and another word I will not repeat. She then held a party room meeting, where she told her members not to mention the Premier and his attack. An hour and a half later, the Hon. Rob Lucas walked into parliament and mentioned it.

I give her two options: she is either a hypocrite or she has lost control of her party. She can choose—and I do not mind which—one of those two. Yesterday, in unprecedented scenes in this parliament, the Liberal Party nosedived from the highest platform it could into filth. Liberal Party members did so because they cannot win based on ideas or policies. So, what they do is play the man, not the policy. They cannot do it any other way.

I say that Liberal Party members have two options between now and March. They can come up with costed policies and ideas and let us have a campaign of ideas. Let us talk about it. The Liberal Party has put forward a policy that it wants to build the new Royal Adelaide Hospital on its current site. We say that we want a new greenfield site. Fine. It is a very important point of difference. We have our arguments and they have theirs. That is fine; let us fight it on that. However, the Liberal Party uses question time to ask questions about people's personal lives and to make innuendo—

The Hon. M.J. Atkinson: And based on false, non-existent sources.

The Hon. A. KOUTSANTONIS: Well, they have done that before. However, we will not have that debate. They will not debate us on the new Royal Adelaide Hospital because the member for Schubert wants the government to close two hospitals in his own electorate to build a brand new one on a greenfield site. Why? To lessen disruption, to not jeopardise—

Mr Venning: To get a new hospital.

The Hon. A. KOUTSANTONIS: Get a new hospital; that is right. Do these arguments sound familiar? Oh, that is right. It is the same argument with respect to building a brand new hospital on a new site, a greenfield site. However, they will not use that argument.

Mr Venning interjecting:

The DEPUTY SPEAKER: Order! The member for Schubert is warned.

The Hon. A. KOUTSANTONIS: Instead, they come in with baseless personal attacks. They screamed foul over a DL newsletter that we put out in their marginal electorates. They did not dispute one single word of our pamphlet as not being factual: they argued about the reply paid address. That is what they argued about. There was no policy debate; they argued about the reply paid address. That is what we are up against: a party that will do and say anything to win a vote, no matter how untrue it is.

Members opposite do have some policies that they want to go out and argue. Land tax is one of them, the hospital site is another, and also their stormwater policies; they want to go out and argue these policies. How many questions were asked yesterday about the new Royal Adelaide Hospital? None. There are seven days of parliament left, but have they asked a question about the new hospital? No. What did they ask? Sleaze, gutter politics, filth and vile innuendo. I just say this to members opposite: those who live in glass Taj Mahals should not throw stones.

Mr Venning: Don't look in the mirror—

The DEPUTY SPEAKER: Order, the member for Schubert!

The Hon. A. KOUTSANTONIS: I say to those members opposite who think that the path Isobel Redmond is taking them down is no good that now is the time to stand up and be counted. Principles only matter when it is tough to hold onto them. Now is the time for them to stand up and tell their leader that they do not want to follow her down this path. Now is the time to stand up and be counted.

Mrs PENFOLD: Madam, I rise on a point of order: relevance.

The DEPUTY SPEAKER: The member for Flinders is brave raising relevance at this stage. The minister.

The Hon. A. KOUTSANTONIS: Now is the time for members to stand up and be counted—and I look to the father of the house, who has carried himself with dignity in this place for over 40 years; a man who can hold his head up high.

An honourable member: He didn't like it.

The Hon. A. KOUTSANTONIS: He did not like it. He would never say it. He does not rat on his friends; he never has. He stuck with Dean Brown when there were those who did not. He has always been a man of his word. Have you noticed how he walks out of parliament when those questions are being asked? He will not attack his own party. He will not say anything, but we all know, deep down, that the Hon. Graham M. Gunn does not support the path the Liberal Party is taking. And why is that? Because it is not a battle of ideas. Sir Tom Playford looking down on the lot of you is disapproving. You have destroyed his legacy; you sold his assets; you have ruined his memory; and all you have left now is buckets of mud to throw.

The Hon. G.M. GUNN (Stuart) (12:55): I have listened with a great deal of interest to what has been said here today and I say to members, if you start a fight and you kick someone in the ankle, expect it to come back; and the day that you authorised this obnoxious document I have in my hand to be sent around the electorate, you had to expect that a few ankle kicks were going to come back. I have been the victim in my own electorate of this sort of material—quite malicious, inaccurate and misleading—being sent around implying all sorts of improper actions on my behalf, none of it true. This document which—

The DEPUTY SPEAKER: Order! Member for Stuart, I suggest you have a look again at what the motion is.

The Hon. G.M. GUNN: I will, madam, and I will do it with pleasure, because I point out to the minister, the house and the member for Mount Gambier that it is the role of members of parliament to bring to the attention of the government and ministers matters which they believe are important. It is the role of government to set the priorities, and if members do not bring those issues to the attention of the parliament, they will not be considered. So, to say that members should not raise them is an absolute nonsense, because that is what we are all here for. Ministers of the day are handed the grave responsibility of setting the priorities, and they will be judged accordingly.

If someone puts up a project, what you are doing is asking the government to consider it, and you put forward the advantages and the disadvantages. That is the proper role of government and it always has been and always will be. I say to the member for Mount Gambier, following his criticism of what we stand for, that when we raised the very important issue of desalination for the people of this state, we were castigated. The member for Davenport raised it after having been to Western Australia. So, we did have a policy; we led the way.

To the member for Mount Gambier and those who are racing around either directly or indirectly saying that the answer to the problems of South Australia is to promote a group of Independents, I say that that is fooling the people of South Australia, because the best result for the people of this state is to have two effective political forces comprising either a centre left or a centre right grouping. It is doing the people a grave disservice to put this myth around that having these Independents is going to create good government.

I say to those who are promoting this that, at the next election, they have to tell the people of South Australia whom they would support in the event of a close election. We want to know, and the people of South Australia want to know. Where do government members stand? They are not going to get away with being nice to both sides. We are going to make sure that they stand up, own up and tell the people exactly what they stand for. You cannot be like Fred Astaire, quick on your feet, because you will get caught on the barbwire fence. I want to know, and I ask the member for Mount Gambier and the member for Frome: who do you support? Tell us whether we have two

Labor candidates or one in Frome. Who do we have? Who are we going to have elsewhere? The people are entitled to know.

This motion put forward by the member for Flinders is a clear example of the member drawing to the attention of the house the need for a debate on the big issues which are affecting people: what sort of infrastructure we should have, when we should have it and where. She would be failing if she was not promoting infrastructure in her electorate. I would be failing and so would the minister at the table if he was not promoting good things for his electorate. That is what we are here for. We are elected as members of parliament to discuss these issues, and so I am happy to participate in this debate.

I could give you a very long list of infrastructure projects. One example is when the government bureaucracy and the minister would not support the increase in the capacity of the aged care facility at Peterborough, and this is a very important issue. That community had $700,000 in the bank and Sir Humphrey Appleby 1, 2 or 3 would not put an application into the commonwealth because it might cost the state taxpayer some money. Those sorts of issues need to be brought to the attention of this house so that we can have an informed, responsible debate on them. I regret that I am only halfway through my remarks.

Debate adjourned.

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

GOYDER ELECTORATE, ROADS

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition): Presented a petition signed by 2,396 residents of the Goyder electorate requesting the house to urge the government to provide an increased budget for major upgrades to be carried out on the many deteriorated road networks that exist within the Goyder electorate.

OMBUDSMAN'S REPORT

The SPEAKER: I lay on the table the report of the Ombudsman for 2008-09.

Report ordered to be published.

PAPERS

By the Treasurer (Hon. K.O. Foley)—

Water and Wastewater Prices in Metropolitan and Regional South Australia 2009-10—
Transparency Statement—Part A Report
Transparency Statement—Part B, Inquiry into by Essential Services Commission
Transparency Statement—Part C, Government Response to Inquiry

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

Guardian for Children and Young People—Annual Report 2008-09

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

Phylloxera and Grape Industry Board of South Australia—
Report 2008-09
Financial Report 2008-09

ANSWERS TO QUESTIONS

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

DESALINATION PLANT

In reply to **Mr WILLIAMS (MacKillop)** (13 November 2008).

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security): I confirm that the cost of the Adelaide Desalination Project includes the Transfer Pipeline from Port Stanvac to Happy Valley, the Power Supply Infrastructure and the associated Preliminary Works and facilities.

In May 2009, the State Government announced that the capacity of the Adelaide Desalination Plant would be doubled to 100 gigalitres per annum. The 100 gigalitres plant will cost $1.824 billion.

CONTAINER DEPOSIT LEGISLATION

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) (14:09): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: We all know that South Australia's container deposit legislation—like our ban on non-reusable plastic bags—is leading Australia in the fight against litter and reducing rubbish in our landfill, waterways, parks and roadsides. Container deposits were introduced in South Australia in 1977 and, until a year ago, the deposit of 5¢ per drink container item had been paid when they were returned to a recycling depot.

Millions and millions of containers, which would otherwise have made their way into landfill, or just left on roadsides or in waterways, have been returned to recycling depots over the past 32 years. It was a very simple and innovative piece of legislation that has been a clear and obvious success, yet no other states in Australia have taken it up, which still astonishes most people in this state.

I am told that the nation's environment ministers will gather in Perth next month and that our Minister for Environment and Conservation will again be taking it up with his counterparts. As part of his presentation, the minister will also be presenting the latest figures on the success of this legislation to the meeting.

A year ago, this government doubled the deposit on drink containers from 5¢ to 10¢. Representatives of the beverage industry considered this to be a controversial move. They thought that the increase was the wrong way to go, which is exactly what they thought 32 years ago when the original legislation was introduced. Nothing could be further from the truth.

The latest figures show that return rates increased significantly in the first full year after the refund increased from 5¢ to 10¢. Do you remember that people said it would not make any difference? Well, here are the figures. The total number of containers returned in the first full year of the 10¢ refund was about 77 million more than the number returned in 2007-08. So an extra 77 million containers were picked up as a result of going from 5¢ to 10¢.

I am informed that those who collect and recycle drink containers returned nearly 600 million containers, which equates to more than 48,000 tonnes of containers that are not going to landfill. Incidentally, this has returned to those who recycled their containers more than $59 million in refunds between 1 September 2008 and 31 August 2009. That is, by the way, a $33 million increase in refunds over the previous financial year. So, clubs, charities, scout and guide groups, football clubs, netball clubs—a whole range of charities—have picked up an extra $33 million on the previous year.

This is good news for all those charities and clubs that collect cans for pocket money and of course it is even better news for our environment. The return rate has increased to 77.7 per cent, which is up 7.7 per cent on the average return rate for the previous three years and, according to the minister, some individual depots are reporting anecdotally that ongoing return rates are even higher.

There is no question that South Australia's container deposit legislation works, and it works outstandingly well. South Australians have a right to feel proud about this initiative, as they have a right to feel proud about the ban on non-reusable plastic bags. Let us hope that the other states have the guts as well as the foresight to do the same.

POLICE COMPLAINTS AUTHORITY

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (14:06): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: Today I am pleased to report to the house that investigations into complaints against police by members of the public will enter a new era. I can today announce

that Ms Sarah Bolt has been appointed as the new Police Complaints Authority. She will start in the position in December. Sarah brings extensive experience of complaint resolution to this position along with a history of practising law, which will provide her with the necessary skills.

During her time as Tasmania's anti-discrimination commissioner, Sarah Bolt improved the reputation of the office by working closely with interested parties and streamlining the complaint handling process. She also had a cooperative relationship with other agencies, which is an important element in the new role.

I believe Sarah Bolt will be a fine replacement for retiring Police Complaints Authority head Tony Wainright, who has served as head of the PCA for the past 14 years. Mr Wainright has done a sterling job in those 14 years. It is not an easy job, but he carried out his work professionally, thoroughly and with integrity. I thank Mr Wainright for his contributions and wish him the best for his future.

The PCA is responsible for the independent oversight of the investigation of complaints against police by members of the public. It is independent of South Australia Police. It is responsible to parliament and reports to the Attorney-General in administrative matters. The authority receives complaints about the conduct of police officers; oversees complaint investigations conducted by SAPOL; assesses the merits of complaints; resolves complaints by conciliation where that is possible; recommends disciplinary or remedial action; and reports to parliament on the handling of complaints against police. I congratulate Sarah and I wish her the best of luck for the next seven years in her new role, and I look forward to another successful era of the Police Complaints Authority.

VISITORS

The SPEAKER: I draw to honourable members' attention the presence in the gallery today of students from St Paul's College, who are guests of the member for Torrens.

QUESTION TIME

PANORAMA TAFE

Mrs REDMOND (Heysen—Leader of the Opposition) (14:10): My question is to the Minister for Employment, Training and Further Education. As it is now 24 hours since the minister's answer to my question regarding the closure of Panorama TAFE, can the minister now advise the house whether a meeting was held with the staff of the Panorama TAFE and whether they were advised of its pending closure? In the house yesterday, the minister stated:

> If there has been a meeting held at Panorama and staff have been advised that the 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 my chief executive 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 Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:11): I met with Mr Raymond Garrand, the chief executive officer of DFEEST, at approximately 10.30 this morning with a view to obtaining further advice on that particular issue. He informed me that no meeting has occurred in which there was any discussion about the imminent closure of that particular TAFE site. I would just like to add—

Members interjecting:

The SPEAKER: Order! I will not tolerate a repeat of yesterday's performance.

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned and can consider it a first and final warning.

The Hon. M.F. O'BRIEN: If I might add, Mr Speaker, this year we have committed $70 million to the upgrading of TAFE facilities ($50 million for physical infrastructure and $20 million for a new student information service to deliver e-training) and created an additional 56,000 new training positions at a cost of $157 million; and we are now experiencing a 30 per cent increase in enrolments over last year. This is not an indication of a state government in retreat from its obligations to the TAFE system. It is a firm commitment to an increasing role by the state government in this sector.

CRIME STATISTICS

Ms SIMMONS (Morialta) (14:13): My question is to the Minister for Police. Can the minister advise the house of the latest official South Australia Police crime statistics, and is he aware of any comments relating to those statistics?

The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (14:13): I am pleased to announce that official South Australian police statistics show that for 2008-09 victim reported crime has fallen by 8 per cent compared to 2007-08. Since coming to office, the crime rate has fallen by a massive 32.7 per cent, after rising to record highs under the previous government. Quite simply, that means one in three crimes are no longer occurring and people are much safer in South Australia and less likely to become victims of crime than they were under the previous government. These statistics show that the biggest falls have been in the areas of robbery, down 24.5 per cent; serious assault, down 39.7 per cent—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. WRIGHT: —serious criminal trespass, shop, down 58.5 per cent; and theft, illegal use of motor vehicle, down 52.5 per cent. We as a government are extremely proud—

Mr PENGILLY: Mr Speaker, I rise on a point of order. I refer to standing order 131. I cannot hear the minister's response over the noise of the Attorney-General.

The SPEAKER: I cannot hear the minister's response over the noise of members to my left.

The Hon. M.J. WRIGHT: We as a government are extremely proud of these figures. They demonstrate that our commitment to recruit record numbers of police is working. They demonstrate that, when properly supported by government, the dedicated men and women of the South Australian police force get results. Under this government, SAPOL's funding has increased by 79 per cent since the last Liberal budget. We have returned muscle to a police force that was starved of resources under the previous government. More police, more police stations, better resources, modern policing practices and tougher laws are making South Australia a safer place to live and raise a family.

While this government continues to focus on making South Australia safer, the opposition continues its campaign, trying to discredit the good work of our hardworking men and women in uniform. In a recent interview on the ABC, the Leader of the Opposition said:

> This government says that crime has reduced under their watch, but the reality is that overall crime may have been reduced but the number of homicides and violent attacks has actually gone up.

The Leader of the Opposition is wrong. Since 2002 offences against the person or violent offences have fallen by 2.1 per cent: murder has fallen by 21.2 per cent; serious assaults by 39.7 per cent; assaults against police are down by 16.3 per cent; and robbery is down by 24.5 per cent. Last week, the shadow minister for police took the Liberal smear campaign to a new level. In a media release dated 20 October 2009, the Hon. David Ridgway said:

> SA police crime statistics raise concerns about the manner in which crime is recorded in SA because they do not reflect the number of violent attacks that are regularly reported.

His remarks are not only an insult to the Commissioner of Police but to the thousands of men and women in uniform. To accuse our police of fiddling the books is an attack on the integrity of our Commissioner of Police. The assertion is without foundation and totally contrary to the facts.

The South Australian community can have full confidence in the way SAPOL manages its crime statistics. SA Police recognises that crime statistics are an integral part of maintaining community confidence. I am confident that procedures put in place by the commissioner with regard to the reporting and recording of crime could withstand the highest level of scrutiny.

The commissioner has this government's full support and condemns this baseless attack on his integrity and that of the South Australia Police by the Liberal Party. This kind of shoddy work on law and order is what we have come to expect from the Liberals. It demonstrates that they simply do not understand.

