

HOUSE OF ASSEMBLY

Thursday 19 November 2009

The **SPEAKER (Hon. J.J. Snelling)** took the chair at 10:31 and read prayers.

PANORAMA TAFE

The Hon. M.F. O'BRIEN (Napier—Minister for Employment, Training and Further Education, Minister for Road Safety, Minister for Science and Information Economy) (10:32): I seek leave to make a ministerial statement.

Leave granted.

An honourable member interjecting:

The Hon. M.F. O'BRIEN: Unfortunately, I am away this afternoon.

Mr VENNING: On a point of order, I question whether standing orders allow for ministerial statements during private members' time.

The SPEAKER: Leave can be given for a ministerial statement at any time, as long as there is an interruption in business, which is why I did not let the minister make the statement once the business had been called on. The minister has been given leave.

The Hon. M.F. O'BRIEN: Yesterday, the member for Unley and the Leader of the Opposition directed questions to me in relation to the future of the Panorama TAFE campus. On 28 October, the member for Unley asked whether a meeting with staff had been held at Panorama TAFE where they were advised that the facilities at Panorama would be closed.

On 29 October, I informed the house that the CEO of DFEEST had advised me that no meeting had occurred at which staff were advised of the imminent closure of the Panorama TAFE campus. I have had further discussions with the CEO of DFEEST subsequent to yesterday's questions from the opposition. Mr Raymond Garrand has assured me that, based on written assurances he has received from TAFE management, no directive was issued to staff at Panorama TAFE that the campus would close.

I can confirm that, on 2 September, the Education Manager of Mechanical Engineering and Transport for TAFE Adelaide South Institute met with mechanical engineering staff at Panorama TAFE. This was a specific meeting held by the education manager for a specific discipline with the staff responsible for the teaching of that discipline at Panorama TAFE. This meeting followed a similar meeting held the previous day at Noarlunga TAFE. The rationale for both meetings was to discuss the implications of the successful \$4.7 million bid for the engineering and manufacturing program at Noarlunga through the commonwealth government's Better TAFE Facilities Fund.

I have been informed by Mr Raymond Garrand that at both these meetings potential changes to the engineering program were discussed, including the establishment of Regency Park campus as the lead centre for the program and feeder sites at Noarlunga and Marlestone campuses. Discussion did take place on the possible relocation of engineering programs from Panorama TAFE within the context of gaining maximum benefit from the \$4.7 million commonwealth grant for engineering and manufacturing programs.

I have received written confirmation from the education manager who chaired this meeting that his comments focused specifically on the engineering program and that at no time during the meeting did he advise engineering staff that the Panorama campus would close. I might add that such an announcement would not be his to make, given his very specific responsibilities, which are confined to the delivery of engineering in TAFE Adelaide South.

The member for Unley has referred to the minutes of this meeting. I have been advised that no formal minutes of the meeting were taken. Rough meeting notes were prepared by a junior administrative officer. I understand that the opposition has these rough notes in its possession and has potentially misled the house by claiming them to be formal minutes of the meeting.

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: The notes are not presented in such a manner that they could be construed as formal minutes and are not labelled as such. In these notes, there is a statement: 'Panorama campus to exit in 2010.' The notes then go on to state, 'At the current time, mechanical/civil will be relocating to Marlestone.' The exit referred to is the engineering program. I have been informed that, even in respect of this program, a final decision has yet to be made.

To restate: a meeting was held on 2 September at Panorama TAFE but was conducted by an education manager with staff in that very specific discipline in relation to the possible consequences for that discipline flowing from a successful grant application of \$4.7 million, again for the teaching of that discipline.

The opposition has seized on the rough notes for that meeting where the potential relocation of that specific discipline was discussed and assumed, erroneously, that the relocation applied to the campus as a whole. I believe that the opposition has misled the house by claiming that minutes—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: —were taken of the meeting.

Members interjecting:

The SPEAKER: Order! The minister cannot make allegations that anyone has misled the house. He needs to withdraw that allegation.

The Hon. M.F. O'BRIEN: I withdraw the allegation.

The SPEAKER: Is that the conclusion of the minister's statement?

The Hon. M.F. O'BRIEN: Yes, sir.

ELECTRICITY (WIND POWER) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 October 2009. Page 4552.)

Mr VENNING (Schubert) (10:39): I thank the whip for allowing me to make a very short contribution to this bill because I really do have a personal feel about it. I congratulate the member for Finniss on this bill. It is not complicated at all. Just as there is a feed-in tariff for solar power, this bill seeks to accommodate small wind turbines to the feed-in tariff as well.

I wondered whether this was a deliberate oversight in the original legislation or whether it was intentional and, if so, why? Currently, there is no capacity for energy generated from a small wind turbine to be fed back into the system in the same way as photovoltaic cells. There are people in South Australia keen to develop an industry here that can produce and build these small-scale wind turbines, which in turn would develop jobs and strengthen the state's economy.

We have a strong history in this area. A company (and I will name the company), Dunlite, has made generators in this state for 70 or 80 years. In fact, we all had these Dunlite generators on our farms before the Playford government put us on the grid back in the 1950s; so we have history here. This bill is common sense. If you can have a feed-in tariff for energy generated by the sun, why not for energy generated by the wind?

I commend the member for Finniss for this legislation. It should be supported. It sends all the right messages. I hope the government will support the bill.

Debate adjourned on motion of Mrs Geraghty.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (REGISTRATION OF DEATHS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February 2009. Page 1645.)

Ms SIMMONS (Morialta) (10:42): I would like to speak very briefly to this. The government opposes the bill. The bill proposes that if a person dies in South Australia leaving an opposite-sex de facto partner, that person's name and the deceased's age when they began living together should be recorded as part of the official registration of the death.

The government agrees with the member for Davenport that a surviving de facto partner should be acknowledged in the registration of the death. However, as it is the government's policy to avoid unjustified discrimination between same-sex couples and opposite-sex de facto couples, it should be extended to cover domestic partners, as that term is defined in the Family Relationships Act 1975 whether or not that person is of the opposite sex to the deceased.

The bill before the house proposes to deny equal recognition to same-sex partners, so the government does not support it in its current form. Instead, the government intends to vary the regulations to the act so as to require funeral directors to supply, and the registrar to record, the name of the person's domestic partner, if any, at the date of death. This is a much simpler process, thus the government believes that there is no need to amend this act.

The Hon. I.F. EVANS (Davenport) (10:44): I thank the member for her contribution.

Second reading negatived.

CORRECTIONAL SERVICES (PAROLE NO. 2) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 April 2009. Page 2513.)

The Hon. I.F. EVANS (Davenport) (10:45): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

BAIL (ARSON) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 September 2009. Page 4102.)

Ms SIMMONS (Morialta) (10:46): The government supports the bill with an amendment.

The Hon. I.F. EVANS (Davenport) (10:46): I thank the government for its support and I look forward to the committee stage.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

Ms SIMMONS: I move:

Page 2, line 11—Delete 'section 85 (being an alleged offence consisting of arson) or'

As foreshadowed during the debate, the government does not support the reversal of the presumption against bail for the offence of arson. This amendment therefore deletes the reference to the offence of arson from the bill but retains the reversal of the presumption against bail for the offence of intentionally or recklessly causing a bushfire under section 85B of the Criminal Law Consolidation Act 1935.

The offence of arson can apply to a broad range of property ranging in value. In order to charge the offence of arson, damage to property must have occurred by means of fire or explosives. Therefore, aside from bushland, this can include vehicles or buildings. The damage caused by fire or explosives to buildings and vehicles can range in severity. This broad application of the offence of arson means that the government does not consider it appropriate to reverse the presumption in favour of bail. The government submits that there is sufficient protection in the current law to address those alleged arsonists who are considered a risk to the public or at risk of reoffending.

As already explained, under the current law, the prosecution has the power to oppose bail or, alternatively, can seek stringent conditions to be imposed, such as home detention or supervision. Where bail is granted, despite opposition by the prosecution, a mechanism exists to seek a review of the bail authority's decision in the Supreme Court. Amending section 10A of the Bail Act 1985 should be reserved for offences that are considered to be particularly heinous. The government submits that intentionally or recklessly causing a bushfire qualifies as such an offence. I commend the amendment to the house.

The CHAIR: Attorney-General, I did not note that you were in the chamber. Is it your wish that the member for Morialta move the amendment standing in your name?

The Hon. M.J. ATKINSON: Yes.

The Hon. I.F. EVANS: The opposition accepts the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

The Hon. I.F. EVANS (Davenport) (10:50): I move:

That this bill be now read a third time.

I thank members for their contributions and the government for its support.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (10:51): This is another illustration of the Rann government being willing to support good ideas from wherever they come. We have supported private members' bills during our eight year term from Liberal MPs and Independent MPs. That never occurred under the Brown or Olsen governments. Indeed, when the then opposition put up a private member's bill, the government would vote against the private member's bill in private members' time and then introduce it as a government bill. We do not do that.

Bill read a third time and passed.

STATUTES AMENDMENT (SURROGACY) BILL

Adjourned debate on second reading.

(Continued from 26 March 2009. Page 2110.)

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (10:52): This matter has been before this parliament and on the *Notice Paper* for some considerable time. Before I get to the amendments and the substance of the bill, I want to make one clarification. The government has been accused of deliberately delaying this matter because of some sort of pandering to the religious right. Can I just say that is not the case.

I have been trying to work with the Hon. John Dawkins from another place for some time in order to get a consensus about how we should proceed with this bill. If we could have reached that consensus two years ago we would have dealt with the matter two years ago. I am pleased to say that we now have a consensus. The member for Morphett has indicated to me that the amendments that I will move will be supported by him. Of course, this is a conscience vote. At least he and I have agreed on a way forward which seems to be quite sensible.

The Hon. R.B. Such: It's a bit like the Yalta agreement.

The Hon. J.D. HILL: That's right. As the member for Fisher says it is a bit like the Yalta agreement. This has not been delayed for any external reason other than my desire to ensure that it is complementary to other legislation and it is practical. I can go through some of the reasons that I considered the original version, which was passed by the other house and referred to us, was impractical. Fortunately, we now have agreement on those matters, at least between the member for Morphett and me. I am happy to proceed and support the bill, once it has been amended.

In terms of the substance of the legislation, this sets up a system to allow the legal processes to be consistent in South Australia with those in New South Wales; that is, if a woman and a man use a surrogate to produce a child, that child with the consent of the birthing mother can become registered as the child of the couple for whom the surrogacy occurred.

I understand that at present there is an anomaly. If someone were to go to New South Wales where it is legal for surrogacy to occur, they could have a child and the child would be registered on the birth certificate as the natural child of that couple in New South Wales but in South Australia they would not be. Obviously that creates legal problems and confusion. It would be best, I think, if ultimately we had a common Australian national system so there would be clarity across the board so that your child is your child in every state, not just in some jurisdictions. But at least we can have clarity in our state.

There is nothing illegal about a couple having a child with another person using natural means. Currently, what is prevented, of course, is for that child to have on their birth certificate the couple who created the surrogacy arrangement. This bill creates legal certainty and provides a mechanism by which this can happen with fairness. I would emphasise that if the birthing mother chooses to keep the child there is nothing that anyone can do to prevent that happening. This is not putting pressure on or causing a birthing mother to give up a child, to have a child taken away from her. It is the birthing mother's child until time elapses and by virtually doing nothing she has exercised her options.

Essentially, a woman who takes on the role as a surrogate is acting in a charitable way to assist a couple who cannot naturally produce to have a family. I imagine that it is an incredibly emotional and intense thing for a woman to do, and there must be some leeway if she changes her mind for her to keep the child. I cannot imagine that happening in many circumstances—in fact, I cannot imagine these provisions being used in many circumstances—but we have to allow for the fact that if a child is produced through a surrogacy the birthing mother retains the right for a period of time to change her mind. Of course, this would be hard on other parties, but it seems to be the only humane way in which to deal with this issue. It is a small price to pay for the privilege that will be created, I hope, by the parliament.

I do not have any other general points to make at this stage. This is a conscience vote for members, and each of us will have to examine our own conscience as to how we feel about this, but it is consistent with other provisions we have on our statute books to assist families have children through means which are not traditional or natural. We have in-vitro fertilisation systems, and this is consistent with that approach to allow people—who for whatever reason are unable to have children—to produce a family. It cannot be done for reward or profit and that distinguishes our jurisdiction, and Australian jurisdictions generally, from other places in the world: it can be done only as an act of charity by the surrogate mother.

I commend the bill to the house. I am very happy that the member for Morphett and I have reached a consensus and I encourage others to join that consensus today.

Dr McFETRIDGE (Morphett) (10:59): I thank the minister for his cooperation. There is a series of amendments, and I thank ministerial staff for their cooperation in this matter. I pay particular tribute to the Hon. John Dawkins and Mrs Kerry Faggotter who have worked on this matter for a number of years. This is a good day. This week we saw the handing back of the Maralinga Tjarutja lands. It was the right thing to do and, again, this is the right thing to do. It is not very often that this house can rise above all the political games which are often played in here and do something which is a just and humanitarian act. I thank all those who have participated in reaching this stage, particularly the Hon. John Dawkins, Mrs Kerry Faggotter and the minister. I wish the bill a speedy passage.

Bill read a second time.

In committee.

Clause 1 passed.

Clause 2.

Dr McFETRIDGE: Madam Chair, is it permissible to move all my amendments en bloc? They have been agreed to between the minister and I.

The CHAIR: With the agreement of the committee, I will allow the member for Morphett to speak to the package of amendments in relation to the first amendment, and I will allow general discussion and questions about the package of amendments in relation to the first amendment and, hopefully, that will enable us to proceed very mechanically through the rest of the amendments.

Dr McFETRIDGE: I move:

Page 3, line 5—Delete '3 months' and substitute: 12 months

The reason for these amendments has been brought to light because I think they are all technical amendments due to the changes that have been put through with other bills that overlap and intertwine with this bill before the house today. There is no philosophical issue here that I am aware of; all these amendments are technical.

Mr RAU: I have a question, and I am not fussy whether it is the member for Morphett or the minister who might assist me. My first question is whether section 10HB(13) encapsulates the substance of the material and whether the rest are provisions that give effect to that.

Dr McFETRIDGE: I am more than happy to defer to the minister's adviser.

Mr RAU: Some of these provisions are administrative, in the sense that they achieve a purpose for registration and counselling, etc., but then there is the operative provision, which does something which changes the law, in terms of the registration process, from what it is now to something different. My question is whether, first, I am correct in understanding that they are the two categories into which these amendments fall; and, secondly, if I am correct, is the substantive provision contained in section 10HB(13)?

The Hon. J.D. HILL: As I understand it (and I repeat that this is not my legislation—I am attempting to make it workable), the provision in section 10HB(13) is the mechanism by which a child's parentage is determined, and that is really up to the court to work through, based on whatever evidence is provided. I think there are a number of scenarios that might occur, so the court would be guided by the legislation, where a surrogacy agreement was in place, as to how that would occur. I suppose that provision is in place to make sure that somebody is not falsely pressured or that unfairness does not enter into it.

Mr RAU: Assuming this legislation is passed, I understand the legislation has no effect on a person's capacity to enter into a surrogacy arrangement here in South Australia, and that would be no more or less legal after this than it is now. Therefore, what we are talking about is not the legality of the arrangement, it is the way in which the outcome of that arrangement is recorded in the official records. Is that correct?

The Hon. J.D. HILL: I am not sure that a surrogacy agreement is legal. It is possibly not illegal at the moment; that is, two people could enter a private arrangement with somebody, but the child that is born of that has whatever parentage that the current law would say is the case. This allows a legal surrogacy arrangement to be entered into. There is a process that all parties would have to go through which involves counselling and a statutory kind of mechanism to make sure that everybody's interests were being properly considered. It can only occur, under the amendments that I will move, after three years of a relationship. It is akin to adoption, I suppose.

I have to express a fact. My children are my adopted children. They were my wife's children, and I went through a process of adopting them after we had been together for five years, which is what the provisions were then. I have been through this. We had to get counselling. The children had to be separately counselled, I had to be counselled, my wife had to be counselled, we had to go to court, and the judge then determined whether or not I was a fit and proper person, that everybody was happy with it. So I know what it is like. I have been through the process.

The Hon. R.B. Such: What was the judge's decision?

The Hon. J.D. HILL: Well, the judge reserved his judgment. The judge was fine. In fact, it was a terrific process in the end, because when we went to court it was more by way of a celebration. All of the measures had been agreed to. I had to have a police check. It was a very long process. So it was not something that was done in a peremptory way. It was done in such a way to make sure that everybody was okay. I guess it is a similar kind of provision. I did misinform you: the Family Relationships Act now does make surrogacy arrangements illegal.

Mr Rau: This would make them legal.

The Hon. J.D. HILL: This would make them legal, yes.

Mr RAU: So, the effect of this is to make legal something which is presently illegal. I guess my last question is this: assuming that these activities or this process were to remain illegal, is there any reason why the adoption process could not be employed to achieve a similar outcome, as a matter of law, not necessarily as a matter of convenience?

The Hon. J.D. HILL: This, of course, is a reasonable question. Those who are advocates of this—and I support them—are saying that the genetic material, which is used to produce a child, is that of persons A and B; person C holds the baby, so they want a form of parentage which is akin to that which they would have had if the child had been delivered by person A rather than person C. As I understand it, adoption laws are what have to be employed now. If a couple here went to Sydney and had a child through a surrogacy agreement, which is legal in that state—

Mr Rau interjecting:

The CHAIR: Order! Member for Enfield, please stand so that this debate goes on the mike.

Mr RAU: Sorry. These points are significant if we are going to flesh this out. The minister has said that the genetic material of A and B is combined and delivered by C. I accept that in that circumstance the child is genetically, clearly, the child of A and B, but as I read this legislation it contemplates other scenarios as well. Those scenarios might be that the child is a product of the genetic material of A plus X and delivered by C, or it might even be X and Y and delivered by C. That is a very different matter. Can the minister address those points?

The Hon. J.D. HILL: I understand that; you are correct. Let me finish my first point and then I will get to that point. The point I was making is that if A and B's genetic material is used and the child is delivered by person C, in New South Wales surrogacy is legal. A couple from Adelaide can go to Sydney, have the child, and that child would then be registered as the natural child of persons A and B in New South Wales. They come to South Australia and it is not so registered, so they have to be adopted in South Australia, as I understand it, which creates a legal difficulty for that person for the rest of their lives, that they are adopted in multiple states and they are illegal in another state. In part, the legislation will create a consistency there. That would also apply if A and B use genetic material from X and A or B or X and Y and used person C, or, indeed, use genetic material from A and C, and the child was delivered by C, as I understand it.

However, that is very much akin to the legislative provisions we have in place now with in vitro fertilisation. A and B may be infertile, can go and get material, as I understand it, from other parties, and A carries the child, but the genetic material is not A's, and yet on the birth certificate person A and person B are considered to be the natural parents of that child. So this makes it consistent. It is really the mechanism by which that child is delivered.

The difference in this case is that there is another hurdle, and that is that there has to be a surrogacy agreement with counselling—you do that with IVF, there has to be counselling and so on—and, in addition, a court has to supervise the process. Whether or not the genetic material belonged to the putative parents directly, the judge would have to make sure that the woman carrying the child is not under any pressure and is in fact doing it of free will and it is in the best interests of all of the parties.

That is the difference. However, you are correct in that another way through it would be to use the adoption laws, and really that is currently what happens. That is one of the reasons why those who are advocating these changes are unhappy, because of the difficulties about the legal status of that person in different states.

The Hon. S.W. KEY: First, I would like to say that I think it is wonderful that we are finally discussing this legislation, and I would like to acknowledge the work done by the Hon. John Dawkins in getting the legislation here. I am also very pleased to see that the member for Morphett has taken up the cause for the opposition, and, obviously, it is particularly pleasing to see the minister in his capacity as the member for Kurna making sure that this legislation is facilitated. Can the minister clarify what 'infertility' means in the bill and whether it includes only medical infertility?

The Hon. J.D. HILL: As I understand it, that is the only kind of infertility there is.

The Hon. S.W. KEY: Was consideration given to the Victorian assisted reproductive technology bill? I understand, from the advice that I received from the Hon. Ian Hunter in the other place, that it reviewed who should have access to surrogacy provisions, and was satisfied that the parents' sexuality or marital status were not the key determinants in children's interests but rather that it should be the quality of the relationships of the people who eventually parent the children born through the surrogacy process. In the consideration of support for this bill, was any thought put to what I am advised is the Victorian assisted reproductive technologies legislation?

Dr McFETRIDGE: It was considered but, at this stage, for the bill to be as broad reaching as that, we could not reach agreement with those who had been working on the bill in the other place. There are differing views on it, this particular bill does not address that matter, but it could be readdressed at some stage.

The Hon. S.W. KEY: I assume that the way the amendments are structured, as well as the legislation that we are considering, that same-sex couples would not have access to this provision—assuming it is passed.

Dr McFETRIDGE: That is correct.

Mr RAU: I am pursuing a matter that arose in an answer the minister gave a little while ago. He made the point, by way of comparison, that under the IVF legislation you could have an IVF child where both of the gametes were donated by people other than the parents, and therefore there would be no genetic connection between the offspring and the parents. He makes the point that the public record is already deficient in these circumstances in that it does not say who, in fact, are the genetic parents of that child.

Personally, I believe that is a worry because of the amount of unexplained genetic material, as this goes on and on. It is relevant not only to the individual born of that union but also to whoever they might ultimately decide they wish to spend the rest of their lives with, etc. It is not an insignificant matter. I do not want to cast any reflections on one of the Australian states and some of its smaller towns—we do not want to go there.

The other thing that I want to say in response to the minister is that, going back to the example of IVF with donated gametes, the difference with this situation is simply that, with IVF, the donated gametes are at least carried by one of the registered parents, and therefore there is no existing adult human being involved in the transaction. In this case, an additional person is inserted into the chain of events. That is, you have perhaps both sets of donated gametes, a surrogate who is not genetically related to the donor of either of the gametes carrying the child to term, and then the child being handed on to third parties.

Whilst it is analogous in the sense that there is no genetic relationship between the child and the people who, under this legislation, would be registered as the child's parents, another disassociated individual's life is intimately involved in that process. You have inserted another leg into the process. From my point of view it still has the difficulty that I think the present system creates, to some extent, in terms of unexplained genetic material and the inability of individuals to be able to identify where they come from, with all the attendant difficulties that come from that. I do not know whether anything can be said on that.

The Hon. J.D. HILL: The issue raised by the member is serious. In fact, when we introduced amendments to the IVF legislation earlier this year or late last year (I cannot remember exactly when) we changed the law regarding anyone using donated material. Sperm donors, who used to be a whole lot of medical students—they were the sperm donors to the state—now have to be registered; you cannot do it anonymously any longer. So that material is registered, and a person who has been born through that process has a right to access that register. It cannot be done anonymously any more.

The number of children born through IVF is quite vast; on average, there is one in every classroom in South Australia. So, there is a serious risk of what you are describing in relation to IVF. We now have a process in place so that we can track that. There are also limits on the number of donations that individuals can make. The difficulty is that we now have that in the formalised process, so we can track that pretty well, but all the informal donations that used to happen, particularly in relatively small communities where friendship groups would say, 'Go and get Bill to do it. He is always good,' creates difficulties because that is totally unregulated and unknown.

In comparison to this measure, the number of people who take use of the surrogacy provisions is a much smaller group than those who will take advantage of IVF. It will be a handful of people, if that, a year, so we are talking about a relatively small number of people. Generally, it will be those who are contributing their own genetic material—occasionally, it will be those who are contributing somebody else's—and, through the IVF process, we will know who they are and that can be monitored. I think there are sufficient safeguards and a very small likelihood of that happening.

The other point, of course, is that in the broader community a lot of males who are registered parents on certificates are not that, and we do not know who they are and we do not know who contributed the genetic material. Presumably, the mothers generally do, but not always, and who knows who has formed a relationship with somebody who has the same genetic material inadvertently? That is what happens in the broader community. We are talking about a very small sample with a whole range of provisions in place which will minimise the risk associated with issues of consanguinity to the point where it is almost infinitesimal.

The Hon. R.B. SUCH: This issue is of particular relevance to my wife and me because I have three children from my first marriage. My wife does not have any children. She wanted children and so did I. We went through the IVF process, which I can tell you is not a very pleasant experience—it is very challenging. What makes the scenario interesting is that my wife has an

identical twin sister who was capable of carrying children. She had her own children. I guess you would put it in the realms now of the hypothetical.

My concerns and those of my wife, Lynette, would have been that, even though her identical twin sister may have been willing to carry a child for us, we did not believe in the end that she would be willing to hand it over. You could argue that the perfect parenting arrangement is for someone else to have your child, bring it up, and then you adopt them when they get to an age when they start to behave themselves. The issue is that it could have been the scenario for us because the genetic material would be identical, as far as I know in terms of genetics, because my wife has an identical twin sister who was capable of having a child for us. As I said, she probably would have kept it anyway, so we would have seen it on weekends.

Mr PICCOLO: A question, if I could, to the mover of the motion regarding one of the concerns I have about this bill. I understand where you have A and B who use C to carry their child, and where A and B (the commissioning parents) would be the registered parents. Ultimately, my understanding of surrogacy is that it is where women, for whatever reason, cannot carry a child but want a family so another woman acts as a proxy for the couple, and that makes sense; I do not have a problem with that. The issue I have is when you introduce another party into that. Why is there a need to introduce another X or Y party into that arrangement, as I understand the bill allows?

Dr McFETRIDGE: Thank you, member for Light. My understanding is that what you have put is very similar to what the member for Enfield has put in that you can have donations from other sources but, once again, you are getting into the realms of IVF and adoption legislation. This legislation is aimed at allowing the genetic parents or the donors of genetic material (in this case, the woman who cannot bear a child and the husband or partner) then to donate that material and have in vitro fertilisation and that embryo is then put into that third willing partner and, from then, their baby is registered on the birth certificate without going through all the adoption processes as the child of the donating couple. If there is genetic material from a fourth party, that is when it overlaps into the IVF legislation and the adoption legislation. I think that is covered in other areas. Perhaps the minister could address that.

Mr PICCOLO: I am not sure my question has actually been answered. If my understanding of the bill is incorrect, that will help with clarification. My understanding is that this bill allows, potentially, a fourth or fifth party to be part of an arrangement which should, in essence, have only three parties: A and B plus C. My question is: why is there a need for a fourth or fifth party given that surrogacy is about party C?

The Hon. J.D. HILL: Let me try to answer that, if I can. Let us imagine a couple. For example, a woman who is born without a womb and has no ovaries—she can neither produce eggs or carry a child—and a man with whom she lives or to whom she is married who is infertile. There is no sperm and no egg so, if they want to have a child, they cannot carry it themselves and they cannot produce the genetic material to produce a child, so they go to a surrogate. They would, in fact, if you like, go to three volunteers: someone to donate the egg—and that could be the surrogate themselves or it could be another person; it might be a sister, to take the case of the member for Fisher—someone to donate the sperm and someone to carry the baby.

So, it is possible that there could be five people involved, but the general principles are the same. The commissioning parents want to have a child; they do not have the capacity themselves to produce a child through normal or natural means, so they seek assistance. If the woman had a womb which allowed her to carry the child, she could go through the IVF process. If she cannot do that—and we are talking about hypothetical situations; these would be fairly rare circumstances, but they might occur—she would then be able to go to another party to carry the child for her, and then the processes would kick in as to a determination by the courts in terms of the birth certificate.

The processes are clear; it just kind of thinks through all of the options. This legislation does not do it, but I suppose that, at some future stage, taking cell tissues from the commissioning parents might be possible, and some sort of reproductive process might occur through using their genetic material, but that is not what this legislation does.

Mr PICCOLO: I thank the minister for that clarification. In the bill, how is a fourth or fifth party then recognised? How would they be recognised in the process legally, if at all?

The Hon. J.D. HILL: In the same way that they are through the IVF process, that is, sometimes they would be anonymous volunteers and sometimes they would be family friends. There would be a whole range of ways that people would obtain that material. There is a register

kept by the IVF of who has provided that material. So, when the child that is produced becomes old enough and wants to know, in particular, about the history of their family and the conditions that might prevail in that particular family, that will be available to them, as I understand it.

