

## HOUSE OF ASSEMBLY

Tuesday 1 December 2009

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

### MEMBER'S LEAVE

The **Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (11:01)**: By leave, I move:

That the member for Bright, Ms Fox, be granted leave of absence from 1 to 3 December.

Motion carried.

### SITTINGS AND BUSINESS

The **Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (11:01)**: I move:

That standing and sessional orders be so far suspended as to enable Private Members Business, Bills, Order of the Day No. 11 to be dealt with forthwith.

Motion carried.

### VALUATION OF LAND (MISCELLANEOUS) AMENDMENT BILL

(Second reading debate adjourned on 16 July 2009. Page 3569.)

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

**Ms SIMMONS**: I move:

Page 2, lines 8 to 12—Delete clause 3 and substitute:

3—Amendment of section 19—Amendment to valuation roll

Section 19—After subsection (2) insert:

- (3) The Valuer-General may amend a valuation and the valuation roll if he or she discovers or receives notice that the valuation is not consistent with other valuations in force under this act (provided that this subsection only applies if the amended valuation will be less than the original valuation).

Through the former bill the Hon. John Darley MLC (whom I see in this place today and congratulate on the substance of this bill) sought to mandate methodology for the Valuer-General and objection rights for landowners in relation to relativity of valuations. Proposed section 10A and clause 8, through the insertion of a new subsection (1a), have been deleted. Proposed section 19(3) allows the Valuer-General to have discretion to correct relativity of valuation errors.

The former version of the bill prescribed that the issue was addressed through objection process. This amendment will alleviate the need for major system and/or resource investment to be made to address the uncertainties created for rating authorities and the potential disruption to state and local government revenue that the original amendments would have created.

**Mr GRIFFITHS**: I recognise that this bill has been somewhat lengthy in its evolution and certainly recognise the pursuit of the member of the Legislative Council (Hon. John Darley) in relation to this matter. It is also my understanding that negotiations have occurred since the bill was first debated in the house and subsequently when it was considered in the other place. Amendments were supported in the other place, but significant negotiation has been occurring between the Hon. Mr Darley and the government which has resulted in an agreed set of amendments being moved in this committee for support.

The opposition has considered the issues relating to the removal of clause 3 and its replacement with what is now a government amendment. It certainly supports the fact that relativity is an important issue. When people look at valuations and consider issues, relativity between

properties of like size, dimension, age, structure and historical aspect is important. The fact that the Valuer-General has now been provided with that opportunity—and has confirmed his support for it—is a progressive step forward. I confirm that the opposition supports the amendment.

Amendment carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6.

**Ms SIMMONS:** I move:

Page 3, line 4—Delete clause 6

The proposed amendment to the year operative for notional values is supported. The deletion of this provision allows the notional valuation to take effect immediately and not for the following financial year. Whether the notional value comes into effect for the current or following year, there is no impact on the Valuer-General's practices or procedures.

There will be revenue implications for rating authorities, as deleting section 22A(2a) would create the opportunity for the notional value to come into effect for the financial year in which they were applied for. This means revenue would need to be returned or credited to the property owner with no opportunity for the rating authority to amend the rating policy to manage the resultant financial consequences.

The Hon. John Darley MLC sought feedback on this issue from the Local Government Association of South Australia which supported this amendment 'in principle' in its submission dated 30 March 2009.

**Mr GRIFFITHS:** I confirm the fact that the opposition has been advised by the Hon. Mr Darley that the LGA supports the removal of clause 6.

Amendment carried; clause deleted.

Clause 7.

**Ms SIMMONS:** I move:

Page 3, lines 4 to 20—Delete clause 7

**Mr GRIFFITHS:** I would like to pose a question about this area to ensure that it is on the record. It is our understanding that the Valuer-General has given an undertaking to provide more information to landowners, including reasons for a valuation and details of comparative properties, such as size, sale price, valuation on the sales provided, etc. If the member for Mordialta is able to provide some comment about that I would be very grateful. The Hon. Mr. Darley has confirmed the fact that he is prepared to allow this clause to be removed, but it is still important for a commitment to be given to ensure that that level of information is readily provided to property owners.

**Ms SIMMONS:** Having conferred with the current Valuer-General, he has undertaken to provide that information.

Amendment carried; clause deleted.

Clause 8.

**Ms SIMMONS:** I move:

Page 3, lines 22 to 28 [clause 8(1) and (2)]—Delete subclauses (1) and (2) and substitute:

Section 24—After subsection (1d) insert:

- (1e) Despite any other provision of this section, the Valuer-General may, for reasonable cause shown by a person entitled to make an objection to a valuation, extend the period within which the objection may be made (whether or not the period for objection to the valuation that would otherwise apply under this section has already expired).

**Mr GRIFFITHS:** We confirm that advice. Again, the opposition has considered this and believes that it is quite a progressive step forward. We understand that time frames for many issues need to be in place to give some surety for people as to when to respond, when to lodge an objection and when to query an issue. If circumstances create a situation whereby the Valuer-General supports a request (which would be outside of a normally defined date or, indeed,

an objection or an issue to be considered), that is a progressive step forward by the Valuer-General's office, and the opposition indicates its support.

**Ms SIMMONS:** The original amendments to section 24 would have removed the time limit for objections and provided multiple objection opportunities for the same property by the same person. The Hon. John Darley MLC again sought feedback on this issue from the Local Government Association of South Australia, which did not support the original amendment.

The removal of time limits is contrary to national and international best practice and would have impacted on the Valuer-General's work practice and allocation of resources. It would have also impacted on the work practices, budgeting and resourcing for rating authorities. The proposed insertion of section 24(1e) is supported as it provides an administrative discretion to the Valuer-General to accept objections to valuations lodged beyond the regulated 60-day period for reasonable cause.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments.

Bill read a third time and passed.

### **INTERVENTION ORDERS (PREVENTION OF ABUSE) BILL**

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be agreed to.

**The CHAIR:** Attorney, do you wish to speak to it?

**The Hon. M.J. ATKINSON:** No, ma'am. I simply wanted during this significant time in the Liberal Party's history to congratulate Tony Abbott on his victory.

**Ms CHAPMAN:** I am not entirely sure what that contribution has to do with the prevention of abuse. It could have something to do with the Labor Party. I rise to indicate to the house that the opposition supported the thrust of this legislation throughout its relatively short period in the parliament. We outlined our specific concerns, particularly about the introduction of the new regime of police powers and the power of the police to make interim orders (now to be known as intervention orders) for a period of up to eight days, and we put to this house and the other place the importance of the assessment of these matters being retained in a court arena. That has not been successful here or in the other place, but those in the other place have raised some other concerns and would also seek to qualify what could otherwise be significant power. One of those concerns, which was also raised by the general community, was the question of being able to make an order for a fixed term.

I think that, when one reflects on the intention of the recommendation of Maurine Pyke QC on this matter, it is fair to say that it was not her intention to cause difficulty by recommending against fixed terms. However, with the full debate on this matter, it became clear that there needed to be an opportunity for the court to have the discretion to deal with orders on the basis of a fixed term. I am glad that that flexibility in the options available to the court when determining these matters has been included.

Otherwise, as we have previously indicated, the opposition recognises the significance of passing this bill to be able to be effective. I remain concerned about the government's indication that it will be over a year before the proposed implementation of this new regime of protection for women on the basis that it is claimed that it will take at least a year to train the police force to understand its new role.

That really is a shameful outcome of delay, when we have done everything we possibly could to put this through the house and another place to ensure that protection is offered to those who are victims of domestic violence, which is confined not just to women and children, but they, of course, are predominantly those who suffer abuse.

With the new definitions of abuse referring particularly to those who are in a carer/provider relationship, they are adding a very new but very vulnerable group that is to be offered protection under the new definitions. With those few words, I look forward to the passage of the bill and, although delayed, its implementation some time in 2010.

**The Hon. M.J. ATKINSON:** I cannot let that contribution go unanswered. If the member for Bragg had any experience of government, she would know that a lead time is required to train police and others who will administer this legislation. One cannot have instant gratification in politics. One cannot bring in a law on one day and expect the entire South Australian police force and the public servants of this state to be across very detailed but worthwhile changes to our domestic violence legislation. It requires time to turn around the *Queen Mary*, and time we will give it. It is the member for Bragg's inexperience of government and administration that causes her to say these things.

**Ms CHAPMAN:** Point of order. There is no basis for the Attorney-General to make that reflection and on the motive of—

**The CHAIR:** Order! That is not a point of order.

**Ms CHAPMAN:** —the member making that statement, and I ask him to withdraw it.

**The CHAIR:** Order! That is not a point of order. The member may make a personal explanation or indicate that she feels she has been misrepresented, but it is not a point of order. The Attorney.

**The Hon. M.J. ATKINSON:** I also have to say that the government tried to get this bill through sooner but was held up by the parliamentary Liberal Party, whose spokesman was unable, when called upon, to debate the bill in this chamber. It is more of the excuses we hear from the shadow attorney-general: 'The dog ate my homework. My racoon has hepatitis, so I can't come into the chamber and debate the bill.' The government was ready to go; the opposition was not ready to go. Out of courtesy to the opposition, we delayed the debate in the House of Assembly on this bill until the member for Bragg was ready.

Motion carried.

#### STATUTES AMENDMENT (VICTIMS OF CRIME) BILL

Consideration in committee of the Legislative Council's message.

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

That the disagreement to the amendments of the Legislative Council be insisted on.

The committee divided on the motion:

#### AYES (25)

Atkinson, M.J. (teller)	Bedford, F.E.	Bignell, L.W.
Breuer, L.R.	Caica, P.	Ciccarello, V.
Conlon, P.F.	Foley, K.O.	Geraghty, R.K.
Hill, J.D.	Kenyon, T.R.	Key, S.W.
Koutsantonis, A.	Lomax-Smith, J.D.	Maywald, K.A.
McEwen, R.J.	Piccolo, T.	Portolesi, G.
Rankine, J.M.	Rann, M.D.	Simmons, L.A.
Snelling, J.J.	Stevens, L.	Weatherill, J.W.
White, P.L.		

#### NOES (13)

Chapman, V.A. (teller)	Evans, I.F.	Goldsworthy, M.R.
Griffiths, S.P.	Gunn, G.M.	Hamilton-Smith, M.L.J.
Hanna, K.	McFetridge, D.	Pederick, A.S.
Penfold, E.M.	Pengilly, M.	Venning, I.H.
Williams, M.R.		

#### PAIRS (4)

O'Brien, M.F.	Redmond, I.M.
Fox, C.C.	Pisoni, D.G.

Majority of 12 for the ayes.

Motion thus carried.

**The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (11:33):** I move:

That a message be sent to the Legislative Council requesting that a conference be granted in respect of some amendments from the other place to the bill; and that in the event of a conference being agreed to this house will be represented at such conference by five managers; and that Ms Ciccarello, Mr Kenyon, Ms Chapman, Mr Williams and the mover be managers on the part of the house.

Motion carried.

### **MOTOR VEHICLES (MISCELLANEOUS NO. 2) AMENDMENT BILL**

Consideration in committee of the Legislative Council's amendments.

*Amendment No. 1:*

**The Hon. P. CAICA:** I move:

That the Legislative Council's amendment No. 1 be agreed to.

On behalf of my colleague, minister O'Brien, I will be handling this particular matter. This bill has been returned from the other place with two amendments. The first is a government amendment that takes up the suggestion made by the member for Kavel—and I certainly acknowledge his involvement in this matter—dealing with high-powered vehicles, and providing for the classification of vehicles to be prescribed in regulation and for specific kinds of vehicles to be notified by the Registrar of Motor Vehicles in the *Government Gazette*.

The second amendment, which is opposed in this chamber, increases the maximum learner driver speed from 80 km/h to 100 km/h outside metropolitan Adelaide. At present, learner drivers are allowed to travel at only 100 km/h when accompanied by a driving instructor in a clearly marked driving school vehicle fitted with dual breaks.

The reason given for the amendment was that it provides an opportunity for learner drivers to practise driving at higher speeds, similar to the speed at which they would be able to drive when they obtain their provisional licence, while they have the benefit of driving with a qualified supervising driver. Another reason given was the difficulty of entering into high-speed roads, such as the South-Eastern Freeway, and the problems of tailgating by vehicles permitted to travel at higher speed.

The government unsuccessfully opposed the amendment based on the practicality and enforceability of this amendment, particularly as metropolitan Adelaide is not signposted, which means that neither SAPOL nor a learner driver would easily be able to know where it started and where it finished. At this stage, I move that this committee concurs with amendment No. 1 made by the Legislative Council and does not concur with amendment No. 2.

**Mr GOLDSWORTHY:** I am pleased that the government has seen fit to agree with the amendment that the opposition sought to make when the debate occurred in the lower house and that it successfully adopted, when moved in the upper house, the definition of high-powered vehicles. I think it is important that the parliament has some oversight of what constitutes the description of a high-powered vehicle. I am pleased that the government has agreed to the opposition's suggestion.

In relation to amendment No. 2, I understand the government's reasons for opposing it, but I also understand that the minister for agriculture will move an amendment enabling learner drivers to drive at 100 km/h after we have dealt with this matter.

Motion carried.

*Amendment No. 2:*

**The Hon. P. CAICA:** I move:

That the House of Assembly disagrees with the amendment made by the Legislative Council and makes the following amendment in lieu thereof:

Clause 9, page 8, lines 38 to 40 and page 9, lines 1 to 13 [clause 9, inserted section 75A(16)]—Delete subsection (16) and substitute:

- (16) The holder of a learner's permit must not drive a motor vehicle on a road in any part of the state at a speed exceeding 100 kilometres an hour.

Maximum penalty: \$1,250.

Consequential amendment

That the House of Assembly makes the following consequential amendment:

Schedule 1, page 27, after line 18 [Schedule 1, clause 4]—After paragraph (b) insert:

- (c) on the commencement of section 9 of this act, section 75A(5aa) of the principal act (as in force immediately before that commencement) ceases to apply to the holder of the permit;
- (d) section 75A(16) of the principal act (as in force after that commencement) applies to the holder of such a permit as if the permit had been issued after that commencement.

In an effort to progress this bill before parliament rises for the last time this year, there have been ongoing discussions about the learner driver speed limit amendment with the member for Kavel, and I acknowledge his positive involvement in that process and, of course, his colleague who moved the amendment in the other place.

As a result, I now move the amendment standing in my name. This amendment is similar to amendment No. 2, but simpler and, by a long shot, far more practicable. It removes the reference to metropolitan Adelaide and, in effect, enables any learner driver to drive up to 100 km/h, subject to other applicable speed limits, and—as goes without saying but I will say it anyway—when accompanied by a properly registered driver. There is also a consequential amendment that will ensure that this maximum speed will apply to all learner drivers.

In moving this amendment, the government recognises that learner drivers must be accompanied, as I mentioned before, by a qualified supervising driver, who can monitor and advise on where and when to approach this speed. With the extended period on a learner's permit that is contained in the bill, a learner driver will have additional time to gain the experience and confidence to drive at the higher speed while supervised.

I encourage the committee to support the amendment so that this very important bill can pass before the end of this year, and implementation of these initiatives can occur as soon as practicable.