Mr VENNING: Point of order! The minister is debating the question.

The SPEAKER: Order! I think the Minister for Police has somewhat strayed into debate.

BUILDING THE EDUCATION REVOLUTION

Mr PISONI (Unley) (14:18): My question is for the Minister for Education. Can the minister clarify the situation with regard to BER funding for DECS schools with multiple campuses and whether decisions to fund them as a single entity for the purposes of the BER were made by the state or federal education minister?

In response to a question from the governing council of Eastern Fleurieu School, which is a multicampus DECS school which will be funded under the BER as a single entity, the minister advised:

> Despite representations made by the department, the multi-campus Eastern Fleurieu School is classified by the Commonwealth as one school. It is therefore only qualified for one set of grants under the Commonwealth's Building the Education Revolution program.

Yet, when the federal member for Mayo, Mr Jamie Briggs, sought clarification from the federal education minister on the school's behalf, he was told by the federal education minister:

> In the case of government schools, it is the relevant state or territory education department that provided advice to my department as to which schools are separate school identities and which schools are multi-campus ones.

So who knows their stuff? The minister or Ms Gillard?

The SPEAKER: Order! The member for Unley will take his seat.

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:19): Let us just put this in context. This is the $14.9 billion investment in school buildings that they opposed. This is the $14.9 billion investment in Australian schools—

Mr PISONI: Point of order!

The SPEAKER: Point of order, member for Unley.

Mr PISONI: This is about who knows their stuff. Is it the federal minister or the state minister who is right? Who is wrong here?

The SPEAKER: Order! The member for Unley will take his seat.

The Hon. J.D. LOMAX-SMITH: If members recall, the federal Liberal Party voted against spending $14.9 billion in Australian schools. As they voted against that $14.9 billion, they were also opposed to the $1 billion being spent in South Australia. So here we have an opposition that does not want the money spent on our schools and that is now complaining about—

Mr PISONI: Point of order, Mr Speaker. The minister is not answering the question. We have a situation where we have very detailed answers—

The SPEAKER: Order! The member—

Mr PISONI: —from government ministers to government backbenchers—

The SPEAKER: —for Unley will take his seat.

Mr PISONI: —and no answers to—

The SPEAKER: Order! The member for Unley will take his seat. The minister must not debate the question.

The Hon. P.F. CONLON: I rise on a point of order. Again I point out that the member for Unley, in his usual fashion, ended his question with a quite improper political message.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Sorry; what's your problem, member for Unley? I've got to say—

Members interjecting:

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

An honourable member interjecting:

The SPEAKER: Order! The member for Unley did do that, but I ask the minister not to compound the offence by imitating the member for Unley's bad behaviour. The minister for education.

The Hon. J.D. LOMAX-SMITH: I thank the Speaker for his timely warning; I would not like to behave like the member for Unley. The BER funding package was a $14.9 billion investment in schools across the whole of Australia, and South Australia benefited to the tune of about $1 billion. This is a huge investment not just in every public school but in every private school in our state, and the amount of money going into these communities was spread across not just the metropolitan area but across regional areas as well.

The inference from the member for Unley is extraordinary, because he is suggesting that the state government, in supporting the bids by our schools for the fund that the opposition opposed (I just want to remind members of that), supporting the bids against that $1 billion investment in South Australia, that we should not tell the truth. It would be his assertion that we should say that these schools were not, in fact, treated as one school; they were treated as multiple schools. It may be the way he would behave in dealing with the commonwealth; I have to say that that is not the way our government operates.

This government has behaved in an exemplary manner, and that is why our school funding support for the BER has been so extensive.

Ms Chapman interjecting:

The SPEAKER: Order, member for Bragg!

The Hon. J.D. LOMAX-SMITH: The leadership we have shown both in making sure that we could get these projects in on time and within budget has been enormous. We have really—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg!

The Hon. J.D. LOMAX-SMITH: We have shepherded the whole system through the planning process with local government and given communities what they want. It is a pity that we could not get more money than we did, but if it had been left to the opposition we would have had nothing. This is a far better investment.

Mr PISONI: I have a point of order. I asked whether it is a state or federal decision about whether schools are multi or single campus, and how the allocations for BER are determined, and the minister will not answer the question. You have government backbenchers—

The SPEAKER: Order! The member for Unley will take his seat. The member for Unley shouldn't try my patience today. The Minister for Education.

The Hon. J.D. LOMAX-SMITH: It is quite apparent that there were rules set down by the federal government about how that money was distributed, and the Rann government in South Australia applied the rules along the lines that were set down.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: We notified the federal government of all the locations of the schools, we notified it of the enrolment numbers, we notified it about whether they were area schools or primary schools or secondary schools. We had all the data available about the requirements in terms of buildings, and we told the truth. I really reject the notion from the opposition that we would want to tell the commonwealth anything but the truth. When the federal government asked if a school was one school for the purposes of our funding or multiple schools, however many sites, we told the truth. I would like to know if the member for Unley would like to fudge the matter and tell something other than we would, but this government does not operate in that way.

The SPEAKER: Order! The minister is now debating the question.

DEFENCE INDUSTRY WORKFORCE ACTION PLAN

Mr KENYON (Newland) (14:25): My question is to the Minister for Employment, Training and Further Education. Can he advise the house regarding the launch of the Defence Industry Workforce Action Plan?

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (14:25): Yesterday, I had the great pleasure of launching the Defence Industry Workforce Action Plan. This action plan is one of six industry plans that have been developed in partnership between industry and government. The plans cover construction, agrifood industries, health and community services, advanced manufacturing and the defence sector.

These plans have been developed in order to respond to industry workforce needs now and into the future. We are engaged in a process with the Training and Skills Commission to map out our skills requirements for the next five years, and these are an integral part of that particular planning.

The Defence Industry Workforce Action Plan clearly shows that this is an industry that has undergone the hard work that is entailed in detailed workforce planning. How many workers will be required? What additional skills and training will they need? How attractive is the industry, particularly as a career option for women? Given the fact that this is a high intellect industry sector, I think that is a very important consideration. How can a more flexible and diverse workforce ensure the retention of existing and new employees?

This plan is an excellent example of a collaborative approach between industry, government and the higher education sector. Out of this particular body of work four strategies have emerged. The first is to develop and sustain industry leadership and engagement in workforce training and skills development. Without that leadership all will come to nought.

The second strategy is to attract and recruit a highly skilled workforce by promoting the defence industry as an employer of choice. The third strategy is to build an adaptable and diverse workforce by establishing a leadership program that builds financial and business skills and is an exemplar for women in the defence industry.

The fourth strategy is to develop education pathways between school VET and higher education by facilitating partnership with schools to help young people's real life application of science and mathematical skills. I am very obliged to the large financial commitment the commonwealth government has made to the establishment of these pathways between the defence sector and maths and science in school.

Clearly, the defence industry is a key driver of the state's future prosperity. It currently supports about 24,000 jobs and contributes more than $1 billion to the economy each year. These numbers have the potential to grow significantly as we take advantage of increased investment opportunities within the industry.

The South Australian Strategic Plan target of increasing the defence industry workforce to 28,000 by 2014 and doubling its economic contribution to $2 billion annually is well on the way to fruition. I am of the view that this particular document, the Defence Industry Workforce Action Plan, is actually going to get us to those targets well on schedule.

LAW AND ORDER ISSUES POSTCARD

Ms CHAPMAN (Bragg) (14:28): Is the Premier aware that the Australian Labor Party has formally registered the name 'Isobel Redmond MP, Leader of the Opposition' with Australia Post as part of its reply paid customer account, and will the Premier now take responsibility for the Australian Labor Party's misleading and deceptive campaign—

The SPEAKER: Order!

Ms CHAPMAN: —and order the ALP state secretary to remove the name of the Leader of the Opposition as one of Labor's registered reply paid campaign names with Australia Post?

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:29): The Leader of the Opposition's predecessor lost his job because of dirty tricks and fake accusations, forged documents and a range of other things. Under this Leader of the Opposition, obviously—

Mr GRIFFITHS: Point of order, Mr Speaker: the question from the member for Bragg is quite specific in relation to the Australia Post card.

Members interjecting:

The SPEAKER: The house will come to order! The Premier is in the course of answering the question. I will hear what he has to say in his answer. The Premier.

The Hon. M.D. RANN: I just say this: smearing people is no substitute for unity, no substitute for policies, no substitute for plans or vision. The Leader of the Opposition cannot smear her way into government and South Australians deserve better.

Ms CHAPMAN: Point of order, Mr Speaker: my question is whether the Premier is aware of this occurring and what action he will take to deal with it.

The SPEAKER: There was also an allegation—

Ms CHAPMAN: Nothing to do with a dirty tricks campaign.

The SPEAKER: Order, the member for Bragg will take her seat! In the question was also an allegation of deceptive and misleading conduct.

Mr Venning: Well, isn't it?

The SPEAKER: Order, the member for Schubert!

Members interjecting:

The SPEAKER: Order, members on my left! When you insert debate into a question, it is reasonable for the minister to have a fair amount of latitude in responding. The Premier.

Ms CHAPMAN: Point of order, Mr Speaker: can I just seek some clarification? It may be that I need to make this clearer in the question, but let me make it absolutely clear: the Leader of the Opposition is not a member of the Australian Labor Party.

The SPEAKER: Order!

Ms CHAPMAN: There is nothing misleading about that.

The SPEAKER: The member for Bragg will take her seat.

Members interjecting:

The SPEAKER: Order! The Premier.

The Hon. M.D. RANN: The people of South Australia deserve much better than this. The people of South Australia want a government and an opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —that puts South Australians before petty politics. They do not want to see anyone smear their way into government. What they want is an opposition that is unified, rather than fighting amongst themselves. What they want is an opposition that has a shared vision for the future of this state, that fights for this state, rather than fight amongst themselves. So, I am not aware of the matter that—

Mr PEDERICK: Point of order, Mr Speaker: the Premier has strayed that far from the question it is ridiculous. It was very precise, very specific.

The SPEAKER: The member for Hammond will take his seat. The Premier has concluded his answer. I call the member for Light.

PLAYFORD ALIVE

Mr PICCOLO (Light) (14:33): My question is to the—

Members interjecting:

The SPEAKER: Order! Everyone take a deep breath.

Mr PICCOLO: Take a chill pill.

The SPEAKER: Take a chill pill. The member for Light.

Mr PICCOLO: My question is to the Minister for the Northern Suburbs.

Mr Pengilly interjecting:

Mr PICCOLO: What was so funny about that?

Mr Pengilly interjecting:

Mr PICCOLO: When are you going to ask some questions? Can the minister update the house on the progress of the Playford Alive project and advise about an exciting new project to encourage community involvement—

An honourable member interjecting:

Mr PICCOLO: You wish, mate; you wish.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:34): Thank you, sir.

Ms Chapman interjecting:

The Hon. J.M. RANKINE: It would be nice to know when the last time the member for Bragg was out there.

Ms Chapman interjecting:

The Hon. J.M. RANKINE: I bet you're not! I thank the member for Light for his question and he has, along with the members for Napier, Little Para and Ramsay, a great deal of interest in this Playford Alive development. It is a billion-dollar, massive urban renewal and new housing development project and it is taking place in the northern suburbs of Adelaide.

Over more than a decade, the state government and the City of Playford will create new life in and around the Peachey Belt to build on the current strengths of the community and create a better mix of housing. The Rann government will be delivering 4,500 new dwellings on greenfield land and attracting around 17,000 new residents to the area which is going to more than double the population to over 30,000 people.

The spirit of the Playford community is extraordinary and, for this reason, community involvement is central to the success of the redevelopment. This is why the state government has committed to a multimillion dollar community development fund which will capture 1 per cent of the price of sales from land sold in the greenfield site and urban renewal area over the 15 year life of the project.

The aim of the fund is to encourage community groups and not-for-profit organisations to apply for grants or sponsorship to help sustain or develop local community projects and activities. What we know about the people in the northern suburbs is that they have a deep commitment to their community, and I am thrilled that this money is available to make the regeneration project even better. There is a strong ethic of volunteering in the north, so this fund will give people the means to make a difference and put back into their community.

Applications are particularly encouraged for many different kinds of initiatives, projects, events or activities, like those which support and strengthen community groups, encourage volunteers and participation in community life. A key principle of the fund is that each applicant must also provide some form of matching funds towards their submitted project. This could be through a volunteer contribution, financial contribution or professional services that have been secured. The first call for submissions was made last week with a final date for submissions of 20 November. A further call for submissions will be made in mid-2010.

The Playford Alive development also achieved another milestone recently with the opening of the Playford Alive sales centre. The members for Light and Napier were present. It marked the significant on-site advance for the Playford Alive project. The centre is the first visible sign of the transformation in Playford Alive, and I am pleased to say that work on the first of 51 homes in the display village has already started.

The centre is going to provide an on-site presence for the project selling agents until a permanent centre is constructed as part of the display village and be a catalyst for future development of the Peachey Belt. The sales centre will be the driving force for a new future for the area that will see thousands of new homes built and a thousand more homes undergo renovation and renewal. There is no doubt that the northern suburbs are on the move.

LAW AND ORDER ISSUES POSTCARD

Ms CHAPMAN (Bragg) (14:37): My question is to the Attorney-General. The Attorney-General advised the house on 27 October: 'I will ask my staff and get an answer for the member for Bragg.' I now ask the Attorney-General if he will inform the house if his office was involved in the dirty tricks postcard campaign.

The SPEAKER: Again, the insertion of debate into the question. The Attorney-General.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (14:38): The whole argument about the DL card does not actually refer to the substance of it. The Liberal Party don't object to the words in the—

Mr PISONI: Point of order, Mr Speaker—

The SPEAKER: Point of order, the member for Unley.

Mr PISONI: The question was about whether the Attorney-General's office was involved.

The SPEAKER: Order!

Mr PISONI: It's quite simple.

The SPEAKER: Order! The member for Unley will take his seat. The Attorney.

The Hon. M.J. ATKINSON: So, the only thing that the parliamentary Liberal Party quibble with, about the card, is the return address. They don't—

Mr PISONI: Point of order. This was about whether the Attorney-General's office was involved.

Members interjecting:

The SPEAKER: Order!

Mr PISONI: He said he'd get back to us—

The SPEAKER: Order! The member—

Mr PISONI: —and 48 hours later—

The SPEAKER: —for Unley will take his seat. Can I patiently explain to the member for Unley: when you want to raise a point of order, you point out what the standing order is that you believe is being infringed. It is not an opportunity for you to start engaging in accusations, or whatever, across to the other side of the chamber. If you continue abusing points of order in that way I will simply ignore you. The Attorney-General.

The Hon. M.J. ATKINSON: The substance of the card is that the parliamentary Liberal Party has had its machinations in the committee stage of the youth offenders bill conveyed to the public of South Australia. That is what they are objecting to.

Mr PENGILLY: On a point of order—

The SPEAKER: Point of order, the member for Finniss.

Mr PENGILLY: Sir, with respect, the point of order is relevance. The question was quite specific to the Attorney-General about communication with his office—quite specific, not the rest of the verbal diarrhoea he is going on with.

The SPEAKER: No, there is no point of order.

The Hon. M.J. ATKINSON: So, there was a debate in this parliament on the youth offenders bill, how to deal with the so-called Gang of 49, and as—

Mr PISONI: On a point of order, sir—127, digression. This is not the substance of the question.

The SPEAKER: The substance of the question is about the DL card. The Attorney-General.

The Hon. M.J. ATKINSON: The parliamentary Liberal Party is trying to cover up what it did in this house and the other place.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: So the member for Bragg interjects that she is proud that the other night—

Mr PENGILLY: On a point of order, sir—

Ms Chapman interjecting:

The SPEAKER: Order, the member for Bragg!

Mr PENGILLY: Sir, I ask you to rule. The Attorney-General seems to be quite clearly debating the issue and not answering the substance of the question.

The SPEAKER: There was debate in the question. I cannot really see how I can stop the Attorney.

The Hon. M.J. ATKINSON: I know that the Liberal Party is going to try to censor my reply because it does not want the truth of this matter to get out.

Members interjecting:

The SPEAKER: Order!

Mr Venning: It's the same as the dodgy documents.

Mr Pengilly: You're in it up to your ears, Mick.

The SPEAKER: Order!

The Hon. M.J. ATKINSON: Mr Speaker, the member for Schubert has just accused me of being involved in the dodgy documents—a matter for which he has previously apologised and withdrawn. I ask him now to withdraw and apologise.

The SPEAKER: The member for Schubert was making that allegation.

Mr VENNING: I withdraw. If his denial was there, I will withdraw the comment.

The Hon. M.J. ATKINSON: When the Rann government tried to ensure that the revolving door in youth justice was stopped revolving—

Mr WILLIAMS: On a point of order, Mr Speaker, this is clearly debate. It has nothing to do with the question.

Members interjecting:

Mr WILLIAMS: No, we asked about your involvement—

The SPEAKER: Order!