Mr KENYON: First, just while we are on the member for Light's questions, it seems to me that what the bill is trying to achieve could almost already be done under the adoption laws. My understanding of it is limited, but I do not understand why you would not just go through a straight adoption process, where someone would have a baby and you would just adopt it.

Dr McFETRIDGE: That is right; that is what has to happen at the moment: you have to adopt your own child. I think that is a completely unacceptable position to be in. I think it is a humanitarian act, if nothing else, to allow the genetic parents of a child not to have to adopt their own child. That is what this bill is all about. That is what is happening all over Australia, if not all around the world.

The Hon. J.D. HILL: Just by way of a bit of extra information for the benefit of the member for Newland, under the existing IVF legislation, only an infertile woman can get access to IVF. The surrogate mother would have to be infertile. So, you could not use the IVF legislation if you were to use someone who was fertile as your surrogate. So, there is a technical issue there.

Mr KENYON: Just taking up the member for Morphett's point and referring specifically to the member for Light's questions, in the case that he was suggesting, there did not seem to be any genetic material from the parents at all. It was actually genetic material from a third and perhaps a fourth person—he said in the case of a third or fourth person, other than the two people who are seeking to have a child. It just seems like—for want of a better term—window-dressing in a way. The actual reality is that the genetic material of two other people has been used to create a baby for the first couple.

Dr McFETRIDGE: That is correct, but the issue here is that this legislation is just completing the whole spectrum that is covered under the IVF, reproductive technology and adoption legislation that we already have. This allows people to enter into a surrogacy arrangement without any money being exchanged and no-one being coerced. It will be very rare circumstances where other than the two people who, for some reason, are unable to bear a child of their own have to use a surrogate. To go even further and then have to use a fourth party would be extremely rare.

As I say, this legislation covers that whole spectrum of those circumstances to allow that couple who do want to have a baby using a surrogate to not then have to adopt that child. As I say, this is happening all over Australia and all over the world now.

Mr KENYON: I make the point that, just because it has happened in other places is not necessarily a good argument for it to happen anywhere else, but, be that as it may. Is there any way that these agreements are enforceable? In the event that the surrogate mother who is to give birth to the child decides not to have the child, is there any ability under this bill to go to court to enforce the contract (and, again, I use that term advisedly), recover costs or anything like that?

Dr McFETRIDGE: The minister did cover that in his second reading contribution. The answer is no.

The CHAIR: The question is that amendment No. 1 moved by the member for Morphett—

Mr Kenyon interjecting:

The CHAIR: I am sorry, member for Newland, I thought you had finished.

Mr KENYON: No, I was too late getting up. I apologise.

The Hon. R.B. Such interjecting:

The CHAIR: I have indicated that I will be flexible with debate at this stage. However, I will not allow extended questions to take over the time. The member for Newland.

Mr KENYON: I will be brief with the indulgence of the committee. It is my fault, I did not make a second reading contribution. However, if I may, I will make a very brief point. My opposition to this and other bills that we have done this year is that increasingly we are legislating to commodify children. Suddenly we have a right to children. People say, 'We have a right to children.' My personal view is that basically we have no rights to children: we have all responsibility. My objection to this bill is that it continues the process of the commodification of children, and that is something that sits very uneasily with me. I thank the committee for its indulgence.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

Dr McFETRIDGE: I move:

Page 3, lines 10 to 17—Delete clause 4

Amendment carried; clause deleted.

Clause 5 passed.

Clause 6.

Dr McFETRIDGE: I move:

Page 3, lines 23 and 24—Delete clause 6

Amendment carried; clause deleted.

Clauses 7 to 11 passed.

Clause 12.

Dr McFETRIDGE: I move:

Page 4, after line 21 [clause 12, inserted section 10HA(1)]—Insert:

Fertilisation procedure has the same meaning as in Part 2A;

Amendment carried.

Dr McFETRIDGE: I move:

Page 4, lines 32 to 34 [clause 12, inserted section 10HA(1), definition of lawyer's certificate, (b)]—Delete paragraph (b)

Amendment carried.

The Hon. J.D. HILL: I move:

Page 5, lines 1 and 2 [clause 12, inserted section 10HA(1), definition of marriage relationship]—Delete the definition

This amendment makes the marriage relationship consistent with the Family Relationships Act. This is a technical amendment and does not substantively affect the clause. It is one that parliamentary counsel has recommended.

Amendment carried.

Dr McFETRIDGE: I move:

Page 5, line 11 [clause 12, inserted section 10HA(2)(a)(ii)]—Delete 'or' and substitute 'and'

Amendment carried.

The Hon. J.D. HILL: I move:

Page 5, lines 21 to 24 [clause 12, inserted section 10HA(2)(b)(iii)]—Delete subparagraph (iii) and substitute:

(iii) the commissioning parents—

(A) are legally married; or.

(B) have cohabited continuously together as de facto husband and wife—

for the period of three years immediately preceding the date of the agreement; or.

for periods aggregating not less than three years during the period of four years immediately preceding the date of the agreement.

This amendment fixes up the issues in relation to the Family Relationships Act. The bill before us provides that commissioning parents should have cohabited together in a marriage relationship for a period of five years. Under the Family Relationships Act the domestic partner relationship is one where a couple has lived together for a continuous period of three years or three years over a four-year time span. Really, it is just making it consistent with that legislation.

Amendment carried.

Dr McFETRIDGE: I move:

Page 5, after line 26 [clause 12, inserted section 10HA(2)(b)] —After subparagraph (iv) insert:

(iva) either—

- (A) the female commissioning parent is, or appears to be, infertile; or
- (B) there appears to be a risk that a serious genetic defect, serious disease or serious illness would be transmitted to a child born to the female commissioning parent;

Amendment carried.

Dr McFETRIDGE: I move:

Page 5, lines 27 to 31 [clause 12, inserted section 10HA(2)(b)(v)]—Delete subparagraph (v) and substitute:

(v) the surrogate mother has been assessed by and approved as a surrogate by a counselling service—

(A) that—

- is accredited for the purposes of this subparagraph in accordance with the regulations; and
- is independent of a person who is registered under Part 3 of the *Assisted Reproductive Technology Act 1988*; and
- (B) in accordance with any relevant guidelines published by the National Health and Medical Research Council; and
- (C) in accordance with any other requirement that may be prescribed by the regulations for the purposes of this subparagraph;

The Hon. J.D. HILL: I move to amend the amendment as follows:

Inserted subparagraph (v)(A)—Delete subsubparagraph (A) and substitute:

(A) that is accredited for the purposes of this subparagraph in accordance with the regulations; and

This relates to the independent counsellors. As I understand it, the provisions in the Dawkins bill, as it came to this house, would have created some technical problems in that there would not have been people in that category. This is a different way of allowing the same outcome, by allowing access to those who work for IVF organisations, as I understand it.

Amendment to amendment carried; amendment as amended carried.

Dr McFETRIDGE: I move:

Page 6, lines 30 to 44 [clause 12, inserted section 10HA(3)]—Delete subsection (3)

Amendment carried.

Dr McFETRIDGE: I move:

Page 7, lines 1 to 12 [clause 12, inserted section 10HA(4)]—Delete subsection (4) and substitute:

(4) For the purposes of subsection (2)(b)(vi), a certificate complies with the requirements of this subsection if—

(a) the certificate is issued by a counselling service—

- (i) that is accredited for the purposes of this subparagraph in accordance with the regulations; and
- (ii) that is independent of a person who is registered under Part 3 of the *Assisted Reproductive Technology Act 1988*; and

(b) the certificate states—

(i) that the person to whom it relates has received counselling—

- (A) individually; and
- (B) if the person is married, or is 1 of the commissioning parents—as a couple,

about personal and psychological issues that may arise in connection with a surrogacy arrangement; and

- (ii) that, in the opinion of the counsellor who undertook the counselling, the proposed recognised surrogacy agreement would not jeopardise the welfare of any child born as a result of the pregnancy that forms the subject of the agreement.

The Hon. J.D. HILL: I move to amend the amendment as follows:

Inserted subsection (4)(a)—Delete paragraph (a) and substitute:

- (a) the certificate is issued by a counselling service that is accredited for the purposes of this subsection in accordance with the regulations; and

This is subsequent to the amendment that I have already spoken to.

Amendment to amendment carried; amendment as amended carried.

Dr McFETRIDGE: I move:

Page 8—

Line 16 [clause 12, inserted section 10HB(1), definition of *birth parent*, (b)]—After 'Act' insert: (the *birth father*)

Line 35 [clause 12, inserted section 10HB(5)]—Delete '6 weeks' and substitute: 4 weeks

Page 9—

Line 4 [clause 12, inserted section 10HB(7)]—Delete 'both birth parents' and substitute: the surrogate mother

Line 5 [clause 12, inserted section 10HB(7)]—Delete 'agree' and substitute: agrees

Lines 7 to 11 [clause 12, inserted section 10HB(8)]—Delete subsection (8) and substitute:

- (8) However, the Court may dispense with the requirement under subsection (7)—
- (a) if satisfied that the surrogate mother is dead or incapacitated; or
- (b) if satisfied that the applicants cannot contact the surrogate mother after making reasonable inquiries; or
- (c) in any other circumstances prescribed by the regulations.

After line 36 [clause 12, inserted section 10HB(9)]—After paragraph (c) insert:

- (d) any submission made to the Court by, or on behalf of, the birth father.

Page 10, lines 12 to 22 [clause 12, inserted section 10HB(14)]—Delete subsection (14) and substitute:

- (14) In the making of an order under this section in relation to a child, the child has as his or her name such name as the Court, on the application of either or both of the commissioning parents, approves in the order.

Amendments carried; clause as amended passed.

Clauses 13 to 15 passed.

New clause 15A.

Dr McFETRIDGE: I move:

Page 14, after line 17—After clause 15 insert:

15A—Insertion of section 15

After section 14 insert:

15—Regulations

- (1) The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this Act.
- (2) Without limiting the generality of subsection (1), the regulations may—
- (a) make provisions of a savings or transitional nature consequent on the amendment of this Act by another Act or the commencement of specified regulations under this Act;
- (b) incorporate or operate by reference to a specified code or standard as in force at a specified time or as in force from time to time;
- (c) fix fees to be paid in respect of any matter under this Act and regulate the recovery, refund, waiver or reduction of such fees;

- (d) impose a penalty, not exceeding a fine of \$10,000, for contravention of, or non-compliance with, a regulation;
 - (e) fix expiation fees, not exceeding \$315, for alleged offences against the regulations.
- (3) The regulations may—
- (a) be of general application or limited application;
 - (b) make different provision according to the matters or circumstances to which they are expressed to apply;
 - (c) provide that a matter or thing in respect of which regulations may be made is to be determined according to the discretion of the Minister.
- (4) If a code or standard is referred to or incorporated in the regulations—
- (a) a copy of the code or standard must be kept available for inspection by members of the public, without charge and during normal office hours, at an office determined by the Minister; and
 - (b) evidence of the contents of the code or standard may be given in any legal proceedings by production of a document apparently certified by the Minister to be a true copy of the code or standard.

New clause inserted.

Clauses 16 to 19 passed.

Part 4.

The Hon. J.D. HILL: I move:

Heading to Part 4, page 16, lines 14 and 15—Delete '*Reproductive Technology (Clinical Practices) Act 1988*' and substitute:

Assisted Reproductive Technology Act 1988

This takes account of the fact that the name of the legislation has changed as a result of other matters that have been before the house.

Amendment carried.

Clause 20 passed.

New clause 20A.

The Hon. J.D. HILL: I move:

Page 16, after line 19—Insert:

20A—Amendment of section 9—Conditions of registration

Section 9(1)(c)—after subparagraph (iv) insert:

- (iva) for the purposes of a recognised surrogacy agreement;

New clause inserted.

Clause 21.

Dr McFETRIDGE: I move:

Page 16, lines 20 to 28—Delete clause 21

Amendment carried; clause deleted.

Clause 22.

Dr McFETRIDGE: I move:

Page 16, lines 29 to 33—Delete clause 22

Amendment carried; clause deleted.

Schedule 1.

Dr McFETRIDGE: I move:

Page 17—

Line 5 [Schedule 1 clause 1(1)]—Delete 'under' and substitute:

as defined by

Lines 7 to 16 [Schedule 1 clause 1(2)]—Delete subclause (2) and substitute:

- (2) Subject to this clause, if the Court, on application under this clause, is satisfied that in the circumstances of the particular case it would be an appropriate course of action for the Court to exercise the powers conferred by this clause, the Court may determine that a surrogacy contract entered into before the commencement of this clause should have effect as a recognised surrogacy agreement under section 10HA of the *Family Relationships Act 1975* (as enacted by this Act), despite the operation of Part 2B of that Act.

After line 40—After paragraph (d) insert:

and

- (e) the Court may make any other related order as it thinks fit.

Page 18, lines 1 to 5 [Schedule 1 clause 2]—Delete clause 2

Amendments carried; schedule as amended passed.

Title passed.

Bill reported with amendment.

Dr McFETRIDGE (Morphett) (11:52): I move:

That this bill be now read a third time.

The house divided on the third reading:

AYES (31)

Bignell, L.W.	Breuer, L.R.	Brock, G.G.
Caica, P.	Chapman, V.A.	Ciccarello, V.
Evans, I.F.	Foley, K.O.	Geraghty, R.K.
Griffiths, S.P.	Hamilton-Smith, M.L.J.	Hill, J.D.
Key, S.W.	Lomax-Smith, J.D.	McFetridge, D. (teller)
O'Brien, M.F.	Pederick, A.S.	Penfold, E.M.
Pengilly, M.	Piccolo, T.	Pisoni, D.G.
Portolesi, G.	Rankine, J.M.	Rann, M.D.
Redmond, I.M.	Stevens, L.	Such, R.B.
Venning, I.H.	Weatherill, J.W.	Williams, M.R.
Wright, M.J.		

NOES (7)

Atkinson, M.J.	Gunn, G.M.	Kenyon, T.R. (teller)
Koutsantonis, A.	Maywald, K.A.	McEwen, R.J.
Rau, J.R.		

Majority of 24 for the ayes.

Third reading thus carried.

REGIONAL SOUTH AUSTRALIA

Mr PEDERICK (Hammond) (11:59): I move:

That this house condemns the state government for its lack of commitment to regional South Australia, especially with regard to water supply, health services, agriculture services and essential infrastructure.

The first item that I will talk about with respect to a lack of investment in this state is regional water infrastructure. We still have communities (and I have spoken of this in the house previously) waiting on potable pipelines to be delivered at Point Sturt and Hindmarsh Island. I note that there are still people on Hindmarsh Island concerned about being connected to those pipelines, and I am sure that the member for Finnis and I will work on getting people connected where we can and lobby the government and make sure that people also communicate directly with SA Water.

That is what had to happen on the Narrung Peninsula and in the Meningie area, which were hooked up to potable supplies when Lake Albert and Lake Alexandrina became unviable sources for irrigation and potable water supplies because of the drought and the lack of commitment by this government to ensure adequate water for this state. There were certainly people in the communities in those areas who worked hard and who worked with SA Water to make sure that everyone was connected. It was a major piece of work and it took a long time to put in place.

I note that another community that put in a lot of effort was in the creeks pipeline area, Langhorne Creek and Currency Creek, and the company that got together and worked with the government to get an irrigation pipeline there. It took much lobbying and work to install this irrigation pipeline, and if there was fresh water available in the lakes these communities would not have had to go down that path and spend \$10 million of their own money.

I also note the struggle the people have had, especially below Lock 1, in getting action on infrastructure. I note that federal government money for relocating pumps off backwaters still has not flowed through, so there are quite a few irrigators (or people who used to be irrigators) who cannot access water at all. It just stuns me, especially in light of the latest pipelines that are finally being installed after years of lobbying in the Point Sturt and Hindmarsh Island areas, that it takes so long. I am sure that if people in Adelaide were denied access to water for only a couple of weeks it would cause quite a furore in the city. It just goes to show that this government does not take the regions seriously.

I also want to speak today about this government's lack of commitment to health in the regions. We saw a lack of consultation with the disastrous Country Health Care Plan that this government rolled out. It just decided it would have three levels of hospitals: a top level, a medium level and a third tier. Our problem on this side of the house was that most, if not all, of the third tier was just going to disappear. I was concerned that the only functioning hospital I would have left in my electorate would be at Murray Bridge and people would have to be transferred either to Mount Barker or Adelaide.

That would be ridiculous, and members of those communities were up in arms, and rightly so. There were meetings attended by 500, 600 and 700 people around the state, ranging from the West Coast through to Yorke Peninsula and down to the South-East. That is the second most important item that people are concerned about in this state after water supply. People are concerned about the availability of health services—and rightly so.

What this government does not realise is that people from the city travel through the country and demand the right to services as well, not only people like me and a lot of members on this side of this place who live in country areas. We on this side of the house firmly believe that we need a health service for country South Australia, and that is why we are putting up a proposal to spend only \$700 million on a complete rebuild of the Royal Adelaide Hospital instead of a \$1.7 billion program at the rail yards site, in addition to what the government needs to do at that site, which is possibly up to \$200 million or more in remediation of contamination. The savings that we will institute when we are elected in March next year can be put into other metropolitan health services and also regional services throughout this state.

Another issue that is dear to my heart is agriculture, and I want to refer to the recent cuts to PIRSA staff. We have seen 90 staff take targeted voluntary separation packages in this government's ongoing roller ball of—

The Hon. A. Koutsantonis: Were you opposed to that?

Mr PEDERICK: —absolutely—looking for cuts to fund its big budget enterprises. We have a government that says, 'We are going to look after agriculture and do the right thing.' In fact, I want to refer to the South Australian Labor Party platform 2009. These are direct statements from the Labor website where the following comments are made:

We will maintain and extend South Australia's competitive advantages in primary production through support for world-class research and development.

We will assist the development of primary industry sector plans with the aim of ensuring that South Australia's key primary industries are the most competitive and productive in Australia.

We will continue to promote the use of sustainable agricultural practices and further develop a range of programs to mitigate the effects of environmental degradation and long-term climate change.

We will work with primary industries and farmers to identify and implement carbon capture and trading opportunities within an evolving national emissions trading scheme.

It goes on and on about how, allegedly, the Labor Party will support rural communities to become more sustainable. For the life of me, I cannot see how, with the massive cuts they are making into research in this state, this will be achieved.

We have seen the Loxton Research Centre reduced to a bare skeleton of its former self. Great work in horticulture in the Riverland is operated out of the Loxton Research Centre. Two laboratories have closed, and it is virtually just a shop door. The Roseworthy Information Centre closed in September. Streaky Bay's Primary Industries office will shut its doors by December.

We are told that well-known South Australian research and development centres, such as Minnipa, Struan and Turretfield are not considered under threat. However, Nuriootpa and Lenswood are considered to be going under the knife, and also offices in Kadina, Jamestown and Keith. The department spokesman said no decisions had been made about any office.

Here we have a government saying in their own forum that they are going to be the champions for regional South Australia and for agriculture in this state, yet they are just cutting a swathe through services, taking massive cuts out of agriculture services in this state, and they have the gall to make out they are committed to rural services.

The University of Adelaide says that it needs to sell its properties in the Mid and Upper North to fund research. I am very disappointed by that move. I am concerned that this will stop philanthropy in this state in terms of people bequeathing land to the university. I just think it is terrible that they are so short of funds that they have to resort to this and there has not been the support to keep these properties, especially in light of some of the work they do there. Antivenom research is conducted at Martindale. I am assured that will go on, but it would have been a far better outcome for South Australia if these properties had been retained by the university.

Regional infrastructure is concerning. Labor's commitments to regional development, in its forum in 2009, include:

Labor will ensure that the provision of new or upgraded infrastructure is responsive to the needs of areas experiencing economic, industrial or population growth.

Under its regional roads and transport plan, it states:

Labor is committed to well planned and well maintained roads in regional South Australia as a prerequisite for building stronger regional development, improving road safety, social inclusion and regional economic growth.

Well, I would invite all the Labor members to come for a ride with me through my electorate to see what some of the roads are like, especially at Pinnaroo, where there are roads that need a total rebuild, out at Wynarka and through other areas of the state.

This is a government that makes out that it is committed to the regions. When they sprang the prison program onto my electorate three years ago the biggest issue was whether we could get appropriate services to Murray Bridge. It seemed a battle to get the government to agree to appropriate road infrastructure and other upgrades so that it would not become a burden on the community. We were also concerned about the social issues that may have developed with a central prison in a regional town, and also health services associated with that.

There are also other issues in the regions concerning education funding. We have the rollout of the Julia Gillard memorial halls. Schools right across the state have not had the option to upgrade halls to full size. They have been told, 'Well, you can have an \$850,000 gym, but it is only three quarters the size.' Well, I reckon that's a pretty flash gym. I know that schools in my electorate are trying to negotiate their way through so that they can build a better facility and add a bit of community money, but the government is making it extremely difficult.

There are issues in this state with funding that this government pulls from the branched broomrape eradication program. This is a parasite that latches on to legumes, canola plants, horticultural plants, etc., and could destroy the whole horticulture industry in this state. Yet, we see millions of dollars cut from that program over time. So I do not think this government is taking regional South Australia seriously at all.

I need to quickly talk about how this government treats people in the regions in regard to marine parks, with a lack of consultation with the fishing industry, both recreational and commercial, and the anger that people in the fishing sector have in knowing that they have not

been listened to and that it is another government program just to bulldoze their program through with lack of consultation. When they have a problem they finally go to the community.

Mr PICCOLO (Light) (12:14): I speak against this motion, because I can tell the house that the government does support our region, and I will outline how. However, one thing I would like to mention relates to the member for Hammond's comment about his commitment to agriculture. I do not doubt his commitment, but the commitment of some of his colleagues to agriculture would have to be under some doubt, given their recent opportunity to support an inquiry into an area that is important to farmers. To the embarrassment of the member for Hammond, all three of those members voted against it. We were told it is a trivial inquiry, but it is interesting to note how many submissions were received, and how many were actually received from the electorates of members opposite. We were also told that it was not an issue, that they were not aware of any. Clearly, that indicates just how out of touch the opposition is.

Talking to the opposition these days is like going to a restaurant; it is a question of whether it is the soup of the day or the fish of the day. It is the opposition of the day; you are not actually sure who is the opposition on the day, because the views of its members vary so much. So, to say that the opposition actually supports something is a bit far-fetched, because it depends on what day and who you talk to.

Putting that aside, the Rann government recognises that regional South Australia makes a significant contribution to the state's export performance—I have said that publicly on a number of occasions; parts of my electorate, in particular, make a contribution to that—and to gross state product through agriculture, horticulture, forestry, fishing, aquaculture, wine production, food processing, tourism, manufacturing, and mining and minerals production and processing. The minister in this house is a strong advocate for those industries, promotes them and goes into bat for them, in contrast to the opposition, which continually talks down regional South Australia and what is being done in those areas. Rural areas of the state also provide South Australians with fresh, healthy, clean and green food products, great places to stay and visit, and are increasingly becoming the source of green energy, positioning the state for a much more prosperous and sustainable future.

When Labor came to government in 2002 confidence in the state was at an all time low. Under the leadership of the Rann Labor government since 2002, rural and regional South Australia has been steered from a trajectory of decline to one of prosperity and growth. South Australia's strong performance in the wake of the global financial crisis has highlighted the strength and importance of a diverse economy as well as the resilience of regional South Australia, which this government supports.

The Rann government's steadfast commitment to developing the defence, mining, wine, food and tourism industries has assisted the economy to outperform the nation in terms of growth, state final demand, and employment. These achievements are all the more remarkable given that this has happened when much of regional South Australia has been in the grip of a prolonged drought.

This has not happened by chance; rather, it has been the result of the Rann government's strong economic leadership and the implementation of targeted actions aimed at fostering sustainable economic growth and diversification, addressing workforce issues, and assisting economic and social infrastructure development. At the same time Labor has continued to support primary producers and communities that have been faced with the worst drought on record and record low inflows into the River Murray.

Meanwhile, as I have mentioned, the Liberals have consistently talked down our regions. As we have heard today, not only have they talked down our regions, they have also consistently talked down our farmers, and that is evidenced by their behaviour on some of the committees, such as the Economic and Finance Committee.

Mr Griffiths interjecting:

Mr PICCOLO: Not all.

Mr Griffiths interjecting:

Mr PICCOLO: They certainly did. Their view on the committee was that the farming issue was a trivial matter for us to get involved in, not worthy of being looked into by our committee. So, by extension, the farming issue must be a trivial matter as well. That is how the Liberals—

Mr Williams interjecting:

Mr PICCOLO: By all means, correct the record. Then they went on with something about taxation reform. The opposition was going to reform the taxation system in a matter of two weeks! That is how the opposition in this place behaves; it says one thing in the media and in its communities and then acts to the contrary in this place. Its record is clear for all to see.

Mr Williams: I put my vote on the record.

Mr PICCOLO: By all means put your vote on the record; I am quite happy for you to do that. Meanwhile, as I said, the Liberals have consistently talked down our regions. Their only vision for our regions is one of battling local industry, struggling and falling populations, high unemployment, and generally being in a mood of despair. By contrast, this government recognises how important they are.

We can rightly ask ourselves: how has this picture painted by the Liberals helped regional South Australia? How does it sell the regions to Australia and the world? The Liberal opposition does not; it talks it down to achieve its own petty political aims.

Mr Pengilly interjecting:

Mr PICCOLO: Is that the best you can do? The people of Finniss deserve better than that.

An honourable member interjecting:

Mr PICCOLO: That's right.

Mr Venning: The people of Freeling will hear about this.

Mr PICCOLO: I am sure they will. The people of Freeling are much more comfortable with me than you, Ivan; don't worry about that.

Mr Venning: I am going there.

Mr PICCOLO: By all means go there; it will be the first time you have been. The reality is that the people—

Mr Pederick: You had better apologise for misleading the house.

The Hon. A. KOUTSANTONIS: I rise on a point of order. The member for Hammond has repeatedly accused the member for Light of misleading the house. It is completely unparliamentary and I ask that he withdraw and apologise.

The DEPUTY SPEAKER: I was distracted and did not hear. If the member for Hammond has done that he should be aware that such a motion can be moved only by substance. If he made comments that were unparliamentary I invite him to withdraw and apologise. Member for Hammond? There is no response. The member for Light will continue.

Mr PICCOLO: It is fine, Madam Deputy Speaker. The reality is that the people in our regions are tough and resilient, determined to overcome their challenges, and Labor will continue to work with them and be there to provide support. Our regions do face major challenges, there is no denying that, from things such as climate change, record low inflows.

In terms of climate change, let us not even go there with the Liberals. It does not happen. They are all deniers—or some of them deny it and some of them say it is true, some are not sure. As I said, we have multiple oppositions.

Mr Pengilly: Prove it. Get some paperwork in this house to prove it, Tony.

Mr PICCOLO: So, you are a denier. That is good. At least you are on record saying you are a denier. That is fine.

Mr Pengilly interjecting:

Mr PICCOLO: Be proud of the fact you are a denier.

The CHAIR: Order! This debate has been typified by too many interjections and too many responses to interjections. Can I ask the member for Light to focus on his remarks and other members to hear him in silence.

Mr Williams: You're waffling.

Mr PICCOLO: Waffling?

The CHAIR: The member for Light.

Members interjecting:

Mr PICCOLO: I'm a waste of space?

The CHAIR: The member for Light.

Mr Kenyon interjecting:

Mr PICCOLO: When I have the floor, I will continue.

The CHAIR: The member for Light has the floor. Others will remain silent.

Mr PICCOLO: Labor has faith in our regional communities and is committed to building on the great strides we have already taken together in the last eight years. In particular, tremendous opportunities exist in the areas of sustainable development of the food, wine and mineral resource industries as well as exploiting the emerging opportunities for creating green jobs associated with renewable energy technologies and assisting the regions to adapt to the changing climate—except in Finnis where it will not happen. Some of our core achievements—and, unfortunately, I do not have time to go through them all—

Mr Williams: Yes, you have plenty of time. Get on with it.

The CHAIR: Order, the member for MacKillop! The member for Light will continue.

Mr PICCOLO: The unemployment rate in regional South Australia has fallen from 6.6 per cent under the Liberals to 3.9 per cent under Labor, with the creation of over 38,000 jobs in just seven years. The regional population has increased by 1.3 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.