**Mr GOLDSWORTHY:** I appreciate the government's position relating to this important issue. In relation to the previous amendment where 100 km/h was outlined in the amendment outside the metropolitan area, we acknowledge that—in terms of a policing issue and the like—it would be difficult to manage, and we appreciate the government proposing the amendment that the minister has moved.

In summary, I think this is a good example of the government and the opposition working together for a positive outcome. We, on this side of the committee, realised that there needed to be some changes to the graduated licensing system, particularly as it relates to younger drivers and putting measures in place to reduce the risk of serious crashes and/or death of those younger drivers.

There has been a lot of public debate about those issues, and I think the whole process in the parliament in dealing with this legislation, as I said, is a good example of both sides of the chamber working together for a positive outcome for the benefit of the community.

Motion carried.

### **CHILDREN'S PROTECTION (IMPLEMENTATION OF REPORT RECOMMENDATIONS) AMENDMENT BILL**

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be agreed to.

Four amendments have come down from the Legislative Council—two amendments that the government put forward and two moved by the Hon. Stephen Wade. The amendments that the government moved enables South Australia to authorise persons or organisations to participate in the COAG criminal history information exchange and make provision for regulations to be made in relation to the release of information in relation to a person's criminal history to another jurisdiction

and define the types of information that are to be included or excluded from a person's criminal history.

The amendments are necessary to ensure that South Australia has an appropriate legislative framework to participate in COAG's interjurisdictional exchange of criminal history for people working with children and will provide stronger protection for South Australia's children by improving the quality of screenings undertaken by authorised child related employment screening units.

The government also supports the amendment moved by the Hon. Stephen Wade. While the government thought it was not necessary, the amendment still provides for South Australia's participation in the exchange by conferring discretionary powers on the minister, chief executive or another person or body in regard to the authorisation of persons or bodies to undertake criminal history assessments and for providing the waiver or omission of a fee.

**Ms CHAPMAN:** I indicate that the opposition is quite agreeable to these amendments being moved en bloc, and we welcome the receipt of them from the Legislative Council. The minister has explained the reasoning behind this. It was of concern to the opposition and other parties in another place that we be clear that this would not affect the provision of power to executive or any other person or body because, in being so general, it is very important to be clear about exactly what power is being conferred. We certainly feel that is important when there is an extension of discretionary powers to persons at such a broad level. But with that, I indicate that the Children's Protection (Implementation of Report Recommendations) Amendment Bill is one which the opposition has supported, and we will be pleased to see its passage through the processes of this parliament.

There is another matter which has come to my attention during the course of this debate but which does not affect the opposition's position, because we have accepted the recommendations of Commissioner Mullighan. We understand the importance of providing screening for the protection of children who are in organisations (whether they be educational, recreational or health services and the like) where adults who could potentially be predatory on children are screened out. The effectiveness of these types of things is most evident, not in identifying someone who has a criminal history as a result of this requirement, but in that it deters anyone who has a criminal history from even applying to be involved in an activity which involves children. So, hopefully it will have that effect.

The concern I have, which has been raised, is that a number of people who have committed offences and who are serving time in our gaols are not receiving programs for rehabilitation of their criminal sexual behaviour towards children, and this was recently confirmed in a report. That concerns me because it leaves children in the community vulnerable when these offenders get out.

So, I bring the matter to the attention of the parliament and particularly to the minister because, whilst it is the direct responsibility of the correctional services minister and, ultimately, the Attorney-General to consider the priority of programs—and of course the Treasurer's contribution to funding them—it is imperative, in the opposition's view, that the government favourably considers and ensures that all people caught in these situations, first, have access to these programs and, secondly, undertake them as a prerequisite to any consideration for parole.

It is important that we deter from applying any people who have any criminal history and who have been caught. If they are in the general community, children can be walking down the street and be invited into a private home; they should be protected with some reduction in risk toward them from those in the community who have been caught and imprisoned and who have come out at least as bad as they were when they went in.

I bring that matter to the attention of the parliament, as it seems that we are dealing with only half the issue. It is an important half, and that is why we support it, but it is also important that we ensure that we protect children in the general environment in these circumstances. I place on the record my appreciation for the work done by Commissioner Mullighan and those assisting him in his inquiry and for government acting on the implementation of the recommended legislative reform that will soon be in operation with the passage of this bill.

**The Hon. J.M. RANKINE:** I thank the opposition for its support of this bill. As the member for Bragg said, an enormous amount of work has gone into this issue, and certainly the state government is very proud of its record in relation to child protection and the work that has been

done in ensuring the protection of our children in South Australia since we have been in government, and this is an important part of that entire program.

Motion carried.

### **OUTBACK COMMUNITIES (ADMINISTRATION AND MANAGEMENT) BILL**

In committee.

(Continued from 19 November 2009. Page 4857.)

Clause 21.

**The Hon. G.M. GUNN:** This particular amendment provides a safety valve for the people who are going to be required to pay these new levies and charges. Currently, we have a situation where, if the NRM local boards are going to impose fees and charges, then the NRM parliamentary committee (chaired by my good friend, the member for Enfield) has the ability to take public evidence, examine and recommend or delay them. I will give the minister an example. The minister may not be aware that, earlier this year, one NRM board proposed to put a fee of \$1 million on Prominent Hill for water charges—\$1 million! The reason that it could not proceed with it was because, when it came before our committee, there was considerable debate and that board was asked, 'Is the government aware of this proposal?' The government was not, and that was the last we heard about it.

Under these proposals we have before us today the minister can allow these groups to bring in a charge. We do not yet know how the charge will be imposed or the basis of it—whether it will be based on capital value, unimproved value, a service fee or some other measure. It is therefore not unreasonable that these fees have to be laid on the table of both houses of parliament so that the local members and the community in general, if they are unhappy with these regulations, can then go before the subordinate legislation committee, state their case and then this house or the other place will have the ability to disallow them or challenge the government of the day. That seems to me to be fair and reasonable, because we are not dealing with elected people, and that is the problem.

In a democracy, if elected people put on a tax the taxpayers can get rid of them. They can get rid of any of us, but under this system they will have a tax imposed upon them and they will not have the ability to get rid of them. I think that this amendment is not only fair but also reasonable, and certainly it is in the public interest. Notwithstanding what the member for Giles had to say, huge numbers of people are not aware that these proposals are before this parliament. My amendment simply gives this parliament the overriding authority to intervene if they believe people have not been treated fairly. I appeal to the minister to accept my amendment, because I regard it as terribly important.

**The Hon. J.M. RANKINE:** Basically, the member for Stuart is promoting a five-step process in relation to setting this levy. As I have said before, my experience of the views of the communities when I have been there is that they are very keen for change to occur in the Outback. They are very keen to have a strengthened Outback Areas Trust, they are very keen to see the amenity in their area change, and they accept the fact that a charge will be levied.

If we go down the track the member for Stuart is proposing, every year we would be going through a five-step process. We would have to go through the process of determining the levy, consulting with the community and taking that to cabinet, getting it gazetted and laying it on the table; and, if the house rejects it, we go through it again. What we are talking about here is uncertainty and turmoil on a regular basis rather than getting on with what the people want in the Outback.

**Mr GOLDSWORTHY:** I understand what the minister is saying, but what we are talking about here goes to the heart of the democratic process. The minister would not allow the member for Stuart's amendment in relation to having the members of the authority elected. She would not allow elected representatives to form the authority. She knocked that out. That is one blow to the democratic process that we are all meant to hold near and dear.

This next measure seeks to have some tier of government, some elected representative level, overseeing the setting of a levy, a rate, a tax or a charge, whatever you want to call it. We have gone through this process, which the member for Stuart has outlined extremely well, of natural resources management levies. The Economic and Finance Committee has oversight in



relation to the emergency services levy. There is a raft of levies of whatever description you want to put on them—charges, fees, taxes—over which the parliament does have oversight.

This goes to the very heart of the democratic process. This is taxation without representation. It is about an unelected body setting a levy after supposed extensive community consultation. This government has an extremely poor track record when it comes to community consultation. We on this side of the house have highlighted time and again what constitutes community consultation by the government, and that is that the government makes a decision in concert with the bureaucrats and goes out and communicates that decision to the community. That is its community consultation process. It is about communicating a decision that has been made behind closed doors. Whether it is a five step process or a 15 step process, it does not matter: you should not sacrifice things for the sake of a democratic outcome.

So it is on the government's head if it does not accept this amendment moved by the member for Stuart, because I think it will suffer the consequences. As we outlined in the second reading debate, the people in these communities are good, honest, reliable folk, who want good, honest, reliable representation by their elected members. It is to the government's peril if it does not support the amendment of the member for Stuart. I certainly support it.

**The Hon. G.M. GUNN:** Well, I move, Madam Chair—

**The CHAIR:** Member for Stuart, in case you have lost track, this is your third contribution on this amendment.

**The Hon. G.M. GUNN:** I could easily move another amendment, of course.

**The CHAIR:** I am expecting that you will.

**The Hon. G.M. GUNN:** At this late stage in my parliamentary career, it still takes a lot to get me on my feet. Can I say to the minister that I am disappointed because, after we debated this matter a fortnight ago, I sent out the proceedings, and people have been ringing me as late as today saying they know nothing about this. They are getting a nasty Christmas present, a nasty surprise. I understand that bureaucrats do not like parliamentary scrutiny. They do not like backbenchers, who are a jolly nuisance, because they ask questions and go and lobby ministers, particularly when the bureaucrats are not present! I understand all that, because it does not make things easy for them. But, at the end of the day, we are not governing for and on behalf of the bureaucracy: we are governing for and on behalf of the people of this state, particularly the people who are going to be clobbered with this tax.

So, again, I ask the minister: how are you going to raise the revenue? What will be the basis of the charge? Who is going to pay, and how often? To this stage, we have not been told. I want to know whether—

**The Hon. J.M. Rankine:** You have been told. You haven't been listening.

**The Hon. G.M. GUNN:** Now, minister, don't get stroppy. I have been listening, and I have been paying attention. We have had a lot of discussion but, at the end of the day, will the minister tell me how much extra per year one of my constituents, who lives on a pastoral property between Yunta and Manna Hill, will have to pay? That is all I want to know. How much will someone at Yunta or Parachilna or Copley have to pay?

Also, the minister has not told us if the people at Leigh Creek are included in the net, because they all rent their properties: they do not own them. Who is going to pay? Do you have to pay at Copley or do you have to pay at Leigh Creek? We are entitled to know these things. The government will have its way on this occasion, but I will make sure it pays the price for it. I will make sure of that if people are going to be robbed without representation. The bureaucrats can advise you and they can have their win but, at the end of the day, when people go into a polling booth, they will have a chance, and that is what will happen with this.

I ask the minister to tell me whether the people at Copley and Leigh Creek or the average pastoralist out there will have to pay extra. They already pay pastoral rents, the emergency services levy and the NRM levy, and they have gone through the most difficult circumstances. They cannot even get their roads graded in the north at the moment, because the government says there is no money. However, we have plenty of money to put tramlines down to the Entertainment Centre—and we will talk about that a little later this afternoon. I ask the minister for the third time: can she please answer those questions? This is a financial clause and it is in erased type. It has to go back to the council. Because it is in erased type, it can be inserted only by this chamber.

**The Hon. J.M. RANKINE:** When the member for Stuart raised this matter on our last sitting day, I explained to him that we could not tell him how much each person was going to pay because the Outback Areas Trust is doing its asset audit and calculating what it needs to maintain the services in the Outback—such as airstrips, and so on—in order to determine what that levy might be. We went over this on that occasion.

Opposition members talk about consultation. I would be really interested to know what sort of consultation they have undertaken in relation to their views on this. We can outline extensive consultation with all the communities in the Outback. I think it is probably worthwhile sharing with the committee an email that was received last week from the Chairman of the Andamooka Progress Association, Mr Peter Allen. This is one of the communities in the north of our state that is under considerable stress, because the responsibility that is being placed on volunteer members, those people who do such a lot for their communities without any recompense, is becoming extraordinary. The town is expanding rapidly, and the very nature of the community is being threatened by uncontrolled development and a huge influx of residents. The email from Mr Peter Allen (which, I think, went to the minister) states:

I write on behalf of the Andamooka community for your support in assisting the passage of the new Outback Communities (Administration and Management) Bill.

He probably also wrote to the opposition. I hope he did. So, opposition members would be aware of this email. The email continues:

Andamooka, the largest town in the Outback not under any council jurisdiction, has struggled for some years to cope using volunteer effort and very limited funding. Our population is about 800 and will increase with the advent of the Olympic Dam expansion. At this point we represent nearly 20 per cent of the unincorporated area of the state. The passage of this bill will for the main part, give the new authority in conjunction with the community, an ability to raise a levy for the expansion of much needed infrastructure within the town. It would seem likely that other small communities within the area are most likely to benefit in a similar fashion if they choose.

It is recognised that the most disadvantaged group within the Outback is likely to be the pastoralists already paying various levies, though it is probable that they too make use of the government infrastructure throughout the region.

Highly likely I would say. It continues:

Fair and equitable access to this infrastructure should present a similar responsibility to support its maintenance. To resist the passage of a new bill, which will enable the imposition of an Outback infrastructure levy on the grounds that a minority of residents are already paying other levies or taxes would hardly seem fair or equitable. I trust you will give this your serious consideration and thank you for your time.

Yours faithfully, Peter Allen. Chairman.

I think that says it all.

**The CHAIR:** The question is that amendment No. 3, which is an amendment to the minister's amendment that clause 21 be inserted, be agreed to. The minister moved an amendment that clause 21 be inserted, and we are now considering amendments to that amendment. The member for Stuart's amendment No. 3 is an amendment to the minister's original amendment.

**Mr GOLDSWORTHY:** On a point of clarification, we have already passed the amendment moved by the minister to reinstate clause 21.

**The CHAIR:** If the member checks *Hansard*, we have not. The way in which clause 21 was considered was by the minister moving an amendment that clause 21 be inserted. We then proceeded to consider amendments to that amendment that clause 21 be inserted, so we will then deal with clause 21 at the end. We are now considering amendment No. 3 moved by the member for Stuart. I will put all the amendments to the minister's original amendment; then we will go back to the minister's original amendment. We are dealing with amendment No. 3.

The committee divided on the amendment:

AYES (13)

Chapman, V.A.  
Gunn, G.M. (teller)  
McFetridge, D.  
Pengilly, M.  
Williams, M.R.

Evans, I.F.  
Hamilton-Smith, M.L.J.  
Pederick, A.S.  
Pisoni, D.G.

Goldsworthy, M.R.  
Hanna, K.  
Penfold, E.M.  
Venning, I.H.

## NOES (26)

Atkinson, M.J.	Bedford, F.E.	Bignell, L.W.
Breuer, L.R.	Caica, P.	Ciccarello, V.
Conlon, P.F.	Geraghty, R.K.	Hill, J.D.
Kenyon, T.R.	Key, S.W.	Koutsantonis, A.
Lomax-Smith, J.D.	Maywald, K.A.	McEwen, R.J.
Piccolo, T.	Portolesi, G.	Rankine, J.M. (teller)
Rann, M.D.	Rau, J.R.	Simmons, L.A.
Snelling, J.J.	Stevens, L.	Weatherill, J.W.
White, P.L.	Wright, M.J.	