Mr WILLIAMS: —in a very tawdry campaign. That is what we asked you.

The SPEAKER: Order! The member for MacKillop will take his seat. There is no point of order.

The Hon. M.J. ATKINSON: Let's leave aside the question of the return address. The substance—

Members interjecting:

The Hon. M.J. ATKINSON: I will come to that.

Mr WILLIAMS: On a point of order, Mr Speaker, standing order 98 states that the minister must answer the substance of the question. The minister has just said that he wants to leave aside the substance of the question. He just told the house that that is what he wants to leave aside.

The SPEAKER: Order! The member for MacKillop will take his seat. I am not in a position to rule anything on the minister's answer until I have an opportunity to hear it. The Attorney-General.

The Hon. M.J. ATKINSON: Under Mrs Redmond's leadership, the parliamentary Liberal Party took a position that it was opposed to members of the Gang of 49 who were youths spending longer in youth detention. They moved an amendment in this place, in the committee stage of the bill, so that we could not apply the serious repeat offender provisions that apply to adults to youths.

Indeed, the member for Flinders said it is a violation of the human rights of young offenders to detain them. That is on the record.

Mr WILLIAMS: I rise on a point of order, Mr Speaker. Again, I refer to standing order 98. The reason we have that standing order is so that members, and particularly ministers—

The SPEAKER: It is all right. I do not need to know why we have standing order 98.

Mr WILLIAMS: —cannot abuse the parliament.

The SPEAKER: The member for MacKillop will take his seat. There is no point of order.

Mr Williams: He is misrepresenting the opposition's position.

The SPEAKER: Order! If any member feels that they have been misrepresented there is an appropriate course of action that they can take.

The Hon. M.J. ATKINSON: Both in this chamber and in the other place the parliamentary Liberal Party sought to delete the words 'recidivist youth offender' and 'youth parole' from the bill. Indeed, they were doing it in the other place yesterday. So, the DL—

Mr Williams interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. M.J. ATKINSON: So, the Liberal opposition does not complain about the substance or the words of the DL card. The substance or words of the DL card are true in every particular. They accurately represent—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —to the recipients the position that the parliamentary Liberal Party took—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. M.J. ATKINSON: —on the bill.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. M.J. ATKINSON: So, the only thing—

Mr WILLIAMS: I rise on a point of order, Mr Speaker.

The Hon. P.F. Conlon: This is ridiculous.

Mr WILLIAMS: It is ridiculous. I agree with the Leader of Government Business in the house. This is the very reason why we have standing orders, so that ministers—

The SPEAKER: Order!

Mr WILLIAMS: —cannot abuse the privileges they have in this place. This is an abuse of the parliament—

The SPEAKER: Order!

Mr WILLIAMS: —and you know it.

Members interjecting:

The SPEAKER: Order! The Attorney-General.

The Hon. M.J. ATKINSON: It is plain from the *Hansard* that the parliamentary Liberal Party took the view that members of the Gang of 49 who were youths should not be detained for longer than they are now, and they also took a position against the Youth Parole Board. So, when the government tried to make sure that members of the Gang of 49 who were youths had to earn

parole in the future, the Liberal Party opposed it. In fact, earlier this week they tried to redirect the proceeds from the sale of hoon drivers' cars from victims of crime to the rehabilitation of offenders.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: Mr Speaker—

The SPEAKER: Order, the Attorney! I think the Attorney has canvassed—

The Hon. M.J. ATKINSON: Yes.

The SPEAKER: —the Liberal Party's position with regard to this card. He now needs to direct himself to whatever his staff have done or have not done.

The Hon. M.J. ATKINSON: The DL card issued by the Australian Labor Party is true and correct in every particular and, indeed, the parliamentary Liberal Party has not sought in its questioning to quote the words in the card.

Ms CHAPMAN: Sir, I rise on a point of order. You have allowed the Attorney-General to address the issue, which you have now ruled he has dealt with, and he needs to get on to the substance of the question. The substance of the question is: did he ask his staff and was he involved?

The SPEAKER: The Attorney.

The Hon. M.J. ATKINSON: Of course, the Australian Labor Party—

Ms Chapman: Did you ask your staff?

The SPEAKER: Order!

Ms Chapman: Did you ask your staff?

The SPEAKER: Order, the member for Bragg!

The Hon. M.J. ATKINSON: The Australian Labor Party checked the substance of the card.

Ms CHAPMAN: Mr Speaker, I rise on a point of order. The Attorney-General directly said to this parliament two days ago that he would ask his staff—

The SPEAKER: Order! The—

Ms CHAPMAN: —and that is what I have asked him about; nothing to do with this other issue.

The SPEAKER: Order! The member for Bragg will take her seat. I do not think we are going to make any progress on this. The Attorney-General.

The Hon. M.J. ATKINSON: Mr Speaker, yes, I have asked my staff; and, yes, they did confirm the accuracy of the card for the Australian Labor Party. The question of what the reply paid block is going to be is not a matter of concern to the Attorney-General's office and we had no input.

WINE CENTRE INCIDENT

Mr WILLIAMS (MacKillop) (14:51): My question is to the Premier.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Minister for Correctional Services!

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: If I wanted to visit you, Patrick, at least I would know where to go: it would be a long descent!

The SPEAKER: Order! The member for MacKillop will ask his question or I will sit him down.

Mr WILLIAMS: Thank you, Mr Speaker. I have been provoked, sir. Can the Premier indicate—

Members interjecting:

The SPEAKER: Order, members on my right!

Mr WILLIAMS: Can the Premier indicate whether all his legal costs, including his QC, in relation to the alleged assault at the wine centre are being met by himself or the taxpayers of this state?

Members interjecting:

The SPEAKER: Order! The Premier.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:52): By myself.

WATER RESTRICTIONS

Mr WILLIAMS (MacKillop) (14:53): My question again is to the Premier. Now that our storages are full to overflowing—

Members interjecting:

The SPEAKER: Order, members on my right!

Mr WILLIAMS: It is obvious, sir, that government members think that water restrictions in this state are a joke. The people out there in the community see it differently, sir.

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: I will start again, sir. Now that our storages are overflowing, when will the government ease water restrictions? As of yesterday, the hills storages held 183.7 gigalitres, with inflows still occurring. Various government figures indicate that at least 39 gigalitres of the water available during the last water year have been carried forward to this year. Another 201 gigalitres from the River Murray are available for this 2009-10 water year, all of which can be carried forward to 2010-11, if necessary and unused, giving a current total availability of 424 gigalitres of water.

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:54): It does give me great pleasure to answer the question from the member for MacKillop. Our storages in the Adelaide Hills are currently sitting at 93 per cent. At 93 per cent, it is substantially higher than at the same time last year when we had 73 per cent capacity in our dams, but the really critically important factor about this is that most of the water sitting in the dams now has come from natural inflow from the Mount Lofty Ranges rather than being pumped from the River Murray. In this financial year we have pumped about 1.3 gigalitres of water and last year it was around about 40 gigalitres of water.

The good thing about this is that it is less water that we will need to pump from the River Murray for this summer's supply for Adelaide. The good thing about that is that water can go towards the 201 gigalitre reserve we need to accumulate for the next water year. We need to acquire 201 gigalitres by the end of this water year so we know we have it in the bank for next year's critical water needs.

It is important to note that we did carry over 39 gigalitres from purchased water last year. It is also important to note that we are actually purchasing 60 gigalitres this year, also for critical human needs. With the 40 or 50 that we do not have to pump from the River Murray this year, we are still 52 gigalitres short in accumulating our 201 gigalitres for next year, and we will be certain to accumulate that over the course of the next couple of months from future inflows into the system. We will monitor that very closely and, should we have a shortfall there, then cabinet will consider whether we need to purchase more water to ensure that we have the amount of water.

No government would be silly enough at this stage with one rainfall over a bit of winter from the extreme drought we have been in just to actually relieve restrictions, turn the tap on, particularly when it is raining. The Adelaide community is using less water as a consequence of the rain that we have received locally this winter, and in actual fact our figures this year are the best ever for the last weeks in relation to the low amount of water that our community is using. This is creating for us a bit of a buffer zone by which we can actually look at how we apply restrictions particularly over the hotter months.

What the government is committed to doing now is actually to consider how we might apply that water in an extreme heat potential policy that we are developing at the moment to be used

over the summer period. The more that we save at this time of the year, the more we will have available over the hotter summer months, and I think that is a very sensible policy, rather than just calling on the government to actually turn the taps on, while it is raining, to water trees.

GLENSIDE HOSPITAL REDEVELOPMENT

Mrs GERAGHTY (Torrens) (14:56): My question is to the Minister for Mental Health and Substance Abuse. Can the minister advise the house on the status of the redevelopment of Glenside Hospital and forensic mental health?

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:56): I thank the member of Torrens for her question. Of course, this is of significance to her because the mental health forensic facilities are within her electorate on the James Nash House site.

Last week, Monsignor Cappo and I released the plans and the designs for our new state-of-the-art hospital at Glenside. This is a $130 million development that will provide 129 beds in July 2012. That is eight months sooner than we had planned. This building work will begin on time according to our original schedule, with work beginning in 2010. The house would recall that, following the Mid-Year Budget Review, we had delayed the completion date to January 2014, but I am now delighted to say that we are managing to bring this development forward. I am sure that all members are as excited as I am that we are going to be able to progress our renewal of our mental health facilities in South Australia. The new hospital will provide services of a modern standard and good working accommodation for our staff.

It is important that we note that the Rann government is investing $250 million to rebuild and reform our mental health services across the state as a response to the Social Inclusion Board's 2007 Stepping Up report. This will result in, overall, 86 additional beds within our system. The release of the concept plans is an important new step in the redevelopment of Glenside and follows an 11 month consultation phase with clinicians, patients, staff and a diverse range of interest groups.

The Adelaide-based Swanbury Penglase group have worked with the UK-based award-winning specialists in mental health design, MAAP Architects, and they have prepared the plans that are now publicly available for the community to have its say. We particularly want input into the design of the open space which will provide approximately five hectares of land on the corner of Greenhill and Fullarton Roads as well as, overall, more than nine hectares of open space for community and patient use across the whole site. That nine hectare calculation, I might say, does not include things like road verges and private gardens, because clearly they are not public open space.

I urge everybody who might be interested in these designs to look at the new hospital designs. The old-fashioned wards have been redesigned around a pod concept so that each of the clinical areas has a private internal garden which can be used for private therapeutic use by the patients. The public areas are separate. This allows the patients to be involved in outdoor activities without feeling that they are detained or restrained as they might have been in an old-style mental health hospital.

In terms of the public space, we have listened to the community about the conservation of trees. There has been considerable support for community gardens, (and I have to say that I am very keen on community gardens myself) a village green concept where people can play, kick balls and enjoy public recreation, a dog walking area and a soccer pitch. We know that there is a shortage of soccer accommodation across the state and I understand that there will be considerable support for having an under-19 sized pitch, and that may be possible if the community still wants it. In addition, local schools have been involved in designing playgrounds. This government will try to accommodate everyone's wishes, as well as the idea of having a large wetland at the corner of the development.

The vision for Glenside is really about integration. Mental health experts would say that it is far better for patients to be involved in day-to-day life, through other developments, than being excluded, locked up and forgotten, as might have happened in the old days. Of course the new hospital is a cornerstone of our reintegration of mental health, and that includes our stepping up/ stepping down facilities, so that patients can get intermediate levels of care when they do not need the full on, acute hospital bed treatment, as well as rehabilitation services when they are being reintegrated back into society. We know that one of the key messages from the community is that having patients going into hospital for acute care in their crisis phase and then going straight back

home is a recipe for disaster. That is why the stepping up/stepping down type of facilities, with intermediate care with 24-hour medical care, is an important way of getting those patients back into their home environment.

Of course, the other element of which I should speak, in relation to the member for Torrens, is the work to move the beds from the Glenside site to consolidate all the forensic health facilities together at James Nash House at Oakden. That facility will be expanded to accommodate 40 patients, taking the 10 beds that are currently at the Grove Close secure ward site at Glenside and accommodating them close to the other facility. This is clearly good for the model of care. It allows the treating psychiatrists and nurses to work together instead of being isolated on a smaller facility site. I am pleased to say that the construction of this new facility will start in 2010 and be completed by the middle of 2012.

As part of the development of those extra 10 units to accommodate the patients from the Glenside secure site, the older existing facilities at James Nash will have upgrading of things such as air conditioning. This location, close to prisons, will be better for the forensic patients coming from prisons, but will also involve those people who have been deemed unfit to plead. These developments are part of the Rann government's broad-ranging investment in improving mental health facilities, both the built form and the model of care. I am very excited about and proud to be part of this development. It is a new era for mental health in our state.

GOVERNMENT PROBITY

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (15:02): My question is to the Premier. Did the Premier seek the advice of the Crown Solicitor and the head of Treasury and Finance when he became aware that Mr Andrew Newman, a senior representative of the consortium bidding for the proposed new RAH, would be sitting at his table at the Labor Party SA Progressive Business fundraiser on 1 October 2009?

Yesterday the Treasurer told the house that the government's probity guidelines are 'very strictly applied' and that the advice:

> ...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...

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:03): Obviously the deputy leader—some would like to think shadow treasurer; of course I do not—is clearly afraid to ask me a question. I think I have had about two questions, if that, in my time here. I cannot recall a debate with the shadow finance minister on the radio, which I do every morning or every week—

Mr WILLIAMS: Point of order, Mr Speaker: standing order 98, relevance. This is totally irrelevant and I believe it is entering into debate as well.

The SPEAKER: Order! The Deputy Premier does need to turn to the substance of the question.

The Hon. K.O. FOLEY: Mr Speaker, I would just like to know, before the election, who to deal with when it comes to finance matters.

The SPEAKER: The Treasurer will please deal with the substance of the question.

Mr Griffiths interjecting:

The Hon. K.O. FOLEY: You are the weakest shadow treasurer I have ever seen.

The SPEAKER: Treasurer!

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The weakest link.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: So bad is the questioning from the shadow finance minister that he has to ask a question that he asked yesterday.

Mr PENGILLY: Point of order, sir: the Treasurer is not addressing the member for Goyder, the Deputy Leader, by his correct terminology, again. If he cannot get it right, why doesn't he go home.

The SPEAKER: Order! The member for Finniss will take his seat. The Treasurer.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. K.O. FOLEY: All right, all right—

Members interjecting:

The SPEAKER: The members on my left!

The Hon. K.O. FOLEY: There is such bite in the junior minister—for whatever it is. As I said yesterday, the government has undertaken all PPP projects—

Mr Venning interjecting:

The SPEAKER: The member for Schubert!

The Hon. K.O. FOLEY: —subject to approved probity plans and procedures. The probity controls of these projects include: the Crown Solicitor's probity plan—

Mr Williams: We know that. We know all that.

The SPEAKER: The member for MacKillop!

Members interjecting:

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

Members interjecting:

The SPEAKER: Order! The Deputy Premier has the call.

Mr Venning interjecting:

The Hon. K.O. FOLEY: You were a mug yesterday when they gave you that second question.

The SPEAKER: The member for Schubert will come to order!

The Hon. K.O. FOLEY: The probity controls of these projects include, and I repeat: the Crown Solicitor's probity plan, protocols for ministers and ministerial staff, and a probity and process deed with each consortia member, and they are required to sign before entering the tendering phase of the project. Such controls ensure that the projects are conducted in a fair, impartial and unbiased manner. It is a requirement of the probity and process deed signed by bidders that bidders seeking further information in regard to a PPP project must only contact the project director.

I am going to come exactly to this answer, but it is important that we look at it in the broad, that is, that it is improper and a breach of the probity and process deed and could well put their bid in jeopardy if a tenderer themselves were to raise questions or matters with unauthorised persons, which would include a minister and/or premier who are not the responsible project directors. If companies who are also members of a consortium wish to meet with ministers, or their staff, it is made clear that no discussion of the project or project details is permitted.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Sorry?

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: I beg your pardon?

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: I have just said there is a process and probity deed that they have to sign. That is in the process and probity deed. I mean, how direct and open do I have to be?

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! Members on my left and right!

The Hon. K.O. FOLEY: If meetings with—

Mr Venning interjecting:

The SPEAKER: The member for Schubert!

The Hon. K.O. FOLEY: What was that, Ivan?

The SPEAKER: No. The member for Schubert has been picked up and asked not to interject. The Deputy Premier.

The Hon. K.O. FOLEY: I would be careful if I were you, Ivan, very, very careful.

The SPEAKER: The Deputy Premier!

Members interjecting:

The SPEAKER: If members—

Mr VENNING: Point of order: there was a direct threat—

The SPEAKER: Order!

Mr VENNING: —across the parliament to me and—

The SPEAKER: Order! Sit down! If I do not feel that I am able to control this chamber, if members continue to ignore my calls for order I will resign; I will go over to Government House and hand in my commission. The behaviour today has been nothing short of disgraceful and makes me ashamed to be a member of this place. The Deputy Premier.