The 2009-10 budget investment in regional South Australia is focused on supporting jobs and continuing with record infrastructure investment—I emphasise that: record infrastructure investment—in education, housing, health, sustainability and rural road safety.

Mr PENGILLY (Finniss) (12:25): The member for Hammond felt so strongly about this matter that he went to the middle of the front bench to talk about it—that is how much he wanted to express his point about the Labor Party and the Labor government. These are important issues that have been raised by the member for Hammond. For the member for Light to get up and come out with the bovine excrement that he did—I shook my head in disbelief.

The member for Light can stand there and quote all the figures he likes but you need to get out in the countryside, in the arena—and it does not matter whether we are talking about regional, rural or metropolitan matters—you need to get out there and talk to people. Let me tell you that the people we talk to and the people I talk to leave me in no doubt about the lack of support from the Rann Labor government for what is going on in rural South Australia.

The Hon. M.J. Atkinson interjecting:

Mr PENGILLY: If the Attorney-General wants to make a contribution, he can do so after I have finished. Let me tell you, Madam Deputy Speaker, that the people in my electorate are loudly and clearly telling me what is not being done. Even as late as last night at a community function I attended in Victor Harbor on palliative care services, I was getting it loud and clear from the community from all aged sectors from professional people in health and doctors in the region, about what is not happening and what should be happening, and that is only one facet of it.

That was picked up by the member for Hammond and I do not want to go over what he has said. He put in front of me a paper that he wished to have added to the debate to do with the Flaxley Agricultural Centre. He is concerned that the centre itself may get shafted or have its services reduced. So, what is happening in rural and regional South Australia is that they are producing the wealth and getting ripped off by stealth.

You only have to go out and see what is happening with the lack of ability to have a direct say into the running of the health services and health units, as the Rann Labor government has removed boards in order to put in place a centralised bureaucracy in Adelaide. That has removed the policy direction from local boards and put in place health advisory councils and, in many cases, they are run by very good people but they have absolutely no say over where health can go. It just does not happen. It is all locked up in Hindmarsh Square in the glass tower. It is all centrally

controlled. Those units and hospitals around South Australia, which in many cases have been built by the community, have lost all their control. Let me also say that a lot of the dedicated Department of Health people running those hospitals and health services around the state are shaking their heads in disbelief over the lack of control they have.

If you want another example, we will go to the department of education where now the principals of schools are having everything removed from them. That is all being centralised. They cannot make the decisions they used to over their own facilities and over the welfare of their own students and staff in their own schools. They are two cases and, if you want another one, we will go to the law and order issue quite readily as it relates to police. What is happening with the police services? The control and management of a lot of these local police stations is being moved away, regions are being shifted, control is being put in other places and police officers and sergeants in charge and suchlike do not have the control over their police patch they used to have; they have had their resources removed.

Yet another example—and I have said it in here before—is one police patrol operating over the Fleurieu Peninsula on many nights of the week. There is one police patrol from Strathalbyn down through to Cape Jervis and across to Yankalilla. I have talked about that before. These police officers are dedicated, but what happened just recently is unacceptable. A police patrol was called to an incident in Middleton where a perpetrator was grinding a young policewoman's face into the mud. The other policeman tried to haul her off. There was another incident at Port Elliot and there was nothing they could do about it because there were no other police patrols out and about. These are some issues of great concern.

The member for Hammond talked about marine parks. I do know a bit about marine parks, because the Encounter Marine Park was the first one in South Australia—the first prototype—and it is in my electorate. They have made a complete and utter stuff-up of it. Once again, we have shiny backed bureaucrats running around telling local people what the best thing is for their area, and it is not working. It has not worked. A couple of people involved in the marine parks issue have worked hard and have tried to communicate and consult with the community, and I acknowledge those people. But, by and large, there are these airy-fairy lunatics sitting at the top of bureaucracies who want to take control of people's destinies.

Today, we had the member for Light doing the dirty work of the government in here, quoting facts and figures. It is all very well for them to do that, but the cutting edge is out there in rural South Australia. That is where the cutting edge is. That is where issues are being taken to task. That is where health, education and the impact on fisheries are all issues. Water is an enormous issue. Water permeates the community like nothing I have ever seen before. It does not stop at the River Murray; it goes much wider than that.

We have tried to get dialysis services down on the South Coast for a couple of years. True, it is happening. What is also happening is absolute frustration by the people in health down there, because it is just being held up, delayed and stuffed up by central bureaucrats who will not push things along.

Yesterday, we had an appalling example of where \$118 million was supposedly going into the Glenside mental health facility, and they came in here with an 8½ or nine page document. If you think that we are a bit cynical and a bit sceptical, you can bet your bottom dollar we are. I fully and totally support the points made by the member for Hammond, and I will support the motion.

Mr RAU (Enfield) (12:33): I am delighted, as always, to be here on a Thursday morning. In fact, Mr Speaker, you caught me in the middle of doing some research with the honourable member for Mawson. We were actually looking in *The Advertiser* to see whether there was, in fact, a full moon today, because that would help explain part of what has been going on. It is often said that the full moon has an effect on things.

It has been interesting listening to this debate. We have heard about problems with water supply, problems with agricultural services and problems with infrastructure. These are the real big ticket items, apparently.

I turn to the problem with the water supply. I realise that the member for Hammond has a deep and genuine commitment to this issue, but I must repeat something that others in this place and I have said many times: if it doesn't rain, there isn't water. It is quite simple. Unless there's rain, there isn't water. The good news for the member for Hammond is that one day it will rain and, when it does, the water will come, and he can take that message back, like Moses, to his people. One day it will rain and the water will come.

If he is talking about the Eyre Peninsula where there are issues about water, he might care to consider how many years of mismanagement of the aquifers in the Eyre Peninsula area have contributed to the present difficulties that people in that part of the state have with the water supply. And he might want to ask himself who was responsible for that mismanagement of those aquifers over many years. He might want to inquire why over-allocations in those rural areas have caused trouble for the people he seeks to speak on behalf of in this chamber in this debate.

The water supply issue is almost laughable. It will rain one day and, when it does, it will get better. This government has spent a lot of money on supplying additional water to Adelaide through the desalination plant; and, to the extent that that displaces requirements on the River Murray, that will increase the amount of water available through the pipeline. In addition to that, look at the work this government has done in relation to the reuse of water at the treatment works at Glenelg.

Has anyone seen those purple pipes going anywhere? What do you think they are carrying? This is not only about water, it is about infrastructure. Guess what? We have infrastructure happening, too. What do you call a desal plant? What do you call the purple pipes? If they are not infrastructure, I'll go he. Agriculture services is another great topic. I would be really happy if all the members of the opposition from the rural parts of the state were as consistent as the member for Stuart.

The member for Stuart makes no apology for being an unreconstructed Jack McEwen-type individual, and I salute him for it. No. 1, he is consistent; No. 2, he is honest; No. 3, he is reliable in his opinions; and, No. 4, consistent with that point of view, he also has doubts about a whole range of free market mechanisms that members on the opposition side do not have the stomach to deal with. He is the only one over there who had the stomach to deal with the issue about getting rid of the single desk for the Barley Board. The rest of you were hopelessly compromised—

Members interjecting:

The SPEAKER: Order!

Mr Venning: The honourable member deliberately misleads the house.

The SPEAKER: Order!

Mr Venning: He deliberately misleads—

The SPEAKER: I beg your pardon! The member for Enfield will take his seat.

Mr Kenyon interjecting:

The SPEAKER: Order! Did you have a point of order, member for Schubert?

Mr VENNING: On a point of order, Mr Speaker, and I know I can do this by substantive motion, but the honourable member deliberately misleads the house.

The SPEAKER: Order! The member for Schubert will withdraw that remark.

Mr VENNING: I did not make an offensive remark, sir.

The SPEAKER: You said that the member for Enfield had misled the house.

Mr VENNING: I withdraw that remark. I did not intend—he may now wish to correct his statement.

The SPEAKER: Order! The Member for Enfield.

Mr RAU: Thank you, Mr Speaker. What we have is the old Jack McEwen view of socialise your losses and capitalise your profits, which is okay and perfectly consistent coming from the member for Stuart, and I respect it. But you have the free marketeer/freebooting crowd over the other side there who think: dismantle all the agricultural schemes that are there to protect farmers; do all these things; bring the free market in; let the spivs and the grain traders take over the whole show—let them in and just wait for the farmers to be reduced to penury by these spivs.

The same people who want to do that still want to be able to socialise their losses. Well, guess what? You cannot have it both ways. You are either an agrarian socialist or a free marketeer. Pick which one you are in. Pick which side you are on. Of course, infrastructure is the constant complaint. We are about to hear, I believe, from the member for MacKillop, who will be able to tell members as part of his contribution that the Bald Hill Drain was unable to be constructed during the time of the former government being in office because there were too many

internal disputes within the Liberal Party and because people in the South-East were very aggro about it on both sides. I am not saying who was right and who was wrong, and I am not asking for the member for MacKillop to flesh himself out and say where he stood on it. However, I can tell members this: it was a very thorny problem. It was a Gordian knot which they refused to cut or were incapable of cutting. The government has cut it and that drain is being dug. That is infrastructure. That is this government doing something for agriculture in the South-East.

The question about mining has conveniently been left out—the question about all the jobs that have come from the development in regional South Australia, from the mining industry, and the fact that PIRSA is recognised around the country as being an agency without peer in terms of its cooperation with the mining industry and its one-stop shop achievements for people trying to get developments on.

Of course, when all this industry and agricultural activity goes on, what are they going to do with the product? Are they going to let it sit on their farm? No! They have to move it somewhere. They move it by rail or road and they have to get it out through a port. How much money has this government spent on the redevelopment of Port Adelaide? How much money has gone into having our ports upgraded to the point where they can take those Panamax-class ships? There is no credit for that. What about the rail and roadworks going on outside Adelaide to the north, of which the new South Road redevelopment is just another \$1 billion contribution from the state and federal governments? What about that? How do you expect to get your grain out if you do not have a road and you do not have a port? Think about it.

The opposition comes in here complaining about a lack of infrastructure investment! What about the power stations? The member for Finniss has more power stations per head of population in his electorate than anyone in the universe, yet there is not a word about all the wind power that is going on there. I suspect that he and others generate a bit of it themselves. The fact is there is a lot of tangible examples of investments. The member for Goyder has them in his electorate as well. They are all over the place. These investments have all occurred under the policies that the present government has been able to generate.

In regard to the SEA Gas pipeline, I ask members to cast their minds back. What about when that terrible accident happened at Moomba a little while ago? Just think what would have happened if this government had not invested in that particular piece of infrastructure. Also, just to put a bit of icing on the cake—and I am terribly sorry that one member is not here to hear this—look at what this government has done to sort out the Native Vegetation Council—the crowning glory. When this government came in, there was a terrible problem for people on the land about getting clearances and being able to do practical things on their properties. Now, we have extensive reforms, firebreaks here, firebreaks there and plants being removed in a sensible way. For goodness sake, we even fixed up the significant tree legislation so that it does not include exotics—and they voted against it.

So, please, if you are going to come in here and tell a story, tell a story that you can tell. Or, if you have to resort to something out of *Grimm's Fairy Tales*, at least attribute it and give credit where it is due. All the things that I have mentioned are not fantasies; they are reality. As I said, the member for MacKillop knows very well what I am talking about in relation to the Bald Hill Drain. It was a difficult problem that was solved by this government—and solved, I suspect (but I will not talk for him), to his satisfaction. Criticism where it is due is fair enough, but criticism of a blanket kind that ignores any of the realities is not helpful.

Mr VENNING (Schubert) (12:44): I rise to support this motion. I have heard speeches of the member for Enfield previously, but on this occasion his speech was full of inaccuracies. To say that one member of this house supports a single desk I take as a personal affront. I led the charge, personally, in both houses. It is not very often the member for Enfield gets it wrong, but he certainly did in this instance. Please check the history and facts. I thought it was the most disappointing speech I have heard him make in this place.

I rise to support this motion. About half the speeches I make in this place are usually on subjects highlighting the shortfall in services and opportunities for regional South Australians. I make special note of the lack of commitment to country health services and a water supply. The government policy of shared services has been a disaster for country South Australians. It is a conscious and deliberate effort to take jobs out of regional South Australia, in some cases abolishing positions and bringing them to the city, and in some cases the office space is not being used at a cost of millions of dollars.

The member for Hammond as the shadow minister mentioned what is happening to research stations in country regions, particularly at Loxton. It is a disgrace that the local member—a minister who sits in cabinet—has allowed Loxton to be under threat. I think it is disgraceful that the government is considering downscaling the Nuriootpa research centre station.

Most importantly, I want to speak briefly about country health, particularly country hospitals. We have seen this government get rid of regional health management by abolishing local hospital boards—which we will reinstate as soon as we are elected into government next March. I attend meetings of HACs and I am upset that all we seem to get is bureaucracy. They are bureaucratic toothless tigers smothered by government bureaucrats. They are most ineffective.

I want to speak about the Barossa hospital. Prior to the election, a new hospital for the Barossa will be a key issue for the Schubert electorate. People in the Barossa have an expectation that a quality hospital facility will be built in the region very soon.

The Hon. A. Koutsantonis: On a greenfields site!

Mr VENNING: I do not care whether it is on a greenfields site. The people of the Barossa deserve better. The Barossa plays a key part in the state's economy, providing a big proportion of state taxes. What do they get in return? As members heard from the member for Finnis, country people pay more than their fair share of taxes and they want something in return—a fair go.

The business case for a new facility has been completed and is currently with the minister. I hope it will be released soon. I commend the minister. I do not wish him any ill will at all. In fact, he is one of the ministers I appreciate. I hope to hear something from him today that will give my electors some hope that this hospital may happen. I believe the report makes a compelling case for a new health facility development.

In mid-October I toured the hospitals at Angaston and Tanunda with the shadow minister, the member for Morphett. My visit reinforced my view that there is a rock solid case for a new facility to be constructed in the Barossa—one new facility rather than two. I am amazed—and I have said this time and again—at how the staff deliver such a high standard of service and care in old run-down facilities.

Funding was pledged for the business case in the last year's state budget yet the working group to undertake the investigation was not formed until November last year. The Barossa community is now having to endure further delay before it learns the result of the investigation as the report will not be publicly available until the minister has signed off on it—and I hope that is shortly.

The business case should be made public so that the community can see what the proposed hospital entails, how much money is needed from the government to make it a reality and what services it will provide. We have heard dialysis mentioned today in this house; and I have a personal matter in relation to that which I will not raise here today.

The former Liberal government promised to build a new facility in 2002 but the plans were scrapped when the Rann government came to power. We know that the minister is sitting on the business case, and I call—nicely and politely—for its release to the public as soon as possible. The Barossa Valley community has been patient and it deserves a new hospital.

Other facilities in the area which are crying out for attention include rail crossings to ensure people's safety, and the heavy vehicle freight corridor needs extra money to finish it off. It is a big ticket item—too much for the Barossa Council and Light Regional Council to maintain. Gomersal Road, which is the busiest new road in the state, is full of potholes and Light Regional Council cannot afford to upgrade it. Surely the government can come on deck to help us with that road.

Finally, I want to discuss my favourite subject—rail services. The government continues to ignore a passenger rail service to the Barossa and does not even allow Mr John Geber to run the train he now owns outright. The government will not even trial a wine or passenger commuter service. At least it should provide a bus service—on which metro tickets can be used—that coincides with the rail service from Gawler.

The member for Light represents country people as well, and I was disgusted with what he said today. I note that the member for Mawson is here: he will understand. I think we are producing the wealth and, as the member for Finnis said, we have been ripped off by stealth. I support the motion.

Mr KENYON (Newland) (12:49): We see these sorts of motions all the time from members opposite. Usually they are a waste of time and, again, we have taken up a lot of time on this matter.

Mr Venning: I'll talk to your father-in-law about this.

Mr KENYON: You don't even know him. I would like to come back to the point made by the member for Light, who talked about his potential inquiry into farm machinery with the Economic and Finance Committee. I would like to talk about it because it really goes to the very nub of the problem with the Liberal Party today.

The problem with the Liberal Party today is that its members are more interested in having a hissy fit than they are in doing something for their constituents. When the opportunity came to do something practical and useful for their constituents in country areas—looking into the pricing of farm machinery—they squibbed it. The reason why they squibbed it was not because they disagreed with it; it was because 'one of our inquiries got knocked off'.

Apart from the fact that it is just not logical—it does not make sense not to represent your constituents on one matter just because you could not get two matters up—it just shows that they are more concerned with politics, hissy fits and whingeing and whining than they are with doing something practical. You have to commend them, because more and more as time goes on it is being left to the Labor Party to represent country constituents. It is being left to the Labor Party to represent the real interests of country and regional people.

We are not making some debating point here, because earlier this year in the seat of Frome we saw an Independent, a non-Liberal, elected. The only reason why that could have happened is because the electors of Frome were so dissatisfied with the representation they had received from the Liberal Party. So, instead of choosing and endorsing the Liberal Party, instead of saying, 'Yes, the Liberal Party is fighting for our issues, it is fighting for what we believe in,' they vote for an Independent, a term and three-quarters into a Labor government. They are still not embracing the Liberal Party; they are out there saying, 'The best representative that we can find for regional interests is, in fact, an Independent, not the Liberal Party.'

It is members like the member for Giles, the member for Mawson and the member for Light who are here in parliament day in, day out, representing their regional and rural communities. Every time members of the Liberal Party have the opportunity to do the same they squib it. They then have the temerity to come in here (as did the member for MacKillop yesterday) and accuse us of conning the state. Somehow we have tricked the state. We have not tricked the state. Members opposite should stop trying to convince themselves that we are conning the state and start representing their constituents. They should try to establish a policy. They cannot even get together and get a policy. Why do they not try to establish some sort of common philosophy, which allows them to represent their constituents and to which they can refer?

The member for Schubert talked about council roads and said that the state government should help the council to look after its own problems. If the member for Schubert is so worried about his local council, why does he not resign from this place? That would help to rejuvenate the Liberal Party and he could run for council. Maybe he can better represent the council. At every opportunity the Liberal Party has abandoned long-held philosophies, it has walked away from them.

Mr Venning: How did Tom Chapman end up with you?

Mr KENYON: Tom Chapman is very happy with me. He is not happy with—I will not say his name. They should take every opportunity to just bring about some pricing justice. I should not have to tell members opposite this; it should be apparent. One of the great costs of farming is machinery. Machinery that sits in a shed for 10 or 11 months of the year is dragged out for a harvest or a sowing, or whatever it is. When the member for Light comes in here and seeks to inquire as to ways to make it cheaper and to look into the costs associated with this capital equipment, what happens? The Liberal Party squibs it. The Liberal Party says, 'Oh, you didn't vote for us, so we are not going to vote for you,' dudding their constituents twice, not just once, when they did not get some inquiry that they wanted up—probably some dubious inquiry. Twice—when they had the chance to do something practical, useful, that would have a direct impact on the cost for their constituents, they rejected the opportunity.

Then they wonder why they struggle to win booths in Frome, why it is such hard work to even make up ground in Mount Gambier, of all places. Why is it so difficult for them to win back Mount Gambier? Why is it so hard even in one of the worst droughts and even with one of the most

topical issues of water? Why is it so hard for them to be making up ground in Chaffey? It is quite simple: it is because rural and regional people have no confidence in the Liberal Party. They know that there are other people who would do a better job for them than the Liberal Party. They know they are better off with an Independent. Even two Independents, who are prepared to go into cabinet with a Labor government, are still better representatives than the Liberal Party.

They had the chance to reject them. They had the chance to say, 'We disapproved that you went into cabinet with the Labor Government.' They had the chance to say, 'As a result of your going into cabinet with the Labor government, we're worse off,' but did they say that? No. They re-elected both of them, thumpingly, if that is in fact an adverb.

At every opportunity—I keep coming back to this train of thought—and every time there has been an electoral test of the Liberal Party and whether they actually represent their constituency, whether they are the best representatives of rural and regional South Australia, the answer—

The Hon. A. Koutsantonis interjecting:

Mr KENYON: I thank the member for West Torrens for pointing that out, because he is exactly right. The reason the member for MacKillop is in this place is because he argued that the Liberal Party was not the best representative; in fact, at that time it was not even the best government for the state. The member for MacKillop was arguing that the Liberal Party should not be in government, in effect. And here is, having rejoined the party, trying to make some sort of point that we are conning the state. If you cannot recognise reality, how are you going to change your actions? How are you going to come up with a decent campaign that is going to see you guys in government?

You cannot even look objectively at the electoral situation, your economic situation and the state of your party, so how are you ever going to regain government? Not that I care, I have to say, I like pondering this motion. It is good for me. Keep going! If we are ever going to see some sort of recovery, you have to stop bringing in Mickey Mouse motions like this, condemning the government, whingeing, whining and squealing for nothing, because it is not working. Have a look at the ballot box, it is not working.

Mr WILLIAMS (MacKillop) (12:58): Never has the importance of the motion that the member for Hammond brought to the house been demonstrated more than by the fact that the member for Newland could not say one thing about what the government that he is a member of has done for regional South Australia. We just heard nothing but a diatribe of abuse of members on this side of the house and the Liberal Party because he could not support anything they have done.

I am not going to have an opportunity to rebut all the things that have been said, but evidence that came to the Economic and Finance Committee on that inquiry, which the member for Light talked about, from the Office of Consumer and Business Affairs (OCBA) was, 'It is not within our jurisdiction' under the government's current legislation. That is the point I made to the committee when my colleagues and I voted against that inquiry.

The member for Enfield makes very important points. I ask members to go back and read his speech. Those who have any understanding of history will know that every one of the points he raised was funded by us or projects that were started before the change of government in 1992. It is things like the SEA Gas pipeline, things about investments in wind farms, things about the deepening of the port of Port Adelaide. If he wants to talk about ports get him to explain what is happening up at Port Bonython with the bulk handling facility for the mining industry; get him to talk about some of those things that should be happening in South Australia instead of the things that only happen because of the previous Liberal government. He said that the government cannot make it rain, but it can capture the rain when it does fall. I conclude my remarks there.

Debate adjourned.

MEMBERS' REMARKS

Mr WILLIAMS (MacKillop) (13:00): I seek leave to make two personal explanations.

Leave granted.

Mr WILLIAMS: First, the member for Newland made comments about me and my candidacy at the 1997 election for the seat of MacKillop. If the member for Newland cared to do some research and read the printed material I circulated across the electorate at that time he will

know that I firmly said that I was standing as an Independent Liberal, and would be supporting the Olsen Liberal government. So I reject his comments.

My second personal explanation relates to the member for Enfield's comment that the esteemed member for Stuart was the only member on this side that did not support the legislation to get rid of the single desk. I can tell the house that at every turn I rejected that legislation, and at every turn argued for its retention, including voting against the legislation to support the single desk in South Australia—as, I believe, did the member for Schubert.

[Sitting suspended from 13:02 to 14:00]

GLYNDE SUBSTATION

Mr WILLIAMS (MacKillop): Presented a petition signed by 407 residents of Glynde and greater South Australia requesting the house to urge the government to direct ETSA not to establish the proposed substation at 59 Barnes Road, Glynde.

BICYCLE LANES

Dr McFETRIDGE (Morphett): Presented a petition signed by 275 residents of South Australia requesting the house to urge the government not to install bicycle lanes along Diagonal Road from Brighton Road to Prunus Street.

ADELAIDE HILLS BUSHFIRE MANAGEMENT

Ms CHAPMAN (Bragg): Presented a petition signed by 64 residents of South Australia requesting the house to urge the government to provide greater funding and resources for bushfire management in the Adelaide Hills.

ROYAL ADELAIDE HOSPITAL

Ms CHAPMAN (Bragg): Presented a petition signed by 6 residents of South Australia requesting the house to urge the government to support rebuilding the Royal Adelaide Hospital at its current location and to abandon all plans for a rail yards hospital.

ANSWERS TO QUESTIONS

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

RAIL SERVICES

278 Dr McFETRIDGE (Morphett) (21 October 2008). How will rail services improve and how will the signalling system and Adelaide railway station manage extra services?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy): I am advised:

Funding has been provided to upgrade the signalling system and enable it to operate with an electrified rail service. The Adelaide Railway Station will be able to handle the number of trains for the planned level of service.

PUBLIC SECTOR EMPLOYMENT

In reply to various members (29 June 2009) (Estimates Committee A).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I have been advised that the Northern Connections Office under the Department for Planning and Local Government had no employees with a total employment cost of \$100,000 or more or \$200,000 or more as at 30 June 2009.

SURPLUS EMPLOYEES

In reply to various members (29 June 2009) (Estimates Committee A).

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability): I have been advised that the Northern Connections Office under the Department for Planning and Local Government had no surplus employees as at 30 June 2009.

PAPERS

The following papers were laid on the table:

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

Children, Youth and Women's Health Service—Report 2008-09
Health, Department of—Report 2008-09
Health and Community Services Complaints Commissioner—Report 2008-09
Public and Environmental Health Council—Report 2008-09
South Australian Psychological Board—Report 2008-09

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

Adelaide Festival Centre—Report 2008-09
Country Arts SA—Report 2008-09
History Trust of South Australia—Report 2008-09
State Opera of South Australia—Report 2008-09
Windmill Performing Arts Company—Report 2008-09

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

Adelaide Convention Centre—Report 2008-09

By the Minister for Environment and Conservation (Hon. J.W. Weatherill)—

Board of the Botanic Gardens and State Herbarium—Report 2008-09
Coast Protection Board—Report 2008-09
Native Vegetation Council—Report 2008-09

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

Child Death and Serious Injury Review Committee—Report 2008-09
Children in State Care Commission of Inquiry Report: Allegations of Sexual Abuse and
Death from Criminal Conduct—Report 2008-09
Families and Communities, Department for—Report 2008-09

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

Citrus Industry Development Board, South Australian—Report 2007-08
Primary Industries and Resources SA, Department of—Report 2008-09

By the Minister for Correctional Services (Hon. A. Koutsantonis)—

Correctional Services, Department for—Report 2008-09

By the Minister for Gambling (Hon. A. Koutsantonis)—

Commercial Hotel Code Alteration (Responsible Gambling)—Notice 2009
Gaming Machines Act 1992—Report 2008-09
Independent Gambling Authority—Report 2008-09

PAROLE

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Correctional Services, Minister for Gambling, Minister for Youth, Minister for Volunteers, Minister Assisting the Minister for Multicultural Affairs) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: I wish to advise that Executive Council has recommended to the Governor that two convicted murderers be refused parole. James David Watson and David Andrew Mathew Millar are both serving mandatory life sentences. Their crimes are heinous.

I am informed that James David Watson had consumed alcohol, and possibly drugs, before attacking a 14 year old schoolgirl at Elizabeth Downs in September 1985. At his trial, the court heard that Watson had physically and sexually assaulted his victim in a concrete storm drain before

strangling her to death. During sentencing, Justice Olsson said his crime was 'a terrible thing'. He continued:

An innocent girl only 14 years of age who apparently had done nothing to invite your attentions was forced into a drain, undressed, brutally assaulted and manually strangled in the course of an attempted perpetration of a rape upon her...There can be no doubt that this offence must be placed in the most serious category.

Watson was sentenced to a nonparole period of 24 years. That was later slashed to 16 years, four months and seven days under truth in sentencing laws—a policy introduced by the former Liberal government.

Watson's minimum term expired in January 2002 and he has made six applications to be released. Five of those have been knocked back on the advice of Executive Council, and the other application was declined by the Parole Board in 2007. After careful consideration of the facts, Executive Council has determined that it is not in the public interest to recommend that Watson be released into the community.

I am informed that David Andrew Mathew Millar was an amphetamine addict who repeatedly stabbed his girlfriend in August 1990. His Honour Justice Mohr said the following:

Having inflicted all of those wounds you apparently left the room for a relatively short time, came back into it and she was then almost dead, described as being in a moribund state, bleeding quite profusely. You took to her again with a knife and cut her throat, cut the strap off her handbag and tied it around her neck, tightly, so as, if no other cause of death had ensued, it would have strangled her.

...I cannot overlook the second attack on this unfortunate woman.

Members interjecting:

The SPEAKER: Order! There will be order. The minister.

The Hon. A. KOUTSANTONIS: Thank you sir.

...I cannot overlook the second attack on this unfortunate woman. There is little doubt that had you reacted in another way and caused her to receive medical attention after the first onslaught she would probably have survived, albeit with grievous wounds.