## PAIRS (4)

Fox, C.C.	Redmond, I.M.
O'Brien, M.F.	Griffiths, S.P.

Majority of 13 for the noes.

Amendment thus negated.

**The CHAIR:** Member for Stuart, I am kindly allowing you to consider whether you want to move your next amendment.

**The Hon. G.M. GUNN:** No, it is consequential.

**The CHAIR:** You are not proceeding with amendment No. 4.

**The Hon. G.M. GUNN:** No.

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

Page 12, line 34 [clause 21(4)]—Delete 'as an asset' and substitute: 'for an asset'

Amendment carried.

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

Page 12, line 36 [clause 21(4)]—After 'factor' insert: '(but not one based on a valuation of the land)'

This amendment will ensure that the valuation of land will not be used as a basis for differentiating between rates imposed in the Outback.

Amendment carried.

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

Page 12, after line 36—Insert:

- (4a) The minister must not approve a fixed charge for an asset sustainability levy for a financial year that will result in an increase in the levy from the previous financial year (other than a CPI increase) unless—
- (a) a notice of the proposed fixed charge has been laid before both houses of parliament, together with an explanation of the reasons for the increase; and
  - (b) after 6 sitting days (which need not fall within the same parliament or the same session of parliament) no resolution has been passed by either house of parliament prohibiting the approval.

We hope this will go some way to alleviating the concerns of the member for Stuart. While we do not support the amendments that he has put up, we think this might be a workable alternative. This amendment will ensure that, following the rigorous processes undertaken by the new authority, in the first instance for the construction of the levy, the amount will not be able to be increased except by CPI, unless a parliamentary process is followed.

The proposed amendment would ensure that members of this place would be informed of the amount of the levy, together with the reasons for such an increase, and be able to intervene should they wish to do so. If the increase proposed is only CPI—that is, that which applies to

ensure that a levy maintains its value—the additional proposed safeguard would not be needed. This amendment will give parliament the confidence that oversight can be provided in subsequent years and it enables the charge to be disallowed. However, if this occurs, the previous year's levy would continue to apply.

**Mr GOLDSWORTHY:** We became aware of this amendment fairly recently. I understand what the minister is saying, but it is really a pretty poor attempt at addressing the significant issue raised by the opposition in terms of how the levy is to be dealt with. I think we put some strong arguments forward in relation to how the levy should be dealt with in terms of its coming to the parliament by regulation, or disallowing the regulation. The government is trying to look like it is attempting to address the issue but, on this side of the house, we think it is a very poor attempt to address what is a very important issue: raising moneys from the community, that is, through the levy proposal. So, at this juncture, we are not prepared to support the amendment. I have discussed this with my colleagues—in particular, the member for Stuart—and, as I said, we think it is a half-baked attempt at addressing the serious concerns that we have raised.

As we have highlighted before, the issue of how these processes are managed is a significant one for these communities. I reiterate that it is taxation without representation. We are looking at implementing a pseudo-local government structure in these communities. We all know that local government representatives are democratically elected and that in that process the rates are set. If ratepayers do not like the actual level of rates that are applied, then they have an opportunity to change the profile of their elected representatives at an election every four years. What the government is really pushing through the parliament does not allow any of that democratic process to be instituted in relation to this piece of legislation. In view of that, we are not prepared to support the amendment.

**The Hon. J.M. RANKINE:** This is a reasonable compromise that should give the people in this place some confidence that there will be no unreasonable imposts placed on people living in the Outback, confidence that the levy will maintain its value, that the work that the community wants will be undertaken. They wax lyrical about the difference between what occurs with local councils and what is occurring in this legislation. It is a totally different process.

Let us be really clear. We have in this legislation the requirement that at least four people from the Outback have to be appointed to the trust. The legislation as it currently stands would allow four people who are all city-based to be appointed to that trust. What we are doing is ensuring through legislation that the concerns and the views of the people of the Outback are represented on the trust, that there is an extensive consultation process that they need to go through. This amendment should be giving people some confidence that, other than a CPI increase in the levy, it needs to come before the house.

**The Hon. G.M. GUNN:** I listened with great interest to the minister's explanation. She just did not completely tell the whole story, because they are going to get the first cut of the cake and no-one can do anything about it. Obviously, there is the potential to have a fairly substantial levy that no-one can do anything about. I say to the minister that when she responded she talked about community consultation but she did not explain to us exactly who is going to be caught in the net.

The other matter is that the government is asking this house to agree to this proposal. It has said that it is still working out how it is going to charge people and on what basis, but give the government the authority to impose it and it will tell you how it is going to go about it. If you went out in the general community and said, 'We want you to give us an open cheque to put a new tax on,' they would laugh at you—they really would.

All I can say is that I understand the process and I understand that this is a slight improvement, but at the end of the day my concern is that, before people are asked to cast a vote at the next election, they are told exactly what is in store for them. I am very familiar with Andamooka, although it is no longer in my electorate, but I did not ask about Andamooka. I asked about the difference between Copley—

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

**The Hon. G.M. GUNN:** I know exactly what the difference is—Copley and Leigh Creek. What we want to know is the difference between Copley and Leigh Creek. Are the people at Leigh Creek going to have to pay and are the people at Copley going to have to pay, because there was a different structure. This is very important to know, because the people at Leigh Creek are given services by the mining company which other people use and it is a very important centre for the

Outback of South Australia, but the people of Copley also provide services and it is pretty clear, from what has been said today, that they will have to pay. So, please tell us, minister.

**The Hon. J.M. RANKINE:** Let me be as clear as I can be about this matter. This legislation is acting upon the wishes of the people in the Outback. This has come about as a result of their representation to government, and this government has consulted with them. As to wanting to know how much people are paying, I have said time and time again that they go through their asset management plan and their business plan to work out what an equitable levy is in relation to sustaining the assets of the Outback. Each town will work out its own community levy, determined on what it wants for its community.

There are some anomalies in the Outback, and we understand that. The member for Stuart has raised the issue of pastoralists. It is expected that they will contribute because, just like someone living in Andamooka, they use the services and the assets that are provided in the Outback—as do, I am sure, the people of Leigh Creek. As the member for Stuart pointed out, it is a different scenario in that Leigh Creek is a company town and a range of services are provided in that town by the company for those people. However, those people also use the services that are provided throughout the Outback. We will be working with the company up there to ascertain how that community may be contributing to the levy.

**Mr GOLDSWORTHY:** The member for Stuart has hit the nail on the head in relation to this matter. This amendment is about dealing with things after the event—after an unelected body sets the levy. This amendment deals with what can happen after the levy has been set in relation to CPI increases. If the levy is to increase above CPI, it comes to the parliament and, after six sitting days, it can then be put in place. You have to understand that this amendment is dealing with a matter after the event, minister. This goes to the very point that we have been hammering away at through the whole committee process.

The minister talks about consultation, suggesting that you went out and consulted with these communities and the legislation reflects the feedback from the consultation. Well, if the minister has gone through an extensive consultation process, how is it that the member for Stuart, as he stated earlier this morning, has received calls in his office indicating that people in these communities know nothing about this legislation? So, if the minister's consultation process has been so tremendous and far reaching around these communities—

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

**Mr GOLDSWORTHY:** Well, you can't say it was if—

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

**Mr GOLDSWORTHY:** Well, you can't. You can't put your hand on your heart and say it was because the member for Stuart is receiving representation—

*Ms Breuer interjecting:*

**Mr GOLDSWORTHY:** We don't have sub-branches. We have branches, not sub-branches like you union-oriented crew over there have. Don't start me on that, member for Giles. We will be here all afternoon if you want to go down that track. The member for Stuart has had representation in his office, as he said, as recently as yesterday indicating that constituents in his electorate—people who comprise these communities—know nothing about this. So the minister cannot put her hand on her heart and say that an extensive community consultation process has been undertaken, because these people would know about it. News travels fast around these communities and they would certainly be aware of what is going on; but they are not. So there is some problem. Do not screw up your face like that—

**The Hon. G.M. Gunn:** The wind might change.

**Mr GOLDSWORTHY:** The wind might change; that is right. There is some obvious flaw in your consultation process in relation to communicating what this bill is about, so how can we have confidence in the community consultation process in relation to setting the levy? It comes back to those basic issues. You have unelected people on this authority—and I do not want to say it, but they may be patsies of the government—making decisions about a financial impost on the members of these communities.

**The Hon. J.M. RANKINE:** In the *Stock Journal* of 12 February 2009, there was an advertisement about the Outback Communities (Administration and Management) Bill; *The Advertiser* of 7 February had a similar advertisement; the *West Coast Sentinel* of 12 February,

a similar advertisement; the *Cooper Pedy News*, another advertisement; *The Transcontinental* of 11 February, another advertisement; *The Flinders News* of 11 February, another advertisement; and the *Roxby Downs Sun* of 12 February, another advertisement.

What does the advertisement say? It is headlined 'Outback Communities (Administration and Management) Bill', and it reads:

As Minister for State/Local Government Relations I am pleased to release the Outback Communities (Administration and Management) Bill 2009. The key elements of the Outback Communities (Administration and Management) Bill 2009 include:

- establishing a new Outback Communities Authority with seven members, to replace the Outback Areas Community Development Trust;
- increasing community consultation about infrastructure, service planning and community management;
- strengthening powers to regulate matters such as rubbish collection, litter and abandoned vehicles, land hazards including animals causing a nuisance and managing development;
- allowing for the creation of an asset sustainability levy and a community contribution where requested by the local community, to better maintain infrastructure in the outback.

An information package is available on the Outback Areas Community Development Trust's website [www.oacdt.sa.gov.au](http://www.oacdt.sa.gov.au) or telephone 1800 352 224 (free call) or (08) 8204 8700. It is anticipated that this bill will be introduced into parliament for consideration in the first half of this year.

This is after community meeting after community meeting, after drafts were sent out, and after leaflets were provided. The consultation occurred. The honourable member can sit there and say that it did not, but it did; and I am happy to put my hand on my heart and say that the consultation occurred.

In relation to this amendment, and after receiving the member for Stuart's amendments when we were discussing the bill on the last sitting day, departmental officers went away and had a look at his concerns. They had a think about how this could be managed to give greater confidence and what models might be in place that could be replicated or that could be improved upon. Do you know what model they came up with? The model your government introduced when it brought in the emergency services levy.

**The Hon. G.M. GUNN:** The minister just failed to completely tell the full story about the emergency services levy. That particular levy is subject to parliamentary committee scrutiny. It is subject to parliamentary scrutiny, so we are happy for you to go down that way.

**The Hon. J.M. Rankine:** So will the increases.

**The Hon. G.M. GUNN:** No, minister; take the full step, and we will be happy. We will sit down immediately if you are prepared to do that—no more discussion; quite happy. You have to tell the full story, not half the story. It is interesting that the member for Giles worked herself up into a considerable lather over this issue—

**Ms Breuer:** Yes, I did!

**The Hon. G.M. GUNN:** Yes, and I suggest—

**The ACTING CHAIR (Hon. R.J. McEwen):** Order!

**The Hon. G.M. GUNN:** —she runs out and has a cold shower, because she appears to be very agitated in relation to this matter. At the end of the day, if you are prepared to put in the same complete process as the emergency services levy, we will put both hands up and say, 'Well done!'

**Dr McFETRIDGE:** On a point of clarification, does the levy apply to the APY lands at all?

**The Hon. J.M. RANKINE:** No.

Amendment carried.

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

Page 13, after line 23—Insert:

(9) In this section—

CPI increase means an increase reflecting the all groups consumer price index for Adelaide published by the Australian Bureau of Statistics.

This amendment simply defines what is meant by CPI increase. The term is used in proposed subsection (4)(a).

Amendment carried; clause as amended inserted.

Remaining clauses (22 to 27), schedule and title passed.

Bill reported with amendments.

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (12:48):** I move:

That this bill be now read a third time.

I think this is an iconic piece of legislation that will bring about a new era for our unincorporated areas in the Outback. They are expanding at a great rate of knots. I think there is an amazing spirit and uniqueness out there that we have tried very hard to preserve, whilst at the same time supporting those people who do so much work in their local committees and do want to see their committees prosper and develop. It certainly is a new era in the Outback.

In getting to this point, can I also acknowledge and congratulate the very hard working staff in the Office for State/Local Government Relations, Jane Gascoigne in particular, who has worked so hard over a number of years now to get this piece of legislation in this house. Jane was at the forefront of community consultation. Her understanding of the Outback, and the people who are involved out there and their issues, is second to none. She has done a magnificent job, so I think it is important that we pay tribute to her.

I am happy to see the final passage of this bill. It was very interesting for me to have the opportunity to travel the Outback and meet the wonderful people who are out in those communities and hear from them firsthand about their vision for their communities. It is very satisfying to see this legislation finally being passed.

I congratulate minister Gago on making sure that we got this legislation into the house. As I said, I think it is going to herald a new era for our outback communities. Despite our disagreement on one piece of the legislation, I thank the opposition for its support, I am sure its communities will be very happy that the bill has passed.

**The Hon. G.M. GUNN (Stuart) (12:51):** The bill, as it comes to the third reading, still has some anomalies in it. Let me say from the outset that I congratulate all those people who have been involved in the Outback Areas Community Development Trust since its inception. They have worked very hard and given their best attention to the matters put before them, and they all deserve our praise.

In relation to this particular measure, its success or otherwise is yet to be determined because we do not actually know the amount each person is going to pay, or the basis upon which they are going to pay. When you are going to put your hand in someone's hip pocket they always want to know how deep you are going to dig, and we do not know.

As someone who has, I believe, a close affinity with the people of the Outback and who has spent a great deal of time travelling around that area—and I was up there last week at Innamincka and various places, and those people provide great services to the community—my concern is that they are not unduly taxed to provide services for people who want to enjoy the Outback but do not live there.

Whatever is done has to be fair, reasonable, just, transparent and subject to change and disallowance. I believe that in the not too distant future, if you are going to have a regime which taxes people, you are going to have to have elected people to impose it, and so they are subject to the will of those communities from time to time.

**Ms BREUER (Giles) (12:53):** Mr Acting Speaker, how magnificent you look in that seat. Perhaps you could reconsider your future and come back here next time as the Speaker. I think it would be very appropriate. It is a shame that it has taken the last two days of your career in this place to be elevated to that great height.

I recommend the passage of this bill. I am extremely pleased that it has gone through. I have great respect for the member for Stuart, but I have not really known where he has been coming from in this whole debate. I spent a week in the Outback, visiting many communities and talking to people about this bill, and everywhere I went people expressed their appreciation for it.

They believed that it would resolve a lot of the issues they have about how to run their community, their fundraising, etc. They felt like they were going to get some real support after many years of head-banging business and burnout, etc. I do not know what the member for Stuart's problem was and where he was coming from on this. I know that people in the Outback will be very grateful. There may be a handful who will complain about the levy but they would complain about everything. People on pastoral stations come into communities and use those facilities. All those people I spoke to supported this bill.