The Hon. K.O. FOLEY: If companies that are also members of the consortium wish to meet with ministers or their staff, it is made clear that no discussion of the project or project detail is permitted. Furthermore, as I said, if meetings with consortia members do proceed, they are usually attended by project directors or members of an executive steering committee to ensure probity guidelines are adhered to.

Mr Pisoni interjecting:

The SPEAKER: Order, the member for Unley!

The Hon. K.O. FOLEY: Ministers and their staff are aware that they are not permitted to discuss any projects or project details at any social functions they may attend. Bidders are also aware of this and agree to these conditions by signing the probity and process deed. Each of the successful shortlisted consortia for the schools project, in particular—because that is a project that has now been let—Axiom, Plenary and Pinnacle, signed the process and probity deeds in May 2008.

The process was also undertaken in July 2008 for the new prisons and secure facilities projects, the shortlisted consortia being Secure Australian Facilities Environment, Secure Partnerships SA and Torrens Corrections Partnership. The exact process is in place now for the new Royal Adelaide Hospital. I have written to ministers and ministerial staff consequent to that advising of these protocols, expectations and rules.

For a social function—be it a Labor Party function, a Christmas drinks or some other informal environment, which in a business community we come across on a repeated basis—it is both impractical and nonsensical to say that you cannot have association, particularly given that many of these companies have matters other than the particular contracts on which they are dealing with government that they are at liberty to discuss with the Premier, ministers and public officials.

However, it is the strictest, tightest and toughest code on both ministers (including the Premier) and consortia members, and it has not to this point that I am aware been breached. We

hold the honour and integrity of this government in this process very high. We are respected in the broader business community, and I would ask the junior shadow minister to think carefully about doubt that he puts on this project.

Members interjecting:

The SPEAKER: Order! The Deputy Premier.

The Hon. K.O. FOLEY: This is a project that has the highest standards of protocol unlike the shemozzle and absolute disregard for process that occurred under the last Liberal government.

GRIEVANCE DEBATE

WATER ACTION COALITION

Mr WILLIAMS (MacKillop) (15:13): On 10 October, a community group called the Water Action Coalition called a rally here on the steps of Parliament House. The rally was well attended by people from across all sectors of our community, representing a large number of geographical areas. There were people from the Lower Lakes, the Murray and various parts of the metropolitan area.

I attended and had the opportunity to speak to the rally briefly. Neither the Minister for Water Security nor the Premier (who were both invited) attended; they both offered their apologies. I have been asked to read to the house a proclamation made at that rally, as follows:

> This rally of concerned South Australians rejects the State Government's Water Security Plan. Our river systems and iconic wetlands are collapsing. Interdependent ecosystems are dying and our fragile Gulfs are being destroyed. This Water Action Coalition rally rejects the need for desalination, diversions, dams and weirs in the Lower Lakes. This rally demands sustainable solutions from its legislators. Our waters, both freshwater and marine, must be conserved and protected by laws. We demand comprehensive stormwater and waste water recycling. We demand that the River Murray and its rivers and creeks flow freely again to the Lower Lakes and to the sea. The Coorong must be reconnected to its freshwater sources in the South East.
>
> Our plea to parliament is to think again. Our right and that of generations to come is for a sustainable water future not only for ourselves but for our environment.
>
> WAC [Water Action Coalition] calls on the legislators in this parliament to conduct a public inquiry, with the authority of a Royal Commission, to address the urgent social, environmental and economic disaster that has been brought about by mismanagement and hasty interventions.
>
> A sustainable water future without compromising our environment is the only acceptable outcome.

That is the proclamation made during the rally. I was there when the people attending that rally, by acclamation, affirmed that proclamation.

The Liberal opposition does not necessarily support everything that is being called for. We have not been calling for an inquiry with the powers of a royal commission, although it would be interesting to have such an inquiry to see if we can finally get to the truth of many matters. I think the people of South Australia are being misinformed at best, or misled at worst.

We certainly agree with most of the calls made in the proclamation. Certainly, the government's sham water plan for the future—Water for Good—is nothing more than a political document that has been compiled in the water security office at a cost of many millions of dollars; in fact, $2.4 million just to run an advertising campaign to sell a sham political message.

More than anything we support the demand for comprehensive stormwater and wastewater recycling. In talking about stormwater, we know that Adelaide's water security can be met into the foreseeable future just by having an integrated stormwater harvesting recycling system. The key to it (unlike the government's plans) is to bring that recaptured stormwater to potable standard so that it can be piped through the existing pipe distribution network. If we do not utilise that distribution network, if we do not bring the water to potable standard, we have to re-pipe Adelaide. That would come at a cost—and the latest estimate I have had is some $6 billion.

This state cannot afford that. If we do not do that, the water that this government claims (in its Water for Good document) will be harvested within four years cannot be used. It claims that it will be harvesting 20 gigalitres of stormwater within four years. All the public parks and gardens that are watered in metropolitan Adelaide use only 15 gigalitres of water. There are only a limited number of significant water users in Adelaide.

Without having the ability to distribute captured stormwater widely across metropolitan Adelaide we cannot use that as a source to underpin our water security. That is the very reason

why the opposition, along with the Water Action Coalition, has been calling for a proper integrated and comprehensive stormwater harvesting scheme to bring water to potable use and use it right across metropolitan Adelaide.

Time expired.

WINDSOR GARDENS VOCATIONAL COLLEGE

Mrs GERAGHTY (Torrens) (15:18): On Friday 23 October, at a reception at the Adelaide Intercontinental Hotel for the National Australia Bank's Schools First South Australia and Northern State Awards, the Windsor Gardens Vocational College (which is in my electorate) was awarded a further $50,000 to enhance and develop its community partnerships program.

In September, Windsor Gardens Vocational College received $50,000 under the National Australia Bank's Schools First Awards. The state award is an additional recognition of the wonderful work that Windsor Gardens Vocational College is doing in educating our youth. The college now has the potential to win $1 million at the national NAB Schools First Awards presentation to be held in Melbourne in November.

Some years ago Windsor Gardens Vocational College took deliberate steps to provide vocational pathways for its students because the college realised that something needed to be done about declining enrolments, poor staff morale and the growing number of students leaving the school early with no meaningful career.

There were seven vocational pathways: building and construction, multimedia, community services, business services, skilled metals (engineering), hospitality and university. In developing the vocational pathways, the college established strong links with community partners, and one fine example of such a partnership is with Bianco Construction Supplies, who has been incredibly supportive.

The college has developed 104 partnerships organised around four distinct groups: industry alliances, mentoring alliances, industry sponsors and community partners. The school culture has changed, with staff recognising the importance and value of vocational education. Windsor Gardens' definition of success has broadened as a result of these partnerships.

Vocational education training schemes offered by Windsor Gardens Vocational College enable students to gain employment skills while they are still at school and undertaking studies towards their SACE. In stages 1 and 2, students may be studying at school some days and involved in training at other venues on others. It provides students with the opportunity to gain TAFE qualifications while still at school and gain valuable skills that will prepare them for future employment.

The seven pathways offered by the college are set up to deliver certificates as part of the nationally accredited training packages. The college program effectively prepares students for lifelong learning by ensuring that they leave school with up-to-date technology skills, their capacity to learn independently and a well-developed work-ready attitude.

This is not the first time that Windsor Gardens Vocational College has received recognition for its VET program, having won the MAS National VET in Schools Excellence Award for South Australia in 2006, and I was delighted to be able to attend that.

Special mention needs to be made of Jan Paterson, the college principal; Laura Luongo, the college's VET coordinator; and Jenevieve Foster, the Assistant Principal, Senior School, who I understand put forward the college's written application for the NAB's Schools First awards. Along with visits by the judging panel to the college, the application certainly must have impressed the judges.

I congratulate Windsor Gardens Vocational College on its outstanding success to date, and I am crossing my fingers in the hope that it takes out first prize in the national NAB Schools First awards, as I certainly believe that it will be a very worthy recipient. It is not often that one has an educational facility in one's electorate like this one, and it is exciting and a great credit to all those involved at the college.

The students have a bright and exciting future, and I am sure they will look back on their days at Windsor Gardens Vocational College with much gratitude for the commitment of the staff who played such a valuable role in their education. I certainly look to coming back with some fantastic news in the not too distant future.

GUNN, HON. G.M.

The Hon. G.M. GUNN (Stuart) (15:23): I would like to say that it has been an interesting afternoon. One is always interested to sit back and observe the activities of members in the course of their diligent duty to serve their constituents and the people of this state.

While I am on this subject, I have been in this place a long time and, as my time here is drawing to an end and I am looking forward to another phase of my life, I would like to put on the public record my thanks to all the officers of this parliament who have assisted me during my time in this place. There have been many of them, and no doubt some of them have found me somewhat difficult to advise and guide and manage. However, we have got through, and I have appreciated their wise counsel.

I have also appreciated the help and guidance I have received from the officers in the other place when I have been involved in parliamentary committees. From time to time, it pays to take a bit of advice and step back and think about what took place, and I hope that after today's effort one or two people just take a step back and have a bit of a look in the mirror and understand where they are coming from and what they are doing. I am sure that, on reflection, they may be somewhat the wiser. I am not confident, but I hope so. The other matters that I want to raise today in relation to—

An honourable member interjecting:

The Hon. G.M. GUNN: I could go on to that, but perhaps I would be getting too close to the wind so I had better not. I might on another occasion. I could tender some advice, but it may not be wanted—from either side. I sometimes wonder whether my advice to some of my colleagues over a long time has been taken in the right spirit. I have normally always tendered it to them.

It is interesting to attend public functions and observe the enthusiasm or other kind of reception you get from people's spouses. My wife sometimes says to me, 'Who have you upset now?' I say, 'Well, I haven't willingly upset anyone; I've just told people what I think.' I always like to tell people, because I am trying to be helpful to them. However, sometimes it has not been received in that spirit. Nevertheless, I tender it and I will continue to do so, because I have always slept well at night.

One of the things that I have learnt in this place is that, if people want to make threats or challenges to me, I always take them up on it. I remember at a large public meeting a chap in the hall yelled out, 'I'll dong you.' I said to him, 'Don't talk about it; step right up.' My wife was sitting next to me at this meeting at Coober Pedy and she said, 'He might come up.' I said, 'Don't worry about it; the police sergeant is sitting at the steps. It's all right.' What provoked the incident was that this fellow was going to have a go at me and I thought I would get in quick and I said to him, 'Look, if you're going to make a fool of yourself, stand up quickly and let everyone see. Don't ask; do it.' He was not real happy with me and I do not know why, because I was just giving him good advice.

Madam Deputy Speaker, I am sure that you are enjoying your time in your role, as did I many years ago. I just want to say in conclusion that I sincerely hope that all members who come into this place do not make foolish statements before they come here in relation to the facilities and the benefits and the assistance that members receive to do their jobs, or set out to devalue the role of this place, because if they do they are doing a great disservice to the people of South Australia.

The terrible shenanigans that have gone on in the United Kingdom are purely as a result of not paying people enough and not giving them a sensible set of facilities or conditions to work under. Certain sections of the media seem to think that if you pay a member of parliament a decent salary or give them decent facilities there is something wrong with it, but you can pay a public servant twice as much as a minister and that is okay. In my view, it is a complete nonsense and contrary to the best interests of the people of this state.

Time expired.

BUSHFIRE SAFETY EVENTS

Ms SIMMONS (Morialta) (15:28): As always, the member for Stuart has very wise words for us all. Today, I want to talk about three fantastic fire safety events held in my electorate of Morialta in the last two weeks. To start Bushfire Awareness Week, on 19 October we had a sausage sizzle followed by a Bushfire Ready meeting at the Cherryville Community Centre that was conducted by Nick Patrick, the Education Officer at the CFS. We were taken through the new fire danger ratings and the recommended action, with a special emphasis on the new catastrophic

100-plus rating, where it is advised that leaving early is the only option for survival, regardless of any plan to stay and defend. These new ratings have come out as recommendations from the Victorian bushfire inquiry.

The local Cherryville CFS also took the community to visit a house adjacent to the community hall, where the owner, Tim Maitland, has installed a comprehensive sprinkler system around his roofline. Tim is also one of our CFS volunteers at Cherryville and has great knowledge in this area. Gravity fed by water tanks further up the hill, it will provide comprehensive protection from an oncoming fire. I would like to congratulate the Cherryville community on this excellent and well attended meeting.

On Thursday 22 October, I was pleased to co-host with Campbelltown council a fire safety meeting, which over 120 people attended. Guest speakers included the Minister for Emergency Services (Hon. Michael Wright); Mr Grant Lupton, Chief Officer of the MFS; Mr Euan Ferguson, Chief Officer of the CFS; Mr Stuart Macleod, Chief Officer of the SES; and Mr David Place, CEO of SAFECOM; and emergency services crews. All speakers spoke of the harrowing experience of being caught in a fire situation. The physical pain and the mental anguish associated with burns are horrendous, and speakers did not beat around the bush when describing the horrors of being caught in both a domestic or bushfire situation.

Many fires, especially house fires, are caused by human carelessness, poorly maintained electrical equipment, flame wires and perished plastic coating on wires, together with overloading of wall plugs and unattended candles. They are the main offenders. However, Mr Lupton was keen to emphasise that a well maintained fire alarm will save lives if a fire starts. Bushfires are often purposely lit, but many start naturally through lightning strikes, and hence they are a normal part of Australian life.

However, with so many people now building and living in the Adelaide Hills, it is vital that residents prepare, act, survive. Mr Ferguson encouraged all of us to update our bushfire survival plan and talked about the new catastrophic 100-plus rating, where the fire is likely to be fast moving and uncontrollable. He advises that, in these circumstances, people should not try to defend their homes but relocate.

Mr Macleod also talked about the work of the SES in these circumstances and how all three services work together in cooperation. On behalf of the Morialta constituents, I thank all the presenters, as well as members of Paradise MFS, Campbelltown SES volunteers and many hills CFS members, and also SAFECOM and Brooks fire alarms who did displays and who all attended the forum.

Lastly, on 26 October, I was delighted to attend a CFS cadet training session at Montacute Institute Hall, run by Brad Possingham and the Montacute CFS. Twenty cadets from the East Torrens region and their leaders had both a classroom and practical session on fire extinguishers and which ones to use in which fire situation. This was fantastic to watch. The fires were ferocious and the cadets worked together, cooperating well and respectfully with each other to extinguish the various oil, petrol and gas fires. I was very impressed.

Each CFS in the East Torrens region provides a practical session every month. These cadets are the CFS of the future. I congratulate them on their interest, capacity, bravery and knowledge of the fire situations at such a young age. I also congratulate our CFS volunteers who give up so much time, knowledge and effort on behalf of the South Australian community to train these youngsters to follow in their footsteps.

KAVEL ELECTORATE, COMMUNITY EVENTS

Mr GOLDSWORTHY (Kavel) (15:33): I am pleased to highlight to the house this afternoon a number of recent community events that I have attended in the electorate of Kavel. On Saturday just past, I attended the Mount Barker Neighbourhood Watch Police Expo which was held at the historic Auchendarroch House site at Mount Barker. The Mount Barker Neighbourhood Watch committee worked in conjunction with the local police, ably led by Superintendent Tom Reiniets, who is superintendent of the local service area (LSA). It really highlighted a whole range of activities and areas of importance in which the police, the Neighbourhood Watch, the SES and the CFS are involved, in keeping our respective communities safe and secure.

I also had the pleasure, accompanied by my wife, of attending the annual dinner of the Lobethal sub-branch of the RSL. It was an honour for me to be offered and, obviously, to take up the invitation to become an affiliate member of the RSL, particularly of that sub-branch.

Again, the committee members of the Lobethal RSL sub-branch are outstanding people within the community, and obviously have the best interests of the community working through the activities of the RSL. They are just two events that I attended on Saturday that I would like to highlight and provide the house with some information and congratulate all those people who were involved in what were really outstandingly successful events.

On Sunday it was my pleasure, again accompanied by my wife, to attend the annual Callington Show. It is the eighth annual show that has been held and I can say to the house that it has been a pleasure that I have attended every one of those eight shows since its inception. In those eight years, the show itself has gone from strength to strength. It is a shining example of an outstanding community event.

The show society and the local council, the District Council of Mount Barker, the service clubs and all the volunteers involved really bring about an outstanding community event. There is a whole range of activities that take place on the day, really too many to mention in the limited time that I have available, but there are many stalls offering products and services and some community organisations also highlighting their activities and the services that they provide to the community.

Again, I would like to congratulate the show society and its president, Mr Roger Farley, who is a local farmer from the district, all those people involved in the show society committee and all those volunteers who put in many hours over many months to make that event a real success. I look forward to attending the Callington Show in ensuing years as the local member.

In addition to that, I had the pleasure of actually walking through the Callington Primary School site. There is evidence of some outstanding development at the Callington School site. It has been my pleasure to visit the school on many occasions. Callington is a relatively small community compared to other townships in the area. It may be small in numbers but it is large in its community spirit. It has a strong community spirit and a very strong sense of community that binds that community together for the benefit of the district and the people within that township.