Millar was sentenced to a minimum of 21 years, which was later reduced to 13 years, seven months and 27 days under the Liberals' truth in sentencing laws. The nonparole period expired in April 2004. This is the second time—

Members interjecting:

The SPEAKER: Order, the Attorney and the member for Bragg!

The Hon. A. KOUTSANTONIS: This is the second time—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg is warned.

The Hon. A. KOUTSANTONIS: This is the second time Millar has applied to be released and the second time that Executive Council has recommended he stay in. Once again, the recommendation followed close examination of all the circumstances of the case, and Executive Council has determined that it is not in the public interest to release this prisoner.

The Rann government has been the only government in Australia to reject Parole Board recommendations in the public interest. The Rann government makes no apologies for prioritising the rights of victims, not criminals. The opposition believes that the government is wrong to knock back the recommendations of the Parole Board.

Mr Williams: That is a baseless claim, Tom, and you know it.

The SPEAKER: The member for MacKillop!

The Hon. M.J. Atkinson: Read *Hansard*.

The SPEAKER: The Attorney!

The Hon. A. KOUTSANTONIS: These decisions are taken very seriously and, unlike the opposition, this government will not simply rubber stamp Parole Board recommendations.

NATURAL RESOURCES COMMITTEE

Mr RAU (Enfield) (14:09): I bring up the 37th report of the committee on the Bushfire Inquiry—South Australian Evidence Interim Report *'In Delay There Lies No Plenty'*.

Report received and ordered to be published.

Mr RAU: I bring up the 38th report of the committee entitled Kangaroo Island Natural Resources Management Board Levy Proposal 2009-10 Supplementary Report *'Too Many Cooks'*.

Report received and ordered to be published.

VISITORS

The SPEAKER: I advise members of the presence in the gallery today of students from Nazareth Catholic College, who are guests of the member for West Torrens.

QUESTION TIME**FAMILIES AND COMMUNITIES DEPARTMENT**

Mrs REDMOND (Heysen—Leader of the Opposition) (14:11): My question is to the Minister for Families and Communities. After eight years in government, why has the government not addressed the culture of power and impunity within Families SA as reported by the Select Committee on Families SA?

An honourable member: Very select.

Mrs REDMOND: The select committee heard evidence that a culture of power and impunity operates within Families SA and that 'there is a rotten of culture of power without accountability' in the department. Many departmental officers behave in an unprofessional, biased and vindictive manner, and they are permitted to hide from recrimination. Case workers are bullied by supervisors. Departmental policy is developed without consulting those working at the coalface. Policy makers fail to support workers and readily shift blame for adverse events onto the workers rather than admitting to organisational failure.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:12): I thank the Leader of the Opposition for her question and I note the interjection that it was a very select committee that was undertaken by the upper house. We will be giving that select committee report very careful consideration and analysis. Let me just say that, in my very quick overview of it, that report clearly denigrates very hardworking and committed staff—people who work in the most complex of areas dealing with traumatised people, traumatised families, traumatised children—

Mrs Redmond: That is the point the report is making.

The SPEAKER: Order!

The Hon. J.M. RANKINE: That is not new. These people are dealing with the most difficult—

Mrs Redmond interjecting:

The SPEAKER: The Leader of the Opposition!

The Hon. J.M. RANKINE: Well, I am sorry. We have not been able to fix every ill in society. I am sure that the department will continue—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —to deal with these families in the best way it possibly can, and for the first recommendation of that report to be that we need to deal with 'a rotten culture' just goes to the standard, I think, of the report and analysis that has been made. Let me just say—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —that we never claim to get everything right, but let us be really sure that we do not get everything wrong, either. We are dealing with really difficult

circumstances, and across the nation we are seeing organisations such as this department having increased child protection notifications day upon day. I am sure that, if the leader asked them, members of the committee can verify that when they have directly raised issues—

Mr Venning interjecting:

The SPEAKER: The member for Schubert!

The Hon. J.M. RANKINE: —they have been dealt with; and, in some instances, concerns have been acted on and in other instances the stories have just not stood up to scrutiny.

ROYAL ADELAIDE HOSPITAL

Ms BREUER (Giles) (14:14): Will the Minister for Health explain how a new central hospital is the best solution for the growing demands on our health services, and how does this compare with the recent proposals—

Members interjecting:

The SPEAKER: Order!

Ms BREUER: —to rebuild the hospital on the current site?

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:15): Mr Speaker, I thank—

Mr PISONI: I have a point of order, sir. We heard all this yesterday. It is repetition. I know what he is going to say.

The SPEAKER: The member for Unley will take his seat. I do not appreciate the member for Unley's tone to me when he takes a point of order. There is no point of order.

The Hon. J.D. HILL: Thank you, Mr Speaker. It is interesting, of course, that the opposition makes light of one of the most important decisions that this state has to make. How we provide health care services to our population as it—

Mr Williams interjecting:

The SPEAKER: The member for MacKillop!

The Hon. J.D. HILL: Mr Speaker, I would say to members on the other side that, if they have questions to ask me, I am happy to answer them in an orderly fashion. The most important thing facing our state is how we deal with the health needs of our population as it ages. By 2016 we predict that the part of the population over the age of 75 years will be growing at about the rate of 9.5 per cent per annum, so we need to provide additional services to satisfy the needs of that population by that time. So our strategy, which was released in 2007, provides for infrastructure build-up to give us extra beds, extra facilities and extra services for that part of the population.

However, more than just putting extra beds into hospitals, we are also putting extra facilities into communities so there are more places that people can go so they do not have to go to hospital. We do not want everyone going to hospital for all of their services. Nonetheless, we do need to build up the facilities in the hospitals. The central hospital, the Royal Adelaide—

Mrs Redmond interjecting:

The Hon. J.D. HILL: Ask a question, if you like, Leader of the Opposition. The Royal Adelaide Hospital is not sufficient at the moment to satisfy the needs. We need about an extra 250 beds by 2016 and, under our strategy to build on a new site, we will be able to provide 120 additional beds in the central area by 2016. If I compare that with what the opposition proposed yesterday, we would have a new hospital, new extra beds, extra intensive—

Mr PENGILLY: I have a point of order, sir.

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

Mr PENGILLY: The minister is going into debate, in my view, pointing out what we raised yesterday.

Members interjecting:

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

The Hon. J.D. HILL: To remind the member for Finnis, the question asked me to compare what we are doing with what the opposition proposes. That is perfectly orderly and absolutely a vital part of the public debate. We should compare and contrast one side's propositions with the other's. It is not surprising that the other side does not want that comparison to occur.

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. J.D. HILL: Yesterday, the opposition brought forward a proposition to build 1,000 new beds at the existing RAH site for \$700 million. That would be in two high-rise buildings. The opposition also claimed that they would build a third multistorey building on Frome Road at some stage in the future with 800 beds. In other words, they are proposing to put 1,800 beds at the Royal Adelaide Hospital site.

I thought this was quite interesting. On our analysis, looking at what we need into the future, we need about an additional 120 beds on that site. What the opposition is proposing to do is put over 1,000 additional beds on that site. Why would you create 1,000 additional beds on the Royal Adelaide Hospital site? It would be impractical to do it, let us be honest about it; but, even if you could do it, why would you want to put 1,000 additional beds on the Royal Adelaide site?

That would mean 1,000 extra patients every day going to the Royal Adelaide Hospital from wherever they happen to be coming from across the state—and presumably many more from the country and many more from the suburban areas. What the opposition have not calculated is what it would cost to operate a theatre with 1,000 additional beds, because that is the bit they left out of their costings yesterday. They said they could build 1,000 new beds for \$700 million, yet, only a month ago, the spokesperson for the opposition on health said—

Mr PENGILLY: I have a point of order, sir. The minister is quite clearly debating the issue and not answering the question.

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

The Hon. J.D. HILL: Thank you, Mr Speaker. I am comparing the options put forward by the opposition with that of the government. It is reasonable that the population of South Australia knows what they will get for their money, what propositions are being put forward and how they compare and contrast. Just four weeks ago the Liberals' health spokesman (Duncan McFetridge) told the ABC that the Liberals would commit \$1.4 billion to a redevelopment of the hospital. That redevelopment was based on the options put forward by the former leader of the opposition, Martin Hamilton-Smith (the member for Waite).

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Amongst his propositions, which range in cost from \$800 million to \$1.4 billion, was the \$800 million option put forward by Hamilton-Smith. Mr Hamilton-Smith when he was leader of the opposition said—

Mr PISONI: I have a point of order, sir. The minister is not referring to members by their electorate. He is using their name. I believe that is disorderly.

The SPEAKER: Order! I uphold the point of order. The minister must refer to members by their electorate.

The Hon. J.D. HILL: When the member for Waite was leader of the opposition, he put forward three propositions, one of which was the \$800 million proposition; that is, they would build on the RAH site a 300-bed 12-storey building at the front and a new inpatient wing with 500 beds. So for \$800 million last year or earlier this year they were going to get 800 beds—\$800 million, 800 beds. Now they are building a bigger hospital with 1,000 beds for \$700 million. I point out to anyone who was listening that that is completely farcical. You cannot build 1,000 beds for \$700 million—it is just pure fantasy.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: They also say that they would be mostly single rooms. Well, these would be single rooms. Mr Speaker, you might recall that the drawing the opposition had of the building at the front of the hospital was truncated, so we described it as a hobbits hospital. These would be bedrooms for hobbits, as well, because they would be very small, indeed, if you were going to put the number of beds they are describing in a space of that size.

What the opposition is doing is making it up as they go. They had three propositions before, ranging in cost from \$800 million to \$1.4 billion. They now have a fourth proposition which has more rooms and which is cheaper than any of the other three propositions. As was said on radio this morning, there is a \$700 million black hole in the opposition's proposition—a \$700 million black hole in the opposition's costings. You cannot build a bigger hospital for \$700 million. It is totally false and totally misleading to say to the public of South Australia that they could get the same on the existing site as they could get down the road for about half the price. It is totally ridiculous—and the public will see through them.

Mr WILLIAMS: I have a point of order, sir. The minister is not answering the question. The question was asking him to compare their project with our project. The house is still yet to hear about their project.

The SPEAKER: Order! There is no point of order. In any case the minister has completed his answer.

FAMILIES AND COMMUNITIES DEPARTMENT

Mrs REDMOND (Heysen—Leader of the Opposition) (14:23): My question is to the Minister for Families and Communities. After eight years of this government, why is it that many carers have no confidence that their cases will be given a proper, fair, independent and transparent investigation and that they fear being left with a tainted record and being stigmatised by departmental staff, as stated in the report of the select committee?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:24): Again, I make the point that it was a very select committee.

Mr Pisoni interjecting:

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

The Hon. J.M. RANKINE: These assertions are coming from the leader of a party that when in government had no commitment to child protection in South Australia. It was not until we took government that we had the Layton review into child protection and the Mullighan inquiry, and we have put money where our mouth is, with the largest ever injection of money into child protection that this state has ever seen.

Mr Williams interjecting:

The SPEAKER: The member for MacKillop is warned.

The Hon. J.M. RANKINE: What we did was set up an independent investigations unit where children could go and where people could lodge their complaints if they felt that something untoward was happening in relation to a child in care. We have just this week had the apology from the Prime Minister, acknowledging that in years gone by abuses have occurred to children within the care system when they have been under the care of the state. Is the Leader of the Opposition suggesting for one minute that we should not have investigations into claims of abuse against children who are in care?

ST CLAIR LAND SWAP

Ms PORTOLESI (Hartley) (14:26): My question is to the Minister for Environment and Conservation. How is the government—

Mr Pengilly: You will be competing with Aboriginal affairs.

Ms PORTOLESI: Aboriginal affairs?

The SPEAKER: Order, the member for Finniss!

Ms PORTOLESI: How is the government—

Mr Pengilly interjecting:

The SPEAKER: The member for Finniss!

The Hon. I.F. Evans: The question is: did you write this question?

The SPEAKER: The member for Davenport!

Ms PORTOLESI: How will the St Clair land swap benefit students at Woodville High School?

Members interjecting:

The SPEAKER: Order! Could I ask the member for Hartley to repeat the question? I did not hear it.

Ms PORTOLESI: Yes, sir. My question is to the Minister for Education.

Mr Pisoni interjecting:

The SPEAKER: The member for Unley!

Ms PORTOLESI: How will the St Clair land swap benefit students at Woodville High School?

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) (14:26): I thank the member for Hartley for that question and I commend her for her interest in high quality educational facilities for the good of students in South Australia. The proposal to redevelop land—

Mr PISONI: Sir, I rise on a point of order. The minister has no responsibility for the land swap at St Clair.

The SPEAKER: Order!

Mr PISONI: No responsibility whatsoever.

The SPEAKER: The member for Unley will take his seat. It is entirely up to the government to decide which minister has responsibility for what, not the member for Unley or me.

The Hon. J.D. LOMAX-SMITH: The proposal to redevelop land adjoining the school will be of great benefit to the students of Woodville High. The oval will be relocated and brand new change rooms will be developed as part of a \$2.44 million redevelopment of a 4.7 hectare site that is now the Sheridan development area. This new site will replace an equivalent area of land at St Clair Reserve, which has been earmarked for a transit-oriented development to help revitalise the western suburbs.

I recently approved a variation agreement between the City of Charles Sturt and the recreation and sports minister (Hon. Michael Wright) that facilitates the land swap and makes new arrangements for the school's continued access to the new recreation area. The Governor has approved this variation today. The principal of Woodville High—

Mr Pengilly interjecting:

The SPEAKER: The member for Finniss is warned. The minister.

The Hon. J.D. LOMAX-SMITH: Thank you, sir. The principal of Woodville High said recently that there were a number of advantages to the land swap for that school community. It would provide easier access to the relocated oval and avoid the opening of roads that would otherwise have posed a risk to students accessing the nearby gymnasium. The principal and the governing council have given their in-principle support. The council has also agreed to commence formal proceedings to close sections of Actil Avenue. This will allow students to walk freely between the existing St Clair Reserve and the new open space.

Woodville High School is an excellent school with a very fine reputation around the state. It currently serves 1,137 students, and that number is a significant increase from the 719 that it served only in 2004. There has been very rapid growth of enrolment recently. The school is also going to embark on an exciting building program to deliver world-class facilities to the western suburbs—something that I can appreciate is not of much interest over there.

In October the proposal to develop Woodville High School was passed by the Public Works Committee. It is estimated to cost \$8.6 million, and will accommodate a future enrolment of 1,200 students. The centrepiece of this redevelopment will be the construction of a new performing

arts centre and additions to the existing music centre. There will be redevelopment of the heritage Meithke Building as a resource centre and a student support services building. There will be, in addition, redevelopment to accommodate classrooms and IT spaces and an upgrade of the existing Brocas Avenue car park.

The project also includes a number of very significant environmental sustainability features, such as a two kilowatt grid connected solar PV system to be mounted on the roof of the performing arts building. Each year it should produce about 3,600 kilowatt hours of renewable electricity.

In addition, there will be two new 22,000 litre rainwater tanks, again collecting water from the performing arts centre, providing up to 200 kilolitres of water each year for toilet flushing and irrigation. I am told that this fabulous project for the western suburbs will be completed in 2011 and will be a centrepiece of public education in the area. The school, of course, has also benefited from the commonwealth's Building the Education Revolution initiative, receiving \$200,000 in National School Pride maintenance funding.

The community should be really proud of the fact that they are one of only 40 government high schools to receive funding under the Science and Language Centres for the 21st Century scheme, another part of the Building the Education Revolution agenda. Funding of an additional \$1.75 million will be used for a language centre.

I am sure that you will agree that in the years ahead the exciting redevelopment of Woodville High School will be a beacon in the west. The investment that we have made in the western suburbs is one that we, on this side at least, would support.

FAMILIES AND COMMUNITIES DEPARTMENT

Mrs REDMOND (Heysen—Leader of the Opposition) (14:31): Once again, my question is to the Minister for Families and Communities. How can the public have confidence in the accuracy of files and investigations of Families SA, when the select committee into the department has reported:

Case workers failed to adequately verify facts and case notes include conjecture as fact.

Evidence was received by the select committee that:

It is not uncommon for case records to be altered when they come under scrutiny.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:32): As I said earlier, we will have a very close look at the assertions that have been made—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: We will have a close look at the assertions that have been made by the select committee. But, let me just say also that there has been criticism, I understand, from the opposition in relation to a new case management service that is being rolled out throughout the Department for Families and Communities—it is within a number of agencies now—which will give us an up-to-date, state-of-the-art case management tool with which we can—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —much better manage the cases of the children who come into our care.

FAMILIES AND COMMUNITIES DEPARTMENT

Mrs REDMOND (Heysen—Leader of the Opposition) (14:34): I have a supplementary question. Does the minister believe the witnesses who appeared before the select committee?

The SPEAKER: That question is out of order.

ROYAL ADELAIDE HOSPITAL

The Hon. S.W. KEY (Ashford) (14:34): My question is to the Minister for Health. Is the minister aware of any public supporters of the government's proposal to build the new Royal Adelaide Hospital?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:34): I thank the member for Ashford for her question. Yes, I am, as it happens, and I would be very happy to share that knowledge with the house.

A number of people have come forward and expressed support. A number of important South Australians are involved in the health workforce. For example, the Nursing Federation has come out as an organisation in support of the new hospital, having canvassed their own membership, those people who work in the hospital, about what they believe; so, they have come out in support. Dr Peter Ford, the former state president of the AMA, described the government's plan for the new hospital as 'visionary'. He says it would provide 'a world-class health service for the state'. Professor Justin Beilby, Executive Dean of the Faculty of Health Sciences at the University of Adelaide, has described the plans for the new hospital as being 'on a par with the world's best' and that the association between the hospital and the university 'would continue at the new site, where we [the university] will be heavily involved in each stage of its planning and development'. The list goes on through a range of—

Ms Chapman interjecting:

The SPEAKER: Order!

Ms Chapman: Any new ones?

The Hon. J.D. HILL: Any new ones? Just wait. Professor Villis Marshall—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg!

The Hon. J.D. HILL: It is an interjection she will regret in a moment, Mr Speaker. Professor Villis Marshall, the Clinical Director of Surgical and Specialist Services at the Royal Adelaide Hospital, said, 'The hospital is an important solution for the future.' Professor Dorothy Keefe, Clinical Director of the Cancer Centre, said, 'To renovate the Royal Adelaide Hospital would take about twice as long as building the new hospital and it would be disruptive.'

Mr Williams interjecting:

The SPEAKER: The member for MacKillop.

Ms Chapman interjecting:

The Hon. J.D. HILL: The member for Bragg interjects, 'Are there any new ones?' Well, as it happens, I do have a new one. At a press conference today, John Greenwood, who is the—

Ms Chapman: He's a member of the public is he, or a plastic surgeon?

The SPEAKER: The member for Bragg is warned a second time.

The Hon. J.D. HILL: Dr Greenwood, who is head of the Burns Unit of the hospital—and members would be interested to know that the Burns Unit is the unit that those who are opposed to what we are doing keep pointing to as a brand-new facility which it would be a tragedy to lose—felt so annoyed by the commentary that he organised a press conference today, and I have here some quotes that he made at that press conference. In answer to some questions, he said:

The burns unit, although it is a million-fold better than the previous burns unit we moved out of in 2003, has a finite life, that's just from a patient number perspective. We're also in a situation where burns units globally have a finite life of about 10 to 15 years before they need to be completely revamped, refurbished and rebuilt, so I don't want people looking at the services that we have now and saying, hey this is the reason we need to maintain the hospital.

He continued:

I've spoken to Professor Robert Young as well, who is the director of the intensive care unit, and he's in the same position, the volume of work that these units were built to house has massively expanded in ways that were unforeseeable and so the intensive care unit, like ourselves, they're finding it difficult to cope and they're certainly not going to cope in the future.

Dr Greenwood was asked, 'Can the buildings/site here fill your needs?' He replied:

No, I think the infrastructure in this hospital is insufficient to generate the expansion, I think the land size is insufficient to generate the expansion...and speaking purely for myself I think a new hospital would be the way forward.

It was then put to him that 'There are a lot of doctors that are vocal about wanting to stay here, do you think they're in the minority or are you in the minority?' Dr Greenwood responded:

Well I don't know, I mean I'm terribly young and inexperienced [laughter], so I can only speak for myself and the people that I've spoken to who work within the rebuilt parts of the RAH, who say that the rebuilt parts of the RAH are not going to last.

He says, of those who criticised those doctors who support what we are doing as being young and immature:

I thought they were condescending and I was quite upset about them. I'm sentimental about the RAH, I came here to work at this particular hospital and it has been very good to me. The unit has been superb, but I think you've got to let go sometime of that sentimentality, when you're looking at patient outcomes and patient planning for the future.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: This is the head of the Burns Unit saying that, not me. He also says:

...most of the doctors who I have spoken to who want to move will actually be working in the new unit and the new hospital when it's built.

Mrs Redmond interjecting:

The Hon. J.D. HILL: If the Leader of the Opposition wants to ask me a question, she should go ahead. Make my day. He says:

...I do just get generally a little bit peeved that people will use my service and the buildings that are my service, and even people within my service and pictures of people within my service as a reason for something that I don't actually believe in.

That is, I interpolate, that the Burns Unit should stay where it is. The head of the Burns Unit—the service that the opponents of the rebuild keep pointing to—says it should be moved to a new hospital for sensible reasons. That is what the experts have to say about what the government is proposing, and that is why the opposition is so terribly wrong.

FAMILIES AND COMMUNITIES DEPARTMENT

The Hon. I.F. EVANS (Davenport) (14:40): My question is to the Minister for Families and Communities. How does the minister explain that written complaints about the Special Investigations Unit sent to both the then department chief executive, Kate Lennon, and the then manager of the Special Investigations Unit, Mr Steve Edgington, in July 2004 are now claimed not to exist when departmental records show they did exist at the time of the complaint? Is the minister concerned that, following calls for a royal commission into the Easling matter, the department is now claiming that no such documents exist?

On 15 July 2004, Mr Steve Edgington received a written complaint about the Special Investigations Unit from Connecting Foster Carers South Australia. On 16 July 2004, both Steve Edgington and Kate Lennon received written complaints about the Special Investigations Unit from both Lutheran Community Care and Create Foundation.

I put in a freedom of information request for the letters of complaint from the industry sector, as referred to in a memo by Kate Lennon on 27 July 2004, which recommended that a consultant be appointed to review the Special Investigations Unit due to the level of complaints. The FOI response was that there were no documents. When I publicly claimed, by way of a press release, that documents must exist, the department put out a statement, as follows:

Notwithstanding the Hon. Iain Evans belief that such documents exist, the Department after repeated and thorough searches in accordance with its obligations under the Freedom of Information Act has concluded no such documents exist.

The Hon. K.O. FOLEY: Point of order, Mr Speaker: explanations are there to provide a short, brief explanation to a question. He is clearly providing information that would be better provided in the grievance.

The SPEAKER: Any member is free to withdraw leave. The Minister for Families and Communities.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (14:43): I thank the member for Davenport for his question. In relation to his FOI and his claim that

letters containing allegations were sent to the department, I have asked the chief executive officer to ascertain, now that we have been given the names of three organisations he claims made allegations against the Special Investigations Unit, whether or not the department can now locate them. I have asked, if they do have them, whether a mistake was made in the process in not locating them or whether they were not captured under FOI because the actual content did not reflect the scope of the freedom of information application.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order, the minister for corrections!

The Hon. J.M. RANKINE: What I mean by that is: did they contain actual allegations or were they letters containing concerns? I have not seen the letters, I have not read the letters, so I do not know what they contain—

Ms Chapman interjecting:

The Hon. J.M. RANKINE: The FOI didn't ask for letters from specific organisations—

The Hon. I.F. Evans: It asked for the letter referred to in the memo to Kate Lennon.

The SPEAKER: Order, the member for Davenport!

The Hon. J.M. RANKINE: I do not know what the chief executive officer before the last chief executive officer before that meant, because she does not detail that, as I understand it, in her minute. What I have asked the chief executive officer to do is to have a look at whether a mistake was made, whether those documents exist within the department or whether they just did not fall within the scope, and as soon as I have an answer to that I will advise the member for Davenport.

ROYAL ADELAIDE HOSPITAL

Mrs GERAGHTY (Torrens) (14:45): My question is to the Minister for Health. How will the new RAH provide for the health care needs of South Australians into the future and how does this contrast with—

Members interjecting:

The SPEAKER: Order!

Mrs GERAGHTY: —recent proposals for rebuilding on the current site?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:45): The first point I want to make about any hospital, of course, whether it is a rebuild for a new hospital or an old hospital, is that at the heart of every hospital is the quality of the staff who work there. I think we are very lucky in our state that we have outstanding doctors, nurses and allied health workers who do their very best wherever they happen to be working. Regardless of how old or how young they happen to be, we have a professional workforce which is committed and dedicated to the provision of services.

What we want to do is to make sure that the doctors, nurses and allied health workers who are going to be providing services in the future—in the next 10, 20 and 30 years—have the very best facilities within which they can work. It is unreasonable to expect world-class treatment in second-class facilities. The reality is that the existing Royal Adelaide Hospital is no longer amongst the best physical environments in the world in which to provide services. No matter how you try to restructure it—put bandaids on it, rebuild bits of it, paint bits of it, gut bits of it and refurbish it—you cannot turn—what is the expression?

Ms Bedford: A sow's ear into a silk purse.

The Hon. J.D. HILL: Thank you—a sow's ear into a silk purse. That is the exact metaphor that I was looking for. It will always be a ramshackle set of buildings on that site. By starting afresh, we can create a world-class health facility for our population into the future. In particular, what we will be able to do on the new site is to provide additional emergency department work. I just referred to Mr Greenwood from the Burns Unit, who made this statement today:

The existing emergency department is not big enough to provide for the patients who are expected to come into the future.

Under the propositions put by the Liberal Party, there is no expansion in the emergency department. We know that we need to grow that by 25 per cent over the next few years.

In addition, there is no point having 1,000 or 1,800 beds if you do not have sufficient operating theatres that you can use to treat people who may need a bed. The number of operating theatres in that hospital are not sufficient; they need to increase. We can do that on a new site, but we cannot do that on the existing site. The Liberals' proposition does not increase the number of operating theatres, nor does it increase the size of the operating theatres. The operating theatres need to be made larger. Why do they need to be made larger? They need to be made larger because the techniques used by surgeons now involve using bits of machinery which were not thought about when the original operating theatres were designed. They have to have greater space in which to use the equipment of today.

Mrs Redmond interjecting:

The Hon. J.D. HILL: I would happily have the Leader of the Opposition ask me any question she likes about these issues. She is not a health expert and nor am I. I am relying on advice. I get advice from health officials.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I get advice from the very best health expertise that we have in our state, and this is what they tell me is required. All of what I am describing is what has been put to me—and which the government has accepted—as what we require for our future planning. I compare that to the other side, who make things up.

Mr PENGILLY: On a point of order, the minister is once again launching into debate on the issue.

The SPEAKER: No, he is not. The Minister for Health.

The Hon. J.D. HILL: I fail to see how a comparison is debate.

Mr Williams interjecting:

The SPEAKER: The member for MacKillop!

The Hon. J.D. HILL: I am not sure what the member for MacKillop is referring to but, for the benefit of those who might be listening to this interruption thinking that it contains an element of substance, I have briefed members of the opposition and provided them with documents which compare the costings of our proposition with models for rebuilding on the existing site.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The point is that the propositions put by the Liberal Party do not address the key issues that are before us as a community. They do not provide additional emergency department spaces, they do not provide additional intensive care unit beds and they do not provide extra operating space for the doctors who run our hospitals. This is what the experts are telling us. This is what we should be following.

ROYAL ADELAIDE HOSPITAL

Mrs REDMOND (Heysen—Leader of the Opposition) (14:50): My question is to the Minister for Health. Is the Burns Unit surgeon, John Greenwood, referred to in the Minister for Health's earlier answer to a question, the same Burns Unit director who was quoted on ABC news on 8 October 2009 as saying of the Burns Unit when it became the first outside the United States to be accredited by the American Burns Association:

It is proof the Adelaide facility is meeting the highest international standards. As a first world burns unit centre we should be providing the gold standard of care and this is the only way that that can actually be proven—by an independent audit from an outside body.