I pay tribute to the Andamooka Progress Association which led the charge on a lot of this. They contacted me, and I was very pleased to see that they contacted the members opposite last week about this bill. They are a classic example of how this bill will assist them and help them with their future. Peter Allen did an excellent job with this; I know that he supports the bill. I was very pleased that they took part in the process. I also pay tribute to Jane Gascoigne who supported me when I went on my trip to the Outback. She assisted me before I went and gave me names, etc. She played a major role and she has great respect out there. Whenever anything goes wrong in my communities and I give her a ring, it usually gets sorted, so a big 'thank you' to her and the two ministers involved—ministers Gago and Rankine. This is a great thing for the Outback.

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (12:56):** I do not know that there is much more to say, other than we look forward to this bill passing in the upper house and the new authority being appointed. It would be remiss of me not to thank the current trust and previous trust members for all their hard work. To a large extent, this bill is also a result of their initiative in coming to see us and saying, 'We need to strengthen our legislative controls and abilities to provide for our community.' So, in closing, I pay tribute to past and present trust members and I look forward to the passage of the bill upstairs.

Bill read a third time and passed.

*[Sitting suspended from 12:58 to 14:00]*

#### **CONSTITUTION (APPOINTMENTS) BILL**

His Excellency the Governor assented to the bill.

#### **DEVELOPMENT (REGULATED TREES) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **FAIR WORK (COMMONWEALTH POWERS) BILL**

His Excellency the Governor assented to the bill.

#### **STATUTES AMENDMENT (NATIONAL INDUSTRIAL RELATIONS SYSTEM) BILL**

His Excellency the Governor assented to the bill.

#### **MARALINGA TJARUTJA LAND RIGHTS (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **SERIOUS AND ORGANISED CRIME (UNEXPLAINED WEALTH) BILL**

His Excellency the Governor assented to the bill.

#### **LIQUOR LICENSING (PRODUCERS, RESPONSIBLE SERVICE AND OTHER MATTERS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **SECOND-HAND VEHICLE DEALERS (COOLING-OFF RIGHTS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **STATUTES AMENDMENT (SURROGACY) BILL**

His Excellency the Governor assented to the bill.



**HERITAGE LISTED BUILDINGS AND NATURAL HERITAGE PLACES**

**Mr HANNA (Mitchell):** Presented a petition signed by 1,067 residents of the City of Onkaparinga and greater South Australia requesting the house to urge the government to take immediate action to reprioritise the budget funding for our state heritage listed buildings and natural heritage places.

**MOSELEY SQUARE POST OFFICE**

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 856 residents of South Australia requesting the house to urge the government to support the reinstatement of the post office at Moseley Square in addition to an agency at the Bay Junction Shopping Centre.

**LINWOOD QUARRY**

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 652 residents of Hallett Cove and greater South Australia requesting the house to urge the government to implement a reduction in the blasting impact limits due to the distance between the Linwood Quarry and Hallett Cove residential area.

**HALLETT COVE BEACH**

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 514 residents of South Australia requesting the house to urge the government to rectify the sand erosion at Hallett Cove Beach.

**MODBURY HOSPITAL**

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 98 residents of South Australia requesting the house to urge the government to reinstate obstetric care, 24 hour paediatric care and reopen the intensive care unit at Modbury Hospital.

**TAXI INDUSTRY**

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 69 residents of South Australia requesting the house to conduct an urgent parliamentary inquiry into the taxi industry.

**BUS SERVICES**

**Mr HANNA (Mitchell):** Presented a petition signed by 30 residents of Hallett Cove and greater South Australia requesting the house to urge the government to take immediate action to prevent proposed changes to bus timetables for routes 680 to 685 inclusive.

**ANSWERS TO QUESTIONS**

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

**ROADS, COUNTRY**

**306 Dr McFETRIDGE (Morphett)** (21 October 2008).

1. Why was there no funding allocation budget for the Strategic Regional Roads program projects in 2007-08 given that \$657,000 was spent on these projects?

2. What projects will be included under the \$457,000 allocated in 2008-09?

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

1. The Australian government provided \$657,000 of funding following the release of the 2008-09 state budget.

2. In 2008-09, \$474,000 was allocated for the resheeting and realignment of the Oodnadatta—Hamilton Road.

**PUBLIC TRANSPORT**

**384 Dr McFETRIDGE (Morphett)** (17 November 2008).

1. What strategic planning has been undertaken to determine public transport patronage forecasts over the next ten years?

2. What studies have been undertaken to determine future rail car requirements over the next ten years?

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

1. The Department for Transport, Energy and Infrastructure (DTEI) has examined the future challenges for the transport system in Adelaide. These challenges include:

- Rising travel demand
- Capacity of the current public transport system
- Renewal of public transport assets; and
- The social role of public transport.

Options that have been considered to address these challenges are modelled using the Metropolitan Adelaide Strategic Transport Evaluation Model (MASTEM). MASTEM provides estimates of daily aggregate travel patterns within the Adelaide Statistical Division (ASD).

MASTEM has the ability to model a number of options for the future public transport system in Metropolitan Adelaide, to identify how the transport system is likely to perform at some point in the future.

2. DTEI has investigated rollingstock as part of planning the future public transport network. These include engaging rail rollingstock specialists to advise on and compile specifications for Adelaide's future rollingstock requirements, together with the ongoing work by DTEI to simulate future patronage for defining the network's fleet sizes. The future fleet size has been increased to cater for the provision of services to Seaford.

#### **SURPLUS EMPLOYEES**

**504 Mr PEDERICK (Hammond)** (21 July 2009). How many surplus employees were there at 30 June 2009 in each department or agency reporting to the minister and for each surplus employee, what is the title or classification of the employee and the total employment cost of the employee?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

Surplus Employees as at 30 June 2009

Minister for Agriculture, Food and Fisheries:

Department/Agency	Position Title	Classification	TEC Cost
Department of Primary Industries and Resources SA (PIRSA)	Administration Officer	ASO1	\$48,168
PIRSA	Administration Officer	ASO1	\$42,730
PIRSA	Administration Officer	ASO3	\$56,139
PIRSA	Office Manager	ASO6	\$82,165
PIRSA	Manager, Business Services	ASO7	\$92,764
PIRSA	Executive	EXA	\$108,825
PIRSA	Senior Project Manager	MAS3	\$101,942
PIRSA	Manager Strategy Spatial Systems	MAS3	\$115,971
PIRSA	Senior Agricultural Officer	OPS3	\$56,139
PIRSA	Laboratory Officer	PO1	\$65,259
PIRSA	Project Officer	PO2	\$76,740
PIRSA	Research Scientist	PO3	\$96,238
PIRSA	Senior Technical Officer	TGO1	\$57,219

Department/Agency	Position Title	Classification	TEC Cost
			TOTAL: \$1,000,299

Minister for Industrial Relations:

Department/Agency	Position Title	Classification	TEC Cost
Departmental Affairs, DPC	Printing Employee	WPE7	\$48,853
Departmental Affairs, DPC	Printing Employee	WPE7	\$48,853
Departmental Affairs, DPC	Forestry Worker	IWS302	\$48,280
Departmental Affairs, DPC	Sanitary Plumber	PMT102	\$45,162
SafeWork SA, DPC	Information Officer	ASO3	\$64,380
Departmental Affairs, DPC	Planner/Estimator.	OPS3	\$64,380
			TOTAL: 319,908

Minister for Forests:

Department/Agency	Position Title	Classification	TEC Cost
Nil			Nil

Minister for Regional Development:

Department/Agency	Position Title	Classification	TEC Cost
Nil			Nil

#### CLIMATE CHANGE RESEARCH

**512 Mrs PENFOLD (Flinders)** (15 September 2009). What impact will the reduction in PIRSA staff have on the government's ability to relay scientific information regarding global warming and climate change to farmers to enable them to adapt their farming systems?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

1. SARDI has a team led by Dr Peter Hayman, who are focused on climate adaptation research. This team has not been impacted by recent re-prioritising of agency resources.

#### MEAT PRODUCTION AND PROCESSING SECTORS

**526 Mr PEDERICK (Hammond)** (15 September 2009). With reference to Budget Paper 4, Volume 1, page 5.6 of the 2008-09 Budget regarding Highlights for 2009-10—

(a) what are the three major investment projects in the meat production and processing sectors;

(b) what support or incentives were offered or provided to each project;

(c) what is the projected cost to the state of that support and over what period of time is it expected to be disbursed; and

(d) what assurances or guarantees are there to protect taxpayers' investment on each of these projects in the event of a project's non-completion or short-term failure?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

(a) The investments referred to in the budget paper are—Primo Smallgoods, Inghams Enterprises and investors in chicken meat grow out facilities.

(b) The primary support provided to these projects were:

- Primo Smallgoods—PIRSA provided case management support to the company after a devastating fire in 2007. This support enabled the company to continue processing pork (using facilities in Murray Bridge and Royal Park) while rebuilding their Pt Wakefield works. Other support included temporary support for employees, assistance with transport costs and access to the Regional Development Infrastructure Fund. This has resulted in a \$27 million rebuild.
- Inghams Enterprises—PIRSA provided case management support to the company in light of their proposed expansion in South Australia. Other support included access to the SA Structural Adjustment Fund and Premises SA scheme. As a result, the Company has invested significant capital (well over \$100 million) into their primary and secondary processing plants as well as a hatchery.
- Chicken meat grow out facilities—PIRSA has and continues to provide support to a number of investors in production facilities for both Inghams Enterprises and Baiada. The support is primarily based on identifying suitable locations and providing a single point of contact across State and Local Government. This support has seen the rapid expansion in this sector with well over \$50 million invested in new farms.

(c) The cost of the support was:

- Primo Smallgoods—The primary support provided to company was a grant of \$679,891 for 50 per cent of the costs of electrical and water infrastructure through the Regional Development Infrastructure Fund.
- Inghams Enterprises—This project has received support of \$7 million through the SA Structural Adjustment Fund of which the SA contribution was \$879,570 with the remainder from the Commonwealth. Inghams Enterprises have also accessed the Premises SA scheme through a deferred purchase agreement of \$52.2 million, which requires principal plus interest payments over ten years.
- Chicken meat grow out facilities—No financial support has been provided to these investors.

(d) Significant terms and conditions are imposed on the provision of government funds to ensure that the particular reasons and objectives for granting that funding are met. The primary mechanism for this is via Funding Deeds that are executed by both parties and detail the outputs to be delivered. All Funding Deeds have particular repayment and disqualifying events imposed on grantees as part of the terms and conditions of the funding.

#### **WATER LIMITATION PROJECT**

**530 Mr PEDERICK (Hammond) (15 September 2009).**

1. Are the technology and methods identified by SARDI to improve crop yields to assist perennial horticulture now available for general use and if not, when will they be?
2. Given that SARDI has established that root architecture is a strongly genetically driven trait, how will this opportunity to develop drought tolerant crops be pursued?
3. What are the new types of drought tolerant pasture crops that have been released by SARDI and have they been taken up by farmers in South Australia and in other states?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

1. The project on water limitation and its impact on yields in perennial horticulture is progressing well. The initial study period was funded by South Australian government through the Drought Response Team (DRT). First year on-farm results indicate a strong relationship between annual irrigation volume and potential yield for citrus, vines, almonds and avocados in the Riverland.

Additional funding has been sourced from Horticulture Australia Limited (HAL), to supplement the DRT seed funding and continue the on-farm monitoring until June 2013 to collect data from the same sites over multiple seasons, analyse the long term impacts of the drought and assess crop survival and recovery. The HAL funding will also support a scientific research trial

investigating management strategies to maximise citrus crop survival and production at low water availability. SARDI has collated a full year's data on a range of citrus and wine grape plantings. This data is preliminary and once SARDI has data replicated across a number of seasons it will be used to develop strategies that minimise the impact of drought on permanent horticulture. It is envisaged that informed decisions will be possible once we have completed the collection of the third season's data.

2. In relation to root architecture and drought tolerance—the finding that root architecture is a strongly inherited trait is important information for wheat breeding programs and research agronomists. It means breeders can select for it using a minimum number of sites, instead of running trials in each cropping region. SARDI has also developed DNA assays to determine root distribution in field trials. This is a novel technique which makes the assessment of plant roots and their ability to access water in the soil easier to assess.

Australian Grain Technologies Pty Ltd (AGT) is currently looking at the possibility of using this technique in their breeding program. Once this has been determined, it is expected that new projects will be developed to characterise the variation in root architecture available to wheat breeders and determine which systems are best suited to maximise yield in different soil types and climatic conditions.

3. New types of drought tolerant pasture crops which have been or will be released over the next couple of years include:

- One vetch variety (2008)
- One lucerne variety (2011)
- Eight annual medics and clovers (2012)

Commercialisation of these varieties is still progressing.

#### **FRUIT FLY**

**531 Mr PEDERICK (Hammond)** (15 September 2009).

1. What was the cost of the fruit fly community awareness promotional campaign?
2. Does the Government intend to extend or repeat this campaign?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

1. The total cost of the fruit fly community awareness media campaign for 2008-09 was \$159,000, which included a 'Plant Health Act implementation' component.
2. The government will conduct a fruit fly community awareness campaign in 2009-10.

#### **AQUACULTURE INDUSTRY**

**532 Mr PEDERICK (Hammond)** (15 September 2009).

1. How many carp traps have been produced and where are they located?
2. Have the carp traps been made available to the public and if so, at what cost?
3. If the traps are not currently available, when will the department make them available and provide guidance on their use and placement?
4. Is there a market for the trapped fish and if so, does it present a business opportunity to be exploited?
5. What has the Food Safety Research Program on Barramundi cost to date and what are the anticipated costs in 2009-10?
6. How are the findings of this research expected to benefit South Australia and to what extent in terms of export income?
7. Is barramundi farming seen as an opportunity for South Australian aquaculture and if so, where is it anticipated it might be established and pursued?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

1. Two carp traps have been produced for research projects in the South Australia Murray Darling Basin. The first research project involves one carp trap located in the fishway at Lock 1 at Blanchetown, and the second project is located at Lake Bonney (near Barmera).

2. Carp traps are not presently available to the public.

3. Carp traps will be made available to community groups/NRM Boards etc through consultation with SARDI Aquatic sciences at the completion of the Lake Bonney research trial (due Dec 2009). Further, SARDI is currently preparing a draft decision support package that will provide guidance on the selection and implementation of carp management options at wetland inlets.

4. Current markets for carp include crayfish bait, fertiliser industries (e.g. Charlie carp) and a limited domestic fish market (principally in Sydney and Melbourne). There is also unlimited demand from overseas markets which currently cannot be filled by the sole carp exporter (K&C Fisheries, Sale, Victoria). The overseas market is a business opportunity that could be exploited further. The development of new carp products and markets could be explored. SARDI has a business review/development proposal on this topic.

5. The costs to date for the Food Safety Research Program on Barramundi have been \$6,600 (GST inclusive) and the anticipated costs in 2009-10 (in terms of delivering the EU residue control program) will be \$3,300 (GST inclusive). The research work for industry was done by SARDI on a full cost recovery basis. The EU residue control program is an annual program which is run by SARDI on a full cost recovery basis.

6. Approximately 100 -125 T (valued at \$10.70/kg) of barramundi is produced in SA which is eligible for export. The work has facilitated access to the EU market and more recently to the Russian market.