I again put on the record my congratulations to all those people involved in the show society and also all the people who are involved in the school community. As I said, there has been some really quite significant development, some improvement to the buildings and facilities at the school. I had the pleasure of meeting the principal of the primary school, who I understand has only been recently appointed and, as I said, it was a pleasure to meet her.

Time expired.

PLAYFORD COMMUNITY FUND INC.

The Hon. L. STEVENS (Little Para) (15:39): I would like to pay tribute to an outstanding organisation serving the northern suburbs and that is the Playford Community Fund Incorporated which had its general meeting on Friday 23 October. I just want to bring to the house's attention the outstanding work that that organisation does, not only in the Playford and surrounding communities but also it has extended its influence to other areas of the state.

The group is led by Dennis Jarman, the chairperson, who a few years ago was named South Australia's Citizen of the Year for his work in this organisation. It is staffed entirely by volunteers, 45 of them. During the last financial year they had 3,541 interviews for food, bill pay vouchers, bedding, furniture, prescriptions, baby formula, nappies, etc., and they say that due to the downturn in the economy they have assisted 769 first-time clients, whose circumstances have varied from being out of work, to having reduced hours or being new residents to the area. They have been able to provide assistance in most situations but, where it has not been possible, they have been able to provide direction to other sources who are more able to deal with particular problems.

The main role of the organisation is to provide emergency relief, and I agree that what they provide is of the highest standard. Their volunteer staff are trained in all aspects of emergency relief. They are trained in five categories to allow them to provide the best assistance to clients, and that is emergency relief, financial counselling, food and household handling, and warehouse and transport. They include amongst their staff two members who have undertaken an extensive course in financial counselling and who passed with good results. These two volunteers are now accredited and recognised by the South Australian Financial Counsellors Association.

They are supported by a number of agencies and they attribute thanks to those agencies. They include the Department for Families and Communities, the City of Playford, the Morialta Trust, San Remo, Myer, Sheridan and Para Worklinks, and they have made particular note of that

help. They have also ventured into assisting with drought relief, on behalf of the federal government, in providing financial assistance on Southern Yorke Peninsula. This has taken a while to set up, as they had to train four people, based at Stansbury, in emergency relief work. The federal government has provided them with a separate budget for this project, but they have been able to work with a different community in a different area of our state to pass on their particular successful brand of support for people in need.

This fund plays a very important role in the northern suburbs community for people in need. As I said, it is staffed entirely by volunteers and led by an enthusiastic board headed up by Dennis Jarman. It is an outstanding example of how community-based groups can make a significant difference to the lives of ordinary people in the community.

SITTINGS AND BUSINESS

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:44): I move:

That standing and sessional orders be so far suspended as to enable Private Members Business to be taken into consideration following Government Business, in the following order: Private Members Business, Bills, Order of the Day No. 17, set down for today; Private Members Business, Committees and Subordinate Legislation, Notices of Motion, set down for Wednesday 18 November 2009.

The DEPUTY SPEAKER: I have counted the house and, as there is an absolute majority of the whole number of members of the house, I accept the motion. Is it seconded?

An honourable member: Yes, ma'am.

Motion carried.

SELECT COMMITTEE ON PRIVATE CERTIFIERS

The Hon. P.L. WHITE (Taylor) (15:45): I move:

That the time for bringing up the report of the committee be extended to Tuesday 1 December 2009.

Motion carried.

MOTOR VEHICLES (MISCELLANEOUS NO. 2) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 October 2009. Page 4549.)

The Hon. G.M. GUNN (Stuart) (15:46): I have taken an interest in these particular matters for a long time. When I spoke yesterday on this matter, I indicated that one of the things that I have done as a member of parliament is probably driven further than anyone else who has ever been in this house. I have had a wide range and variety of vehicles and driven over variable conditions. I also got my private pilot's licence in the time I have been in this place.

I understand that one has to be disciplined in some of these particular activities and you have to learn certain principles. Therefore, any changes to the law, as well meaning as they may be, have to have a practical side to them. My only concern is that we are not, again, legislating to make life more difficult for people who should not have to put up with those difficulties.

One of the challenges is always that the further away you are from the decision-making process, or the administrative process, the more difficulties you can have. At the end of the day, if you live in an isolated community there is limited means of transport and, therefore, if there is only a V8 motor vehicle available then you have to learn how to drive it.

I understand the concerns about some of these high powered V8 vehicles. I often wonder why people want to buy them, because the six cylinder motors that are out today give very high performance. I happen to have a four cylinder turbocharged dual cab vehicle and it is pretty nippy. I do not understand why you would want to get one of these V8s with little tyres on them. You pay a lot of money but it is not going to get you there any better and it will probably use a lot more fuel. In this particular case I would say to the minister that I hope the administration of this act is carried out with common sense and fairness.

One of the interesting things in rural areas, as the minister would be aware, is that Toyota LandCruiser utes are probably the most popular commercial vehicles in the agricultural, pastoral and mining industries. All four wheel drives are good, but Toyota has a name. Unfortunately that company only makes V8s now. I hope the people involved in those industries that I mentioned will

still be able to access and drive those because they are an important tool in the daily administration of their work.

For the life of me, I cannot understand why that particular company has gone down that track. However, I suppose the wiser heads in Japan have better market analysis than I have, but that is a matter which concerns me. The other matter is that, if you are going to extend the period for people to have learner's permits, P-plates, and things, we have to clearly understand that that may be applicable in the metropolitan area but it can cause difficulties in rural South Australia.

Some of us learnt to drive at a very young age. I started driving trucks when I was 16. Touch wood, I have not had much trouble with them. My children learnt to drive at a very young age, and I still recall my youngest bloke driving and when he used to change gears he used to disappear and you could not see him. He would put the clutch in and would disappear. Now he has become a very good driver. He can drive around Melbourne and a lot of places a lot better than I can. I do not even know my way there.

Some of the academic exercises that go on often do not always recognise that we still, in many cases, live in a practical world. A lot of these children, including one of the parliamentary counsel, have learnt to drive on my farm. He came here as a young bloke and we taught him how to drive a Toyota for his first experience. They then get experience in driving tractors. It has certainly taken a lot of their enthusiasm out of driving. If you put them on a tractor on a cold day when the cabins were not so good for a few hours, they lost a bit of enthusiasm following the plough mark, but we do not do that any more. We all have GPS.

I hope that it is going to be practical and common sense. We have passed these heavy vehicle laws and we were given all sorts of undertakings. We have seen a lot of nonsense and a lot of unintended consequences. All I can say in this house today is that, during this current harvest, I am going to be visiting the silos and I am going to take the numbers of their vehicles and I am going to go after them, really go after them, because they have done some silly things. You have the nonsense of people trying to get home and they cannot get there. The minister gave us undertakings and they have gone outside of them.

We live in a parliamentary democracy and, while I am here, I will do my job. I have no hesitation about some of these characters. Occasionally, the police know that I put a question on notice—and I do not do it to be vindictive—so that they clearly understand that it is the role of a member of parliament not only to make the law but to observe how it has been implemented and what the consequences are. When common sense does not apply, you take the consequences. There are consequences in a democracy.

Minister, you have 28 clauses in this bill and they have wide-ranging implications. I am one of those who strongly believes that it is necessary to make sure that the provisions we make are not unworkable and do not cause unnecessary hardship. There are people who believe that certain elements of the enforcement regime pick on P-platers and young people. I do not know whether that is true. I do admit that some of the P-plate drivers I see on the road sometimes do foolish things. I see as many as anyone. I have been driving about 2,000 kilometres a week. I do not intend to continue that in the future.

Ms Breuer: Have you ever done 160?

The Hon. G.M. GUNN: I would say to the honourable member that I understand that she has been pinged, too.

Ms Breuer: Me?

The Hon. G.M. GUNN: Yes—for driving, some time ago. No, I have never done 160 km/h. I have done about 160 knots in a Cessna 210 plenty of times. I lifted a gear up and got it going. You have to make sure you have it trimmed up right, get the automatic pilot going and get it up nice and high. Sometimes you get better than that.

Mr Pederick: You're above the law.

The Hon. G.M. GUNN: No, you're above the clouds, above the immersion layer, ahead of the bumps. I say to the honourable member that, if you start throwing stones, a few might come back. Always remember that I have a good memory and I do not want to have to activate it.

We have to make sure that there is a clear difference between a minor breach and a serious breach. I do not have a problem with people who have been drinking and get pinged—or if

they are doing wheelies or burnouts—I do not have a problem with that. I can never understand why anyone would want to do that to their car tyres. I have found tyres are very expensive to buy.

I drive in the country and I see that happening at cross roads and I think how stupid people are. On occasions, I have contacted the local enforcement agency and said that I think perhaps it is time they had a bit of a look around there, because someone is going to get killed. However, some of them are minor things.

With those few comments, I support the bill. Obviously, there is a need to bring uniformity across Australia and we need to take reasonable steps to ensure that young people are not putting themselves in unnecessary danger. I do not have any problem with restricting V8 vehicles, except where they are needed for commercial activities, like four-wheel drives and other things. Otherwise, I do not have any problems.

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (15:56): I thank the opposition members who contributed to this bill and I will endeavour to respond to each of the queries raised.

The shadow minister, the member for Kavel—who I wish to commend on the thoroughness with which he approached this bill—put in a lot of effort and consulted with a large number of individuals. He has been very much on the money in terms of areas that needed further interrogation.

In relation to the shadow minister's concerns with respect to high-powered vehicles, the classification of a vehicle as 'high-powered' will be if it has an engine of eight or more cylinders. I am reading this into *Hansard* so that there will be no confusion or disputation later as to what the government intended by way of the classification of high-powered motor vehicles.

It means an engine of eight or more cylinders which could be, by way of example, a V8 Ford Falcon or a V8 Holden Commodore, a turbocharged or supercharged engine, by way of, for example, the Subaru Impreza WRX, Nissan 200SX or Nissan Skyline turbo models, and vehicles that have been modified to increase engine performance.

Also, a number of nominated high-performance vehicles will be classed as high-powered motor vehicles. They are: BMW M and M3; Honda NSX; Nissan 350Z and 370Z; all models of Porsche from 1994 onwards—by way of example, Porsche Boxster, the 911 and the Cayman; and Mercedes-Benz SLK350. These specific models of vehicles have been selected based on their high power to weight ratios. The other states also identify these specific vehicles as high-powered vehicles for the same reason.

The following vehicles will be excluded from the restrictions because they are low performance in nature: all diesel powered vehicles, only if less than eight cylinders; all models of BMW Smart vehicles; Suzuki Cappuccino 2D, Cabriolet turbo 3 690 cc (1/1/92 to 1/12/97); Daihatsu Copen L880 2D (which is two door) convertible turbo 4 690cc (from 1 October 2003 onwards).

It has been suggested that the high-powered vehicle classification should be placed in the regulations rather than the *Government Gazette*. That was suggested by the shadow minister. The reason the bill provides for the notification process to be by gazette is to enable any necessary change in specific vehicles on the list to be made quickly.

From a policy perspective, inclusion in the *Government Gazette* will enable the restrictions to be more easily administered by the Registrar of Motor Vehicles. If the vehicles are listed in the regulations, it will take some time to amend, and this is not desired. The registrar already lists approved motorcycles in the *Gazette* as part of the Learner Approved Motorcycle Scheme for learner motorbike riders.

Further, there are discussions amongst the states on introducing a uniform list of high-powered vehicles for provisional licence holders, and the inclusion of the classifications in the gazette will help facilitate this by allowing any necessary changes to the list to be made quickly. I raised this in informal discussion with the shadow minister. We do not want to a delay of four or five months from the arrival on the market of an extremely highly powered and potentially dangerous vehicle before it can be picked up by way of regulation.

That said, Queensland, New South Wales and Victoria each currently has their high-powered vehicle classifications in their respective regulations and features any nominated high-

performance vehicles in other documents, such as a gazette notice, so it seems to be a bit of a hybrid model: it gives certainty, but also allows flexibility.

The government is prepared to consider an amendment along these lines, where the high-powered vehicle classifications are featured in the regulations, together with the provision to allow the registrar to notify specific vehicles that need to be included or excluded from the classifications in the *Gazette*.

So, it is a hybrid model, with broad delineation of category but with the opportunity for us to act quickly, in concert with other states along the eastern seaboard, to preclude the use and purchase of new motor vehicles that could be potentially dangerous from the reach of the P plate drivers. This will be the subject discussion between the shadow minister and I as the legislation moves between the houses.

Again, as requested by the shadow minister, I can confirm that Victoria, New South Wales and Queensland are yet to evaluate their high-powered restriction schemes. I saw some reference to a body of work in undertaken in Victoria that tended to indicate that the prohibition on the use of high-powered motor vehicles by provisional learners was showing positive benefit, but again they were extremely cautious by virtue of the small sample size and the fact that the scheme had not been in operation for a considerable period of time. I have been trying to track down the legislation, but they were of the view that there were discernible benefits.

I also refer to the situation which the member for Kavel brought up yesterday, where a family had two vehicles: one was damaged and unable to be driven for a period of time and the other fitted the classification of a high-powered vehicle. I confirm that the Registrar of Motor Vehicles would consider the evidence and, if satisfied, would grant the provisional licence holder a temporary exemption for the period the first vehicle was unable to be driven on the basis that the second vehicle was the only vehicle available to the provisional licence holder, and I think that is fair and reasonable.

All drivers under 25 years who were issued with a P1 licence after the date of implementation of the restrictions will be subject to the high-powered vehicle restrictions. I think it is important to highlight to the house that the bill has transitional provisions that exclude those who hold a provisional licence at the time the legislation comes into operation and who do not subsequently incur a disqualification from the high-powered vehicle restrictions.

In response to the member for Flinders' query about whether the high-powered restrictions will inadvertently affect those driving heavier vehicles, I confirm this will not be the case. A driver is required to hold a class C licence (which is a full/unrestricted driver's licence) for a minimum of one year before obtaining a heavy vehicle licence. The high-powered restrictions will only apply to provisional licence holders who have no adverse impact.

On the issue of the safer driver agreement, to clarify the member for Kavel's query about the regression effect of the safer driver agreement on a provisional licence holder, both P1 and P2 drivers would return to the initial P1 stage; that is, a P1 provisional licence holder will not regress to a learner's permit. This is consistent with the current licensing process adopted by the courts when a provisional driver successfully appeals against their licence disqualification on the basis of hardship.

On the issue of the introduction of the offence of being in possession of a driver's licence that has been unlawfully altered or damaged, I confirm the understanding of the member for Kavel about the proposed offence of being in possession of a driver's licence that has been unlawfully altered or damaged. The key word is 'unlawfully'. It is not an offence to be in possession of a driver's licence damaged through wear or tear.

On the issue of the increase in supervised driving hours and the increase in minimum time for a learner's permit, the member for Schubert queried why this bill does not allow for a driver over the age of 25 who has a reduced safety risk due to their higher level of maturity to complete a reduced number of supervised driving hours and have less minimum time on a learner's permit. In fact, this bill does that, and I refer members to clause 11 of the bill, which sets this out.

On the issue of the maximum speed permissible for a learner's permit holder, the member for Schubert (and also the member for Kavel in conversation with me) queried whether the maximum speed limit of 80 km/h for a learner's permit holder should be higher. In fact, if accompanied by a motor driving instructor in a clearly marked driving school vehicle fitted with dual control pedals (braking pedals), the maximum speed a learner's permit holder can drive at is

100 km/h. In all other circumstances, the maximum speed is 80 km/h. An increase in these circumstances is not under consideration, because excessive speed is a prime factor in the youth road toll and young driver offences. I have seen some evidence to indicate that there can be a propensity to speed on Ps if the learner is detected exceeding the speed limit, with some work that has been recently released by the University of Adelaide.

It also should be noted that the maximum speed for learner's permit holders of 80 km/h is consistent with New South Wales, Tasmania and the Northern Territory. In discussions I have had with the officers in the last half hour, issues of practicality were indicated, in terms of SAPOL seeing the L-plates and not knowing at what stage through the 12 month period the learner is at, and also the current complexity of the L and P-plate system. I have to admit that, after looking at the structure, I believe there is a high degree of complexity, and I think we were a little reluctant at that stage to confuse what is already a reasonably complex system even further by inserting a scheme whereby an L-plater, say, for the first six or eight months can drive at 80 km/h and for the remaining six or four months can take that limit up to 100 km/h. That concludes my comments on the bill.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr GOLDSWORTHY: Minister, thank you for your comprehensive comments in closing the second reading debate. That has explained and clarified quite a number of the issues that we raised during the course of the debate. As discussed, we have no amendments at this stage. My question relates to high-powered vehicles. I fully understand the different categories and descriptions, and I could even identify some of the makes and models which the minister read into *Hansard*.