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The minister for corrections! The Minister for Health.

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:51): I thank the Leader of the Opposition for her question. The import of her question is that Mr Greenwood is wrong about his own conclusions.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Dr Greenwood, who is the head of the burns unit, held a press conference today. He is the same Dr Greenwood who—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —quite rightly expressed pride—and I acknowledged that at the time of the press release—that the burns unit at the Royal Adelaide Hospital received accreditation from an American association, the first in the world to do it. I say, 'Fantastic achievement', but a unit and a building are different things, and what—

Mrs Redmond interjecting:

The SPEAKER: Order! The Leader of the Opposition has asked her question.

Mr WILLIAMS: Point of order, sir. I suspect that the minister has answered the question, too.

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

The Hon. J.D. HILL: The point that Dr Greenwood was making—

Mr PENGILLY: Sir, point of order.

The SPEAKER: It had better be a new one.

Mr PENGILLY: The point of order is that the question was asked by the leader as to whether it was the same Dr Greenwood. The minister has indicated it is; therefore, he has finished the answer.

The SPEAKER: The minister can be the judge of when he has finished his answer, not the member for Finnis. The Minister for Health.

The Hon. J.D. HILL: Dr Greenwood was quite rightly proud of the achievements of his unit, as he should be. A unit is a group of people providing a service, and that unit, that group of people, achieved a high level of accreditation. Dr Greenwood said today that, yes, the unit had been upgraded in 2003. It probably had a shelf life as an upgraded unit of about 10 to 15 years, so—

An honourable member interjecting:

The Hon. J.D. HILL: He did; I read it into the *Hansard*. He said—

An honourable member interjecting:

The Hon. J.D. HILL: Dr Greenwood said that the unit, which had been upgraded in 2003, would have a shelf life of about 10 to 15 years, which is about 2013 through to 2018, on my calculations, at which time it would need to be replaced. He said that it was built at a time when the full demand for services was not known and it needs to be rebuilt in a new place to take into account the expanded needs that we have. These services need to be replaced all the time. He was particularly offended that his unit was being used by those who are opposed to what the government is trying to do in order to promote an alternative position. He objected strongly to that. He supports the construction of a new hospital. That is the point, and I thank the Leader of the Opposition for allowing me to make it more clearly if I was not able to before.

ROYAL ADELAIDE HOSPITAL

Ms THOMPSON (Reynell) (14:54): My question is also to the Minister for Health. Would building on the emergency car park at the current RAH site affect the capacity of the hospital?

Members interjecting:

The SPEAKER: Order! The Minister for Health.

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:54): I thank the member for Reynell for this important question. You would have thought common sense would tell you that building at the entrance to an emergency department might cause some problems, but that is the proposition the Liberals are putting forward. I have sought advice on this, and there are two main concerns with—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned a second time. Minister.

The Hon. J.D. HILL: Thank you, Mr Speaker. The advice I have is that there are two main concerns with building on the emergency car park. First, it would block access to the emergency department entrance, both during the construction phase—

Members interjecting:

The Hon. J.D. HILL: Somehow or another that is amusing: you block in the emergency department and you get laughter from the other side. It is extraordinary, Mr Speaker. So, first, it would block access to the department entrance during the construction phase and in the longer term; and, secondly, it would block access to the emergency helipad. The emergency car park at the current RAH, of course, has a vital function: it allows clear access for ambulances to the entrance of the emergency department, and it allows for emergency car parking for both patients and medical staff. Both these functions of the emergency department car park would be considerably compromised if the car park was replaced with a 12-storey building.

It was also revealed in March that a 12-storey building would block access to the helipad. At that time, Dr Matt Hooper, who is the doctor heading up the MedSTAR retrieval service, said that his helicopter pilots advised that a building this high could cause significant problems. As I explained to the house in March, architects have advised the government that a 12-storey hospital building would be between 51.7 and 55 metres tall. This is 16.6 metres higher than the existing 38.4 metre tall helipad building. This is based on standard hospital buildings with a ground floor of 5.5 metres tall and subsequent floors of 4.2 to 4.5 metres. A 12-storey building would not provide the necessary clearance for helicopters. As Dr Hooper explained at the time, if a building is within 250 metres and is 35 feet or more higher than the existing helipad, it will significantly limit the accessibility to the current RAH helipad.

To comply with safety standards, any responsible government would have to close the helipad. Instead, helicopters transporting critically sick patients would need to land at Adelaide Airport and the patients would then be transferred to the hospital by ambulance. I am advised that this would add more than 30 minutes to each transfer to hospital at a time when every second is vital for survival. The propositions put by the opposition are not only half-baked and have a \$700 million black hole but also dangerous to the health of patients in our state.

FAMILIES AND COMMUNITIES DEPARTMENT

The Hon. I.F. EVANS (Davenport) (14:58): My question is to the Minister for Families and Communities. Can the minister explain why documents and file notes of 250 inquiries made by the Special Investigations Unit of the Department for Families and Communities as part of the Easling investigation were not released under subpoena to Mr Easling or the DPP?

On 21 June 2004, the three Special Investigations Unit investigators assigned to the Easling case reported the following to their manager, Steve Edgington:

The investigators have made substantial progress with the investigation and a total of 250 inquiries, including home visits, interviews, telephone inquiries and inquiries on addresses have been made to date.

The memo continues and it talks about placements, and I quote:

Of the children and young people mentioned in the placement files of Mr Easling, most have spoken highly of Mr Easling and the others have said they had held no concerns of abuse during their placement.

In response to complaints by the Public Service Association, then minister Weatherill wrote the following:

From an evidentiary perspective it is particularly important to the credibility and accountability of both the SIU and SAPOL investigation that interviews with children and the alleged perpetrators (carers, staff members and volunteers) are conducted in a manner which will withstand the highest level of scrutiny.

There should be documents relating to the 250 inquiries and, if they did and do exist, why were they not released under subpoena?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:00): I will take that question on notice and get back to the member with an appropriate response.

ROYAL ADELAIDE HOSPITAL

Ms CICCARELLO (Norwood) (15:00): My question is to the Minister for Health. What are the latest developments towards the construction of South Australia's new health and medical research institute and how does the proposal for the current RAH impact on research?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:00): As many members would know, the commonwealth government has supported our proposition to build a new state-of-the-art health and medical research institute on the City West campus. Construction works are anticipated to begin in February next year and be completed by 2012. This will give us capacity in our new facility for about 670 medical and health researchers. This is exactly what the research—

Dr McFetridge interjecting:

The SPEAKER: Order! The member for Morphet.

The Hon. J.D. HILL: This is exactly what the health and medical research community has been asking for and what we are pleased to provide. This facility will be adjacent to the new, world-class RAH on the same site, which will allow research and teaching services to be provided from the one site in the most modern buildings capable of being provided.

This contrasts with the opposition's proposition yesterday. If one looks at the flyover on their website, it shows they are demolishing a set of buildings on the Frome Road site of the RAH where they will construct a 800-bed facility at some stage unnamed in the future. These buildings just happen to be where IMVS (where millions of pathology tests are carried out) and the Hanson Institute for Cancer Research (one of the state's most respected research bodies) are located.

In addition, under their proposition they will demolish not only the IMVS building and all the work that happens there but also the historically important Eleanor Harrold Building, which contains the lecture theatre where medical students are taught.

One of the great criticisms of the government's proposition is that it would cut off the hospital from research, pathology services and education, yet under the Liberals' proposition that was unveiled yesterday they will demolish all the buildings in which those services are provided. The hypocrisy from those opposite is just staggering.

Nowhere in their plans can we see—and I would be happy for them tell us—where they are proposing to locate IMVS and research and teaching facilities. They have a bizarre plan. They want to put 1,800 beds on the RAH site, with none of the facilities required to service the patients and no research and no teaching at all. This is a half-baked proposition with a \$700 million black hole. It demonstrates the division in the Liberal Party between the spokesperson on health and the opposition leader. It shows confusion. It is a misleading attempt to try to get the public of South Australia to believe that they actually have a plan—

Ms Chapman: Bring on the election.

The Hon. J.D. HILL: —yes, indeed—when all they have is a bunch of half-baked ideas.

FAMILIES AND COMMUNITIES DEPARTMENT

The Hon. I.F. EVANS (Davenport) (15:03): My question is to the Minister for Families and Communities. Does the minister think it is acceptable and is the minister concerned that the documents not released or claimed not to exist in relation to the Easling investigation relate to issues that are either favourable to Mr Easling or negative to the Special Investigations Unit, all of which is inconvenient to the prosecution case?

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:03): The honourable member can assert to the house the contents of those letters because he has seen them and I haven't.

Mr Williams interjecting:

The Hon. K.O. FOLEY: I have a point of order, Mr Speaker. The member for MacKillop has just accused us of corruption. I ask that he withdraw and apologise.

The SPEAKER: Did the member for MacKillop accuse the government of corruption?

Mr WILLIAMS: I pointed out that the Deputy Premier does not seem to be concerned about allegations of corruption.

The Hon. K.O. Foley: That's not what you said.

Mr Williams: You know what I said.

The SPEAKER: Order! There is no obligation to withdraw.

The Hon. J.M. RANKINE: The member for Davenport has had the opportunity to tell the house the content of those letters, if they indeed contain allegations. I will be interested to see the letters when they are located, if they are located. If not, I am happy for the member for Davenport to give me copies to further follow that up, in which case I can give him a comprehensive view about what I think is or is not acceptable.

As I understand it, he received a copy of the minute that was signed by Kate Lennon, and I have no reason to think that anyone would want to hold back such letters, because allegations had been referred to in the minute—not written allegations, I might point out—and in fact an independent person was appointed to look into the operations of the SIU. So, there would be absolutely no reason to deliberately withhold that information. What is really clear, however, is that the member for Davenport appears not to be seeking information through his FOI process. He already had letters in his possession. What he is trying to do is set up mechanisms where he can try and trip someone up and then come up with these assertions. I would like to know—

The Hon. I.F. Evans: How would anyone know they were all the letters—

The SPEAKER: Order!

The Hon. J.M. RANKINE: I would like to know—

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: You already had them in your possession.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order! If the member for Davenport wants to ask another question I am happy to give him the call.

The Hon. J.M. RANKINE: I hate to think of the literally hundreds, maybe thousands, of dollars that are being wasted in Public Service time seeking—

The Hon. I.F. Evans: Wasted?

The Hon. J.M. RANKINE: —wasted, yes—seeking documents—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —the member for Davenport already has.

Members interjecting:

The SPEAKER: Order!

FAMILIES AND COMMUNITIES DEPARTMENT

The Hon. I.F. EVANS (Davenport) (15:06): Sir, I have a supplementary question. Even if I had a copy of the letter—

The Hon. A. Koutsantonis: What do you mean, even if you had a copy—

The SPEAKER: Order, the minister!

The Hon. I.F. EVANS: Given the minister's comment that I already had all of the letters, I ask the minister: how does she know that I knew I had all of the letters of complaint?

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. EVANS: No-one knows whether they have all the letters of complaint until they get the freedom of information request back. I did not know, minister, as an explanation to you, whether there was one letter of complaint or 100.

The SPEAKER: Order! The Minister for Families and Communities.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:07): The information I have from the department is that the FOI search was conducted with good faith and quite diligently. What we have not been able to ascertain is whether the documents the member for Davenport has in fact do contain allegations or whether they are letters of general concern about the operations of the SIU. I would expect that, with the establishment of a new unit like that, there would have been some organisations that were wary about its operation. It was new and, as I said, it was established as a result of the Layton review, keeping our children safe here in South Australia, which is what this government is focused on.

The SPEAKER: The Deputy Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

TRADE AND ECONOMIC DEVELOPMENT DEPARTMENT

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (15:08): My question is to the Treasurer—or, indeed, is it the Premier in waiting, Kevin? You might have to explain to me later on. In what investment product did the Department of Trade and Economic Development—

Members interjecting:

The SPEAKER: Order!

Mr GRIFFITHS: In what investment product did the Department of Trade and Economic Development invest nearly \$2.8 million and lose the entire amount, as revealed by the Auditor-General's 2008-09 report, who made the decision to invest, and what action has the government taken in this matter? Pages 1441 and 1442 of Volume IV of the 2008-09 Auditor-General's Report reveal that 'this shortfall is attributed to the government's investment, resulting in a write-down from \$2.789 million investment to a carrying value of nil'.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:09): Is it not interesting how the shadow treasurer waits until 10 past 3, cameras gone bar one, to ask me a question? Because you are running scared; we know that. What I also find extraordinary is that two days ago, I think, or a day ago, I had a 45 minute questioning session on the Auditor-General's Report, and that question was not asked. So, I say to the deputy leader, if this is such an important question, why didn't the shadow minister—

Ms CHAPMAN: Point of order: standing order 127. He is clearly impugning the motive of the questioner on this matter. It is a personal reflection.

The SPEAKER: Order! There is no point of order. He is not impugning the character of anyone.

The Hon. K.O. FOLEY: Sir, the point I am making is—and I am happy to get an answer for the deputy leader; that's not an issue—but—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: No, I haven't got the information at hand.

Mr Pengilly interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Fashion design from Mr Bean, hey? Crikey! Mr Speaker, I just simply say that I have waited now three days, and probably a lot more, for a probing question on the finances of this state. We wait until the very end of question time on the last day, and it is a question that he could have asked me a day and a half ago.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

LOOSELY, MR S.

Mrs REDMOND (Heysen—Leader of the Opposition) (15:11): Thank you, sir.

An honourable member interjecting:

Mrs REDMOND: I'll let him do it, sir.

Members interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition.

Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (15:12): My question is again to the Treasurer. Did former Labor senator, Stephen Loosely, who now works as a lobbyist, contact the Treasurer's office during the Rann government's consideration of the super schools public-private partnership seeking information from the Treasurer's office? If yes, what action did the Treasurer's office take in relation to the request and what information was conveyed to Mr Loosely?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:12): It is good to see the big sister help out her little brother there, who was in need of a question. Clearly, my barbs about him being scared of me were such that he had to ask the leader for the question.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I assume, Mr Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I assume, Mr Speaker, that this is the Stephen Loosely who now works with Peter Costello in the new consultancy. Peter Costello is the new managing director of a consultancy firm or an investment bank, a corporate advisory firm, and Stephen Loosely is one of the associates, from what I have read.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Yes, I guess so, and Peter Costello will probably be there too.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Well, can I answer the question or do you want to interject?

Mrs Redmond interjecting:

The SPEAKER: The Leader of the Opposition!

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The minister for corrections!

The Hon. K.O. FOLEY: I will seek advice. I have no recollection of having a conversation—

Mr Williams interjecting:

The SPEAKER: The member for MacKillop!

The Hon. K.O. FOLEY: I have no recollection myself of speaking to Mr Loosely about that particular project. I may have, but I have no recollection, so I will check my files. What I do know—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: What I do know is that, as in all of these projects, we have a very strict protocol for probity, and there are very strict guidelines on who can talk to who and how such meetings and conversations can occur. I do recall Mr Loosely representing a number of firms when he has contacted my office and at times spoken to me.

I can also reveal to the house that I have spoken a number of times about projects, including PPPs. One conversation that I can recall is one that I had with one of the PPP companies, with the Hon. Nick Greiner, former Liberal premier of New South Wales, who rang me directly about matters relating to PPP projects in general. I remember that conversation with Nick Greiner, who is the chairman of some companies—

Mrs Redmond interjecting:

The SPEAKER: The Leader of the Opposition.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: No, I do not. What I have said is that I may well have had a discussion with Mr Loosely. Had I had a discussion it would have been in the strictest of protocols relating to PPPs, just as it would have been had I discussed matters with Mr Greiner. I do not recall a specific conversation with Mr Loosely on this matter, but I will endeavour to find out whether or not my office has, or indeed whether there is any recollection of a specific conversation that I have had.

However, as I said there are politicians on both sides of politics who represent major corporations that deal with this government. Alexander Downer would be one; Ian Smith would be another; Wayne Matthew has contacted me on a number of occasions about specific matters; Graham Ingerson has my personal telephone number and has contacted me on a number of matters; Nick Bolkus. There are others on either side of politics. However, as the Premier has said, there will be a registry of lobbyists by which you will know everyone who is registered.

BUSHFIRE PREVENTION

Ms CHAPMAN (Bragg) (15:16): My question is to the Minister for Environment and Conservation. Does the minister accept that the failure to reduce the fuel load in the Adelaide Hills and Fleurieu Peninsula has increased the risk to homes and families both today and during the remainder of the fire season? Only 88 of the 430 hectares of DEH property scheduled to be burned in the Hills and Fleurieu region in autumn 2009 has been burned.

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) (15:17): I am delighted to answer this question, because it was not until this government came into office that there was substantial fuel reduction burning in relation to the Adelaide Hills.

Members interjecting:

The Hon. J.W. WEATHERILL: Well, I have looked at the numbers—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —and the efforts in the Adelaide Hills were paltry before this government came into office. All those opposite who represent rural seats stand condemned.

Members interjecting:

The SPEAKER: Order! The Minister for Environment and Conservation.

The Hon. J.W. WEATHERILL: Of course, the responsibility for ensuring that someone's property—or, indeed, the broader region—is bushfire ready belongs to the owner of the land; that is where the primary responsibility lies. In circumstances where the state government is a holder of

land it is crucial that it accept that responsibility. The other responsibilities this government has accepted is to make sure that the regulatory regime is such that those things can occur in a manner which is unimpeded, so that people who do want to take responsibility for ensuring their fuel load is reduced, to make sure their properties are safe, can do so without any unnecessary burden.

The changes we have seen relate particularly to properties used for primary production. The CFS will be able to provide written approval for fuel breaks up to 20 metres. Alternatively, fuel breaks may be authorised through a region's bushfire prevention plan. Previously, the district bushfire prevention committee could provide approval for up to 15 metres. Clearance beyond 20 metres and on other land types will be managed under a fuel reduction exemption rather than a fuel break exemption. The current exemptions, which enable clearance without approval for fuel breaks up to five metres along existing fence lines and up to 7.5 metres along boundary lines in specified Mallee regions, remain unchanged.

We also have a new exemption in relation to fire access tracks. The CFS will be able to provide written approval for a fire access track. The size and features and turning bays of tracks, will vary according to the recognised standards which detail specific requirements for minor, standard and major fire trucks. Just to remind people, the current exemption that enables clearance without approval for a vehicle access track of up to five metres remains unchanged, noting that the purpose of such tracks is for property movements not directly related to fire control.

In relation to cold burns, as the honourable member asked, the figures in relation to prescribed burning do not reflect well on those opposite. As to the burns that have been completed for 2007-08, 40 DEH prescribed burns were undertaken across the state (approximately 2,688 hectares); in 2008-09, 49 burns (totalling 6,941 hectares); and in 2009-10, 77 prescribed burns are planned across the state (totalling approximately 15,200 hectares).

Of course, we also know that we need to find ways of reorganising the way we carry out prescribed burns so that we can maximise the opportunities we have. That is why we have introduced a new mechanism whereby agencies work together. The various state government agencies, including SA Water, Forestry SA and the Department for Environment and Heritage, are working together to ensure the prescribed burning program is delivered.

What we do know, though, is that the fuel reduction burns that have been undertaken by us in recent years are a dramatic increase in the amount of resources that were applied when those opposite were last in office. One has to judge people by what they do, not by what they say. Those opposite merely talk about the question of concern about bushfire safety. I have received a number of letters from those opposite but, when they were last in office and had an opportunity to do something about it, they did not act. That is the pattern of those opposite. If people have even given a thought about casting a vote in favour of those opposite, they should reflect upon what they saw when they were last in government: an inability to act. They are very big on talk, very little action. This state government takes bushfire safety seriously, and we have taken an important number of steps to ensure that the people of the Adelaide Hills and the broader South Australian community are protected.

SHELL GRIT MINING

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:23): I table a copy of a ministerial statement relating to shell grit mining at Port Parham made earlier today in another place by my colleague the Hon. Paul Holloway.

STANSBURY MARINA

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:23): I table a copy of a ministerial statement relating to the major development assessment of the Stansbury Marina made earlier today in another place by my colleague the Hon. Paul Holloway.

ST CLAIR LAND SWAP

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:23): I table a copy of a ministerial statement relating to St Clair made earlier today in another place by my colleague the Hon. Gail Gago.

GRIEVANCE DEBATE

ROAD INFRASTRUCTURE

Mrs PENFOLD (Flinders) (15:23): The Wirrulla to Glendambo Road may be called a road but in reality it is a track. In this case, it is a dangerous track and also a lost opportunity. There has been a dramatic increase in the number of vehicles using it. Its surface varies from sandy corrugations to salt flats that become slippery and almost impassable during the winter months and, in the dry months, it becomes extremely rough with intermittent potholes and corrugations. Its dusty conditions, varying road widths and limited sight distances create traffic hazards for road users including heavy vehicles, road trains and B-doubles, caravans and light vehicles. Believe me, they do use this track or at least they try.

This road presents a wonderful opportunity to become a strategic link between the Northern Territory and National Highway 1 to Western Australia and Eyre Peninsula. Its upgrade is directly in line with the state's strategic goals to assist the growth of wealth and creation of new employment opportunities in regional South Australia. As it is a strategic road, it could provide a major link between the Northern Territory and National Highway 1 to Western Australia and the far west of Eyre Peninsula, greatly increasing tourism, and it is conducive to the substantial increase in mining activity in the northern part of South Australia.

The District Council of Streaky Bay recognised the strategic advantage of having this track upgraded to an all-weather road and approached the Eyre Regional Development Board for its support. It identified the Wirrulla to Kingoonya track as a critical transport link to the region of Eyre Peninsula and the national transport network, and in 2001 and 2003 the board prepared and presented submissions for the upgrade of the road for the government to consider.

Of great importance is the burgeoning mining and resources boom in the Far North of the state, with significant investment currently being undertaken at Prominent Hill, and the mining potential of Cairn Hill, Peculiar Knob and Hawks Nest, all of which are accessed from the Stuart Highway. A considerable quantity of mining machinery and other infrastructure suitable for these developments is sourced from Western Australia, and an upgraded sealed roadway providing a more direct and a very much shorter transport route would enhance these operations. Royalties follow mining, and mining follows infrastructure, so to increase royalties from mining first of all requires supporting infrastructure.

The Gawler Craton is widely recognised as one of the most exciting potential prospects for this state. It covers Eyre Peninsula to the north and west, and it has been described as one of the most undeveloped mineralised areas in the world. Despite opposition, setbacks and disinterest by the Labor government, the mining exploration program put in place by the former Liberal government has continued and, combined with the impetus from China's requirements for minerals, has seen some exploration companies actually begin mining, or assess the feasibility of doing so, despite road, rail, port, power and water infrastructure issues.

The Wirrulla to Kingoonya track upgrade presents a wonderful opportunity to provide a road and possibly a rail link to suitable ports and the corridor, for power lines and water pipelines to provide green power and water to the mines and communities that require them, including BHP's Roxby Downs expansion.

The Eyre Regional Development Board Annual Report 2007-08 stated that expenditure by companies on mineral exploration in South Australia during 2006-07 was \$188.9 million, with \$152.2 million in the Gawler Craton; that is, 80.57 per cent of the money expended on exploration was spent within this geological province alone. Many of our mining interests in South Australia are associated with companies operating in Western Australia. Road access for machinery and other transport currently is through Port Augusta, because the Wirrulla-Kingoonya Road can be impassable. This adds up to 600 kilometres (just over 300 kilometres from Wirrulla to Port Augusta and then back again to the mine) and, when adding up the cost of developing a particular mine, it is a strong deterrent to add this significant cost of transport to the mining expenditure.

Also, large quantities greenhouse gas from the additional diesel used, combined with road wear and tear and danger of large and often very heavy loads, should be considered when assessing the unnecessary use of Highway 1 and the need for the alternative Wirrulla to Glendambo Road upgrade. The upgrade to an all-weather road will enhance the safety of local people and travellers, including passengers on the transcontinental railway.

On Friday 16 January this year, Chief Inspector Brad Flaherty, who is the person responsible for the huge north and west region of South Australia, held Exercise Barton, which was a hypothetical disaster scenario that involved the Indian Pacific being derailed with 205 passengers somewhere along the South Australian Outback section of the 4,352 kilometres it traverses. He assembled all 32 known stakeholders to review their action plans and work out who will do what, where, when and why, using various scenarios.

Time expired.

POKER MACHINE LICENCES

Ms THOMPSON (Reynell) (15:28): I would like to start by recognising that, at the moment, many of our fellow citizens are fighting bushfires on this catastrophic day and to wish them well. Also, I wish to express the hopes of, I think, all members for the safety of those involved in fighting the fires and those at risk as a result of the fires.

My purpose in speaking today is to draw the attention of members to a decision of the Supreme Court which was handed down on 3 November 2009. I do this because I think this decision may lead to the need for us, as private members—those of us who return—to consider some of the current laws in relation to poker machine licences and clubs and pubs. Whilst this was a decision under the Liquor Licensing Act, it does have implications for the last set of amendments that were made by members of the previous parliament. On that occasion it was a conscience vote on both sides, so it is something for all of us as individuals who are returning to consider whether we need to rethink it.

This decision resulted from an appeal against the decision of Judge Chivell in the Licensing Court in relation to the application from the Hackham Community Sports and Social Club Incorporated to transfer its licence from its current location (which is set well within the community facility on Doctors Road) to a prominent site on the corner of Main South Road and Wheatsheaf Road, Morphett Vale.

It was an application to which thousands of my constituents objected, and many of them lodged formal objections. Among the formal objectors were the immediate neighbours, a number of other clubs in the area, other community organisations (including two schools) and several churches. For the benefit of members, I think that the quickest summary has fortunately been provided by one of the staff of the City of Onkaparinga in a briefing to its council. I see no reason why this would be confidential, and it is a very accurate summary. It states:

The Supreme Court's judgment found that the judge of the Licensing Court had not erred in his decision to refuse the application. The following matters were considered:

- If successful, the club's plan was to engage the services of the management company, Club Management Services, to run and manage the premises on its behalf;

Club Management Services is principally a group of hoteliers with a 6 per cent interest held by a prominent club figure, but mainly hoteliers. The document continues:

- It was found that such an arrangement had 'virtually ceded control of the day-to-day management of the Hackham Social Club to Club Management Services and effectively changed the character of the licensee from that of a community-orientated club to something much more commercial and profit-oriented in character';
- The court found that the transfer application concerns 'not only the relocation of the Hackham Social Club but its relocation to a busy commercial complex, together with a significant enlargement of the activities of the Hackham Social Club, including the intended increase in gaming machines from 15 to 40';
- The Licensing Court's finding that 'the proposed facility would be more in the nature of a professionally-operated hotel or tavern, rather than a profit-orientated association or club' was confirmed by the Supreme Court;
- The Supreme Court also confirmed the Licensing Court conclusion that 'the application would not allow the liquor industry to develop in a way that was consistent with the needs and aspirations of the community...'

Effectively what was happening here was that a group of hoteliers bought a property, sought to attract a development approval and a club liquor licence to it to enhance its capital value, and also to manage a tavern-type facility at that premises in order to knock off, as they said themselves in court, the Emu Hotel. Members of my community respect the liquor licensing application; they respect local clubs. They want to see clubs being run as community organisations by and for the club members, not to be taken over by a group hoteliers.

Time expired.

SOUTH-EAST COUNTRY FIRE SERVICE BRIGADES

Mr GOLDSWORTHY (Kavel) (15:33): I want to raise in the house this afternoon some quite serious issues, which arise from recent media reports in the South-East of South Australia. I have made some public statements in relation to that, so there are no secrets about the issues that I have raised concerning this matter. It relates to emergency services and particularly the fact that there has been a delay in some CFS brigades in the South-East being called out to specific incidents.

The state Liberals are not dreaming this up. As I said, it has been reported in the media. I have spoken to some CFS volunteers in that region of the state, and I understand that the police in Millicent, in particular, have raised concerns in relation to delays in the emergency services being called and attending specific incidents. It has been reported in the local newspaper and also on ABC Radio in the South-East. I understand there have been two incidents when there was a delay in the emergency services attending in recent weeks.

I am advised there is a memorandum of understanding between the emergency services that, if one receives a 000 call, that service calls the other two as soon as possible. So, if the police receive a 000 call, as soon as possible, they call the ambulance if it is a road crash incident, and they call the CFS. As I said, there has been a delay, particularly relating to the call-out of the CFS to those incidents.