7. Barramundi Farming in SA is limited to land-based enterprises where temperatures can be controlled. These licences generally consist of closed recirculating and semi closed tank and drainage systems.

Currently PIRSA Aquaculture has 31 active licences for the culture of Barramundi with one licensed Barramundi Hatchery. The spatial distribution of land-based barramundi aquaculture is not limited as licences are actively operating in the Adelaide, Yorke Peninsula, Lower Eyre Peninsula, South East and Kangaroo Island regions.

The latest EconSearch report suggest that freshwater finfish production has been steady over the past 3 years, but has grown considerably in value (400-450 tonnes valued at \$4.5 million).

The Barramundi Industry in SA is still developing but is a key component of the freshwater finfish industry in SA.

#### LABOUR MARKET TRANSITION PROGRAM

**533 Mr PEDERICK (Hammond)** (15 September 2009). With reference to Budget Paper 4, Volume 1, page 5.14 of the 2008-09 Budget—what programs are in place for the Labour Market Transition and how many regions have taken up this program?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

742 people from drought affected circumstances had completed training under this initiative to 30 June 2009. Licenses in heavy truck, B-Double, forklift and front end loader have been acquired. Some were also trained in the operation of dump trucks/haul packs in a simulator that was located at the Port Augusta Campus. The principal regions accessing the program were Eyre Peninsula and the Riverland.

#### LIVESTOCK INDUSTRIES SUPPORT

**534 Mr PEDERICK (Hammond)** (15 September 2009). With reference to Budget paper 4, Volume 1, page 5.6 of the 2008-09 Budget regarding Targets for 2009-10—

(a) how does the department propose to support the development of value chain projects across the livestock industries

- (b) will additional staff be required to provide this support;
- (c) if that support is to be provided from existing staff resources, what other existing programs will be scaled back to accommodate that;
- (d) what is the projected cost of this support for 2009-10; and
- (e) will the cost of that support be passed on to producers and other sectors of the livestock industry?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

1. The Department supports the development of livestock value chains in a number of key areas. Primarily this is achieved by establishing close relationships with the various sectors, developing an understanding of the common issues and the working together to capture the opportunity.

PIRSA is leading a Working Group established by the Primary Industries Ministerial Council to examine the potential of a value chain approach for improving agriculture productivity. A series of lamb industry case study Sustainable Value Chain Analyses (SVCA) will be conducted across lamb producing states. PIRSA will be conducting one of these SCVAs with a selected SA lamb value chain, as well as overseeing the overall project. This project will be a key to understanding and addressing road blocks that occur in value chains in regard to information and material flows and the building of relationships.

Department staff have also worked closely with poultry meat processors and growers to facilitate expansion in this industry.

- 2. Additional staff will not be required to provide this support.
- 3. The Department has a flexible and proactive team that are able to respond in partnership with industry to the issues and the opportunities at hand.
- 4. The costs to undertake value chain analysis vary greatly according to the size of the project, the scope of work undertaken and contribution of companies involved in the value chain.
- 5. Depending on the nature of the project and opportunity, there may be an opportunity for co-investment in areas of mutual benefit.

#### APPRENTICESHIP RETENTION SCHEME

**536 Mr PEDERICK (Hammond)** (15 September 2009). With reference to Budget paper 4, Volume 1, page 5.14 of the 2008-09 Budget regarding the Apprenticeship Retention Scheme—

- (a) what sort of industries or businesses are being included in this scheme;
- (b) how many apprentices are expected to be retained under this program;
- (c) how long is the program expected to run; and
- (d) how much has been allocated budget to this program?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

The Drought Apprenticeship Retention Program aims to assist farming communities, in particular primary producers and small businesses, to retain apprentices and trainees in drought affected areas.

The program was allocated \$1.5 million in 2007-08. These funds were fully committed and assisted 458 employers to retain 983 apprentices and trainees in employment.

The program was allocated \$1.1 million in 2008-09. These funds were fully committed and assisted 243 employers to retain 631 apprentices and trainees across the state.

A further \$1.1 million was allocated in 2009-10. To date, 267 employers have received the first round of payments to support the retention of 633 apprentices and trainees. Extension of this program beyond the 2009-10 period will be assessed in line with all government drought measures.

#### INVESTING EXPENDITURE

**542 Mr PEDERICK (Hammond)** (15 September 2009). With reference to the Budget Statement, page 6.5 of the 2008-09 Budget regarding Investing Expenditure—

- (a) how much of the \$12 million budgeted for the acquisition of land in the 2008-09 was spent and if not all, why not;
- (b) where was this land purchased;
- (c) how much was paid for each parcel;
- (d) why is \$12 million again being budgeted for land purchases in 2009-10;
- (e) will this actually be spent during 2009-10; and
- (f) where will land be purchased?

**The Hon. P. CAICA (Colton—Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests, Minister for Regional Development):** I am advised:

(a) Of the \$12 million budgeted for the acquisition of land in 2008-09, \$7.10 million was spent. The balance of the available budget was not spent due to the lack of suitable land being available and normal market pressures.

(b) The land was purchased in the Green Triangle Region, three parcels in the South West of Victoria and one in the South East of South Australia. This is consistent with the ForestrySA Charter.

(c) Four parcels of land were purchased within the 2008-09 budget year, with the individual values being: \$3.80 million, \$1.52 million, \$1.13 million and \$0.65 million.

(d) ForestrySA has an ongoing program of increasing its plantation base to supply predicted future log and timber market demands. Purchase of additional land is a key element of expansion combined with maintaining or improving current land utilisation.

(e) Purchase of land will continue to be subject to suitable land being available and normal market pressures, which will dictate the progress towards expenditure of the \$12 million during the 2009-10 budget period. During this current budget period, land to the value of \$2.81 million has already been purchased or is under contract.

(f) The targeted area for land purchase is the Green Triangle Region, both the South West of Victoria and the South East of South Australia.

#### FUNDS SA

In reply to **Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition)** (25 June 2009) (Estimates Committee A).

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations):** I am advised funds under management fell from \$14.2 billion at 30 June 2008 to \$12.6 billion at 30 June 2009, a decline of \$1.6 billion.

The decline was comprised of negative investment income of \$2.0 billion partly offset by net client contributions of \$0.45 billion. This was mainly due to the poor performance of the global financial markets.

For the year, Funds SA's Balanced fund recorded a return of -15.3 per cent and the growth fund -17.5 per cent.

After applying an estimated 'notional tax rate' on investment earnings to make industry comparisons, for the year to June 2009, Funds SA's Balanced Fund returned—13.8 per cent against the growth median return from the Chant West Survey of—12.9 per cent.

Over seven years, the balanced fund has recorded a return of 5.3 per cent pa and the growth fund 5.0 per cent pa.



Data for the September quarter indicates there has been a strong recovery in the market. In the September quarter, the Balanced Fund has returned 10.4 per cent and the Growth Fund has returned 11.3 per cent. Total funds managed represent approximately \$14.4 billion.

#### HORSE SKILLS CENTRE

In reply to **Mr PISONI (Unley)** (1 July 2009) (Estimates Committee A).

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing):** I am advised TAFE spent approximately \$80,000 on an upgrade of telephone and IT infrastructure, and sundry minor works at the time of the relocation of the Horse Skills Centre from Cheltenham to Morphettville.

#### FIREARMS TRAINING

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (1 July 2009) (Estimates Committee A).

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing):** SAPOL has four firearms ranges. Two are located at the Police Academy and are commonly known as the Indoor Range and Outdoor Range respectively. The third is located at the Echunga Training Reserve with the fourth being a two lane capacity at the Netley Police Complex.

Firearms training provided by SAPOL occurs throughout the year and falls into three main categories of:

- Recruit initial firearms training;
- Incident Management and Operational Safety Training Course (IMOST); and
- Specialist training undertaken by the STAR Group.

Initial training for recruits is conducted entirely at the Police Academy Indoor Range. IMOST is a refresher certification course required to be undertaken each year by sworn operational members to requalify in all facets of operational safety, incident management and tactical options, including use of firearms.

In July 2008, SAPOL also commenced a long term project to transition from the current operational revolver to a semi-automatic pistol. This has increased the demand on SAPOL facilities. It is expected that the transition program will be completed by November 2010.

The following private ranges are currently used by SAPOL:

- Elizabeth LSA—Joe Gapper Firearms Range (Elizabeth East Pistol Club)
- Holden Hill LSA—North East Security Shooting Club (NESSCI—Armaguard Range)
- Sturt LSA—Noarlunga City Pistol Club (NCPC)
- South Coast LSA—NCPC

All country LSA use local private firearms ranges.

Elizabeth LSA and Holden Hill LSA have had a long standing arrangement with both the NESSCI and Gapper firearm ranges. No fixed fee is charged by either club for use of their ranges. The use of these ranges creates efficiencies for those areas by reducing travel time in attending the ranges locally and allowing the members involved to respond operationally if required.

Sturt and South Coast LSA have traditionally used the Echunga Range for IMOST purposes. However in 2008, they negotiated use of the NCPC Range due to an increased demand upon Echunga for the semi-automatic transition. A fee of \$1,500 was negotiated and paid by SAPOL for use of the NCPC for a 12 month period.

In early 2009, fresh negotiations commenced with NCPC for increased use of their range to also accommodate Sturt and South Coast LSA training for the semi-automatic pistol. The fee proposed by the NCPC was \$5,000, with limitations on the days on which the range would be available for SAPOL use. The proposal was declined by SAPOL. Semi automatic transition training for these two LSAs will be undertaken at the Academy and will be accommodated by rearrangement of Academy commitments for a short period. Sturt and South Coast LSAs are negotiating with the NCPC to continue to undertake IMOST training only at those premises.

**SURPLUS EMPLOYEES**

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (1 July 2009) (Estimates Committee A).

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing):**

Surplus Employees as at 30 June 2009

Minister for Police

Department/ Agency	Position Title	Classification	TEC Cost
SA Police	Switchboard Operator	ASO1	\$48,556
	Switchboard Operator	ASO1	\$48,556
	Expiation Notice Officer	ASO1	\$48,556
	Admin Officer	ASO1	\$48,556
	Client Service Officer	ASO2	\$55,881
	Admin Officer	ASO2	\$55,881
	Business Analyst	ASO3 (0.4)	\$25,752
	Briefing & Research Officer	ASO4	\$71,892
	Mgr Control Centre	OPS4	\$71,892
	Technical Officer	TGO2	\$71,892
	Mgr Corporate Facilities	ASO5	\$85,847
	Mgr Data Warehouse	ASO6	\$94,226
	Mgr Financial Improvement	ASO7	\$106,381
	Mgr Procurement & Contract Management	MAS3	\$116,906
	Handyperson	GSE2	\$46,968
	Handyperson	GSE2	\$46,968
	Handyperson	GSE2	\$46,968
	Handyperson	GSE2 (0.5)	\$23,484
	Handyperson	GSE2	\$46,968
	Handyperson	GSE2	\$46,968
	Assistant Sadler	GSE5	\$51,031
	Security Officer	GSE3	\$48,280
	Security Officer	GSE4	\$49,563
	Security Officer	GSE4	\$49,563
	Security Officer	GSE4	\$49,563
	Security Officer	GSE4	\$49,563
	Security Officer	GSE4	\$49,563
	Security Officer	GSE4	\$49,563
			<b>TOTAL: \$1,605,787</b>

Note: TEC is calculated from the annual salary at the top increment level plus 25 per cent on-costs.

Minister for Emergency Services

There were no surplus employees within agencies reporting to the Minister for Emergency Services employees at 30 June 2009.

Minister for Recreation, Sport and Racing

Department/Agency	Position Title	Classification	TEC Cost
Office for Recreation and Sport	Finance Officer	ASO5	\$64,850.52
			<b>TOTAL: \$64,850.52</b>

**PAPERS**

The following papers were laid on the table:

By the Speaker—

Local Government—

Alexandrina Council—Report 2008-09  
 Ceduna, District Council of—Report 2008-09  
 Clare & Gilbert Valleys Council—Report 2008-09  
 Elliston, District Council—Report 2008-09  
 Goyder, Regional Council of—Report 2008-09  
 Kimba, District Council of—Report 2008-09  
 Lower Eyre Peninsula, District Council of—Report 2008-09  
 Mount Barker, District Council of—Report 2008-09  
 Murray Bridge, Rural City of—Report 2008-09  
 Port Augusta City Council—Report 2008-09  
 Port Lincoln, City of—Report 2008-09  
 Tumby Bay, District Council of—Report 2008-09  
 Victor Harbor, City of—Report 2008-09  
 Wudinna District Council—Report 2008-09

By the Premier (Hon. M.D. Rann)—

Auditor-General—Operations of the Department of—Report 2008-09  
 Capital City Committee—Report 2008-09  
 Promotion and Grievance Appeals Tribunal—Report 2008-09  
 State of the Service—Report 2008-09

By the Treasurer (Hon. K.O. Foley)—

Asset Management Corporation, South Australian—Report 2008-09  
 Defence SA—Report 2008-09  
 Distribution Lessor Corporation—Report 2008-09  
 Essential Services Commission of South Australia—  
 2009 SA Rail Access Regime Inquiry Report October 2009  
 Funds SA—Report 2008-09  
 Generation Lessor Corporation—Report 2008-09  
 Government Financing Authority, South Australian—Report 2008-09  
 Motor Accident Commission—Report 2008-09  
 Motor Sport Board, South Australian—Report 2008-09  
 Parliamentary Superannuation Scheme, South Australian—Report 2008-09  
 Police Superannuation Board—Report 2008-09  
 RESI Corporation—Report 2008-09  
 SA Metropolitan Fire Service Superannuation Scheme—Report 2008-09  
 State Procurement Board—Report 2008-09  
 Superannuation Board, South Australian—Report 2008-09  
 Transmission Lessor Corporation—Report 2008-09  
 Treasury and Finance, Department of—Report 2008-09

By the Minister for Industry and Trade (Hon. K.O. Foley)—

Trade and Economic Development, Department of—Report 2008-09

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

Development Act 1993, Administration of—The Planning Strategy 2008-09—  
 Report 2008-09  
 Transport, Energy and Infrastructure, Department for—Addendum—Overseas Travel—  
 Report 2008-09

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

Dangerous Area Declarations—Statistical Return 1 July to 30 September 2009  
 Guardianship Board—Report 2008-09  
 Legal Practitioners Disciplinary Tribunal—Report 2008-09  
 Public Trustee—Report 2008-09  
 Road Block Establishment Authorisations—Statistical Return 1 July to 30 September 2009

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

Abortion Reporting Committee, South Australian—Report 2008  
 Pika Wiya Health Advisory Council Inc—Report 2008-09  
 Southern Adelaide Health Service—Report 2008-09  
 Regulations made under the following Acts—  
     Fees Regulation—Incidental SA AS Services

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

Administration of the Radiation Protection and Control Act 1982—Report 2008-09  
 Environment and Heritage, Department for—Report 2008-09  
 Environment Protection Authority—Report 2008-09  
 State of the Environment Report of South Australia 2008—Government Response  
 Wilderness Advisory Committee—Report 2008-09  
 Zero Waste SA—Report 2008-09  
 Regulations made under the following Acts—  
     Environment Protection—Exemption from Act—Maralinga  
     Upper South East Dryland Salinity and Flood Management—Establishment of  
     Project Scheme

By the Minister for River Murray (Hon. K.A. Maywald)—

Murray-Darling Basin Authority—Report 2008-09  
 South Australian Water Corporation—Report 2008-09  
 Stormwater Management Authority—Report 2008-09

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

Regulations made under the following Acts—  
     Liquor Licensing—  
         Dry Areas—  
             Alexandrina Council  
             Paringa and Renmark  
             Spalding  
             Stirling  
 Local Council By-Laws—  
     City of Mount Gambier—No. F—Smoking on Council Land  
     Tatiara District Council—  
         No. 5—Dogs  
         No. 6—Cats

#### **WATER TRADING, HIGH COURT CHALLENGE**

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:08):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** The South Australian government today issued proceedings in the High Court of Australia in an attempt to force the Victorian government to lift its restrictive 4 per cent cap water trade barrier along the Murray River system. The proceedings assert that the cap is an unconstitutional imposition on trade and is therefore invalid. The High Court challenge forms part of the SA government's campaign to return healthy flows to the River Murray and help save the Murray Lower Lakes and Coorong. The government wants to see free water trading along the river, as I am sure all members do.