The minister gave an overview of how the scenario would work if there were two vehicles in a family, one being classed as high powered and the other not, and if the second one was in the workshop for whatever reason, then an application could be made for an exemption for a P-plater to drive the high-powered vehicle. When a P-plate driver makes the application, how long is it envisaged that that application will take to be processed and a decision made by the registrar?

The Hon. M.F. O'BRIEN: We are seeking clarification on that. It will certainly be expedited as soon as is practicable and it will be set in regulation. I acknowledge the situation that you are talking about where you have two vehicles and the vehicle that the P-plater has been using has to be workshopped for some reason and the only other available vehicle is a high-powered motor vehicle. You are asking how long it would be before the P-plater could access the other vehicle.

A dedicated officer will be given this task. This change to the legislation will be backed up by resources. An officer will be responsible for the administration of the high-powered motor vehicle scheme, and indicatively—and it is only indicatively—we hope it would be done within a matter of two weeks at the maximum.

Mr GOLDSWORTHY: The authority will be delegated by the person holding the position of registrar. That is, the authority to assess and make a decision on applications will be delegated to an appointed government officer. We just want to canvass this a bit because this is quite an important aspect. As I said yesterday in my second reading speech, this is a new initiative that the government is bringing into this state, so we have to make every effort to get it right and get it working properly from the start. We do not want a situation where we have one officer sitting at a desk and there is a pile of applications like this that it is going to take them three months to work through. That is just a system that is not going to work. I am interested to explore issues around that.

The Hon. M.F. O'BRIEN: In response, I am personally assured that the scheme will be adequately resourced and adequately staffed. In considering all aspects of the legislation, I certainly took a great deal of interest in the administrative backbone of the scheme and it will not be a situation where one individual will be totally overwhelmed by the workload. There will be a team working on this.

Just by way of explanation, this is yet another reason why we have a preference for new motor vehicles coming onto the market to be dealt with by way of gazettal because it will

significantly reduce the potential administrative workload in comparison to the process of regulation.

We really are trying to do everything that we can to ensure that this scheme causes minimum or no inconvenience to young people transitioning from their Ls to their Ps. There will be a substantial education campaign initially and that will be ongoing, and there will be a full explanation on a website. There will be readily available printed material and, within DTEI, there will be more than adequate resourcing for the scheme.

Mr GOLDSWORTHY: I might be missing something here in the bill, but clause 4(1) inserts the section where it outlines the high powered vehicle provision. We have talked about exemptions and making application for exemptions and the like but I cannot see—and I am seeking your direction—where the aspect of exemptions is actually stated in the bill because I think it is pretty important that that is actually legislated.

The Hon. M.F. O'BRIEN: As the shadow minister would well know, these would be incorporated in the regulations and it is normal practice that the regulations are drafted after the passage of the bill. Interstate, the exemptions are dealt with by way of regulation.

We have given a clear undertaking, if I can use that word, that the scheme that we will be running in South Australia will be, as near as possible, identical to that running in Queensland, New South Wales and Victoria, and those three states want commonality of the scheme as well. I give an assurance that what we are doing will not digress substantially from the form taken particularly by the Queenslanders, but also the New South Welshmen and the Victorians by way of exemptions.

Mr GOLDSWORTHY: I understand that, but just because the Eastern States do it does not necessarily mean that we have to follow them. I do not want to draw any analogies in terms of parental advice when children want to do the same things as their friends, and so on, but simply because the Eastern States administer it a certain way does not mean that this state cannot do it in a slightly different manner.

I get back to the point that this high-powered vehicles thing is new. I do not see why we, as legislators, cannot have something in the legislation that says that the exemptions for which provisional licence-holders are able to apply will be administered by way of regulation. It could be one line, and then it is in the bill, the act; it is law. I take the minister at his word; however, the exemption aspect to which we are referring here is an important part of this new initiative, which introduces restrictions on the use of high-powered cars.

Can the minister explain why we cannot have a line in there providing for the exemptions, as they relate to provisional licence-holders who are applying for exemptions, to be outlined by way of regulation?

The Hon. M.F. O'BRIEN: This may satisfy the shadow minister. Clause 12(17), page 17, provides:

> The Registrar may, on application by the holder of a P1 or P2 licence and payment of the fee (if any) prescribed by regulation, grant the holder an exemption from subsection (16) for such a term and subject to such conditions as the Registrar thinks fit.

Clause passed.

Remaining clauses (5 to 28), schedule and title passed.

Bill reported without amendment.

Bill read a third time and passed.

STATUTES AMENDMENT (PUBLIC SECTOR CONSEQUENTIAL AMENDMENTS) BILL

Adjourned debate on second reading.

(Continued from 14 October 2009. Page 4255.)

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (16:26): It is my pleasure to have this opportunity to contribute to the Statutes Amendment (Public Sector Consequential Amendments) Bill 2009. Several months ago I had the responsibility for the Public Sector Bill when that was debated, and that background has been quite advantageous when considering this

matter. Even though this bill rests, from a shadow ministry responsibility, with the Hon. Rob Lucas in the other place, I indicate that I will be the lead speaker in the House of Assembly on this bill.

We recognise that the bill was introduced by the minister on 14 October. The opposition is generally quite supportive of the bill, but we will be asking some questions. There are a couple of points I will be asking the minister to clarify towards the end, and that, in fact, may prompt us to consider some amendment opportunities, but we will see what sort of answers the minister provides.

We recognise that this bill amends some 170 acts and comes about as a result of the passing of the Public Sector Act 2009 several months ago and the resulting provisions of the Public Sector (Honesty and Accountability) Act 1995.

I think it is fair to say that the Public Sector Act 2009 was the result of a considerable level of negotiation. The government put a draft of the bill out for consultation in late 2007, I believe, and it received feedback from that. When the bill eventually came up for debate I was very pleased at the level of opportunity provided to speak to the minister's chief of staff, Mr Simon Blewett, and the support and cooperation that he gave the opposition.

It was also pleasing to note the debate that occurred in the House of Assembly, where the member for Mitchell contributed quite strongly, with amendments proposed by us, some of those eventually being accepted by the government. I think that in the other place, with the support of minority and crossbenchers, it resulted in a bill that should, we believe, serve collectively the members of the Public Service in South Australia very well into the future.

This is certainly an opportunity to pay tribute to the Public Service, a collection of some 79,000 full-time equivalent people who have a very challenging role, in many cases, to provide services to South Australians, often in difficult situations, often with a challenge involved, but overwhelmingly with a dedication to the role that they have undertaken, a role that they actually perform for South Australia. So, I would put on the record again the level of respect that we hold for them.

The intention of the act is to ensure that the public sector, as I understand it, is governed by a comprehensive set of principles, with greater emphasis on one government. I think that is important because the public sector is very diverse—it is certainly across many departments and many physical locations—but importantly, the principles have to be uniform throughout. So, the intention of this bill is an appropriate one and a good one.

The principles for the public sector include becoming an employer of choice. There is no doubt that the public sector, as with all industries, in future years will be faced with an increasing number of baby boomers who will retire. There will be a challenge for South Australia to actually provide the labour force that it needs, and the public sector will find it difficult in many cases to recruit staff.

Comments provided during estimates sessions a few months ago indicate that there are, I think, something like 12,000 members of the public sector each year who decide to move on, and recruiting their replacement is an enormous challenge. The principle espoused in the act to encourage the development of staff is, again, important. People who work in a rewarding situation and have the opportunity to develop careers are certainly more inclined to stay within an organisation. The public sector needs the continuation of that corporate knowledge. Yes, while it is great and energising to have new people coming in all the time who see things from a different perspective, corporate knowledge and the understanding of how to deal with issues are important.

We have a couple of questions. An obvious one from the start has been why these amendments were not considered as part of the bill debated several months ago. In hindsight, I understand that doing that at the same time as considering quite a few amendments moved by a variety of members (the opposition, Independents and cross-bench parties) would have been a bit challenging. There is some understanding of the need to let that act consolidate, then let it settle down, look at the statute book and determine what level of change needs to be considered and then to do it across all acts of parliament. That is why we have something today that is considering an amendment to 170 different acts. That, in itself, would be quite significant.

As I understand it, the review of the statute book has looked at areas such as bringing immunity provisions affecting the public sector into line with section 74 of the Public Sector Act 2009; resolving inconsistencies in conflicts of interest and similar duties affecting the public sector; substituting references to a repealed public sector legislation; resolving references to particular

departments and offices; and updating terminology to reflect the Public Sector Act of 2009 and removing duplication.

No doubt, there is a need constantly for acts of parliament to be renewed to some level and that has been the history of the parliament to look at where it needs to be improved. By supporting this bill, even though we might give consideration to some amendments in the other place, and amending the 170 acts is an appropriate step.

We note the removal of reference relating to the conflict of interest for public sector administrators and others to ensure consistency through the reliance on the public sector honesty and accountability act. I have some questions about that in the conflict of interest and immunity provisions that are proposed for this. We also note the fact that the exceptions for the immunity include the police and the courts, but I suppose the question we would like the minister to consider relates to using a template for conflict of interest and a template for immunity provisions across all of these acts. Presumably, all these acts were written at different stages of the parliament and different stages of South Australian history and reflect the drafting principles that were in place at that time. Some different thoughts were in use—some quite strong in basis, some not quite so.

The opposition is interested in instances where you might use a template and where a median position has been found which, from the government's perspective, it hopes will cover all these possibilities. Is the minister able to provide any comment (quoting specific acts, if possible, although it might be somewhat difficult in the short term) on areas where instances of using the template approach has enforced the provision of the legislation? Also, it is a key issue for us to identify instances of where using the template has resulted in a diminution of that.

I appreciate the fact that the minister is nodding his head in agreement because he recognises that it is an issue. For us, specifically in the conflict of interest and the immunity areas, we would be interested to get some comment from the minister about where that has had an impact. In the consideration of this bill between the houses, it is those areas that we will examine as to whether there is an opportunity or need for some amendments to be proposed.

My advice is that the Public Sector Association, which was heavily involved in the consideration of the Public Sector Bill some months ago, has offered its support for this bill. It has no substantial concerns and is supportive of the legislation. From the opposition's point of view, we certainly appreciate the fact that the information requested by the shadow minister, the Hon. Rob Lucas, was provided by the minister's staff quite promptly. The opposition party room has considered the amendments that are proposed. Generally, as I confirm again, we support the intent of the legislation and we look forward to a few comments from the minister about those template issues as we progress the bill.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:34): I thank the Deputy Leader of the Opposition for the indication of his support for the bill. I look forward to addressing his questions in the committee stage (should he ask them) in relation to conflict of interest provisions. I might just add that the nodding of my head was more to indicate that I understood his question rather than to accept that there was a difficulty or an issue. Nevertheless, we will find out about that when we get to the specific clause in question. I would like to thank the opposition for its support for the bill and look forward to its speedy passage.

Bill read a second time.

In committee.

Clause 1.

The CHAIR: May I have an indication of areas of interest, please?

Mr GRIFFITHS: It is a rather interesting challenge to identify a particular one. In looking through the bill there are quite a few areas where it talks about conflict of interest and immunity. I wonder if the minister is able, more as a general principle, to provide some advice on where the use of the templates might create that issue.

The CHAIR: Perhaps for form's sake we will deal first with clause 1.

Clause passed.

Clause 2 passed.

The CHAIR: I note that clause 65 talks about disclosure of interest; clause 57 talks about conflict of interest, as does clause 56. Can you check whether your query can be appropriately dealt with there, or is it earlier?

Mr GRIFFITHS: The first one I can find that relates to conflict of interest is clause 15 on page 20.

Clauses 3 to 14 passed.

Clause 15.

Mr GRIFFITHS: I just want to re-assert my request for the minister to provide some details as to the use of a template. I apologise for the fact that it might not relate to this particular amendment to the Adelaide Festival Centre Trust Act but, indeed, as more of a general comment where the use of the template will impact in either a positive or negative sense, as to how the provisions of the conflict of interest under this act were previously implemented.

The Hon. J.W. WEATHERILL: I will take the answer to the question in two parts; the first is the conflict of interest provisions. The first thing that needs to be said is that the honesty and accountability act to provisions, which are replicated now, have enhanced the conflict provisions so that they are more comprehensive in almost all respects, except for one in some acts, and that is the question of the penalty for the breach of those provisions.

Essentially, we have harmonised the provisions concerning penalties so that there is now only a fine that would be capable of being imposed for a breach of those provisions, instead of a fine or imprisonment, and it is in respect of only a certain element of the conflict of interest provision disclosure, as opposed to dishonesty.

So, what we have is a very narrow part of conflict of interest provisions which, in some acts, provided for a penalty that included imprisonment, and we are now no longer ensuring that that penalty exists. Those acts are: the Economic Development Act, the Independent Gambling Authority Act, the Motor Accident Commission Act, the National Parks and Wildlife Act, the Occupational Health, Safety and Welfare Act, the Phylloxera and Grape Industry Act, the South Australian Film Corporation Act, the South Australian Tourism Commission Act, the South Eastern Water Conservation and Drainage Act, the Workers Rehabilitation and Compensation Act and the Zero Waste Act.

A small number of the total number of those acts contained clauses that provided for imprisonment in addition to the penalty of a fine in respect of the breach of certain elements of the conflict of interest provisions. Why did we do that? First, we cannot find an instance of a term of imprisonment being imposed, so it has not been used, and, secondly, it is not regarded as desirable that that be the penalty for conflict of interest provisions.

The latest legislative expression of that policy choice was made by the parliament when it passed the amendments to the Public Sector Management Act in around 2003. In a sense, the last time the parliament considered this matter from a policy perspective, it chose not to use imprisonment as one of the penalties for a breach of conflict of interest provision.

With respect to the question of immunities, they are the immunities that are enjoyed by public servants and which protect them from various legal proceedings. So, it is a benefit. I take the member's question to relate to whether the protections have in any way been diminished by the standard clauses that are applied in the act. The answer is that they are not damaged. The extent of the protections that exist under the various acts for public servants, albeit differently expressed in some acts, are no less than the protections that have been provided for in this act.

Clause passed.

Remaining clauses (16 to 387) and title passed.

Bill reported without amendment.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:45): I move:

That this bill be now read a third time.

I wish to congratulate all those who have worked on bringing this act to fruition, in particular, Craig Stevens and Jan Ellis. I would particularly like to single out parliamentary counsel Christine Swift for the extraordinary amount of detailed work that needs to go into analysing the incredible number of acts that this bill amends as a consequence of the earlier Public Sector Bill. It is very high quality work and it was done with great precision and care, and I would like to thank her for her work in that regard. I also thank the opposition for its support for the bill.

Bill read a third time and passed.

[Sitting extended beyond 17:00 on motion of Hon. J.W. Weatherill]

BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT BILL

In committee.

(Continued from 15 October 2009. Page 4324.)

Clause 2 passed.

Clause 3.

The Hon. I.F. EVANS: The objects of the act relate to those who undertake to supply related goods and services. My understanding is that, in similar bills around Australia, goods and services are not included. Can the government explain why it has included it?

The CHAIR: Member for Davenport, this is a private member's bill and I will ask the member for Newland to respond.

The Hon. I.F. EVANS: Sorry, Madam Chair, I understand the government has suspended standing orders to bring in the private member's bill, so obviously the government is supporting it, and so I assumed it was a government bill.

The CHAIR: However, the bill is being managed by the member for Newland as a private member's bill. The member for Newland.

Mr KENYON: This bill is pretty much a straight copy of the New South Wales act, and because I am not amending this particular clause in any way, it has just been lifted straight from the New South Wales act. So, in fact, they are included in New South Wales in this case. That is my understanding of it.

Clause passed.

Clause 4.

Mr KENYON: I move:

Page 4, line 22—After '31 December;' insert:

or

(c) any other day on which there is a statewide shut-down of the operations of the building and construction industry;

This amendment gives effect to including industry-wide shutdown days and days that are not included for the purposes of calculating the number of days to respond. This amendment arose out of consultation with industry, particularly the MBA in this particular case. It means that, particularly over Christmas when there is an industry-wide shutdown for quite a number of days or rostered days off for the whole of the industry (which I am told occur once a month), they are not included for the purposes of calculating response times, adjudication times and the like.

Amendment carried.

Mr KENYON: I move:

Page 5, lines 9 and 10—Delete the definition of recognised financial institution

This amendment deletes the definition of 'recognised financial institution' and part of the amendment is designed to include the banking agreements within the chain so that the whole chain from the lower subcontractors (if I can use that term) right up to the builders and financiers, or the developers of a project are included in the chain for claims.

The Hon. I.F. EVANS: I will make some comments in relation to this particular amendment. As the member for Newland has suggested in the amendments to his own bill, he is now deleting the words 'recognised financial institution' from the bill which has the impact of making the bill apply to financial institutions. Now the banking industry tells me that this is the only bill in Australia that will apply to financial institutions. When I rang the banking industry and asked them whether they had been consulted about the bill and the amendments, the answer was no. For the sake of the record—and I do not have the numbers in this chamber—and for the purposes of the committee, I will read the banking industry's view on the member for Newland's amendment to his bill.