This delay is causing real concern in those communities. I do not want to be tremendously dramatic in this respect, but it can well be the difference between life and death if the emergency services are delayed in being called to incidents. That is one issue I want to raise in relation to the emergency services issue.

The other issue goes to the actual communications system, and I think this is where the problem lies also. It is known as the BOM (Brigade Operation Management) system within the agencies. Two or three years ago, the CFS system, which was operating quite satisfactorily, was abolished and amalgamated with the Metropolitan Fire Service system. The information that I have received is that the CFS system being put on top of the MFS system has caused that system to be under pressure and strain and, at times, it is failing, which is evidenced in the delay in CFS brigades being called out to specific incidents.

The previous minister for emergency services, against advice, made that decision. I am advised that the minister was advised not to do that because amalgamating the CFS and MFS systems would cause problems and place the system under pressure, but the minister disregarded that advice and it went ahead. As a result, we see the consequences.

There is a new communication system that the government is proposing called SACAD (South Australian Computer Aided Dispatch), and I ask the minister: how long will it take for this new system to be implemented?

Time expired.

COOBER PEDY AREA SCHOOL

Ms BREUER (Giles) (15:38): I want to talk today about the Coober Pedy school. Members probably will be aware there are some serious issues happening there currently. I visited Coober Pedy between 3 and 6 October this year and spent two days with the minister for local government (Hon. Gail Gago) and then two days with the Aboriginal lands committee, plus time of my own. In the 18 months prior to this time, I had, of course, visited Coober Pedy on many occasions and was aware that there were issues at the Coober Pedy school—primarily with school policies in relation to punctuality, detention, school uniform, and a number of specific issues involving families (particularly Aboriginal families in the town). I had discussed these issues with the district superintendent, David Craig.

However, within a few hours of arriving in Coober Pedy on this trip I became aware of some serious issues in the community which were about to explode. Everywhere we went we were given the same message: something had to be done about the school. People were extremely angry and they expressed concern about the principal's method of management and the impact it was having on young students.

On Wednesday 18 November I was asked by the Larkins family to meet with them to discuss their ongoing issues with the school and the department; and I agreed to do so. They then mentioned that they wanted a couple of other parents to meet with me, so I left it to them to

arrange a meeting. I met with them about three hours later, and what I thought would be a discussion with three or four parents turned out to be a meeting with 22 people they had managed to assemble in only three hours.

The parents and the community workers expressed their frustrations in no uncertain terms and demanded that I hold a public meeting. They said that they knew of many other people who wanted to speak out but who did not know about this particular meeting.

I undertook to hold a meeting the following week. However, on my return to Whyalla on the Monday I decided to put it off for a fortnight, not only for personal reasons but also to give the town time to calm down and to arrange departmental workers to assist at the meeting in order to try to resolve some of the issues. I let the organisers know about this and they agreed. On Wednesday I rang to make sure it was organised for 26 November and was told that people did not want to wait; they intended to go ahead with the meeting anyway.

Knowing the community well, I decided to attend to run the meeting, which could have easily got out of hand. I sent up a flyer for them to distribute, inviting people to come to the meeting to discuss their concerns. I drove up next day, expecting maybe 50 people to attend as they had only 24 hours in which to organise it. I was stunned by the attendance. I counted at least 165 people, and I think I missed a large number who were listening outside, so it was a big turnout for a community the size of Coober Pedy—far more proportionally than one would see in other communities.

David Craig, the district superintendent, attended—and I thought that was admirable, knowing the attention he was about to receive. Of course, he did receive a lot of criticism from people who were there and he was asked many questions. A wide range of community people attended. This is not just about parents but, rather, it is across the board in Coober Pedy; and this is my big concern. The Umoona Community Council, the District Council of Coober Pedy, Mayor Steve Baines, business people, health services, public servants and many others were present at the meeting.

In trying to understand why the situation is so volatile at present, I think the issue of a memorial plaque that a family wanted to put in the swimming pool and the school formal where students were suspended brought it to a head, but there seem to be more underlying issues. I believe that there is a major communication problem between the principal, the students, the parents and the community. Since the meeting an incredible number of people have given me more information relating to policy, the actions of the principal, staff intimidation, and problems in relaying and communicating information to students and parents.

I am aware that the department has sent a delegation of top level staff to investigate the situation. I am concerned that the situation was able to develop without anyone from outside the community being aware of the seriousness of the concerns. I know many children are not currently attending school, either because they have been precluded from enrolling or because of parental choice. I know many families have left or are planning to leave Coober Pedy because of the school situation.

The town cannot afford to lose any more families. I am gratified, and continue to be so, that the primary concern of all involved is the education and wellbeing of the students. The Coober Pedy school is not all bad news. Some incredible things are happening at Coober Pedy school, but these have been lost in what is happening at the moment. For example, it has had improvements in literacy outcomes through accelerated literacy. It is now the lead school for the Outback Academy Trade Training Centre, for which it received \$1.1 million. Major renovations of its home economics centre are completed. It has a kitchen garden project, for which community organisations and local businesses have pledged financial support. The Coober Pedy Area School South Australian Aboriginal Sports Training Academy was launched year and approximately 30 students are participating and getting incredible benefits from it. The Coober Pedy Area School choir has received national recognition for its music program. It has appointed a community liaison officer.

It is not all bad news. People should be confident that Coober Pedy school will rise above this and it should be able to attract and retain good staff. Hopefully, we can resolve the situation for the benefit of both the community and the young people.

Time expired.

SCHUBERT ELECTORATE

Mr VENNING (Schubert) (15:44): Today I want to raise two very important issues, the first of which relates to a gravely ill constituent who resides at Mannum. My constituent is in receipt of a disability pension and she suffers from a serious kidney condition (Alport syndrome) and is unable to work. She is on the national register for a kidney transplant. However, unfortunately, one has not yet become available to her.

Recently, her condition deteriorated quite badly. She is no longer able to treat herself at home and it is now necessary for her to have dialysis treatment at the Royal Adelaide Hospital Renal Unit three times a week. To undertake the return trip from Mannum to Adelaide three times a week is well beyond her financial means, and her physical condition does not permit her to undertake such excessive driving.

Her parents are seriously concerned about her welfare and, as such, they have contacted the manager of SA Housing Trust and more recently the Premier to see whether some emergency accommodation can be arranged for their daughter close to the city so that she can receive the medical attention she requires. I also have made several inquiries of Housing SA and the minister, urging them to give this constituent urgent status. Housing SA has upgraded her priority for housing to category 1 but has not secured her any emergency accommodation closer to Adelaide at this stage.

This is a disgrace and should not be allowed to happen. When we hear reports in the media about prisoners being housed extremely quickly after release, why cannot a seriously ill woman be found accommodation so she can receive the treatment she needs to live? I cannot understand how the Rann Labor government cannot provide assistance to someone who is so gravely ill. It is blatantly clear that her current housing situation is unacceptable. I have promised her parents that I will continue to lobby and advocate on her behalf so that she can be housed appropriately and they can have some peace of mind.

A second serious issue in my electorate relates to a dangerous intersection just outside Cambrai. The local community desperately wants the 80 kilometre speed zone at the southern end of the township extended to include the Marne River bridge and the intersection of the Redbanks and Bundilla roads with the Mannum-Sedan road.

I have tabled a petition on their behalf in this house. The Mid Murray Council has lobbied the Department for Transport, Energy and Infrastructure and the Road Safety Advisory Council to extend the 80 kilometre zone, and DTEI officials have visited the intersection and inspected it. Despite this, no action has been forthcoming. Mr Jon Whelan, DTEI's manager of the eastern region, has said that it has never been the department's intention to extend the speed limit south of Cambrai: 'There is no roadside development after the 60 km/h zone and therefore no justification for extension of the 80 km/h zone.' There have now been four major accidents at the intersection in the past three years, and I have been advised that a combination of speed and the S-bends was the cause of all of them.

I am familiar with the intersection, and it is dangerous. The bridge is on one side and the hill on the other, and the 110 km/h speed zone means that semis and B-doubles zoom down the hill or over the bridge and around the bend and are up your exhaust pipe before you can blink. I urge the state Rann Labor government to rectify this situation and increase safety for motorists. In the words of the petitioners, 'If no action is taken we fear it will only be a matter of time before someone is killed there.'

I also would like to take a very brief moment to reflect on the fire hazard today. At the moment it is as bad as anyone can remember, in certain areas. However, with respect to its being 'catastrophic', I am sorry, I do not agree with what we have done. We have spooked a lot of people on the one hand and, on the other hand, people are not taking any notice. I think that using the word 'catastrophic' is not a good idea. It worries people. Yesterday we had people going all over the place, and apparently we have children at school now who cannot get home because the school buses will not run this afternoon.

I wish that we would be a bit more professional about this. Fires are a serious business and when we have days like today I believe that cool, calm and collected is the way to go. When we hear these fire warnings coming over the radio all that does is worry the citizens and concerned people, particularly elderly people; those who cannot get out. People were ringing up yesterday wondering where the fire was because this word 'catastrophic' was coming over the airways. I urge a re-think about this whole situation, because it is causing a lot of worry out there. On one side we

have people saying, 'We ignore it, because it's an overreaction,' and on the other side we are really worrying a lot of our citizens. I hope we can fix it very quickly.

COMMUNITY CABINET

Mr PICCOLO (Light) (15:49): Last week, state cabinet visited my electorate of Light. The visit marked the 50th community cabinet held since the Rann Labor government was first elected in 2002. Community cabinet gives ministers the opportunity to hear firsthand issues of concern to the local community and to hear the stories of people within the electorate. Importantly, it also gives the government an opportunity to explain its policies. On both those accounts, the community cabinet was a huge success.

While time does not allow for all the events associated with the community cabinet to be detailed here, I would like to highlight some of the concerns that were raised by members of my community with members of the government.

On the Monday evening, ministers Holloway and Conlon were present at a forum arranged to give local people an opportunity to ask questions or raise concerns they may have about the proposed Gawler East Development or the Draft 30-Year Plan for Greater Adelaide. At the forum, the Minister for Urban Development and Planning gave a public undertaking that he would not finalise the Gawler East DPA until he was satisfied that negotiations between the stakeholders had addressed the issues raised by the proposed development and, in particular, infrastructure matters.

This public undertaking is both important and significant, as it highlights the government's commitment to quality sustainable development in line with community expectations. Assertions by some in the community that the local community would be forced to pick up the whole cost of infrastructure, including infrastructure outside the boundaries of the proposed development are, unfortunately, misguided.

It is now time for the parties to negotiate in good faith to ensure that if the development does proceed it results in the best outcome for all stakeholders. Until matters such as infrastructure investment are satisfactorily addressed the minister has stated that the DPA will not be approved, and this should provide the community with some assurance about their needs.

I am also aware that minister Holloway received a number of deputations in relation to a range of issues within my electorate. Many of these focused on the proposed Gawler East development and the draft 30-Year Plan for Greater Adelaide. I am pleased to advise that, as a result of representations made by myself and a number of local residents during the community cabinet, the minister has directed the Department of Planning and Local Government to make available all those submissions, except those marked 'confidential', on the Planning SA website.

The cabinet received presentations from local government during the two-day visit to the Light electorate, including the Barossa Council, Light Regional Council, the Town of Gawler, as well as the City of Playford. The focus of the presentations by most of the local governments was the draft 30-Year Plan for Greater Adelaide and their submissions made during the consultation period.

Overall feedback from local governments to the plan were supportive, with none of the representations questioning the general underlying principles or the direction of the plan. However, they did raise some concerns and make suggestions regarding some aspects of the plan. Some of these concerns, however, have been mirrored by representations made to me from local people regarding the draft 30-year plan generally, in particular the proposed development within the Concordia area.

Firstly, it should be noted that in the draft 30-year plan, at page 85, it clearly indicates that about half of Concordia is not scheduled to be considered for development until year 26 in the 30-year plan time frame. Putting aside that issue for a moment, various submissions made by the cities of Salisbury and Playford, and, if adopted by the government, would likely result in the Concordia area being considered later than anticipated in the draft plan.

The City of Salisbury has recommended further development in the Bolívar area, while Playford has suggested that if the Buckland Park development progressed it should be integrated with Virginia to create a community with sufficient population to sustain a range of community infrastructure.

Likewise, for similar reasons the City of Playford, and quite rightly in my view, argued for greater growth in and around the Angle Vale township. Residents in the Munno Para Downs area

have argued, and the Playford council has supported them, for an extension of the urban growth boundary from Fradd to Dalkeith Road. Given community and council support for this additional growth, they are certainly worthy of consideration and investigation by the state government.

Additionally, the town of Gawler has called for a development based on transport oriented development principles surrounding the Tambelin Railway Station. Should these suggestions be accepted by the government, and without wanting to pre-empt the final version of the 30-year plan, the case for urban growth in areas such as Concordia would need to be seriously reconsidered, as the demand for housing land would be soaked up by other areas. Should that occur, I would strongly urge the government to reconsider the need for further development of areas like Concordia beyond those already incorporated in the urban growth boundary, adopted in 2007, for its planning for Greater Adelaide.

The results from those community cabinets and the decisions made by the government clearly indicate that community cabinet is an important progress, but, more importantly, it indicates that the government is prepared to listen to people in the local community. I would urge the state government to take on board the comments I have made today in relation to the areas around Concordia.

SURF LIFE SAVING SOUTH AUSTRALIA

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (15:56): I move:

That for the purposes of section 13(7) of the West Beach Recreation Reserve Act 1987, this house approves the grant by the West Beach Trust of a lease to Surf Life Saving South Australia Incorporated for a period of 50 years of portion of the West Beach Recreation Reserve, being such portion of the land contained in Certificate of Title Register Book Volume 5867 Folio 283 as is determined by the Minister for Urban Development and Planning, for use for the operation of surf life saving emergency services (including administration, storage of operation craft, life saving academy, communications centre, training rooms, sporting gear and equipment storage) and for the construction of such buildings and other works for that purpose as are specified or authorised in the lease.

The West Beach Trust and Surf Life Saving South Australia is seeking the support of this house and the Legislative Council to pass this motion, which will allow a 50 year lease to be provided to Surf Life Saving South Australia on trust land for the purpose of providing new and more appropriate facilities from which Surf Life Saving South Australia can operate. Surf Life Saving South Australia is currently operating across a range of locations: communications function from premises at Lonsdale; administration operates from cramped facilities at Torrensville; and its vessels are stored at various locations, including the homes of club members and staff.

As South Australians enjoy our beaches they do so in the knowledge that Surf Life Saving South Australia provides a range of vital services that help to keep our community safe—importantly, surf and rescue, but also incident prevention and beach safety education. In order to better assist it in providing these services to our community, the state government announced \$1.1 million in the 2009-10 budget to provide for new emergency services facilities.

The board of the West Beach Trust has approved in principle the offer of a 50 year lease to develop Surf Central, a new headquarters bringing together administration, training and delivery of life-saving emergency services on 4600 square metres of land near the corner of Barcoo and Military Roads within the West Beach Recreation Reserve. Surf Central will be a dynamic and inviting building designed to minimise environmental impact in accordance with the environmental principles of the government, Surf Life Saving South Australia, and Adelaide Shores.

The estimated total construction costs are \$3.6 million. The state government's contribution of \$1.1 million will fund the construction of the operations centre. Surf Life Saving South Australia will raise the remainder of construction costs through the sale of its Torrensville facility, accessing existing reserves, and a loan.

Surf Central will be complementary to existing facilities within the Barcoo Road precinct, which include the South Australian Sea Rescue Squadron. It will create opportunities for Adelaide Shores' accommodation guests from Adelaide and regional areas to develop water safety skills and enjoy our coast in a safe environment.

Dr McFETRIDGE (Morphett) (15:59): The opposition supports this motion, and does so with great enthusiasm, because while many members in here do not have the pleasure of having surf lifesaving clubs in their electorate I certainly do. I do not want to discriminate, but I think we have two of the best clubs in South Australia in my electorate: the Somerton Park Surf Life Saving

Club is a matter of metres from my home and only metres from my office is the Glenelg Surf Life Saving Club. The biggest challenge to these to surf lifesaving clubs at the moment is coping with the influx of new members, particularly nippers. There are literally hundreds of nippers coming into surf lifesaving in South Australia. It is a real community push; it is a family push. It is something that deserves all of our support.

It was disappointing to read an article in the *Sunday Mail* back in February, entitled 'Tin-shed' life savers fear worst: Funding plea for new HQ'. I read from the article as follows:

Surf life savers are being forced to work from tin sheds and keep rescue equipment in their own backyards because their headquarters is overcrowded and outdated. The situation is 'desperate' and could 'severely compromise' rescue efforts in a major emergency, they say.

The article continues:

Surf Life Saving SA general manager Elaine Farmer said the organisation was prepared to put in \$3 million if the state government provided another \$1 million. 'Our four jet skis are currently in four different backyards,' Mrs Farmer said. 'That means that, in an emergency, we have to contact the people who are looking after them and wait for them to get home before we can access our rescue equipment. Our ability to respond to an emergency could be severely compromised.' The jet skis are stored at homes in Plympton, Huntfield Heights, Port Noarlunga South and West Beach, and are transported back and forth...during major incidents.

How times have changed, though. Since February we have had terrific movement on this. The federal government has put in \$10 million nationally to promote surf lifesaving, and that is a very good move. Just here in South Australia, I thank the Minister for Emergency Services. I wrote to him earlier this year in April seeking his support and lobbying on behalf of Surf Life Saving for support for funding. The Minister for Emergency Services wrote back and pointed out that the state government was putting in over \$1 million to help build a new state headquarters for Surf Life Saving in South Australia.

What we are doing today is making sure that that happens adjacent to my electorate in the member for West Torrens' electorate at West Beach. The facilities there include the Sea Rescue Squadron, a boat storage centre, the Adelaide Sailing Club and also a couple of marine dealers. I have seen the artist's impressions of this centre at a presentation at the Glenelg Surf Life Saving Club a few weeks ago and it will be an absolutely first-class centre for surf in South Australia.

Just a little bit of history on what has brought this about: Surf Life Saving's first office was an old house on Seaview Road at Henley. That suited its requirements until the early 1970s when Delfin Realty donated some land at the southern tip of West Lakes at a time when there was no other development within 500 metres of the site. How things have changed!

A new headquarters was built by the late 1990s. It was obvious that we had overcapitalised and were quickly outgrowing the building. Investigation began regarding the sale of West Lakes and the purchase of a more suitable property to house current and future needs. This resulted in the purchase of our property on Henley Beach Road, Torrensville. We were able to purchase the building for approximately \$600,000, allowing us to distribute funds back to clubs so as to support them in their efforts to deliver the badly needed front-line services.

We relocated to Torrensville in 2004. However, it was only considered to be an interim move while we took the opportunity to consolidate, build and grow our club base. I will read from the submission that was given to me by Elaine Farmer regarding their lobbying for this new centre, which they are calling Surf Central, as follows:

Since the move into Torrensville, a number of things have transpired with the result that we had outgrown these premises.

1. Our 'On the Same Wave' program continues to grow. This initiative is aimed at teaching the tens of thousands of overseas migrants, of refugees, students and tourists about how to survive in any aquatic environment, particularly the ocean.

2. The support of the State Government through its operational funding has been instrumental in getting our 'Beyond the Flags' initiative off the ground. Beyond the Flags is aimed at taking our services outside the normal patrolled area to where the public is using the beaches but this means more equipment, and therefore, housing.

3. The State Government finances that support the FMG program has seen a number of Clubs already rebuilt or refurbished and this has had an enormous impact on our membership numbers with in excess of 6,500 members—

which is something to be proud of in South Australia. I know down at Somerton and Glenelg every weekend they are out there in numbers and doing a fantastic job supporting the community and making sure our beaches are safe—

This goes against the current trend of most other organisations but increased membership directly correlates to increased administrative workload. It means there is a huge additional cost to the organisation because we reach a certain level and then the overheads dramatically increase commensurate with the number of people.

4. We have an urgent need to establish a suitable communications facility because we are running our entire communications network from our gear shed at Lonsdale.

5. Because of our desperate need for space, we have had to enclose the side veranda at Henley Beach Road to give us a greater storeroom area. This is now used for storage, as well as the garage to the rear of the property.

6. We have increased our state services fleet of two jet rescue boats and one inflatable rescue boat to include four water rescue craft...which are housed in four separate locations (including the homes of members). In an emergency this could cost valuable time.

7. The federal government grant of \$10 million to establish the National Lifesaving Academy, on the understanding that after three years it would be self sustainable. Part of the agreement was that there would be a centre of excellence established in each state. This meant that the boardroom/meeting room at Torrensville had to be converted into offices to house academy staff. As a result, all meetings now have to be held at whatever locations can be found off-site evidenced by the fact that our August 2007 SC meeting was held in a boat shed at Somerton SLSC.

8. We have, at this point in time, no area to run our training courses, a requirement under the grant. We are not allowed to use the grant for facility funding.

9. With the increased obligation for our clubs to comply with legislative requirements comes the need to provide additional support to the clubs which has put increased pressure on the state centre's financial resources.

The need is emphasised in the submission from Surf Life Saving SA as follows:

Because we are dealing with the lives and safety of the public we need to be able to adequately, promptly and properly respond. We need to be adequately and properly trained. And we need to be able to deliver services to the community.

For any successful organisation to continue to operate in this current economic and litigious environment, it is essential that it be managed properly and effectively. Kitchen table administration is no longer good enough, particularly if that organisation is one that is totally reliant on an army of volunteers providing a free emergency and community service to the public.

SLSSA can provide substantial evidence to demonstrate that since its inception in 1952, it has been brilliantly efficient (financially) for both the government and the taxpayer. Its incomparable volunteer record of saving lives, preventing drownings, and educating the community is unparalleled in this state.

But whilst the government and community support being thrown behind our organisation has tended to make it flourish, it has also brought with it a whole new set of responsibilities and a greater need for volunteer support. That support simply cannot be sustained in a building where we can no longer even hold a meeting.

Because of our work within the schools and community there is an expectation by the public for us to have first-class facilities to be able to organise volunteers on the beach over the patrolling season. They expect us to have the helicopters, jet rescue boats, jet skis and other vessels in the water over the patrolling season. Plus those people who are actually involved in our organisation as either volunteers or participants...are also putting a huge impost on the surf life saving structure.

The success of our Beyond the Flags program is dependent upon the construction of Surf Central because it will centralise and house our communication centre. This will allow the central response node of the planned three nodes along the coast, with each node housing our support services rescue craft and ATVs.

The communication centre will link the clubs and state support services to enable a quick response in an emergency either from craft on patrol or in the surf central node. This will provide the best, most cost-effective service to the community.

We are currently working with the SES and VMR on signing a memorandum of understanding for SLSSA to be a secondary responder in times of emergency. As a secondary responder, it is essential that we have the ability to respond in a timely, adequate and professional manner. The MOU will reflect the agreement we already have in place with St John.

We are also keen to provide the necessary comforts for our after-hours callout personnel (e.g. hot showers, kitchen, toilet, and change rooms). At the current jet rescue boat shed at Barcoo Road we have one toilet and no shower. This is inadequate when you have five or six personnel that have been out on the water for hours and need to strip down and warm up. This problem is exacerbated now that we have both genders operating these craft. There are no kitchen facilities available other than a power point for an urn.

The lack of space available at Torrensville means that we are unable to conduct any training at this venue. We need a proper training area which has sufficient space and equipment to train our volunteers to a good standard;

a standard the public has come to expect of our surf lifesavers. At the moment we are required to train at any location we can find, and whilst the level of training is first class, the facilities are somewhat third class.

Part of our requirement for a facility is to help us deliver our school program promptly, adequately in a proper environment with the appropriate training personnel and equipment. We also conduct community education for which we need community education equipment. All of the items necessary for the school and community education programs are currently stored at a staff member's house.

Lives can be saved with a centralised facility to house the communications and the surf rescue equipment. With equipment currently at different geographical premises/location it means that in a coordinated rescue situation we have people launching rescue vehicles from various locations, with our communications facility at Lonsdale and our back up administrative resources at Torrensville.

The submission points out the opportunities that will be realised by this motion today and the grant from both the federal and state government. The submission continues:

For the past 18 months Surf Life Saving SA has been working closely with Adelaide Shores about the opportunity for us to be part of the precinct development at Barcoo Road, allowing us immediate access to the boat ramp in times of emergency.

There are major cost efficiencies in using the SAFECOM building designs that are the basis of SES and CFS facilities in both metropolitan and rural locations. We have been working closely with the SAFECOM Asset Manager so that we can use their cost-saving designs but ensure they meet our requirements.

What is the cost of one life saved is the question in this submission. I will not read the rest of the submission, suffice to say that this motion today needs to be supported so that we can go ahead and make sure that surf lifesaving has Surf Central as soon as possible. The surf lifesaving organisation is an iconic organisation in South Australia. As I said, in my electorate of Morphett I see them every week during the summer time, and at other times as well. In fact, at six o'clock this morning I was up, and the boat crew from Somerton were already practising and doing their rowing for one of the upcoming comps.

This state administration and education centre at the West Beach Trust is well overdue. I congratulate surf lifesaving and what they are doing and Elaine Farmer for the hard work she puts in. Shane Daw and Steve Cornish, the two presidents of the clubs at the Bay and at Somerton, work exceptionally hard. I know that Shane is working with Elaine on many of these programs, and I congratulate them for what they are doing. This is an overdue reward for a job well done. We support the motion.

Motion carried.

OUTBACK COMMUNITIES (ADMINISTRATION AND MANAGEMENT) BILL

Adjourned debate on second reading.

(Continued from 15 July 2009. Page 3560.)

Mr GOLDSWORTHY (Kavel) (16:14): I advise the house that I am the lead speaker on behalf of the opposition in relation to this bill, which has been around the parliament for quite a number of months. I understand that the second reading and committee stage was dealt with in the upper house back in June, if my *Hansard* record is correct. So, it has been a long time coming to this place. Notwithstanding that issue, we are here this afternoon, at the end of the second to last sitting week for the year before we go to the election, debating the legislation.

By way of background to this bill, the Outback Areas Community Development Trust is a statutory authority established under the Outback Areas Community Development Trust Act 1978, and is under the control and direction of the Minister for State/Local Government Relations. It has jurisdiction in those parts of South Australia that are not covered by local government—that is 65 per cent of the state in the Far North, home to 5,000 people living in 33 communities and scattered across the pastoral leases. It is actually a very picturesque and beautiful part of the state, I might add. If anyone has travelled to that area of the state and stayed there, they would certainly appreciate the unique nature of that part of South Australia.

A primary purpose in setting up the trust was to provide a mechanism through which commonwealth and local government funding could be attracted to the outback areas of the state. The trust (Outback Areas Community Development Trust) makes grants and loans to local community organisations, including for infrastructure projects. Local government in its traditional form has been seen as impractical in outback areas because of the diverse nature of localities, the relatively small population and practical difficulties in holding elections and enforcing the imposition of rates.

The trust has five members and two deputy members, all of whom are appointed by the Governor—meaning that they are appointed by the minister (the government). So, what we have really is a structure that is established at the behest of the minister/government. I know the member for Stuart will have something to say about that later in the course of the debate.

There are 36 community organisations (also known as progress associations), at 33 different locations. With the exception of the Woomera board, these organisations are incorporated under the Associations Incorporation Act 1985 and, subject to the act and the rules of the individual community associations, deal with personal and real property. Membership of and election to each organisation's governing body varies according to its individual constitution. All office bearers are volunteers.

The day-to-day operations and the decision making of individual community organisations are independent from the trust. Each organisation determines its local needs and project priorities and, where human resources allow, maintains facilities and services and undertakes town clean-ups and management roles. Through the use of community affairs resourcing and management agreements, the trust works with each community to assist with funding for operations, development and infrastructure projects.

The region continues to grow with exciting mining and tourism developments, providing both exciting opportunities and challenges. Indeed, we have heard the government talk at length about the opportunities that mining may provide to the state. We have had a mining exploration boom but we have not had a great deal of actual mining activity per se take place.

The government claims that some outback communities are struggling under these pressures and that the trust does not have sufficient powers to deal effectively with many of the problems experienced by these communities or to raise sufficient revenues to support those efforts. That is the government's claims and, again, I am sure the member for Stuart, who has represented that part of the state for many years, has a very detailed and intricate knowledge of those issues relating to those communities and will be able to cast some light on the claims that the government makes.