It has become increasingly urgent to force these changes as the drought continues and the River Murray suffers more environmental damage. The announcement of our intention to launch a High Court challenge earlier this year has already led to Victoria abolishing its restrictive 10 per cent trading cap. Victoria's 4 per cent trading cap remains, however, and will remain until at least 2014. We want to see that cap also removed urgently. There is a mechanism to protect inefficient and wasteful water practices in Victoria. It is also a trade barrier that severely hinders the ability of governments to purchase water for the environment and critical human needs.

The Rudd government has allocated \$3.1 billion to buy back water licences to restore flow to the river system. Because of restrictive trade barriers in Victoria, the vast majority of the water for environmental flow was purchased by the commonwealth from New South Wales. This prompted New South Wales to impose a trade embargo earlier this year. In other words, the 4 per cent barrier in Victoria has had a damaging domino effect. In effect, it has placed a hand brake on the whole reform of the River Murray restoration.

The only state that has an open free trade on water now is South Australia. We want every state to follow our lead, even if we have to force it through court action. The High Court challenge is designed to keep the momentum of reforms going. Water scientists have been telling us for many years that a minimum of 1,500 gigalitres and up to 3,800 gigalitres of flow needs to be permanently returned to the River Murray to ensure its long-term survival and health. In the past few years we have made a very good start towards restoring this level of permanent flow to the River Murray. I am told that, to date, under the Living Murray program, 485 gigalitres of permanent water has been returned to the river, and, under the Water for the Future program, a further 360 gigalitres in water entitlements have been purchased. That means a total of 844 gigalitres has, in effect, been restored to the river for permanent environmental flow, but we need to keep up the momentum.

The truth is that, of all the water extracted from the Murray-Darling Basin, in normal years, 93 per cent of the water that is taken from the River Murray is taken by New South Wales, Victoria and Queensland. Only 7 per cent of the water extracted from the River Murray is taken by South Australia. That is how inequitable the situation is. It should be understood that the Victorian cap is placing undue pressure on South Australia's irrigation community. The same opportunities for trading water should be available right across the basin.

For South Australia, there is much at stake. The state of the Coorong and Lower Lakes shows the urgent need to fix the problems in the Murray-Darling Basin system. The Coorong and Lower Lakes are on the verge of environmental collapse. Record low inflows into the Lower Lakes, caused by prolonged drought and overuse of water in the upstream states, has left large tracts of lake bed exposed.

The South Australian government is continuing to do what it can to try to restore the River Murray, Lower Lakes and Coorong to health. The bioremediation and revegetation work we are undertaking is critical to controlling the serious acid sulphate soil issues confronting the lakes. However, what we need most is to return healthy flows to the River Murray, and this High Court action is part of South Australia's campaign to achieve that.

Let me tell the house that there were people sneering, some years ago, when we as a government took High Court action to stop the former federal government imposing a radioactive waste dump on South Australia, and we won it 3-nil in the courts. We are going to do that again, because this is important for our state—but it is also most important for the health of the River Murray.

What we have seen is, one by one, following agreements made last year, states have legislated to return groups of constitutional powers to the commonwealth and set up a commission that will be able to set a basin-wide cap, and so on. However, there still remains one part of the jigsaw missing. That one part of the jigsaw is the artificial cap that limits any free trade in water imposed by Victoria. Victoria has already buckled and removed one of the caps, that is, the 10 per cent cap on trade. Now we are going after them to remove the 4 per cent cap.

#### **ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE**

**Ms BREUER (Giles) (14:18):** I bring up the 65<sup>th</sup> report of the committee, entitled Public Transport.

Report received and ordered to be published.

#### **VISITORS**

**The SPEAKER:** I draw to the attention of honourable members the presence in the gallery today of members of the Regional Youth Leaders Forum and students from Campbelltown Primary School, who are guests of the member for Morialta, students from Valley View Secondary School, who are my guests, and members of the Ulysses Motorcycle Gang, who are guests of the member for Mount Gambier.

**QUESTION TIME****YOUTH MINISTER**

**Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (14:19):** My question is to the Minister for Youth. Why did the minister this morning describe questioning by the media as 'sleazy', 'awful' and 'rubbish'?

**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) (14:20):** I was asked a direct question about allegations made, and I think that is what those allegations are.

**CITY WEST DEVELOPMENT**

**Mr BIGNELL (Mawson) (14:20):** Will the Treasurer advise the house of the impact on the state's finances of the latest version of the opposition's proposed inner city stadium and hotel complex on the banks of the River Torrens?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:20):** There has been much fanfare about the Leader of the Opposition's grand vision for the redevelopment of City West. We have made it very clear that our priority as a government is that it should be a hospital.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. K.O. FOLEY:** With a blaze of glory they announced their grand vision. It is a number of iterations of the former leader, the member for Waite. In general, what was proposed by the leader was an undercover stadium with a retractable roof that would have a capacity somewhere between—depending on which interview and which spokesperson—50,000 and 80,000 people. They are going to demolish the Entertainment Centre, which has just had a major upgrade.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** They want to move the interstate rail terminal, not all the way into the city but, rather, just halfway.

**Mr VENNING:** I have a point of order, sir. The minister is debating the answer.

**The SPEAKER:** There is no point of order.

**The Hon. K.O. FOLEY:** When one looks at all the diagrams, it would clearly require the undergrounding of the metropolitan rail network from City West into Adelaide Railway Station. Then there is a grand vision of the country club hotel—I think there is one on both sides of the river—looking like something out of Las Vegas—and, of course, on Parklands. I am sure their candidate for Adelaide, Rachel Sanderson, was absolutely delighted and excited by that prospect.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** When it comes to cost, let us look at what the Leader of the Opposition said. She said:

A revitalised city centre is at the heart of a multimillion dollar development that will, once again, put Adelaide on the map as a vibrant and modern city or place to live.

She said 'multimillion'. I had an opportunity this week to debate the Leader of the Opposition. I was asked on Friday whether I would come into the studio to debate the Leader of the Opposition on this matter. I was more than happy to do so. I heard on the radio and was told on Monday morning that the Leader of the Opposition chose not to debate me on this matter: she debates only the Premier.

As members know, having an ego is not one of my failings. If the Leader of the Opposition chooses only to debate the Premier, not me, I can handle that. One would then expect that I would be debating the shadow treasurer. Would one be expecting that?

**Honourable members:** Yes!

**The Hon. K.O. FOLEY:** Of course one would be expecting that, but I was told that that is not the case.

**Mr PENGILLY:** I have a point of order, sir. The question was: could the Treasurer elaborate on the plan put forward by the Liberal Party? The Deputy Premier is trying to debate the issue and straying into other areas.

**The SPEAKER:** I do not uphold the point of order.

**The Hon. K.O. FOLEY:** Thank you, sir. This is a relevant point when one is explaining debating costs. So, who do I get? I get Rob Lucas. Come on down, Rob Lucas. Now, Rob Lucas rings in, and do you know what he said? I said, 'Where Is the Leader of the Opposition?' This is what Rob Lucas said on radio, 'The leader chooses only to debate the Premier.' I can accept that; that is what comes as being deputy. What did Rob Lucas say?—'Unfortunately, Kevin, you've got the B grade.' So, Rob Lucas is quite happy to admit that he is number two when it comes to finances. What I do say is that the deputy leader—if anyone has had any doubt and thought that I had been a bit harsh on the deputy leader in recent weeks—

**Mr PEDERICK:** On a point of order, Mr Speaker, I believe the Treasurer is straying from the context. The question was specifically about how good our City West proposal is.

**The SPEAKER:** I do not uphold the point of order. The Deputy Premier.

**The Hon. K.O. FOLEY:** Thank you, sir. All I am saying is that, clearly, the shadow treasurer has given up. He has run away, he is scared to debate me, and I accept that. What I would like to say—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —is that I am happy to have my old mate Rob Lucas back.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I am happy to have him back.

*Mr Venning interjecting:*

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

**The Hon. K.O. FOLEY:** Well, the leader's officers are telling everyone that Rob Lucas is the go-to man on finances. Her own advisers are saying that to the media. What Rob Lucas then had to admit on radio was that, in fact, it is not a multimillion dollar development; it is not even a \$1 billion development: it is a multibillion dollar development and it is likely to be worth at least \$2 billion or \$3 billion, and it is not happening overnight. Rob Lucas said, 'It's a 20 or 30 year vision.' There is no final figure, but it will be some \$2 billion to \$3 billion and a 20 to 30 year vision. What he did say is, 'What we will promise to do is, in the first four to six years Isobel has committed to, firstly, the establishment of a development authority which will oversee the whole development.' So, all we have is a development authority.

Let's have a look at the finances and what it means for the state. Anyone can see that it is a poor man's Las Vegas on the Torrens. It would, without doubt, strip us of our AAA credit rating and plunge the state into very serious financial troubles. When she was asked how she was going to pay for it, the leader said—

**Mr PENGILLY:** On a point of order, sir, can I ask that the Treasurer refer to members—whether in this place or in the other place—by their correct titles and not 'She said', 'He said', 'Isobel'.

**The SPEAKER:** I did not hear the Deputy Premier do that but, if he did, he must use proper titles.

**The Hon. K.O. FOLEY:** I apologise, sir. It's good to see the D and E grades coming out to attack me, isn't it?

*Mr Griffiths interjecting:*

**The Hon. K.O. FOLEY:** This guy sits there absolutely shell-shocked. Look at him—shell-shocked; he doesn't know which way to go. He doesn't know how to handle me, and this bloke had the cheek to question my capacity to be Treasurer of the state. He can't even get into a radio interview for a debate.

The leader said that she would raise \$1 billion from land sales. In fact, what she said was that we would sell at least \$400 million of State Sports Park, which I think, sir, is part of your electorate. That is \$400 million. Do you reckon, if we were sitting on \$400 million, that I, or even the Minister for Infrastructure, would let that sit there and not be sold?

*Mrs Redmond interjecting:*

**The Hon. K.O. FOLEY:** Yes—she says, 'Take advice from professionals.' The Acting Chief Executive of the Land Management Corporation, on written advice to the government, rezoned residential at the top of the market only. At the top of the market, you would be lucky to get \$100 million for it. That is written advice. So, she is already \$300 million out of pocket. Then she goes on to say that we could sell Keswick. Well, I am sure that more will be said about that during question time. I do not think Keswick will be an attractive option, given that it will still have rolling stock and it will still have heavy gauge; it is not going to be the most attractive place to live. Then, talking about the stadium—this stadium that grows and grows and grows—the leader said on FIVEaa:

We have specifically said that it needs to be built to FIFA standards, and we would anticipate something in the order of 60,000 to 80,000 capacity, with some convention and corporate facilities and car parking.

She is nodding. She has gone from 50 to 80,000—800 million—

**Mrs Redmond:** In the order.

**The Hon. K.O. FOLEY:** In the order of 50,000 to 80,000—in the order of. Well, what is your \$800 million? Is that for 50,000 or 80,000? This just goes to show the financial risks the state takes, it could be 50,000 at \$800 million, which is in a press release, or it could be 80,000 at God knows whatever.

Then, we have a look at the issue of parking. Rob Lucas in a radio interview said, 'I'm just getting note from the leader's office. Oh, there's plenty of parking,' and I think he said something to the effect—and I stand to be corrected—12,000 to 15,000. Breaking news: Heathrow Airport, the largest airport in the world, has about 13,000 car parks. You would need about four layers of the entire site built as car parks to accommodate the 12,000 to 15,000 car parks that Rob Lucas said would go on the site. Another ill thought through plan. It only gets more laughable—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** When we look at the argument that they would move the Keswick interstate rail line to the new stadium at the back, now with some 80,000 seats, as I said, it is not moving it into the city; it is moving it halfway. You still have to walk. They have allowed a number, I am told, of \$200 million for that, and I am sure there will be more said. But, do you know what they did not take into account? That the suburban rail line and the country rail line, the haulage rail line, are two different gauges. I am advised—

**Mr Venning:** It is now.

**The SPEAKER:** The member for Schubert is warned.

**The Hon. K.O. FOLEY:** I am advised by—

*Mr Pengilly interjecting:*

**The Hon. K.O. FOLEY:** We'd change them, would we? We would regauge the entire city. I am advised—

**Mr Pengilly:** I know a fair bit about trains.

**The Hon. K.O. FOLEY:** He knows a fair bit about trains.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. Atkinson:** The Kangaroo Island railway.



**The SPEAKER:** The Attorney-General!

*Members interjecting:*

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

**The Hon. K.O. FOLEY:** They have allowed \$200 million. A grade separation, which is infrastructure talk for an overpass or an underpass, advised by the head of our infrastructure department, at least \$150 million. If you do not do that, you will have congestion and inoperability of the two systems. They did not put that cost into the—

*Mr Griffiths interjecting:*

**The Hon. K.O. FOLEY:** Where were you, Steve, during all of this? You must have been on holidays. The final statement from the leader, which I just found both amusing and really sums it up—when she was on ABC Radio, this is what the leader said—because they are going to have a development authority in their first four years, that's what we get—cop this for a quote—

We're not planners.

Obviously—

We're not developers.

Obviously. Then she says:

Oh! And we're not the visionaries.

Well, who is the visionary of this proposal? It is an ill thought through proposal. It will cost billions and billions of dollars. It is—

**Mr WILLIAMS:** Point of order. Not only is the Deputy Premier not responsible to the house for this matter, but he is debating it.

**The SPEAKER:** I think the Deputy Premier is starting to stray into debate, but I think he was winding up in any case.

**The Hon. K.O. FOLEY:** I will conclude. This may well be the last question I get in this place before the election, because the shadow treasurer never asks me a question, so I will finish on a high note. This government has done much in the last eight years to regain our AAA credit rating, to make up the party of financial—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —and economic government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —and I don't want to see—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —all of our hard work—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order!

**The SPEAKER:** Order! The member for MacKillop will take his seat. The Deputy Premier has finished.

#### MINISTERIAL CODE OF CONDUCT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:35):** My question is for the Premier. Is it appropriate behaviour for the Minister for Youth to describe questioning by the media as 'sleazy', 'awful' and 'rubbish'?