The letter is dated 27 October and it is from Ian Gilbert. Ian Gilbert is the Director, Retail Policy, Australian Bankers' Association, Sydney. The letter states:

Dear Mr Evans

Thank you for bringing this matter to our attention and seeking our views. In the limited time available I provide some points for consideration.

The impact of the proposed amendments, if passed, on financial institutions is not entirely clear but we believe the following points ought to be taken into account to conclude that the Amendment to include financed construction contracts should not proceed.

1. Comparable legislation in New South Wales—

The Hon. M.J. Atkinson: Comparable.

The Hon. I.F. EVANS: Well, the Attorney keeps giving me grammar lessons.

The Hon. M.J. Atkinson: No; pronunciation in this case.

The Hon. I.F. EVANS: Yes; that as well. I will continue:

1. Comparable legislation in New South Wales excludes construction contracts that are financed by banks or other prescribed financiers. We assume from the fact of this exclusion that the Parliament of New South Wales was concerned about the possible harmful impact on the construction industry that might eventuate where a financier's exposure to increased credit risk would be increased by the legislation.

2. The second reading speech in the Assembly on 8 September 1999 included this passage: 'Particular types of contract are excluded from the operation of the legislation. The main exclusions are: contracts for residential building work with the person who resides in or proposes to reside in the premises on which the work is carried out; employment contracts; contracts of insurance or loans or guarantees with recognised financial institutions; contracts where the payment is not made in monetary terms, for example, a contract where in return for carrying out constructing work, the contractor is to receive the right to lease or operate the building or structure; and contracts for construction work carried out outside New South Wales' (my emphasis) but is silent on the reasons for these exclusions.

3. The exclusion of the bank financed construction contracts was a deliberate policy decision that enjoyed general bi-partisan support. We conclude that this reflects the recognition and understanding of the risk to the construction industry in New South Wales if bank financed construction contracts were included.

4. The meaning of 'construction contract' would include both the head contract with an owner and the subcontracts between the head contractor and the subcontractors. Despite the terms of the contract, a party to a 'construction contract' may claim progress payments according to the legislation which may have cash flow implications for head contractors and owners flowing through to financiers. A claim would be an unpredictable and therefore relevant event in a bank's assessment of its credit risk exposure.

5. Feedback from members of the [Australian Bankers Association], indicates that if bank financed construction contracts are to be covered in the South Australian Bill, a bank would need to undertake additional due diligence to ensure that its developer/owner customer would have the ability to meet the call of the subcontractor in the event that the bank determined not to make a progress payment because, for example, a concern over the loan to the value ratio if the payment were to be made at that stage of the construction.

6. Further, a claim for progress payments outside the normal terms of the construction contract could place additional stress on the cash flow of the bank's developer/owner customer, potentially increasing the risk to the bank. This may result in a broader approach by banks to credit risk in this industry in [South Australia]. How much this would impact is unclear but the effect would need to be taken into consideration deal by deal. A bank may have to review its standard form construction finance contracts and its credit risk assessment to account for untimed progress payment claims.

7. Another implication with the Amendment is that it will, in effect, disturb the contractual relationship between a bank and its customer where an assessed and prudent provision of finance according to the terms of the associated construction contract is displaced by an unpredictable and untimed alternative obligation reached by an adjudicator that may have the effect of an order of the court.

It is possible further feedback may become available before Thursday which I will provide to you in that event.

Sincerely

Ian Gilbert.

The reason I read that into *Hansard* is that, because the banking industry had not been consulted on the bill until this week, that information has not gone to the Housing Industry Association from the mover of the bill or, indeed, the Master Builders Association or the subcontracting associations.

Obviously I am distributing it to those organisations to seek their views because it was one of the building associations—the Master Builders Association or the Housing Industry Association—that lobbied hard to have the banks actually included in the system. It is obvious from the banking industry's advice that the South Australian legislation, it appears at least, would be the only legislation in Australia that would bring the banking system into this particular process. The banking industry says that would put South Australia's construction/developer industry into a different pool of law, which would add a risk component. Obviously, that would lead to a higher cost in South Australia.

I understand why the member would move the amendments, because they were requested by the various building associations. Unfortunately the banking industry was not consulted, or the government was unaware of that advice until this moment—indeed, the housing industry and master builders associations have not really had a chance to grasp it. However, on that basis the opposition will not support the amendment at this stage.

We will talk to various building associations between the houses but, based on the advice that it could put a higher cost and a higher risk on construction contracts in South Australia, and based on the advice that it does not exist in other states, I am not convinced at this stage that the opposition needs to support the amendment. I am not sure why the Housing Industry or Master Builders would argue that South Australia should adopt a different position to everywhere else in Australia on this point, and at this stage the opposition will not support the amendment, subject to further advice from the industry.

Mr KENYON: I understand the points raised by the member for Davenport, and would like to make the following comments. The amendment came as a result of consultation on this issue, with the Master Builders in particular, who were very keen for the entire chain to be included. As it is, I can see how the concerns of the banks may arise, and there may be an increase in due diligence. However, what is becoming payable is not more than what would ordinarily become payable. I am assuming that we are not seeing a cost blow-out or work over and above what should have been approved.

I suppose we again come down to the issue of variations within the building industry or with variations from contract. However, this bill aims to see payment through to subcontractors from contractors or builders, to people who have undertaken work or bought the material. The aim of the bill is to ensure that people receive due compensation, in a timely manner, for their labour and for the materials they have purchased. We all know that the smaller the business, or the lower the amount of cash flow for a subcontractor, the more difficult it is for them to bear that cost. The premise of this bill is that the people who bear the cost are the people who are most able to pay the cost, right up through the contractual stage.

So, having consulted with the building industry about it, particularly the MBA, and having come to this amendment through that consultation, I think I will continue forward with it. We would probably be keen to see what comes out of further consultation that may arise with the banking industry; in fact, I am happy to contact the banking industry and see how that goes. However, for the moment, it is not an unreasonable burden placed on banks because it is paying money that they have already contracted and agreed to pay, for the most part, through their contracting process.

The Hon. I.F. EVANS: I will not hold the house long; the member knows that the opposition supports the bill in principle and will not hold it up unduly. However, I think I am the only member in the house who comes, basically, from a building background. I may be wrong, but I think I am correct.

The bank is really saying that it contracts to the builder based on contracted progress payments. So, at certain stages of work certain amounts of money will be paid through. Under the bill, claimants can claim money outside of the progress payments. So the bank contracts for certain finance based on a certain cash flow provision—in lay terms, footings X amount, walls another amount, roof another amount, second fix another amount, etc.

Under the bill, the reality is that the claims do not have line up just with the progress claims as per the contract; so they can actually claim for work in between the progress claims, particularly goods and services. So, if you have supplied the equipment but that stage of the work is not finished and you are not getting paid, then you can claim. That is outside of the bank's contracted progress claim, so the bank is then saying that that is fine, that it is going to look at the building company and say, 'If we only pay you according to the progress payments we are contracted to, how are you going to finance any other claim in between time?'

The reality is that it will compromise and compress the builder's cash flow, and that, obviously, has implications for trading terms for builders. That is what the bank is actually saying and that is why, I think, the MBA and HIA may have to rethink their position.

Amendment carried.

The Hon. I.F. EVANS: I have a question relating to construction contract. Is it the intention of the bill to cover all types of contracts, including cost plus contracts, where there are no progress payments, necessarily, and is it also going to cover all domestic work, commercial work and industrial work, or is domestic work excluded?

Mr KENYON: No, all contracts, including the cost plus contracts that you mentioned, are envisioned to be covered. One of the specific objects of the act is to outlaw, for instance, 'pay when paid' provisions in contracts, and the like. It specifically gives subcontractors, or those involved, the opportunity to claim progress payments even where they are not envisaged in the contract between the contractor and the subcontractor. So, with the proviso that I have a fairly limited knowledge of the types of contracts, I am assuming that I am correct on that. Again, I will give an undertaking to the member that I will investigate that and get back to him so that he can have various amendments made in the upper house, should he choose to do that.

Clause as amended passed.

Clause 5.

Mr KENYON: I move:

Page 6, line 6 [clause 5(1)(e)(iii)]—After 'dismantling of' insert: fences or

Amendments Nos 3 and 4 increase the definition of services that are included.

The CHAIR: Thank you, but I can only consider amendment No. 3 at the moment.

Mr KENYON: That is my explanation for amendment No. 3, but the same applies for amendment No. 4.

Amendment carried; clause as amended passed.

Clause 6.

Mr KENYON: I move:

Page 6, line 36 [clause 6(1)(b)(iii)]—After 'advisory' insert: or technical

As previously stated, this expands the services that can be included.

Amendment carried.

The Hon. I.F. EVANS: Clause 6(2), at the bottom of the page provides that, 'related goods and services does not include goods or services of a kind prescribed by the regulations'. Could you give the house some indication of what goods and services you think will be exempt from the operation of the act that you may be looking to put into regulation?

Mr KENYON: In fact, I cannot. We would be relying very heavily on the New South Wales regulations, I suspect, when we draw them up. I apologise to the member for Davenport for not being able to answer his question. Again, I undertake to get that answer back to him between the houses.

Clause as amended passed.

Clause 7.

Mr KENYON: I move:

Page 7—

Lines 7 to 25 [clause 7(2)]—Delete subclause (2) and substitute:

(2) This Act does not apply to a construction contract under which it is agreed that the consideration payable for construction work carried out under the contract, or for related goods and services supplied under the contract, is to be calculated otherwise than by reference to the value of the work carried out or the value of the goods and services supplied.

Lines 31 to 33 [clause 7(3)(b)]—Delete paragraph (b).

After discussions with the MBA and private builders, these clauses bring in residential housing. This particularly affects smaller builders who often find that they finish a house and put in their final invoice, which may be for an amount of $5,000 or $10,000, to the homeowner for completion of the house and the homeowner just does not pay. This particularly affects smaller builders; it is not as much a problem for larger builders. Going back to the principle of the other clause with the financial institutions, it brings in the entire chain from the customer right through to the smallest contractor; everyone is involved in the process.

The Hon. I.F. EVANS: Can the member confirm for the committee that the HIA supports this amendment?

Mr KENYON: I have received correspondence from the HIA just recently—in fact, in the past couple of days—and it is happy with this amendment. I am happy to show the documentation to the member.

The Hon. I.F. EVANS: I would be interested to see that, because I will read a letter that the opposition has received from the HIA in relation to this matter. The HIA wrote to me on Tuesday 20 October regarding the bill in response to a letter that I sent seeking feedback in relation to the amendments tabled by the member for Newland. So, it is in direct response to the amendments. It states:

I refer to previous correspondence in relation to the above Bill, in particular your letter dated 23 September seeking feedback in relation to the amendments tabled by Mr Kenyon. HIA believes that any new legislation must be based on a demonstrated need for increased regulation, in the case of this Bill, HIA does not see such a need in the residential construction sector in South Australia. It is our experience that payment disputes between builders and their sub-contractors are usually dealt with in a timely and effective manner by invoking the procedures available pursuant to the *Worker's Liens Act 1893*.

Having reviewed the Act, it our view that the Security of Payment system proposed under the Act would add another layer of complexity and regulation, which ultimately would result in our members being forced to seek legal advice and incur the expense associated with doing so, this is something often avoided under the current arrangements. Furthermore, we are concerned that the timeframes and penalties strictly imposed by the Act may result in an unjust outcome simply as a result of an administrative oversight.

If the chair would indulge me for 10 seconds I will finish reading the rest of the letter and that way we will not have to deal with it in another clause. The letter continues:

Despite our concerns with the Act as a whole, we do commend some of the amendments tabled by Mr Kenyon. HIA believes the amendment number 5 (to clause 7(2)) will make the Bill much more effective. By far the largest volume of payment disputes arises between a home owner and a builder and the failure of a home owner to make a payment then impacts on a builder's cash flow and in turn their ability to remit payment to their sub-contractors. The removal of the restriction on taking a Security of Payment action against a home owner is a welcome step.

The way I interpret the HIA's letter is that it supports amendment 5 to clause 7(2) which we are dealing with at the moment. They reason they support it is that the homeowner is going to be brought into the provisions of the security payment legislation so that they could be subject to a claim by a builder for a security of payment under the scheme. For that reason, the HIA supports it. Individuals who contract with a builder will now be subjected to this particular provision.

I think this goes back to what the banking industry is saying. Given that that is going to occur, if the bank has a problem with the site, for some reason, or with the agreement with their customer as to at what point they are going to pay the money, the question becomes: how will that private citizen fund the payments of the builder if the bank has not paid them?

I will not talk any longer. The HIA supports this and the member has outlined the reasons for the particular amendment. It is clear to the committee what it is voting on.

Mr KENYON: With the indulgence of the member for Davenport, the information I was going to provide is very similar to that letter and if he is okay with it, then that is fine.

Amendments carried; clause as amended passed.

Clauses 8 to 10 passed.

Clause 11.

Mr KENYON: I move:

Page 9, line 18 [clause 11(1)(b)]—Delete '10' and substitute: 15

It may be possible to do amendments 7 through—

The CHAIR: We cannot, member for Newland, because they apply to different clauses. However, if you speak to one we will put them very quickly.

Mr KENYON: Suffice to say that, after consultation with industry, it was decided that 10 days to respond and adjudicate was, in fact, far too short and it was extended to 15 days, mirroring the New South Wales legislation.

The Hon. I.F. EVANS: I am not going to hold up the committee unduly. Some of the industry groups think that should be 21 days and it is likely that the opposition will move an amendment to that effect in the other place.

Amendment carried; clause as amended passed.

Clause 12 passed.

Clause 13.

Mr KENYON: I move:

Page 10, line 35 [clause 13(4)(b)]—Delete '12' and substitute: 6

In the present bill, people wishing to avail themselves of the provisions of the bill have 12 months to do so. Again, after discussion with industry, it was decided to reduce that from 12 months to six months. Given that the time to respond is quite short, when the claim is put in it is best to try to minimise the burden as much as possible on those who have to respond and ensure that they do not have to go back through 12 months of records, so it was reduced to six. That is the purpose of this amendment.

The Hon. I.F. EVANS: The committee needs to understand what the process is. The person wishing to lodge a claim, under the member for Newland's amendment, will now not have 12 months to do so, but will have six months to do so. The person responding will have 15 days, instead of 10 days. One side of the ledger had 12 months but it is now six months to lodge a claim, and the other party gets only 15 days to respond. The proposal was to make it 12 months and 10 days. The opposition will, at least, support the shorter time frame down to six months.

The reason the industry has sought these different time reasons to stop what they call ambush claims. You can imagine, finding on your doorstep on a Friday night a claim that dates back to figures 12 months and all the paperwork you have to do and you have only 10 days to respond, how one party could ambush the other, in effect.

So, what the industry is trying to protect itself from—I think quite fairly—are ambush claims. There has to be reasonable time to act in the first place (if it is a serious issue, then let's act) and a reasonable time in which to respond. Certainly, the opposition will be supporting the six month time frame.

Amendment carried; clause as amended passed.

Clause 14.

Mr KENYON: I move:

Page 11, line 20 [clause 14(4)(b)(ii)]—Delete '10' and substitute: 15

Amendment carried; clause as amended passed.

Clause 15 passed.

Clause 16.

Mr KENYON: I move:

Page 12, line 20 [clause 16(1)(b)(ii)]—Delete '10' and substitute: 15

Amendment carried; clause as amended passed.

Clause 17.

Mr KENYON: I move:

Page 13—

Line 34 [clause 17(3)(c)]—Delete '10' and substitute: 15

Line 38 [clause 17(3)(e)]—Delete '10' and substitute: 15

Amendments carried; clause as amended passed.

Clause 18.

Mr KENYON: I move:

Page 14, after line 20 [clause 18(2)]—Insert:

(ab) if either or both of the parties have nominated the person to be an adjudicator in relation to the contract; or

This amendment is the result of consultation, as are all the amendments. There were concerns that it may be possible for a nominated adjudicator to be written into building contracts and that that would prejudice one party over the other. I think this is a reasonable amendment, and hence I move it. Essentially, it should rule out an agreed adjudicator.

If one or other party nominates an adjudicator, they are not allowed to undertake the adjudication. It prevents the stipulation in a contract or an unfair use of adjudicators. The intent is to have, pretty much as close as possible, allowing for experience, the first cab off the rank—an adjudicator comes along the line and adjudicates on the dispute.

The Hon. I.F. EVANS: What the member for Newland is trying to prevent by way of this legislation is the more powerful party in the contract negotiation demanding of the other party to the contract to agree to a pre-nominated adjudicator. The reason he has that concern is that you might, for instance, have the more powerful party in the contract demand that the adjudicator come from a panel of adjudicators who come from a particular industry that might favour the more powerful party to the contract.