Following general consultation in 2007, the government released a draft bill in February this year but has not sought input on it. The bill was tabled in April 2009 and was debated in the other place in June.

The bill proposes to replace the trust with an outback communities authority, with seven members appointed by the Governor (minister/government), at least three of whom must be from different outback communities. The role of the authority would be to:

- undertake increased strategic planning involving community consultation: five yearly strategic management plans for the region—and we hear about a lot of strategic plans from the government; an annual business plan and budget, including region-wide revenue raising through an asset sustainability levy—and that is a point of contention which I know the member for Stuart will address; community resourcing and management agreements—a type of service level agreement with community organisations, possibly with provision for local community contributions. (In itself those words 'possibly with provision for local community contributions' raises some issues, so we might explore that a little more); and exercise powers under elements of the Local Government Act;
- provide essential services, for example, waste management and community projects, funded through a mix of government grants and community or direct beneficiary contributions;
- maintain development standards and controls, for example, regulating the use of caravans or vehicles for habitation; and
- maintain community amenity standards, for example, local noise, unauthorised dumping, roaming animals, unsafe buildings, littered allotments.

All that might sound fine, but we on this side of the house know from experience that what is written on a piece of paper does not necessarily translate into practical outcomes for the community; and I want to flag that in the house this afternoon. It talks about strategic management plans for the region. How many plans in the last eight years has this government come up with? If one thinks of every agency and every ministerial portfolio, there would have to be thousands of plans. What

happens with most of the plans? They are prepared and very rarely see the light of day. They are put on an officer's shelf and become dust collectors.

The Hon. G.M. Gunn interjecting:

Mr GOLDSWORTHY: That's right. In relation to plans, I remember not long after I was first elected to this place, representatives from a community association in one of the townships in my electorate came to me with an armful of plans to upgrade the main street in that township. Many plans had been drawn up but none had been implemented. The latest plan that was drafted was sent to the mayor at the time and I said, 'Listen, I am not usually in the business of giving you advice, mayor, but if you want a bit of advice, the feedback I get from the community is that this plan is the last one and it has to be implemented. You go out under community consultation, get some feedback on it and put it in place.'

The community was absolutely sick and tired of getting plan after plan—they came out with literally an armful of these plans. This government is all about talk. The track record of this government in implementing decent, purposeful plans is not particularly good.

The bill enables the authority to levy two types of changes. Both need to be approved by the minister. The first is an asset sustainability levy—

The Hon. J.M. Rankine: Asset.

Mr GOLDSWORTHY: That is what I said. What did you think I said? I said 'an asset sustainability levy'. What does that mean? It means a fixed charge across the outback communities authority area to fund public services and facilities in outback communities such as airstrips, infrastructure for UHF repeater networks and toilets. The levy will be based on an independent audit of the cost of maintaining these assets across outback communities.

The second one is a local community contribution: a fixed charge in a particular community for the services and projects for the benefit of that community, as specified in the Community Affairs Resourcing and Management Agreement agreed with the community. Gee-whiz, if that is not double-dutch I don't know what is.

Notwithstanding that, we oppose this bill for a number of reasons. Again, the member for Stuart (Hon. Graham Gunn) understands these issues. He has represented these communities in a magnificent manner (if I can use those words of description). The proof that he has done so is the fact that he has been successfully re-elected to this place in election after election. We know that the ALP has thrown any and every resource at trying to win the seat of Stuart, but because the member Hon. Graham Gunn is such an outstanding representative he knows what these people want, and in a moment he will have the opportunity to communicate that to the house.

We have several concerns about this bill. The first is that it is basically putting in a pseudo local government structure over these communities. The other is that the people on this authority are not elected by the locals. These people are appointed by the government—by the minister—and we have seen some evidence of the outcomes of those appointments and how inefficient some of these authorities (whatever you want to call them—councils, boards, authorities; whatever the word might be) have been at times.

We believe that this is an attempt to put in a pseudo local government structure and charge them a levy—in other words, apply a rating system—without any representation. It is taxation without representation. We have seen a war fought over that—one which goes down in the pages of history. The American War of Independence was fought over that issue—taxation without representation—and in many ways this is a similar situation.

The member for Stuart has some amendments to move that will improve the bill in relation to proper representation of members of those communities on this authority and a better way of dealing with this asset sustainability levy, and also so that the parliament has some overview on how this levy may be set after the community has some input.

I want to make a comment on the character of the people who live in these communities. I have not spent an enormous amount of time there, although I lived and worked in a township that is on the outskirts of these outback communities. I worked in Ceduna for two or so years, which is the last major town before you move through those outback communities further to the west and the north-west of the state. My dealings with these people show that they are self-reliant, hardy and basically honest, good, hardworking and reliable people. They are basically salt of the earth people.

The conditions in these areas can be harsh and unrelenting. We have had a series of droughts through that part of our state. These people know how to live their life, they know how to manage the land, and, as I said, sections of our community could learn a lot from them.

Digressing slightly, I mention Operation Flinders, which is a program for youth at risk. Those young people, who need and are looking for a little direction in their life, are taken into this part of the state and put through a reasonably rigorous program. The vast majority who come out at the other end of the program are very thankful that they have received that direction, and it sets their life on a much better path and in a much better direction.

A member of my family owns a station north of Hawker. My family and I have gone a couple of times to stay at the station for a bit of a holiday. We have met some of the locals, and they are very good people. They are a credit to South Australia.

In relation to this bill, specific people from those communities have made a contribution to it and have commented on it. The Hon. Stephen Wade read a letter into the *Hansard*. It states:

...in all my years...I have never before seen such a compelling need to voice my objections to what is quite simply a blatantly dictatorial act. In spite of what minister Gago and the existing few people currently in control of the Outback Areas Community Development Trust are claiming, there has been no consultation with the community and they are not working for their benefit or wishes—at least not this community. Quite the contrary, we have been lied to, deceived and deliberately kept in the dark about this whole affair.

The Hon. J.M. Rankine interjecting:

Mr GOLDSWORTHY: I am reading, minister, what this person has communicated to the opposition. This was read into *Hansard* on 16 June in the other place.

The Hon. J.M. Rankine: It doesn't make it right.

Mr GOLDSWORTHY: Well, you get up and refute it.

The Hon. J.M. Rankine: I will.

Mr GOLDSWORTHY: Basically, you are saying that this person is not telling the truth. Is that what you are saying? Is that the allegation you are making, minister?

The Hon. J.M. Rankine: I'm not making allegations.

Mr GOLDSWORTHY: What are you doing?

The Hon. J.M. Rankine: I'm saying that that I can give you the detail of the consultation.

Mr GOLDSWORTHY: Well, we would be interested to hear it; but why would someone like that say it? These are good, honest, reliable folk.

The Hon. J.M. Rankine interjecting:

The DEPUTY SPEAKER: Order! I suggest that the honourable member continue speaking and disregard interjections, and that the minister cease interjecting.

Mr GOLDSWORTHY: They are extremely out of order, Madam Deputy Speaker. It is outrageous. They should know better. I will keep going.

The very first we heard about it was by sheer accident several weeks ago. I happened to be searching on the internet for something entirely unrelated and came across a comment that led me to look into this matter and subsequently came across the proposed legislation.

Crikey! The letter continued:

I immediately printed off multiple copies and passed them around to every resident of this town for their views, and the result was a resounding 100 per cent objection to the proposed bill and the people behind it.

It just so happened that the very next week two officers of the trust called in...and at the meeting were quite obviously caught totally unawares that we (the residents) had finally become aware of the proposed legislation. When asked specific questions re the same, they were evasive, noncommittal and outright untruthful with their replies. As you would be aware, one of the requirements of a council under the Local Government Act is to be open and frank. Obviously somebody has forgotten to inform the proponents of this proposed legislation of that requirement. When we voiced our objections we were virtually told that 'it' (the passing of the bill) was going to happen regardless of what we wanted, so get over it.

That is absolute contempt. It continued:

There is not one single thing that will benefit this town, or many other towns for that matter, by the passing of this bill. Rather, we will suffer even more financial hardships than we are already undergoing by living in a remote area.

There you go; that says it all. This is another example of this government riding roughshod, using heavy-handed tactics and treating people in a heavy-handed manner when implementing their policies and implementing what they think is in the best interests of the state—with which a lot of people disagree.

I could draw some comparisons with what is taking place up in the Mount Barker district with residential development, and the current government's 30-Year Plan for Greater Adelaide. It is running roughshod over the local community. There was a rally the other weekend which was attended by over 250 people; I can tell the house they are on a hiding to nothing up in that part of the Adelaide Hills in relation to those proposals. Do not get me started on that, because we would be here for a lot longer.

An honourable member interjecting:

Mr GOLDSWORTHY: You will get him when I am finished.

The Hon. G.M. Gunn interjecting:

Mr GOLDSWORTHY: That is right; he is a very self-effacing, quiet and reserved person by nature. This is another example of the heavy-handed manner in which the government treats the communities of South Australia. One day it might wake up. I think this government will get a big shock at the ballot booth come 20 March next year, when the communities that it has treated in such a poor fashion go to the ballot box, and send it a big message and vote it out.

The Hon. G.M. GUNN (Stuart) (16:39): I have had the privilege of representing in this place all the areas covered by the Outback Community Development Trust. It has been a good organisation, it has done a good job, and the people who have been on that trust have been dedicated and hard-working, and they have had the interests of their communities at heart.

This proposal sets out to change the whole concept of the trust. It is taxation without consultation. There has been no adequate or proper information provided to the people in the Outback in relation to this matter. If you do not believe that, just look at what happened during budget estimates. I asked the minister in charge of this bill a number of questions including who was going to pay and how often and she could not answer them. The minister was swimming in deep water and she certainly needed a lifebuoy because she could not adequately answer. She could not tell us. So, I was more specific. I asked her whether the people at Leigh Creek and Copley were going to pay. Who is going to pay? No answer.

I want to know who is going to pay, minister. How often and how much? You can start on the Western Australian border and work right across. You have the people involved in the pastoral industry. They already pay pastoral rents and NRM levies. If you live at Marree and Oodnadatta and those places, you also pay a River Murray levy for the worst water in South Australia. My questions were not answered. These people are already paying a substantial amount of taxation to the government. They live in an expensive part of the state. It costs a lot more to live in these areas. They pay their general taxes and, therefore, they are entitled to receive adequate services.

This bill is the first step in taking these people down the local government road. It means that there will be more bureaucracy and controls imposed on these people. You are going to have petty little officials running around with their book of rules looking over their shoulder at people. Are they going to impose a strict building code at Marree?

The Hon. J.M. Rankine interjecting:

The Hon. G.M. GUNN: Are you going to impose a building code at Marree?

The Hon. J.M. Rankine interjecting:

The Hon. G.M. GUNN: No, I am asking the minister: are you going to send your petty little officials around there with their tape measures and cameras? We want to know because the minister could not tell us anything, yet you are asking us in the house to agree to impose upon these long-suffering people a new tax. They are going to know about it. Make no mistake. I look forward to the television coverage tomorrow afternoon up there because it takes me all day to work myself up. We want to know. Are you going to have a community charge?

The Hon. J.M. Rankine interjecting:

The Hon. G.M. GUNN: And you do not even trust them, because you have to bring in outside experts. Are you going to bring in Sir Humphrey 1, 2, or 3? You have a group of seven and you are going to have three outsiders. You had the situation on the NRM board when they put a person from Stirling on it. She had to be given a road map to find her way up there. When I raised it in the house, the minister got very upset and angry with me, as if I was doing something wrong.

I was only pointing out that the local people have ability and they have an understanding, and they are responsible and they are quite capable of making decisions in relation to running their own affairs. They do not need these outside people to come up there and impose their ideals and aims upon them. The only people who, in my view, have the right to impose a tax or charge on people are elected officials. If you have elected officials and you do not like what they do, you can get rid of them. If you have appointed Sir Humphreys, you can't. They become self-centred.

If the people who live in an area have to live under the administration they impose on people, they understand its effects, and they will apply common sense. When they go to their little town or their community, if people are unhappy, they can get to them. But, if a considerable number of these people fly in and fly out, they are not affected. It is a nonsense. It is an absolute nonsense to say that these people are not competent to look after their own affairs. The bill states that the authority 'may', and we know what that means. They might as well put 'shall', because they will. Clause 21 provides:

- (1) The Authority may impose—
 - (a) asset sustainability levies on land in the outback to raise revenue for the maintenance of public services and facilities in the outback; and
 - (b) community contributions on land in an area of the outback to raise revenue for the purposes of planning, carrying out, making available, supporting, maintaining or improving an activity that is, or is intended to be, of particular benefit to the outback community in that area or to visitors to that community.

So, they are being asked to provide for the visitors. It states, 'any land', and I asked the minister specifically: does this include every pastoral lease in the north of South Australia or those other leases, those perpetual leases, which are used for grazing as well? Are those people going to have to pay this levy—yes or no? We want to know. We are entitled to know and they are entitled to know, because this is an important issue. Subclause (2) provides:

An asset sustainability levy is to be imposed in the same way as a council imposes general rates on land in its council area, except that the levy must be based on a fixed charge approved by the minister.

We want to know the basis of the charge. We want to know how these charges are going to be calculated, how they are going to be imposed and at what rate. It would be just like the Treasurer coming in here wanting to increase stamp duty, but saying, 'Well, I'll do it by regulation. I'll tell you later, just give me the authority.' That is a nonsense. This is an absolute nonsense. Not only is it unfair, it is unreasonable, because the elected people of this place are entitled to know before they vote on this. On behalf of the people of this state, we are entitled and we have a responsibility to indicate to the minister whether we think this is fair or reasonable, or whether it is a stunt that suits the minister.

That means that what the government proposes excludes this place. It will have unelected people recommending these charges and no-one will be able to do anything about it. I say that both houses of parliament not only should have a view on it but they have an obligation to examine these proposals. What other right will the people who are going to be paying this particular levy have if they object to it or do not like it?

It goes on. The erased provisions relate to the suggested amendments from the council, because they cannot oppose them; it has to be done in this chamber. Clause 21(6) provides:

The revenue raised from asset sustainability levies and community contributions in respect of a particular financial year need not be completely expended in that year.

So, they can actually raise more than they require. I will say to the minister that, when she responds to this debate, if she wants to short-circuit the time we are here this evening, we would expect her to have a detailed explanation, because this is a unique occurrence in this place. We are being asked to vote for a new charge—a new tax—on people, and we do not know how it is going to be calculated. We do not know the rate in the dollar, what valuation is going to be used or how much.

We are not even sure who will pay because you have some anomalies. The township of Leigh Creek is owned by the government and leased by the mining company, but the people up at Copley, a few kilometres up the road, own theirs, so they will get hit with it. The adjoining pastoralists and others and the people in the roadhouses, they are going to get whacked. What sort of valuation are they going to use—unimproved values or capital values? We need to know this. These are not unfair questions. These are the sorts of matters which, in a responsible democracy, people raise and want to know.

I am near the end of my time in this place (and people may be pleased about that, I do not know), but I will not let my constituents down. I cannot understand the logic. This bill has sat around for months, and it was months ago that we raised these issues with the minister during the budget estimates committee. The minister floundered around and had no idea about her own legislation, nor did her bureaucrats. I understand they went into some sort of a panic afterwards, looking at one another like stunned mullets because they did not expect them.

Well, what sort of thinking capacity have they got when you have a budget estimate and you are bringing in a new tax that the opposition, if it has any wit or wisdom and it is in their electorate, would not do something about? When we rolled these questions out, we got nowhere. The leader said to the minister, 'Have you heard of the Boston tea party?' I do not think she had. That is how difficult it got. We made up our mind then: if that is the way you want it, if you want to turn it into an issue, we will turn it into an issue, and we will, because we have not got any reasonable responses.

They are going to have authorised inspectors, authorised persons. When you look at these other provisions in this document, what I cannot understand is the membership. It says that you are going to have seven people. We agree that, perhaps, you need one person with some accounting experience. We are happy to agree with that, but the rest of them should all be local people. There was no reason whatsoever why you could not find six people from this vast area of South Australia who not only are competent but also who can do this job. Of course they are there. There are dozens of people who could do the job, and I say that they should be elected.

To say that three of them will come from outside, I do not agree with that. I never will agree and nor will my constituents. At the end of the day we are really swimming in the dark, because we really do not know the total amount of revenue the minister wants to collect. I ask the minister when she responds to tell us how much she anticipates in the first budget they intend to raise and the basis of the collection process, because we really cannot make an informed decision unless we know that. The bureaucrats are the architects of this. It is a cost-shifting exercise.

Be under no misapprehension, this is an attempt by the state government to shift the costs onto these long suffering people. They pay enough now. It is a lot more expensive to educate their children and to get basic services. If people get into difficulties in the Outback they act as the emergency rescue people. In many cases their health costs are far greater and more difficult to obtain. They support the Royal Flying Doctor Service. They like rodeos and gymkhanas, and then you have people in this place who want to make it even more difficult for them to have a bit of entertainment and to raise some money with silly laws put forward by odd groups who have no practical understanding of life in the bush and no commonsense.

What I cannot for the life of me understand is why there was not a full explanation memorandum put out with this bill explaining the cost structures involved. Is it because the government does not know? Is it because it wanted to hide this from people? What are the reasons, minister? You are the minister representing your colleague in another place, and the government of the day has a responsibility to tell us and inform us so that we can act accordingly. There has not been an adequate explanation given to the people in the north and west in relation to these proposals.

These small groups of people who run progress associations have been working and doing a good job for a long time. There was occasionally a hiccup or two—there has never been a perfect solution to anything, but it has worked pretty well. If you want more revenue, tell us how you are going to go about it so that people can have an opportunity to make a contribution and comment and be involved.

Here we have a bill with lots of clauses in it that has sat on the *Notice Paper*, and I will guarantee members that 10 per cent of the community would not have seen this legislation or be aware of its contents, yet, in the dying hours of this parliament, we have been asked to support it and impose these solutions upon people without their having any recourse to object to it. It really is

the government saying, 'Like it or lump it.' Well, if they want it, we will give them 'lump it' all right, make no mistake about that. If you treat people fairly, they will act reasonably, but if you treat them with contempt and try to bludgeon them, if you kick someone in the ankle during a football match you must expect that, before the game is over, you are going to get one back. These people will have the ability to give one back when they find out.

How much are the people at Yunta going to pay? What about the people at Cockburn? They are going to get slugged. What about the mining industry at Beverley, and places like that? What about the Arkaroola tourist village: how much will they be charged? We want to know. So, I say to the minister: you have a few minutes to consider this, because we are going to go through it clause by clause and find out.

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

Ms BREUER (Giles) (16:58): I am very pleased to stand today in support of this bill, because it has been a while coming. My constituents, contrary to what the member for Stuart seems to be saying about his constituents, are looking forward to the passage of this bill. I can speak with some authority on this because, when this bill was proposed and after it was initially put out for discussion, I decided to do a trip through the Outback and talk to progress associations about it.

So, I set off and I took a week to drive through. I went through Pimba, Glendambo, Oodnadatta, Marla, William Creek, Marree, Leigh Creek, Parachilna, Andamooka and Iron Knob. I may have missed one but these are the communities that I remember visiting and discussing this bill with. I wanted to find out what they thought about it, what they thought about the levies and charges, etc. and to find out whether it was acceptable.

Everywhere I went I found genuine approval for this bill, and also a welcoming of the bill. I do not know who the member for Stuart is talking to, but everywhere I went I got genuine approval for it. People felt it would take a lot of the pressure off progress associations and finally give them the ability to spend some money because some money would be available to them.

It would also give support to a lot of these progress associations. Unfortunately, just about every community has a handful of people who are trying to look after their community, trying to keep their community going, trying to access funding for their community. They get very little thanks for it. The rest of the community is always happy to cut someone down and not give them any credit for what they are doing.

They experience a lot of burnout in progress associations because often people are there for many years. It is a hard task for them to continue doing, but they do an incredible job. They keep their communities going and, in the past, with very little support or help.

Last week, for example, two people from the Iron Knob Progress Association came to my office to meet with the EPA in relation to an issue with the rubbish dump at Iron Knob. It was originally started by BHP when BHP was at Iron Knob and the progress association took it over some years ago. They do all the work. They do the grading and keep it clean. They keep the gates locked and open them when someone wants to unload rubbish. They do all that work for absolutely no pay in order to keep the dump going.

Unfortunately, they got into a bit trouble with the EPA—which the member for Stuart would probably love. We were able to talk to them about the bill, and with the levies and charges they will be getting they may have some money in hand so they will not have to bake lamingtons and take material into the dump to keep it going. They will actually have funding. They find it very difficult to get money out of their community, which is very poor and probably has the highest unemployment rate in the state.

They are looking forward to receiving the levies and charges. They are most grateful. Currently, they rely on haphazard fundraising (which is very difficult for them) and they have to pursue grant money. They do not have the skills to do this. My office spends a lot of time helping them to try to access that sort of funding.

Iron Knob is a classic example of a little progress association that has major problems in keeping going. This bill would alleviate a lot of problems for them and they are really looking forward to it. They are most distressed that it has not been passed already.

We are not all cowboys in the Outback. We know there are big issues out there, but people are prepared to look at the issues and look for a good way to resolve them. I do not know who the member for Stuart has been talking to, because I did not find anyone who was upset about it. They believe the provisions in the bill and the safeguards in the scheme will cover any concerns they currently have.

A few pastoralists might have some concerns. Perhaps the member for Stuart has been talking to pastoralists. I do not know why pastoralists would be upset. One or two pastoralists expressed concern to me, but most of them understood the bill and, again, they want the funding. They realise they use the facilities in the communities. For example, at William Creek the pastoralists accept what is being proposed. They have struggled for years to get the gymkhana going and they have struggled for years with their airstrip. They welcome this bill. I do not know who the member for Stuart is talking to and why he is so upset about it. I think he should embrace and welcome it.

People were consulted about the levies and charges. The member for Stuart said there was no consultation about that, but they wondered why I was wanting to talk about it because they said that they had already been consulted on this matter and had already agreed to it. They were happy to pass on their opinions to me, but they felt there had been adequate consultation. Again, I do not know who the member for Stuart has been talking to.

Unfortunately, politics have come into this. Members opposite want every road in the Outback fixed, but they are not prepared to look at taxes and levies, and so on, to fix every road in the Outback. It is unfair to expect fundraising by a few people to get things done. Today the member for Flinders was to move a motion to get the Wirrulla to Kingoonya road sealed. My understanding is that an average of 13 cars a day use that road. I hardly think it would warrant the incredible amount of funding required to seal that road when so many other roads in the Outback have to be continuously maintained. Why we would be looking to seal a road that is used by 13 cars a day seems an incredible proposal. That is the sort of logic and thinking that comes from the other side. They try to make a problem where they can instead of getting on with it and getting things done.

I can truly say that I spoke to many people—all those communities and progress associations—and I heard no objections anywhere to it. There were a few little concerns about the Outback Areas Trust board, in regard to having locals involved in this rather than experts from Adelaide. I think that issue has been resolved. I was talking to people who will never vote for me: pastoralists, farmers and outback people. They do not vote Labor; they will not vote for me. So, there was no reason for them to say nice things to me. They will end up voting for Gunny's side. These people genuinely said to me that they had no objections and were very supportive of the bill and the proposals. Their only concern was that it was taking so long to get it through. They wanted to get on with it and get it sorted out, so that they could start to seriously plan for their future. I believe that this is a good bill. It will work, it will make a great difference to those outback communities, and I fully support it.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (17:05): I thank members for their contribution. I particularly want to thank the member for Giles, because I know she has been out and about in the Outback consulting with the community and, interestingly, the responses that she has received are very similar to those that I received when I visited the Outback, on numerous occasions.

There is no doubt that change is occurring in the Outback and that the expectations of the people living in the Outback are changing, and that was very clear on the occasions that I visited numerous communities there. Not very long after becoming minister for local government, representatives of the Outback Areas Trust, which the member for Stuart described as very good people, came to me and said, 'We really need to update our legislation, and we need to have a very good look at our governance arrangements. We think that, because of the way we are structured, we can't provide for the needs of people in the Outback as they are expecting,' and they invited me on a tour with them. The Local Government Grants Commission also came along, and we visited many of those communities and met with many local people who came to speak with us. So, to hear from members opposite that there has been no consultation just defies belief when one looks at the enormous amount of consultation that has taken place in relation to this—

Mr Goldsworthy: That's not what they are saying.

The Hon. J.M. RANKINE: The member for Kavel refers to 'they' but does not specify quite who 'they' are. I have met with the progress associations in the Outback and local community members, and I can say that the consistent message was that there needs to be a change in relation to how things are managed. The progress associations are run by volunteers, who are great people; they are salt of the earth and truly unique human beings. We were very cautious in dealing with this issue to ensure that we are able to maintain that very strong spirit of the people who live in the Outback.

The very strong message was that, for one reason or another, an increasingly unreasonable burden was being placed on these volunteers in the progress associations, essentially, for two reasons. The first was that their towns were growing so quickly that it was beyond their capacity as a progress association to manage effectively the growth of their town, and the second was that those towns were seeing people leave because of the mining boom and they did not have enough people to be able to cope with it. This bill has been developed in recognition of and with the encouragement of those volunteers to assist them in their role as community leaders.

One of the key things that came from the engagement process was that people really wanted a bill that included the trust being seen as an advocate for the Outback, particularly in an advisory role to state agencies. They wanted more systematic consultation processes, support for the trust, control of wider infrastructure issues (such as aerodromes and the like), more streamlined strategic planning, budgeting and business planning processes, greater transparency and accountability in its operations, and broad recognition of the need for some form of local rating to help support the changes. So, it is by drawing on this and other feedback that the government has developed this draft legislation.

We have heard from those opposite that there was no consultation. Well, that just simply is not true. People previously consulted provided their contact details. There was a range of consultation processes undertaken and visits to the Outback. Those people came along and gave their details to the community meetings. I think I have a list here of some of the meetings that took place. Three information papers were sent out to people who gave their details, and, depending on the details provided, these documents were emailed or posted by the staff of the Outback Areas Community Development Trust.

Copies of the information were sent to all progress associations, all councils who border the area administered by the Outback Areas Community Development Trust, the Local Government Association, regional associations such as the Northern Regional Development Board, boards such as the NRM board and the Arid Lands Board, and government agencies with an interest in the Outback, and other interested parties. This information was also placed on the trust's website and on that of the department.

In addition, a range of newspaper advertisements about the release of the bill were placed in the *Stock Journal*, *The Advertiser*, *Flinders News*, *The Transcontinental*, the *Coober Pedy News*, the *Roxby Downs Northern Sun* and the *West Coast Sentinel* to ensure the engagement of the greatest number of people. The member for Stuart should get such comprehensive coverage.

The Hon. G.M. Gunn: I read all those newspapers.

The Hon. J.M. RANKINE: Well, you would have picked up on it. You obviously did not read them properly.

The Hon. G.M. Gunn: You didn't answer the question: how much, how long?

The Hon. J.M. RANKINE: Just as well you asked. Let me go through them all. The member from Kavel quoted a letter not sourced by any person, but when I looked at the *Hansard* of the Legislative Council it indicated that it came from a person from Oodnadatta. Can I tell you, Mr Speaker, about my visit to Oodnadatta with the Outback Areas Trust?

We had a person come along to that meeting, who had been entrusted with the keys to the telephone tower in Oodnadatta. When that person got cranky with the Aboriginal community because they were not paying his association a levy, because according to them they could not get any clarity around the management of that association's books, he would turn the TV tower off and create absolute mayhem. It may not be, but I would strongly suspect that that letter of complaint from a person worried about the powers in this bill might be from the very same person. It may well be.

Members interjecting:

The SPEAKER: Order!

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: You made a whole lot of unsubstantiated allegations. We had to make sure that the police officer got control of the key so that people could watch TV in Oodnadatta. In relation to the revenue raising—

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: He won't be?

Mr Goldsworthy: No-one is making these allegations.

The Hon. J.M. RANKINE: Did I say it was a he?

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: Did I say a he?

Mr Goldsworthy: I think you might have.

The Hon. J.M. RANKINE: No, I didn't. I've been very careful not to identify who that person was.