*An honourable member interjecting:*

**The SPEAKER:** Order!

**Mrs REDMOND:** Does he agree that the minister's actions are in breach of the ministerial code of conduct, which states, 'Ministers must ensure that their personal conduct is consistent with the dignity, reputation and integrity of the parliament'?

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:35):** The Minister for Youth has my total confidence.

*Members interjecting:*

**The SPEAKER:** Order!

### RAIL SERVICES

**Ms PORTOLESI (Hartley) (14:35):** My question is to the Minister for Transport. Will he advise the house on the difficulties of moving the interstate train terminal from Keswick to Adelaide?

*Mr Williams interjecting:*

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

*Mr Pengilly interjecting:*

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

**Mr Williams:** You've given up, haven't you?

**The SPEAKER:** The member for MacKillop is warned.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:36):** Even though I did not have much notice of the question, it is easy to give the answer because, in fact, this matter has been looked at on a number of occasions over time.

*Members interjecting:*

**The Hon. P.F. CONLON:** It's us, we are negative. That is what Mitch says—out of touch, we are negative.

*Mr Williams interjecting:*

**The Hon. P.F. CONLON:** It was, in fact, raised before. When the member for Adelaide was the lord mayor of Adelaide, she approached the government, on behalf of the council, about this very matter—

*Members interjecting:*

**The Hon. P.F. CONLON:** —no, just wait—and she explained that she was provided incontrovertible evidence at length by the minister that it was impossible.

**The Hon. J.D. Hill:** And who was that minister?

**The Hon. P.F. CONLON:** It was the Hon. Di Laidlaw. They have no corporate memory whatever. When Di Laidlaw was the minister for transport—when she had the benefit of a department, when she was the expert—she persuaded the city council that it was impossible, but let me explain why. One of the things—

*Members interjecting:*

**The Hon. P.F. CONLON:** Things have changed, that's right—the trains have got smaller. The trains have shrunk and got smaller. Since that time, things have changed: the interstate trains have got longer, and they are going to continue to get longer. Can I say that one of the things they did not do in this grand vision was talk to anyone who actually operated the trains, who owned Keswick, or who—

**An honourable member:** How do you know?

**The Hon. P.F. CONLON:** I know because we do talk to them and they told us. They told us that you did not talk to them. In fact, she told us she didn't talk to them. The Leader of the Opposition told us she didn't talk to them. Apparently, according to the Leader of the Opposition,

the interstate passenger rail operated by Great Southern Rail, who they had not spoken to—Great Southern Rail, incidentally, had a 38 year lease on the land at Keswick—is not only going to accept losing its lease but also help pay for the new facility. I look forward to those negotiations.

The passenger trains they operate are some 800 metres long. Whenever they add freight, as they do on the Darwin run, they are longer. At some point in the future, they intend having trains up to two kilometres long. Apparently, these trains are going to share the Adelaide Railway Station with suburban trains, and the suburban trains will just stop and wait for the two-kilometre train to eventually leave. I am sure everyone wanting to get to work will be patient and wait for the two-kilometre train to get out of there.

There is a way you do that: you have to grade separate it. Therefore, there will be trains there, with little trains underneath. Somewhat of an expensive exercise. But wait, sir, there is more. If they had talked to Great Southern, they would know that, if they are to relocate there, it is not simply their two-kilometre trains, they have to relocate their rolling stock and their maintenance, which means a bigger marshalling yard than we have at present. So, what we are going to do is replace the marshalling yard under this grand vision with a marshalling yard—a great big marshalling yard for the biggest trains in the state.

So, what do we do? Obviously I have seen the picture, Mr Speaker. I cannot see a marshalling yard because, apparently, it is underneath. The 80,000 person stadium has a grade separation for the freight rail underneath, with the freight marshalling yard; then we have the best of stations; then wait, underneath that, we have 13,000 car parks. My God, this is not a project: this is a geothermal project. It is a journey to the centre of the Earth. We have got a stadium; we have got an interstate train yard; we have a local rail yard; and then, underneath that, we have 13,000 car parks. It is the biggest hole in the world. Goodness me. I recommend that you stop when you get to China.

This is comical. This is why Di Laidlaw convinced the council that the proposal they have is absolutely impossible. But it does have one other flaw, in my opinion, Mr Speaker: where is the monorail? What decent, harebrained scheme does not have a monorail? And perhaps a chairlift to Mount Lofty! Why not an escalator to the moon, let's not be negative!

**Mr GRIFFITHS:** Mr Speaker, I rise on a point of order. I think it is fair to say that I am sincerely concerned about the Minister for Transport's blood pressure with all this rambunctious behaviour and losing his cool in the matter.

**The SPEAKER:** There no point of order.

**The Hon. P.F. CONLON:** Mr Speaker, what is plain is that, when the Leader of the Opposition decided to have a grand vision for Adelaide—

*Mr Williams interjecting:*

**The Hon. P.F. CONLON:** Can I assure the member for MacKillop that I think your idea is some of the best news I have ever heard.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** What is plain is the opposition has never spoken to anyone involved. But can I say one more thing? How are they going to pay for it, a development at Keswick? You are going to develop Keswick. You are going to develop Keswick, that is what you told the radio. Is that what you are going to do?

*Mr Williams interjecting:*

**The SPEAKER:** Order! The member for MacKillop has already been warned once.

**The Hon. P.F. CONLON:** So, Mr Speaker, they are going to develop Keswick, which I am sure is going to be a great disappointment to the Australian Rail Track Corporation who thought they owned the buildings and land at Keswick. In fact, I am not sure what state powers are to acquire property of the commonwealth, because I have not done law for a while, but I—

*Mr Pengilly interjecting:*

**The Hon. P.F. CONLON:** Yes, I did practise, in fact. I did practise rather successfully, if I say so myself. I did practise, but I have to say, on this effort on this stadium, it is going to be a long

time before I am back on the tools, a real long time. Does anyone in the world believe that you can put a stadium on top—

**Mr Williams:** Yep.

**The Hon. P.F. CONLON:** Yep, they do. Di Laidlaw doesn't. Maybe we could get her out to support your idea of an interstate rail service and marshalling yard, on top of our major domestic rail station, on top of 13,000 car parks. They do not have to worry about the fault line any more, they have dug it out! It is absolutely plain that the idea is ridiculous. That is why Di Laidlaw, the last Liberal minister for transport, said it could not be done and that is why it still cannot be done.

#### MINISTERIAL CODE OF CONDUCT

**Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (14:44):** Will the Minister for Youth acknowledge that he has broken the Ministerial Code of Conduct? The Premier, as the then leader of the opposition, in his 2002 campaign launch stated:

Labor is committed fully to honesty in government. South Australians have had enough of the scandals and cover-ups. I want every member of parliament to sign and obey a code of conduct.

**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) (14:45):** I have not broken any code of conduct. I was asked a question about an allegation made and I stand by my answer to that allegation.

#### CITY WEST DEVELOPMENT

**Mrs GERAGHTY (Torrens) (14:45):** My question is to the minister—

*Mr Williams interjecting:*

**The SPEAKER:** Order! The member for MacKillop is on very thin ice. The member for Torrens.

**Mrs GERAGHTY:** Will the Minister for Environment and Conservation inform the house about the impact of the Liberal's City West vision on our Parklands?

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (14:45):** I thank—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —the honourable member for her question. I think that any discussion of the Parklands in this so-called 'vision' needs to begin with the true vision for South Australia and the City of Adelaide, and that vision was of a city in a park. Those Parklands, which have been established around the City of Adelaide, provide not only the green belt but also the lungs of the city and an urban form which has been acknowledged as one of the great cities of the world. It has been acknowledged in its national heritage listing as one of the key features that separates this city from many others.

What we need to remember about the Parklands and their relationship to this city is that modern regions—

*Mr Pederick interjecting:*

**The SPEAKER:** The member for Hammond is warned!

**The Hon. J.W. WEATHERILL:** —compete on the attractiveness of their capital cities, and one of the critical elements that makes South Australia attractive and Adelaide an incredibly attractive city is those Parklands. Very difficult debates have occurred ever since this colony was established about the future of those Parklands. There were deep debates, even around the establishment of rail yards on those Parklands. Every inch of that turf has been analysed and subject to a deep public policy debate in this state, because the South Australian citizens have always understood the importance of the Parklands not only for their enjoyment of their city but also because of the attractiveness of the state.

What do we see with this proposition? We see a plan which bears none of the subtlety of those debates which have occurred over decades. What we see is an extraordinary proposition where the whole of the area of the Parklands between the Morphett Street Bridge and the Adelaide Gaol and from North Terrace to the river is entirely devoted to development. Then what we see on the northern side of the river is a huge high-rise building. We are not talking about shades of grey and degrees of debate about what should be the sensitive use of the Parklands: we are seeing a completely rampant and reckless decision which pays no regard to the careful steps that have been taken over decades to protect these particular Parklands.

The so-called 'vision' here is one of massive alienation of incredibly large chunks of the Parklands. The other important element here is that the purposes for which the Parklands were established and for which they have been used consistently since the time of the original establishment of these Parklands is for public purposes. What they are seeking to do here is to alienate them for private purposes. We see a massive privatisation of our Parklands implicit in this proposition by the Liberal Party.

We have essentially gone from a series of debates about ensuring that these Parklands are carefully used and developed for the benefit of our community to an incredibly reckless plan that simply allows a group of developers and private investors to let rip on a very large chunk of our Parklands. This is utterly unacceptable to, and will be completely repudiated by, the South Australian community. I have it on very good advice from the member for Adelaide that her constituents will regard this plan with horror. We have gone from a city in a park to a city in a car park, and it is a proposition that bears no subtlety at all. It bears no sense of the connections or traditions of the Labor Party.

I will compare that with the steps that have been taken by this government to acknowledge, protect and preserve the integrity of the Parklands. A significant step forward in relation to the protection of the Parklands was the very welcome decision by the government to return the SA Water site to the Adelaide Parklands. That piece of land was alienated, albeit for public purposes, for the Thebarton depot of SA Water. That has been returned to Parklands, a decision taken by this government. We have a strong commitment to the Parklands. Those opposite seek to denigrate and destroy an incredible South Australian asset.

## TAXATION

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:51):** My question is to the Premier. Can the Premier be trusted on his word, after he promised no new taxes and no increased taxes or charges, yet increased taxes on poker machines and then introduced a new tax to save the River Murray? I remind the Premier that when he was opposition leader he said:

I'm making a pledge: no new taxes. I'm making a pledge: no increased taxes or charges. And, if I break that pledge, I will resign.

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:52):** I have been somewhat surprised at the poor quality of questioning today. When the fourth question of the day is, 'Do you rule out tax increases?', you would have to say: what has the opposition been doing for the last few weeks in terms of researching material to hold the government accountable? I have made it very clear that increasing taxation is not the way in which to deal with our budgetary issues—

*Mr Williams interjecting:*

**The SPEAKER:** Order! The member for MacKillop is warned a second time.

**The Hon. K.O. FOLEY:** —as a result of the impact on revenue from the global financial crisis. While we have seen stronger economic growth than predicted, we have not seen the resurgence in revenue that would normally accompany such economic activity. People are clearly still very careful—

**Mr PISONI:** I have a point of order, sir.

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

**Mr PISONI:** My ground is relevance. This question was about a promise that the Premier made, and the Deputy Premier has got up to answer it.

**The SPEAKER:** No, there is no point of order at all. The Deputy Premier.

**The Hon. K.O. FOLEY:** Sir, they put a pledge card up and talk about taxes from a 2003 budget. We are heading into an election in 2010, and they are harping back to what occurred then. What I have said repeatedly—

*Mr Pengilly interjecting:*

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

**The Hon. K.O. FOLEY:** What I have said repeatedly is I do not believe increasing taxation is the way in which—

*Mr Griffiths interjecting:*

**The Hon. K.O. FOLEY:** Why don't you ask a question? Why don't you show a bit of courage, for once, in this place?

**Mr GRIFFITHS:** I have a point of order, sir.

**The SPEAKER:** The deputy leader.

**Mr GRIFFITHS:** The Treasurer is clearly debating the issue now. He was asked a specific question and is making other accusations against members.

**The SPEAKER:** Order! The Deputy Premier should not make references to the deputy's courage.

**The Hon. K.O. FOLEY:** I simply said he lacked courage, and I apologise for that.

**An honourable member:** You're reflecting on his person.

**The Hon. K.O. FOLEY:** And he hasn't with me?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I have repeatedly said—

*Mr Pisoni interjecting:*

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

**The Hon. K.O. FOLEY:** What a legend that guy is over there. Got rid of one leader with a false document and he is working on this one, probably. I said that tax increases are not the answer. This government will not be going into this election campaign promising to increase taxes; that is not going to happen.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I did hear the member for MacKillop defending and saying how great the sale of ETSA was on radio this morning, but if you want to go back a few years, we have got that one on tape.

*Members interjecting:*

**The Hon. K.O. FOLEY:** No, it did not, actually.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Why didn't you get it when you were in government when you sold it?

*Members interjecting:*

**The Hon. K.O. FOLEY:** Exactly. It was up to this government. This was the government that had the courage to cut services. It had the courage to balance the budget. What we do have—

*The Hon. I.F. Evans interjecting:*

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

**The Hon. K.O. FOLEY:** What we do have on the horizon, which will be a public policy debate for all governments of this nation, is the Henry review of taxation. Every member is aware that the Henry review is a wholesale review of the way in which taxes are levied in this nation. The issue of—

*Mr Griffiths interjecting:*

**The SPEAKER:** Order, the Deputy Leader of the Opposition!

**The Hon. K.O. FOLEY:** How big was yours?

*Mr Griffiths interjecting:*

**The Hon. K.O. FOLEY:** We have put one in.

*Mr Pengilly interjecting:*

**The SPEAKER:** The member for Finniss!

**The Hon. K.O. FOLEY:** What we have a problem with in this nation is vertical fiscal imbalance. There is barely a cabinet meeting when my colleagues do not bemoan VFI to me—the minister for sport in particular. Vertical fiscal imbalance has challenged the member for Lee for decades. What the Henry review is doing is saying that—

*Members interjecting:*

**The Hon. K.O. FOLEY:** You asked me the question and I am giving you a wholesome answer. The vast majority of taxes in this nation are collected by the commonwealth government but the vast majority of services and expenditure are delivered by the states. What the Henry review will do, one hopes, is give the states access to more commonwealth tax revenue—no more tax increases, but more access to the share of revenue that is raised nationally. I think that is a good idea and so does Troy Buswell in Western Australia and every other state treasurer. Whether we can get to that point with the Henry review remains to be seen.

#### BUDGET SAVINGS

**Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (14:58):** My question is to the Treasurer. Why have the Treasurer and the government not been upfront with the South Australian public before the March election about which jobs will be cut to make his \$750 million in budget savings required over the forward estimates? The government has announced in this year's budget that it will be making \$750 million worth of cuts through its Sustainable Budget Commission should it win another term of government but is yet to disclose to the public of South Australia the number and type of jobs and services that will be cut. The Treasurer has been there for almost eight years and therefore should have a more detailed knowledge of government finances and where cuts should and can be made than will any new commission.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:58):** This is coming from an outfit that said they are going to sell \$1 billion of land to pay for their stadium but it is only worth 100. This is an outfit that says they are going to shift the railway station—

**Mr GRIFFITHS:** Sir, my question was very specific in relation to the Sustainable Budget Commission, and I would ask that the Treasurer address the issue.