The opposition thinks that the amendment is reasonable, and we will be supporting it. The industry groups have a mixed reaction to the provision. Something I think the member for Newland needs to check between the houses is whether the act protects against a contract having a different adjudication process rather than a different adjudicator. For instance, could a contract say that, in the event of an adjudication being required, the adjudicator will be nominated by a process established by the Australian institute of adjudicators? So, the contract does not nominate the adjudicator but, rather, nominates a process for a different adjudicator outside of the intent of the legislation.

The member may want to have parliamentary counsel look at that to see whether the legislation is strong enough to protect against that avenue, because I am sure that some lawyer will try to think up a way around it if they think it is in their party's interests. However, the opposition supports the principle and we will be supporting the amendment.

Mr KENYON: I undertake to obtain that information for the member for Davenport. My suspicion is that the act will take precedence over the contract, because the act specifies an adjudication process and to whom the claimant must make a request for adjudication. However, I will obtain that information and bring it back.

Amendment carried.

The Hon. I.F. EVANS: If the chair gives me some tolerance here, the committee stage will not last a lot longer, because this clause starts to deal with one of the main issues in the bill and once we resolve that issue the rest of the bill can go through without much debate at all.

Clause 18 deals with the eligibility criteria for adjudicators, and the following clauses deal with things such as the appointment of adjudicators, adjudicator responses and adjudication procedures. One of the key issues about the consultation in relation to this bill between what I will call in general terms the subcontracting groups as against the building groups has been this issue of the adjudication appointment process. There is essentially, for want of an easier description, what is called in the industry a Western Australian/Northern Territory model and then there is an east coast model.

The member for Newland has picked the east coast model, and this has attracted some criticism from the industry groups, particularly the Housing Industry Association and the Master Builders Association. It has the support generally of the subcontracting groups. The concern of the Master Builders Association and the Housing Industry Association is essentially to do with the issue of what they call the for-profit adjudicator nominating authority.

They do not have a problem with the adjudicators being private individuals operating a private enterprise as an adjudicator; that is not the issue. That is covered because there is generally a schedule of fees. So, it is not an open market fee process in that sense; there is a cap, a schedule of fees, generally in all the pieces of legislation, and my understanding of the member for Newland's legislation is that there will be a schedule of fees for the adjudicators.

The question then is about what is called the nominating authorities, for ease of description: should they be for-profit, should they be a government agency or should they be not-for-profit? That is essentially the argument. The Master Builders Association and other building industry groups do not like the for-profit model, which is the Eastern States model. They prefer the Western Australian model, which is the not-for-profit model. The subcontracting groups tend to support the for-profit model, which is the Eastern States model. This has been one of the more complex areas of the consultation in relation to this matter, and I have found that the more I delve into it the more complex it can get.

The opposition had amendments drawn to make the Commissioner for Consumer Affairs the person who, essentially, nominates the adjudicator. In response to industry concerns about the for-profit model, we had drafted a model that was run by a government agency. We have put that out for consultation, but we have not had feedback from all the industry groups as yet. Although, in fairness to the committee, I have to say it is now my least preferred model, having listened to some of the groups. That is why we drafted the amendments; that is, to listen to what the industry wants, because this is quite a complicated piece of legislation. Then I looked at the for-profit model—and that is probably an unfair description. The for-profit model is what the member for Newland is using in his bill, which is the Eastern States model. It is probably an unfair description to a degree because it is not an open market model.

I am reading from the 2008-09 annual report of the Queensland Building Services Authority which regulates all the building activity in Queensland. On page 5, the report deals with the issue of adjudication fees. This is interesting because I think this clarifies a few things for the committee. It sets out the level of adjudication fees under their particular security of payment provision. I will read some examples. If the range of the claim is under $5,000, the average fee for the respondent is $661; the average claimant fee is $129; and so the total fee is around $790.

Then there is a scale of fees which increase for claims under $10,000, claims under $25,000, claims under $40,000, claims under $100,000, claims under $250,000 and claims over half a million. Then there is another series of fees and I will quote the highest fees. I am giving the committee the lowest and highest fees. The highest fee is if the claim is over $500,000, then the average respondent fee is $12,105 and the average claimant fee is $4,219. So, the total fee is $16,324.

I met with Mr John Thomas and Dr Tony Sidwell, who have had experience with the Queensland system. They got back to me quite quickly with their response. It is fair to say that they are adjudicators in the Queensland system and have some experience with it. They tell me that those fees, whether they be the $790 fee for the under $5,000 claim or the $16,324 fee for the over $500,000 claim, are then split between the adjudicator and the nominating authority. The people involved in the dispute, say, if it is over $500,000 will pay between them a total of $16,324, and then the adjudicator gets a set amount of that fee and the nominating authority gets another set amount of the fee, which I think is 40 per cent. I think it is split 60-40. It is not an open market approach necessarily.

I would be interested in the member for Newland clarifying for the committee whether, under his bill, there will be a schedule of fees for the respondents and the claimants, and can the nominating authority only then get its payment out of the schedule of fees? What I am trying to establish for the committee is whether the nominating authority, under the member's bill, will be an open market charge or is it limited to take its income source for the nominating authority purely out of the schedule of fees for the respondent and the claimant?

If the nominating authority's income source is restricted to a schedule of fees for the claimant and the respondent, then it is hard to argue that it is an open market and therefore an

open-ended cost to the industry. There is a cap on the cost. If there is not a cap on the cost, then I can understand the industry's concern about having a for-profit model. That is the Eastern States model. I will give the member for Newland a bit more time to think about that.

The Western Australian model is a little bit different, and I thank Dr Tony Sidwell for his response almost the same day in relation to some questions that I asked him. One of the questions I asked him was: 'In Western Australia, if it is not a government authority that then plays the role of a nominating authority, and if it is not a for-profit business, then who actually nominates?'

In Western Australia, the nominating authority is what I would call not-for-profit groups and they are groups like the Australian Institute of Arbiters or it might be the architects and those sort of groups. In fact, I have misled the committee to a degree. Dr Sidwell did get back to me with some information but it was not that. It was actually Tom Earls in the Housing Industry Association and I have found the list.

The prescribed appointers in Western Australia are: the Australian Institute of Building, the Australian Institute of Project Management, the Australian Institute of Quantity Surveyors, the Electrical and Communications Association of Western Australia, the Institute of Arbitrators and Mediators Australia, the Master Builders Association of Western Australia, the Royal Institute of Chartered Surveyors and the Royal Australian Institute of Architects. They are the groups that can, if you like, provide the adjudicators in Western Australia.

This is really the nub of the industry complaint. I should make it clear that the MBA and the HIA do not really want the legislation, but I think they are resigned to the fact that they are going to get it in one form or other, so the issue for the committee and ultimately the other place is: which model?

The opposition will not be proceeding at this stage with any amendment in relation to making the Commissioner of Consumer Affairs the group, so we come back to the two existing models. I will be interested in the member's answer as to the for-profit groups and the schedule of fees because that will give the opposition some guidance to what the intent of the legislation is.

Mr KENYON: I will just make some comments. I think it is probably fair to say that the differences between the Western Australian model and the east coast model are greater than just the profit motive or otherwise of the nominating authorities. My understanding of it is that there are significant differences in the way the adjudications are heard and carried out, and it is a little bit more court-like, for want of a better word.

The east coast model is specifically designed to avoid being court-like. It is more a quick assembling of the information and then a decision. It is specifically designed to be a quick process and avoid a more court-like process because, as I understand it, it is the court-like process—the Western Australian model—that is responsible for delays in payment, and of course the delays in payment are the thing that we are trying to avoid. I suspect that it is not possible to effectively achieve the goal of a quick process of payments and have a model that is more like Western Australia. That is the reason for going down the east coast road.

The member for Davenport asked if there was a cap on the fees. My understanding of the bill is that there is no cap on fees. Clause 29(1)(a) provides:

> such amount, by way of fees and expenses, as is agreed between the adjudicator and the parties to the adjudication, or—

if there is no such agreed amount, then reasonable expenses should be paid.

There is also the opportunity for a claimant to withdraw a claim and make another claim, because there is more than one nominating authority. That may include the HIA, because there is nothing that precludes the HIA or the MBA, or other contractor associations, from becoming nominating authorities. As it is possible for them to become a nominating authority—there may even be a number of for-profit nominating authorities—I suspect that there will be a certain amount of competitive tension in the area, and that should put a bit of a brake on fees.

I am having a bit of a guess here—and I apologise to the member for Davenport for that—but I suspect that it would be possible in regulation to have a schedule of fees—or perhaps not, the way the act is written. However, I come back to the fact that in this respect it is pretty much a mirror of the New South Wales act and, for want of a better defence, it is working there and I assume it will work here because we are not that different from New South Wales.

The Hon. I.F. EVANS: There is the nub of the issue, and it will make interesting reading in *Hansard* for those who wish to follow the debate. The building industry associations, the HIA and the MBA, ask: how can the industry have certainty if there is an open-ended fee structure? The member for Newland, the mover of the bill, suggests that in New South Wales the nominating authorities can set a fee with the agreement of the parties. So the question comes: what happens if there is no agreement with the parties? Will that be the first dispute about the adjudication: how much we have to pay?

The issue is that the nominating authorities then have a for-profit motive. I suspect that there is some truth in the suggestion that there might be some competitive tension, but there will not be that many nominating authorities. I think I listed six or seven in Western Australia. So, I can understand the industry's concerns regarding this for-profit motive about the nominating authorities.

The member for Newland may want to contemplate, between the houses (because I do not have the numbers to stop it here), that having the private sector as the nominating authorities does not make it less court-like. It is the other provisions of the bill that make it less court-like, the other processes; it is not the for-profit nominating authorities that make it less court-like. Therefore, I think it is possible to pick up the Western Australian concept of having the not-for-profit organisations as the nominating authorities and still leave in place the not-for-profit court-like processes that the member for Newland wishes to have the upper house debate and consider.

It does concern me to some degree that there is no schedule of fees. The way I read this—and my apologies to Tony Sidwell and John Thomas if I have misunderstood their briefing; I must say that I was fairly tough on them the other day, I really did quiz them to make sure I understood what they were talking about—is that if there is a schedule of fees, as per Queensland, the industry knows that there is a cap. If it is going to be over $500,000 then there is a fee, and that brings uncertainty to the industry.

I am not going to hold the committee any longer on this point, because the member for Newland has accurately outlined his view of the bill. I have put on the record, as best I can, the two industry associations' views. I am happy to discuss the issue with the member for Newland in between houses.

The member for Newland came to my office the other week and we tried to work through this issue, or a number of issues relating to this particular principle, and that is where the idea of the Commissioner for Consumer Affairs came up. It was an example of the two sides of politics trying to work through an industry issue, and we will still try to do that in between houses, because I think that both sides of politics do want to bring certainty to the payment system in the building industry, but we want to end up with a model that the industry can live with.

I will not hold the house any longer, other than to say that we will continue to talk to the member for Newland between the houses, but I think it is fair to say to the member that the opposition still has concerns with the open-ended nature of the fee structure as it stands.

Mr KENYON: I understand the points the member for Davenport is making, and I am happy to speak with him again between the houses. I make the point that there is nothing to stop, under this bill, not only for profit but at the same time should they choose to nominate as authorised nominating authorities, the appointment of the HIA and the MBA and other like bodies as nominating authorities. In fact, it would probably be of great benefit if they were to do that and were to be appointed because you would have somewhat of a break on the fees. I understand the point the member is making about fees and the certainty of fees and I have to say that I am not violently opposed to it but, again, discussion between the houses is probably the best way to deal with that.

Clause as amended passed.

Remaining clauses (19 to 35) passed.

Schedule 1.

Mr KENYON: I move:

New Part, page 22, after line 30—Insert:

Part 1A—Amendment of *Building Work Contractors Act 1995*

1A—Amendment of section 30—Payments under or in relation to domestic building work contracts

(1) Section 30(1)—delete 'the payment'

(2) Section 30(1)(a)—before 'constitutes' insert:

the payment

(3) Section 30(1)—after paragraph (a) insert:

(ab) the person is entitled to the payment under the *Building and Construction Industry Security of Payment Act 2009*; or

(4) Section 30(1)(b)—before 'is of a' insert:

the payment

(5) Section 30(2)—delete 'paragraph (a) or (b)' and substitute:

paragraph (a), (ab) or (b)

(6) Section 30(3)—delete subsection (3)

As a result of including the full chain, including residential houses in the bill, there is a need to amend the Building Work Contractors Act, and that is what these provisions do, synchronise the two bills.

Amendment carried; schedule as amended passed.

Title.

Mr KENYON: I move:

Delete 'a related amendment to the' and substitute:

related amendments to the *Building Work Contractors Act 1995* and the

Amendment carried; title as amended passed.

Bill reported with amendment.

Mr KENYON (Newland) (17:50): I move:

That this bill be now read a third time.

I thank members for their contributions. I particularly thank the members for Torrens and Hartley for their efforts with this bill and the member for Davenport for his contribution. A fair amount of work has been done behind the scenes with the Attorney-General's Department, and also parliamentary counsel have suffered my running backwards and forwards asking questions, and I thank them for their efforts.

I make the note that I forgot to mention something regarding the point about the Western Australian model versus the east coast model. It has been put to me that there is some movement for change about that in Western Australia and that they may be looking to move across to the east coast model. I want to include that in my remarks now and I apologise for not including it in the committee debate. Having said that, I commend the bill to the house and I thank everybody involved.

Bill read a third time and passed.

FIRST HOME OWNER GRANT (SPECIAL ELIGIBLE TRANSACTIONS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (SMART METERS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

LOCAL GOVERNMENT (ELECTIONS) (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

STATUTES AMENDMENT (VICTIMS OF CRIME) BILL

The Legislative Council insisted on its amendments Nos 1, 3 and 6 to which the House of Assembly had disagreed.

PUBLIC WORKS COMMITTEE: CONSERVATORY OFFICE ACCOMMODATION FITOUT

Ms CICCARELLO (Norwood) (17:53): I move:

That the 334th report of the committee, entitled Conservatory Office Accommodation Fitout, be noted.

The Department of Trade and Economic Development is accommodated in Terrace Towers at 178 North Terrace and 50 Pirie Street. The leases in both buildings are due for expiry in December 2009.

The co-location of all operational units into one site will achieve operational efficiencies, while fostering improved staff morale. The department is a small agency and the divisions have a high level of interdependency for the delivery of policy and programs.

The department will construct an office accommodation fitout in The Conservatory located at Hindmarsh Square, 131 to 139 Grenfell Street, Adelaide. The government has entered into a commitment to lease the required space from Hines Property with $5.061 million as the estimated government capital cost contribution for the fitout.

The lease commencement date is 1 December 2009, subject to practical completion conditions, and the department being given access to the premises prior to then in order to undertake the fitout work. The Green Building Council of Australia's five-star Green Star Office Interior rating will be targeted throughout the design process.

The capital budget includes the construction works, furniture fittings and equipment, professional fees, relocation costs and design and construction contingencies necessary to deliver the fitout in accordance with the appropriate standards of office accommodation for government agencies. Each floor has been designed in a flexible, generic manner with minor deviations to suit particular business units. The design incorporates a central built zone on each floor which accommodates all enclosed offices, meeting rooms, quiet rooms and utility spaces and allows the open workstation areas to receive maximum daylight and views.

Each floor incorporates a work cafe, incorporating comfortable seating, informal meeting spaces and kitchen facilities and is available for staff to hold informal meetings, interact, communicate and socialise. The fitout will accommodate 230 DTED staff. Approximately 5 per cent will be accommodated in enclosed offices and the remainder in open plan workstations. The only diversion from the generic plan will be two floors which will accommodate the main reception and a specialised reception for the migration business unit. The fitout provides external meeting facilities, interview rooms and conference spaces as well as office accommodation.

The mixed use nature of the development will realise synergies and benefits. For example, cogeneration is ideal since the power will be used by the office floors whilst the waste heat will be used by residential floors. This will result in reductions in greenhouse gas emissions of 115 tonnes of CO_2 per annum.

The accommodation at 178 North Terrace is a prime location but the tenancy area offers little scope to adapt it to contemporary workspaces to enable greater collaboration and interaction. There are limited meeting rooms and staff breakout spaces, and the fitout is over 15 years old. Many areas would require a substantial refit to meet modern work practices, and they have little access to natural light. The building design dictates the floor layout and presents significant limitations for any future changes.

Because of the high profile nature of its business operations, an important location factor for the Department of Trade and Economic Development is marketing the benefits and vibrancy of Adelaide. A centrally located CBD site is best able to deliver this requirement, especially to visiting dignitaries or potential investors.

The relocation to The Conservatory will reduce the department's current area allocation by 524 square metres and contribute to the government's energy reduction targets. It will also create an open and more flexible environment, introduce alternative work practices such as hot desking, and promote efficiencies in the workplace by co-locating the majority of working groups and improving communication between staff.

Given these benefits, pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee recommends the proposed public work.

Debate adjourned on motion of Mr Pisoni.

At 18:01 the house adjourned until Tuesday 17 November 2009 at 11:00.