The Hon. G.M. Gunn interjecting:

The Hon. J.M. RANKINE: By the look on the member for Stuart's face I think he knows full well who I might be talking about. That is not very neighbourly, is it?

The new authority will have to prepare and adopt a public consultation policy, and in doing so it will be working with each community to ensure that the community's views are taken into account. The public consultation policy must be used in connection with the development of its five yearly strategic management plan and its annual business plan, and this strategic plan will provide a vision and direction for the future of the Outback for at least five years. People will know what is going on.

Many communities are well advanced in the development of their individual community plans, and, when complete, these plans will collectively form the foundation for the development of the new authority's strategic vision for the Outback. Those communities who want to implement a community contribution will have developed a clear direction for their community from the development of their community plan and their community's contribution to the new authority's strategic plan. Each community must be consulted as part of the development of the authority's strategic plan. In addition, the community contribution must be authorised by the individual community's community affairs resourcing agreement.

The rationale for applying the asset sustainability levy is based on the idea of a shared community responsibility to contribute to the maintenance of existing public use facilities and infrastructure in the Outback. It is expected that the funds collected from the levy would only partially cover the total cost of providing these prescribed services. The remaining costs would still be sourced from the commonwealth/local government grants moneys, allocations that are sought by the outback communities authority through the normal budget allocation processes, and other specific commonwealth and state grants. The levy is not about providing funding for any perceived infrastructure backlog, but rather contributing to the ongoing costs of the maintenance of existing infrastructure.

The amount of the levy will be based on the annualised cost of maintaining these assets and will apply to all properties, including pastoral leases, located within the outback communities authority area, except for those uses of land currently exempt from council rates. So that is the answer to your question. The trust has conducted an infrastructure audit and is finalising its asset management plan. When it is completed this will form the basis for consultation with all communities prior to any recommendation about the amount of the levy.

So they are doing the plan. The levy will be based on the annualised cost of maintaining the assets and will apply to all properties, including pastoral leases, located within the outback communities authority area, except for those uses of land currently exempt from council rates under the Local Government Act 1999.

Mr Goldsworthy: Who works it all out?

The Hon. J.M. RANKINE: Who works what out?

Mr Goldsworthy: The annualised—

The Hon. J.M. RANKINE: You are not listening. They are doing an audit of the infrastructure, they are working out their maintenance plan, and they will then consult with their community. That is how it is happening. The legislation requires extensive consultation—

Mr Goldsworthy: Yeah, right.

The Hon. J.M. RANKINE: You say 'Yeah, right' and 'Heard that before'. I know that when you were in government you did not consult; you did not know how to consult. This government has actually consulted; we went out in the first instance and said, 'How are things going?' It was the outback areas people who said to us, 'This needs changing. We need our trust authority updated. We want things in our town that other people have in their town. We want to be able to manage our town. We don't want to be the ones, volunteers, knocking on our neighbours doors telling them what they should or shouldn't do. We want a strategic plan.'

Some communities want street lights. They have never had them before. They have been happy to sit up there and not pay any levies or council rates and, therefore, not have any facilities. When I went out and talked to them, they said that things had changed, that they want facilities, and they are prepared to make a contribution. They want the trust to be updated in order to cope with the changes that are occurring in the Outback. I do not know whether the member for Kavel has been out there, but it is a really interesting—

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: No, you are referring to the person from Oodnadatta.

Mr Goldsworthy interjecting:

The Hon. J.M. RANKINE: Yes. They will be consulted extensively on the detailed business planning, the strategic directions and the planned introduction of an asset sustainability levy, which should ensure the community is fully informed of, and provided with ample opportunity to contribute to, the manner and direction of its governance.

There are some communities already who pay voluntary levies. They do fund-raising and commit an enormous amount of time and effort applying for grants and doing a whole range of things. I think it is unfair to flag that this is taxation without representation and an impost being placed on the community when the very strong input that we received was that the community is willing to pay a fair share to lift the standard of their communities.

The member for Stuart raised the issue of membership of the authority. The current act is silent about that. The current act does not provide that one person from the Outback needs to be on it. They could all be city dwellers running that authority.

Mr Goldsworthy: I didn't say that.

The Hon. J.M. RANKINE: No, he did. The current act is silent. The trust does not need to have one person from the Outback on there. We want a balance of skills and knowledge on the trust authority, and that is why we have agreed to lift the number from three to four. It must represent people from outback communities, but we also think there needs to be a range of other skills. That does not preclude them being from the Outback. In fact, that would probably be a great outcome. What this bill is doing in that regard is ensuring that people from the Outback Areas Trust area are assured of having people from that area on their board. I think I have covered all of the member for Stuart's questions, and I thank members for their contribution. Once again, I commend the bill to the house.

Bill read a second time.

In committee.

Clause 1 passed.

Clause 2.

The Hon. G.M. GUNN: I seek from the minister when she proposes that this act will come into operation. When will the people in the Outback get the first notices in their letterboxes or mailbags that impose these new taxes?

In her explanation, the minister indicated that there is going to be a very broad brush of people who are to receive this new tax. I say to the minister that there are not too many people out there who are aware that they are going to get it. So that we know, can the minister tell us what the process will be? When will the act come into being and when will the first tax notices be sent out to these people? The minister seems to think that this will be a pleasant surprise for them.

The Hon. J.M. RANKINE: The act will come into operation once it is proclaimed, and the levies will come into play once the authority goes through the extensive planning and consultation that I have outlined.

The Hon. G.M. GUNN: Minister, we are entitled to know. This is a completely new concept of putting a tax and charges from the Western Australian border to the Queensland border, to the New South Wales and Northern Territory borders on unsuspecting people who, at this stage, are already paying a number of taxes and levies. They pay pastoral rents for their services, which is the equivalent of council rates. They are entitled to know.

I point out to the minister that things are not very rosy out in some of those areas at the present time. If you think that people in the north-east of South Australia have the ability to pay, or will be thrilled about paying a few hundred dollars in levies, you are not with it, because they are not in a position to do it. They are shifting their stock out. It is bad enough having people wanting to defect the hay trucks going up there—what silly nonsense. They really need to know what this impost is going to be and when it is going to come into effect when they sit down at the beginning of the financial year to work out their budgets. This is not good.

One of the things that people have to understand and one of the things that people fail to appreciate is that ministers and others in this place are reasonably well paid, and their advisers are paid a lot more. They do not understand what it is like to not be able to make the numbers add up. In many cases, these people are on restricted incomes, and they are entitled to know. It is not an unreasonable question to ask. Just tell us when people are going to get both these things. That is all I want to know.

The Hon. J.M. RANKINE: The vast majority of the provisions of this bill impose requirements that are about good governance. The current trust has been putting many of these in place anyway, so, there should not be any delay in relation to progressing those sections of the bill. However, as I have said, the trust has a lot of work to do in relation to its asset management plan, its business plan, its strategic plan, and consulting with the community to work out what the extent of that levy might be. I am told that that is likely to take a couple of years. I cannot tell you a month and a year, because there is an enormous amount of work that the authority will need to carry out before the levies come into play.

Clause passed.

Clauses 3 to 6 passed.

Clause 7.

The Hon. G.M. GUNN: I move:

Page 5, lines 9 and 10 [clause 7(1)]—Delete:

'at least 4 are to be members of different outback communities' and substitute:

6 are to be members of different outback communities elected by residents of those communities in accordance with the regulations

The minister has just indicated to us that the new charges will be all encompassing.

The Hon. J.M. Rankine: What do you mean, 'all encompassing'?

The Hon. G.M. GUNN: It means that everyone will be caught up in the net. That is what I mean. It is quite simple. You have got your hand ready to dig right into your hip pocket, and pretty deep, I would take it. That being the case, the people who are paying the taxes, in my view, have the absolute right to elect the people who will be exercising that privilege. If you went out to the minister's electorate and told the residents living in, I think, the Tea Tree Gully council that they cannot have a vote to say who the councillors are who will impose rates on them, they would get pretty grumpy, and I do not think that the honourable member would be here again.

What is happening here is that the minister is saying that you cannot compare this set of circumstances with the current trust because that trust does not have the ability to levy taxes and charges. It is a new concept, and the concept is this all-encompassing arrangement. The minister

has not yet explained whether the individual people living at Leigh Creek who do not own their homes will have to pay, and we are entitled to know. They do not own them. When the mining comes to Beverley, how will that go? We have not been told the system. What will it be based on—unimproved values, a surcharge or capital values? These are important issues.

These are the questions that anyone with the slightest amount of ability and doing their job would raise. This is one of the problems of this place. Too many people sit behind the government and want to rubber stamp everything that happens. That is not the role of this place. The role is to challenge the minister. The role is to question and to challenge the minister. It is like giving evidence in a court: it has to be tested. We are here today to test the minister and her advisers. So, that is why they should be elected. I say to the minister that she has not yet explained who will be hit, because there is a minefield of difficulties out there.

What are you going to do at Arkaroola? Are you going to charge those people, because those people at Arkaroola running the tourist establishment have huge bills to provide their own power. They have huge costs. They are the biggest charges they have. They are providing a service. If someone breaks down they are the service up there. Go north. My friend Michael Sheahan says that he is the emergency services in that area. Are you going to hit him twice? The police ring up and say to these people, 'Someone's missing. Will you go and look for them?' If someone's car breaks down, they have to fix it up. These are the questions.

What about over there at Cameron Corner? Is everyone going to pay on the same basis? Someone might live closer to Glendambo or closer to Coober Pedy or Leigh Creek. Perhaps they will get better services than the people who live at Cameron Corner or Innamincka. We want to have elected people so they can take these particular matters into account when imposing this new charge, this new tax, upon them. These are not unreasonable points of view I am putting. They are not unreasonable at all, but they are important, and people should have a clear understanding of what will happen when this new law comes into effect.

I have been given the responsibility to represent these people notwithstanding what the member for Giles has said. I might not know very much but I reckon I know a little bit about the Outback of South Australia. Those people have kept me in this place. I am going to ask the questions on their behalf, and I will not be talked out of it by the member for Giles. I want to know the answers to these matters. That is why we want elected people, not appointed people. You know, you can appoint people and, if they do not affect them, they are less cautious in imposing those charges.

The Hon. J.M. RANKINE: The government does not accept the amendment put up by the member for Stuart. We are ensuring that at least four of the seven people will come from the Outback—it could well be that the full seven come from the Outback. They could be chosen in a whole range of ways, from advertisements in *The Advertiser* seeking registrations of interest to looking at the government's register for appropriate people who have registered for boards and committees. There is a whole range of ways that we might look to appoint those people. This legislation, at the very least, is making sure that the Outback is comforted by the fact that at least four (a majority of people) will be appointed from the Outback.

The Hon. G.M. GUNN: It is unfortunate that the government is not prepared. It will get its way, but it should remember that, whatever happens here, this place has the ability to change it in the future. The Liberal Party is not happy with this, and my colleagues will deal with this on another occasion. Let me make that very clear. They will deal with it. They have been given notice, and those around them have been given notice of what the consequences are. There will be a complete new set of circumstances, and you are not going to let people elect them.

So I now say to you: the Liberal Party will change this in government; make no mistake about it, and we will make sure that the communities in the Outback have the ability to elect who they want and not have who the government wants them to have. We will have plenty to say when it comes to these financial clauses. I was hoping the minister would answer them, because we want to know. There are a lot more questions to be asked.

The committee divided on the amendment:

AYES (8)

Goldsworthy, M.R.
McFetridge, D.

Gunn, G.M. (teller)
Pederick, A.S.

Hamilton-Smith, M.L.J.
Pengilly, M.

AYES (8)

Pisoni, D.G.

Venning, I.H.

NOES (24)

Atkinson, M.J.

Breuer, L.R.

Foley, K.O.

Hill, J.D.

Koutsantonis, A.

Portolesi, G.

Rau, J.R.

Stevens, L.

Bedford, F.E.

Caica, P.

Geraghty, R.K.

Kenyon, T.R.

Lomax-Smith, J.D.

Rankine, J.M. (teller)

Simmons, L.A.

Weatherill, J.W.

Bignell, L.W.

Ciccarello, V.

Hanna, K.

Key, S.W.

Piccolo, T.

Rann, M.D.

Snelling, J.J.

Wright, M.J.

PAIRS (10)

Redmond, I.M.

Evans, I.F.

Griffiths, S.P.

Williams, M.R.

Penfold, E.M.

Conlon, P.F.

Fox, C.C.

White, P.L.

O'Brien, M.F.

McEwen, R.J.

Majority of 16 for the noes.

Amendment thus negated; clause passed.

Clause 8 passed.

Clause 9.

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

Clause 9, page 6, line 3—Delete 'Public Sector Management Act 1995' and substitute:

Public sector (Honesty and Accountability) Act 1995

Amendment carried; clause as amended passed.

Clause 10 passed.

Clause 11.

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

Page 7, line 6—Delete 'Public Sector Management Act 1995' and substitute:

Public Sector (Honesty and Accountability) Act 1995

This is a similar proposal, because the Public Sector Management Act is to be replaced by two acts, the Public Sector Act and the Public Sector (Honesty and Accountability) Act and it is not satisfactory to rely on section 14B of the Acts Interpretation Act, which provides that 'a reference in an act to some other act will, unless the contrary intention appears, be construed, where the act is substituted by a subsequent act, as a reference to that subsequent act'.

Amendment carried; clause as amended passed.

Clauses 12 to 20 passed.

Clause 21.

The CHAIR: The member for Stuart has indicated that he has amendments to clause 21, which has been erased. The minister must now move that clause 21 be inserted.

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

That clause 21 be inserted.

The Hon. G.M. GUNN: I move:

Page 12, line 28 [clause 21(2)]—Delete 'approved by the minister' and substitute:

prescribed by the regulations

This measure allows the parliament to examine the situation and, if it sees fit, it can refer the matter to a parliamentary committee or it can disallow a regulation. This is a safety valve for people in the Outback. The parliament will not agree to let them elect their people, but this is a safety valve to allow them to go to their elected representatives and say, 'Look, what has gone on here is over the top. These people aren't with it.' We have done it with water catchment levies and NRM levies and this is no different. The parliament can look at it and take evidence and if they are fair and reasonable there is no problem.

I will give the minister an example with respect to the Outback of South Australia. When the NRM parliamentary committee was examining one of these proposals, a proposal was put up to charge one company \$1 million, and the minister's government was not aware of it until it came before our committee. Of course, it got the message that the committee was not going to recommend it. It was appalling, particularly when that organisation was under some difficulty. So, this is a safety valve. It is not an unusual provision to give the parliament the chance to have an oversight over these matters. I would appeal to the minister: if she wants to short-circuit this debate here tonight, this is essentially a fair and reasonable proposal.

The Hon. J.M. RANKINE: The government is not supporting the amendments that I received from the member for Stuart late this afternoon in relation to this bill. We think that we have put in place a number of very stringent safety measures. The trust is charged with developing a range of plans. It must consult with its community, and we have not given it carte blanche to place those levies on people in the Outback. The minister has to be satisfied that appropriate processes have been gone through before they will be endorsed.

The Hon. G.M. GUNN: Obviously, the minister wants to have a fight. Here we have a situation where this parliament in its wisdom has put in place natural resource management boards right across the whole state, and those plans and charges are referred to those parliamentary committees which can take evidence—and I am not going that far—and which have proved to be a most beneficial and commonsense approach. It has acted very well. Yet, on this occasion, for some reason best known to themselves, they do not want this fair and reasonable proposition put forward, because, for the first time in the history of South Australia, the minister has told us that probably 70 or 80 per cent of the land mass of South Australia is going to have a new tax, a levy, imposed upon it.

The minister has not told us the basis of how it will be collected. She has not told us the basis of charging, but she has said that every pastoralist—and that means every tourist operator, every shopkeeper and every homeowner—is going to get charged and, in some cases, twice. They are already paying. It is the height of arrogance that they have to pay a River Murray levy to live at Marree and Oodnadatta where they have the worst water in South Australia. Yet I thought in a modern democracy people would be prepared.

No wonder the public loses confidence and thinks there is something wrong with members of parliament when they act in such an arbitrary, unfair, unreasonable and unwise way. The fundamental principle in a decent society is that you give people the right of appeal, and when that does not happen you have problems. Openness and public scrutiny have never caused a problem. It is where you have the opposite that it creates difficulties.

This is amazing. Just think, Madam Chair: a completely new regime for 70 to 80 per cent of the land mass of South Australia, and the minister is saying that this parliament does not have the wit, the wisdom or the common sense to be able to look at it. I just wonder, minister, what possesses people to put on a pair of blinkers and have tunnel vision and not accept that, in this society, the community at large expects us in this place to act fairly, reasonably and wisely. Democracy is about checks and balances.

Many of these people live a considerable distance away. If you live out from Innamincka on a station, you are a long way away. If you get this imposed on you, you expect that your member of parliament should have the time, the wit and the wisdom to scrutinise these things on your behalf. That is what this does: it does nothing else. That is why we are sent here. We are not sent here to be rubber stamps because some minister—and God help us, some of them are not too bright, and it does not matter from what side of the house they come—expects you to put your hand up like a puppet—like you pull the cord and they put up their hand because that is what they expect.

Yet, when someone puts forward what is a sensible provision and when there is provision after provision in dozens of acts of parliament which do the same thing, we are prevented. You say,

'No, my bureaucrats do not like this; someone is going to look at them.' I say to Sir Humphrey 1, 2 or 3 (whoever they may be) you might get your way today, but remember that people have a cross on you and are watching you. Remember: the people you are going to hit are hardworking, good, honest people who work hard under difficult and tough conditions. Deny them the chance to have their member scrutinise these things on their behalf and you will pay. I will make sure tomorrow that they are told that this government is not prepared to let the parliament supervise it so that their interests can be protected. This is nothing radical, it is nothing unusual, it is not extreme.

They say, 'No, you can't have this.' No reason is given; there is no logical reason or any common sense for why you have decided that this is a bad idea. If there is a better idea than this, why haven't we got it and all other pieces of subordinate legislation? That is why you do not do it by proclamation. It means that it is subordinate to the parliaments. That is what it means, nothing else. It is a very simple process.

Therefore, it is an absolute right in a democracy in the Westminster system that the parliament has the final say. If we get it wrong they can vote us out, but under these provisions they will have no hope. They can say there is community consultation. The two or three people who live at Tarcoola, what chance will they have? I know them very well. Surely, they are providing a public service out there looking after things.

They expect the member for Giles and myself, who know them, to supervise and watch these things on their behalf. The people who live at Mulgathing, or the people who live out at Nundroo, Cockburn, Cameron's Corner or Mungerannie. That is our job. It allows us to do our job properly. Is the minister prepared to reconsider, because this is fundamental in a decent, responsible and compassionate community?

The Hon. J.M. RANKINE: The government agrees with the member for Stuart about being fair, reasonable and wise. That is why we consulted so extensively with the community to come up with this legislation. I do not want to be unfair to the member for Stuart, but I would ask him if he at any point in the last two years raised these issues with the Minister for Local Government. I am not sure. I do not want to be unfair to him, but he is a wily old dog, and the first, I understand, we knew of his amendments was when they were lodged at four o'clock this afternoon.

The Hon. G.M. GUNN: And the first I knew that this bill was going to be debated today was at about the same time.

The Hon. J.M. RANKINE: Well you need to look at the *Notice Paper*. The whip needs to tell you what's going on.

The Hon. G.M. GUNN: Every question I asked your minister during the budget estimates, she did not have a damn clue. You can call me a wily dog, but she would not have known if it was Sunday or Monday. If ever I have seen an incompetent minister and a poor exhibition at budget estimates it was that exhibition. She had bureaucrats running around with bits of paper. They lost their place, and they were stumbling and stuttering. I found out through the system that they did not expect any questions. That is how bright the whole lot of them were, and now they are coming here. If it is right to have it in the other legislation, it is right to have it in this. The response the minister has given—

The CHAIR: Order! Member for Stuart, I am afraid we have to report progress.

The Hon. G.M. GUNN: Well, that's a good thing. It will give the minister time to reconsider it.

Progress reported; committee to sit again.

ENVIRONMENT PROTECTION (RIGHT TO FARM) AMENDMENT BILL

Received from the Legislative Council and read a first time.

MOTOR VEHICLES (MISCELLANEOUS NO. 2) AMENDMENT BILL

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

No.1. Clause 4, page 3, lines 13 to 15 [clause 4(1), inserted definition of *high powered vehicle*]—

Delete the inserted definition of *high powered vehicle* and substitute: *high powered vehicle* means a motor vehicle—

(a) belonging to a class of vehicles prescribed by the regulations as high powered vehicles

for the purposes of this Act; or

(b) of a kind included in this definition by the Registrar by notice in the Gazette,

but does not include a motor vehicle of a kind excluded from this definition by the Registrar by notice in the Gazette;

No.2. Clause 9, page 8, line 40 [clause 9, inserted section 75A(16)]—Delete all words in this line and substitute:

(aa) where the vehicle is being driven on a road outside of Metropolitan Adelaide—100 kilometres an hour;

(a) where the vehicle is being driven on a road within Metropolitan Adelaide and—

SECOND-HAND VEHICLE DEALERS (COOLING-OFF RIGHTS) AMENDMENT BILL

The Legislative Council agreed to the amendments made by the House of Assembly without any amendment.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed not to insist on its amendment No. 1 to which the House of Assembly had disagreed.

STATUTES AMENDMENT (SURROGACY) BILL

The Legislative Council agreed to the amendments made by the House of Assembly without any amendment.

CHILDREN'S PROTECTION (IMPLEMENTATION OF REPORT RECOMMENDATIONS) AMENDMENT BILL

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

No.1. Clause 7, page 5, after line 5 [clause 7(6), inserted subsection (7)]—Insert:

(ab) provide for the authorisation of persons or bodies to undertake criminal history assessments for the purposes of this section; and

(ac) make provision in relation to the release of information relating to a person's criminal history to another jurisdiction; and

No.2. Clause 7, page 5, after line 10 [clause 7(6), inserted subsection (7)]—Insert:

(ca) define classes of information that are to be taken to be included in, or excluded from, a person's criminal history for the purposes of this section; and

No.3. Clause 7, page 5, after line 11 [clause 7(6), inserted subsection (7)]—Insert:

(da) in the case of a regulation of a kind referred to in paragraph (ab) or a regulation providing for the waiver or remission of a fee—confer discretionary powers on the Minister, the Chief Executive or another person or body; and

No.4. Clause 20, page 13, line 30 [clause 20, inserted Schedule 1, clause 1(1)]—Delete 'the regulations' and substitute:

regulations made for the purposes of section 8B

INTERVENTION ORDERS (PREVENTION OF ABUSE) BILL

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

No. 1. Clause 3, page 6, lines 8 and 9 [clause 3(1), definition of *public sector agency*]*—Delete 'Public Sector Management Act 1995' and substitute:*

Public Sector Act 2009, but does not include the Legal Services Commission

No. 2. Clause 12, page 13, after line 10—After subclause (2) insert:

(2a) If an intervention order is designed to prevent a form of abuse involving the use or threatened use of particular weapons or articles, the terms of the order should, as far as is practicable, include surrender of the weapons or articles or other measures designed

to minimise the risk of the defendant using or threatening to use the weapons or articles to commit an act of abuse against the protected person.

No. 3. New clause, page 14, after line 22—After clause 14 insert:

14A—Terms of intervention order—date after which defendant may apply for variation or revocation

- (1) The Court may, when issuing or varying an intervention order (other than an interim intervention order), include a term fixing a date after which the defendant may apply for variation (or further variation) or revocation of the order.
- (2) The date must fall at least 12 months after the date of issue or variation of the order.
- (3) If the Court does not include in an intervention order (other than an interim intervention order) a term under subsection (1), the intervention order will be taken to include a term fixing the date falling 12 months after the date of issue or variation of the order as the date after which the defendant may apply for variation (or further variation) or revocation of the order.

No. 4. Clause 17, page 15, line 14 [Clause 17(3)(d)]—After 'order' insert:

or, if the Court will not be sitting at the place within that period, within 2 days after the Court next commences sitting at the place

No. 5. Clause 20, page 17, line 34 [Clause 20(7)(c)]—After 'order' insert:

or, if the Court will not be sitting at the place within that period, within 2 days after the Court next commences sitting at the place

No. 6. Clause 25, page 21, lines 26 to 30 [Clause 25(3)]—Delete subclause (3) and substitute:

- (3) An application for variation or revocation of an intervention order (other than an interim intervention order) may only be made by the defendant after the date fixed by the order.
- (3a) On an application for variation or revocation of an intervention order (other than an interim intervention order) by the defendant, the Court may, without receiving submissions or evidence from the protected person, dismiss the application—
 - (a) if satisfied that the application is frivolous or vexatious; or
 - (b) if not satisfied that there has been a substantial change in the relevant circumstances since the order was issued or last varied.

No. 7. Clause 28, page 23, lines 26 to 32 [Clause 28(4)(b)]—Delete paragraph (b) and substitute:

- (b) if the defendant is not legally represented in the proceedings—to be undertaken—
 - (i) by the defendant submitting to the Court, in the manner required by the Court, the questions the defendant proposes the witness be asked in cross-examination and the Court (or the Court's nominee) asking the witness those of the questions submitted that are determined by the Court to be allowable in cross-examination; or
 - (ii) as otherwise directed by the Court.

No. 8. Clause 30, page 24, after line 29—After subclause (3) insert:

- (4) Section 10(6) of the *Criminal Law (Sentencing) Act 1988* does not apply in relation to an offence against subsection (1).

No. 9. Schedule 1, new clause, page 28, after line 22—Before clause 2 insert:

1A—Amendment of section 10—Discretion exercisable by bail authority

Section 10(1)(b)—after subparagraph (iii) insert:

- (iv) commit a breach of an intervention order under the *Intervention Orders (Prevention of Abuse) Act 2009*;

1B—Amendment of section 10A—Presumption against bail in certain cases

Section 10A(2), definition of *prescribed applicant*—after paragraph (b) insert:

- (ba) an applicant taken into custody in relation to an offence against section 30 of the *Intervention Orders (Prevention of Abuse) Act 2009* if the act or omission alleged to constitute the offence involved physical violence or a threat of physical violence; or

No. 10. Schedule 1, page 30, after line 30—After clause 10 insert:

Part 5A—Amendment of *District Court Act 1991*

10A—Amendment of section 54—Accessibility of evidence

Section 54(2)(fa)—after '*Criminal Law (Sentencing) Act 1988*' insert:

or the *Intervention Orders (Prevention of Abuse) Act 2009*

No. 11. Schedule 1, clause 11, page 31, after line 3—Before the present contents of clause 11 (now to be designated as subclause (3)) insert:

(1) Section 13B(1)(b)(ii)—delete subparagraph (ii) and substitute:

(ii) if the defendant is not legally represented in the proceedings—to be undertaken—

(A) by the defendant submitting to the judge, in the manner required by the judge, the questions the defendant proposes the witness be asked in cross-examination and the judge (or the judge's delegate) asking the witness those of the questions submitted that are determined by the judge to be allowable in cross-examination; or

(B) as otherwise directed by the judge.

(2) Section 13B(2)—delete subsection (2)

No. 12. Schedule 1, page 31, after line 23—After clause 13 insert:

Part 7A—Amendment of *Magistrates Court Act 1991*

13A—Amendment of section 51—Accessibility of evidence

Section 51(2)(fa)—after '*Criminal Law (Sentencing) Act 1988*' insert:

or the *Intervention Orders (Prevention of Abuse) Act 2009*

No. 13. Schedule 1, page 33, after line 19—After clause 29 insert:

Part 9A—Amendment of *Supreme Court Act 1935*

29A—Amendment of section 131—Accessibility of evidence

Section 131(2)(fa)—after '*Criminal Law (Sentencing) Act 1988*' insert:

or the *Intervention Orders (Prevention of Abuse) Act 2009*

No. 14. Long title—Delete 'the *Evidence Act 1929*, the *Firearms Act 1977*, the *Problem Gambling Family Protection Orders Act 2004*, the *Summary Procedure Act 1921*' and substitute:

the *District Court Act 1991*, the *Evidence Act 1929*, the *Firearms Act 1977*, the *Magistrates Court Act 1991*, the *Problem Gambling Family Protection Orders Act 2004*, the *Summary Procedure Act 1921*, the *Supreme Court Act 1935*

At 18:04 the house adjourned until Tuesday 1 December 2009 at 11:00.