**The SPEAKER:** The question did contain quite a bit of debate. The deputy leader asked why the Treasurer or the government had not been upfront. Given the nature of the question, I will give the Deputy Premier some indulgence.

**The Hon. K.O. FOLEY:** I would be loath to take that up, because I would probably overdo it and get into strife. The government has said repeatedly that there is a significant savings challenge ahead of government—whoever wins the next election—because of a collapse in revenue and a collapse in earnings as a result of the global financial crisis.

What I have said repeatedly—and this question was asked during the Auditor-General's Report, so it is not a new question—is that we believe a large proportion of that savings requirement can arrive, can come, if we can get a modest wage outcome from the Public Service in the current round of wage negotiations. If we are able to achieve a 2.5 per cent wage outcome across the public sector, we will be able to achieve in excess of 50 per cent—probably closer to 70 per cent—of those required savings; so that is the first measure.

I would hope to be in a position before the election of having settled some of those cases, which will give us an indication as to whether or not we are on track in terms of the quantum of savings that can be achieved from wage restraint. What we have said to the public sector is that if we cannot achieve wage restraint we will have to look at further positions in the public sector that will have to be made redundant in order to make our books balance.

I understand that members of the Sustainable Budget Commission have visited the deputy leader (as shadow treasurer) and the leader. I do not know the nature of those discussions, but I am sure they were far reaching and probing. We are doing a lot of work at present, as I have said previously. We are scoping and doing a data collection set of all government spending programs—

*Mrs Redmond interjecting:*

**The SPEAKER:** Order, the Leader of the Opposition!

**The Hon. K.O. FOLEY:** God help us if this lot get elected. A data collection process is now underway in the Public Service so an incoming government, with this infrastructure in place, will have a good template of what exactly we are spending money on and the programs we are spending that money on. I am hopeful that at that time we will have wrapped up some wage negotiations that will make the task much simpler and easier.

There is no easy answer. The global financial crisis and the ever-increasing burden on state governments of sustainable health care are an ever-present danger for state governments. It would be no different under an Isobel Redmond government with, I think it is fair to say, Rob Lucas as treasurer (who has been there before). There is not an easy solution to this problem. Rob Lucas in another place understands that, and I am sure he would have a better appreciation of the task ahead.

On behalf of this Labor government I am committed to upholding and continuing the hallmark of this Labor government; that is, our financial management credentials. We are known as the AAA Labor government in financial circles. We are known as the Rann AAA Labor government. That is the common terminology on Wall Street and in London. That has been built up over eight years by this government.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Members opposite can rest assured that the Rann AAA Labor government, if it wins the next election, will keep on keeping on.

#### **ST CLAIR LAND SWAP**

**Mrs REDMOND (Heysen—Leader of the Opposition) (15:03):** My question is to the Minister for Environment and Conservation. Is it the case that the government, in particular minister Gago in the other place, has now agreed to review the proposed St Clair land swap; and, if so, will there be a final determination of the decision prior to the election next March or is this just another way to delay a problem until after the election?

**The SPEAKER:** Order! That is debate.

*Members interjecting:*

**The SPEAKER:** Order! The Minister for Transport.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:04):** My understanding of what has occurred is that as a result—

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** I have to say that getting lectured on common sense by people who want to create the world's most massive hole under the Parklands—

**The Hon. K.O. Foley:** BHP is excited about it!

**The Hon. P.F. CONLON:** They might find uranium if they go far enough, who knows?

*Members interjecting:*

**The Hon. P.F. CONLON:** If you rude people would stop interrupting—it is very hurtful.

*Mr Pengilly interjecting:*



**The Hon. P.F. CONLON:** If I can draw my breath. As I understand it, the minister in another place has indicated that there have been residents' groups seeking judicial review. On the basis of that and on the basis of advice, she has been prepared to accept a review of that decision. As I understand it, that matter will be referred to another minister and the minister will take the appropriate time to do it. If your allegation is that it is going to take until after March, I would say that that is unlikely, but I cannot, of course, in the interests of this being done as properly as everyone deserves, attempt to pre-empt the decision.

*Members interjecting:*

**The Hon. P.F. CONLON:** While I am not prepared to pre-empt it, I would be prepared to have a private wager that you are wrong.

### ELECTION PROMISES

**Mr GRIFFITHS (Goyder—Deputy Leader of the Opposition) (15:06):** My question is again to the Treasurer. Can the Treasurer be trusted on his election promises, given his record of keeping his promises at the last election?

**The SPEAKER:** Order! I can either rule it straight out of order or I can give the Treasurer a level of indulgence commensurate with the indulgence that I think the deputy leader is asking for in the question. Does the deputy leader want an opportunity to rephrase his question, or does he want to stick to it?

**Mr GRIFFITHS:** I am prepared to accept it as it is expressed, with my explanation, though, sir, if I may seek your leave.

**The SPEAKER:** Let us hear the explanation.

**Mr GRIFFITHS:** The Treasurer was asked on radio on 16 March 2006 during the election campaign whether he would fund his election promises by cutting jobs. He said in response:

No. All these spendings can be provided through appropriate efficiencies and savings within a budget.

However, after the election, at the 2006-07 budget, the Treasurer announced some 1,571 public jobs would be cut through the Greg Smith review and then, on 19 December 2008, the Treasurer announced that a further 1,600 public sector jobs would be cut, taking the total job cuts to almost 3,200 during the government's current term.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:07):** Many personal failings I may have, but I hope and trust that the parliament knows that I will do all in my power to ensure that a consistent set of policies are delivered should we win office at the next election. I do not think we could have been more upfront in saying that we have a massive savings task; that job losses will be a factor in it because of the need to ensure that we keep our finances in the black; that we will continue to maintain fiscal rectitude; and I am confident that, with our unprecedented candour and openness about what we intend to do should we win government, quite frankly, I think we should be applauded.

### TERTIARY ENTRANCE RANKING

**Mr PISONI (Unley) (15:08):** My question is to the Minister for Education. Does the government stick by its 2003 commitment in its State Strategic Plan to increase by 15 per cent (to 45 per cent) the proportion of students receiving a tertiary entrance rank (TER), or equivalent, with at least one of the following subjects: mathematics, physics or chemistry? According to the government's own Strategic Plan, 44 per cent of students were achieving such in the year 2000, and the latest figures show only 37 per cent achieving this in 2008. The progress rating is described as negative movement, with an achievement rating as unlikely, reporting a 16 per cent drop since 2000 when the Liberals were in government.

**The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (15:09):** Of course, this is the opposition that presided over the greatest fall in year 12 attainment that you could probably imagine, and it has taken us eight years to claw back—

**Mr PISONI:** Point of order, Mr Speaker: the question was about TER passes in maths, physics and chemistry, not about what the minister is speaking about, sir. I ask that you direct her to answer the question.

**The SPEAKER:** Yes, the minister does need to answer the substance of the question.

**The Hon. J.D. LOMAX-SMITH:** I was beginning to explain the issue around what a percentage means and how it reflects the number of total cases being used. Since their time in government, of course, we have increased by about 12 per cent the school retention rates up to their highest level, a bigger number. Almost 80 per cent of year 8 students are now reaching year 12. So, clearly, the percentage is a reflection of the—

**Mr PISONI:** Point of order, Mr Speaker: the minister does not understand the question. My question is about percentage. The minister's percentage—

**The SPEAKER:** Order! There is no point of order. The minister has the call.

**The Hon. J.D. LOMAX-SMITH:** I do not wish to reflect on the member's understanding of mathematics, but it is relevant that one looks at the overall numbers who are now completing year 12.

*Members interjecting:*

**Mr PISONI:** Standing order 127, thank you.

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

**The Hon. J.D. LOMAX-SMITH:** I think it is really significant that we have the highest school retention rates in around 13 years. It is also important is that we have been the government that has recognised the need to invest in science and maths. We recognise that by having a larger number of students completing year 12—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. LOMAX-SMITH:** —there will be alterations in the overall percentage of completion of certain subjects. We understand that. It is one of the fundamentals of statistics, but I do not have time to explain that to the member opposite. What I will say is that we have invested significantly in science, whether it is the Royal Institution or the Bragg initiative, and we are the first state in Australia to compulsorily have science and maths in the school week within our schools. We are the only state in Australia that will compel junior primary students to have 1½ hours of science per week and upper primary students two hours of science per week.

We are underpinning that with amazing quantities of staff development, professional training and input into our teachers, because we know they are our greatest asset. We have invested significantly in science and education within our schools, and I am optimistic that, even allowing for the fact that we have the highest school retention rates for nearly 13 years, we will still achieve those targets in the long run.

*Mr Pisoni interjecting:*

**The SPEAKER:** Does the member for Unley want the call to ask a question? I am happy to give him the call. He does not need to shout out.

**Mr Pisoni:** She doesn't answer anyway, sir.

#### WATER TRADING

**Mr WILLIAMS (MacKillop) (15:13):** My question is for the Premier. Why did the Premier sign the intergovernmental agreement at the COAG meeting on 3 July 2008 if he believed that the agreement was so detrimental to South Australia that he now seeks to challenge it in the High Court? On Thursday 3 July, following the COAG meeting, the Premier issued a press release, which said amongst other things:

This is a stunning result for South Australia and a victory for the environment. In addition, a significant agreement was reached today for the states to work towards lifting the trading cap on water between regions along the Murray Darling Basin from 4 to 6 per cent by the end of 2009, with a view to the complete removal of the trading cap by 2014.

Why did you sign it, Premier?

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (15:14):** I will tell you why I signed the deal: to get a deal. We signed to get \$10 billion used for the refurbishment of the River Murray, a whole series of projects. We also had to—

*Members interjecting:*

**The Hon. M.D. RANN:** No; we also wanted to get the buyback, which was more than \$3 billion. What we wanted to do was to get every single state on board—because the Howard government couldn't do it, Malcolm Turnbull couldn't do it—to hand over key constitutional powers over the River Murray to an independent commission that would set a basin-wide cap. And, what's more, we got about 85 per cent of the way there, a darned sight better than had ever been achieved before in this nation's history. Just remember, when I raised the issue of the River Murray at the National Press Club, the former Howard government would not allow the River Murray to be discussed at COAG. So, we had to put in the hard yards. We had to make sure that Queensland, New South Wales and the commonwealth came on board, but—

*Members interjecting:*

**The Hon. M.D. RANN:** That's right—the buyback scheme that Howard could not achieve. But there was still one missing part of the jigsaw and, rather than cave in, as you asked us to do to Howard—and there would have been no regard for us in terms of what you asked us to agree to—we went out and did the hard yards of negotiation. This is the last piece of the jigsaw, and that is why we are taking them to court.

### WATER TRADING

**Mr WILLIAMS (MacKillop) (15:15):** Again, my question is to the Premier. Premier, how is it that you claim it was your announcement of a challenge through the High Court to Victoria's water trading caps that caused the Victorian government to remove its 10 per cent trading cap, when the South Australian announcement was made on 29 April this year, some three months after the Victorian government had begun its review into the 10 per cent cap—a review clearly designed to clear the pathway for the legislative changes required to remove the cap?

*Members interjecting:*

**The SPEAKER:** Order! The member for MacKillop has asked his question.

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (15:16):** I can't believe that you believe that. What we have been doing is putting pressure on Victoria and, bit by bit, they are in retreat.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** You are the people who did not want us to take on the Howard government to stop a nuclear waste dump in this state because, basically, you do not put this state's interests first. We are taking it up to Victoria, and this is the next stage.

*Mr Williams interjecting:*

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

### STATE SPORTS PARK

**Ms THOMPSON (Reynell) (15:17):** My question is to the Minister for Recreation, Sport and Racing? Is he aware of a proposal to sell land that is currently home to State Sports Park?

**The Hon. M.J. WRIGHT (Lee—Minister for Police, Minister for Emergency Services, Minister for Recreation, Sport and Racing) (15:17):** I was astonished to hear last week, and again on ABC Radio yesterday morning, that the Liberals intend to sell 140 hectares of land at Gepps Cross to fund their city stadium—a city stadium which, at the last count, will cater for 80,000 spectators. It seems that the capacity of their proposed stadium changes depending on what day it is. I was astounded by their announcement because the land they are proposing to sell is home to the Super-Drome—

**Mr WILLIAMS:** On a point of order, I do not believe that the answer the minister is giving has any relevance at all to the question asked, which was: is he aware of a proposal to sell land?

**The SPEAKER:** Order! I will listen to the answer, but at the moment I think he is answering the question.

**The Hon. M.J. WRIGHT:** Thank you, sir. I was astounded by their announcement because the land they are proposing to sell is home to the Super-Drome and the Distinctive Homes hockey stadium.

**Mr WILLIAMS:** On a point of order, this has long tinged my curiosity: I understand that in the House of Commons, from whom we take our lead, it is out of order to read speeches or, indeed, answers to questions. I do not believe that the minister is using copious notes; I believe that he is reading, and I challenge him to answer the question without his notes.

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

**The Hon. M.J. WRIGHT:** It is also home to the Croatian Sports Centre, which is—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. WRIGHT:** Since the opposition leader announced plans to sell off land at Gepps Cross, I have been searching high and low to find out where a new velodrome and hockey stadium will be built. I am sure that the owners of the Croatian Sports Centre have been doing the same thing, as they would be eager to find out what the Liberals have planned for them, considering they own the land the Liberals intend to sell. Last week, I managed to download a copy of their policy, entitled 'New Stadium at Riverside West', before it mysteriously disappeared off isobelredmond.com. Unfortunately, we are yet to hear anything about their plans for the Super-Drome, hockey stadium and Croatian Sports Centre.

This proposal by the Liberal Party must be one of the sloppiest, half-baked policies I have ever seen. They claim a significant portion of the funding for their new stadium will be generated by the sale of government land. The fact is that a maximum area of only 55 hectares is available for development at Gepps Cross. Even if you include the Super-Drome, hockey stadium, Croatian Sports Centre and other land, or redevelop, there is still only around 95 hectares available. That is a long way off the 140 hectares the Leader of the Opposition plans to sell. We are also well aware of the intentions to sell off land at West Lakes that they do not even own. It is utter nonsense and grossly misleading to South Australians.

The Leader of the Opposition must tell South Australia what her plans are for the velodrome, hockey stadium and Croatian Sports Centre—if they plan to sell the land, where they will build new facilities and how they will fund this; if they will not sell the land, how they will fund their new stadium. The hockey stadium at State Sports Park is not only the home of hockey in South Australia but also hosts training and events of other sports, making it a vital piece of sporting infrastructure. Hockey SA has over 12,000 members and the majority of them use the facility seven days a week for up to 10 hours a day.

The velodrome is also used by thousands of people each year and is home to the AIS cycling program, Cycling SA and other cycling clubs. The velodrome is also used by hockey and taekwondo clubs for indoor training, competition and events. It is estimated that a new velodrome would cost in the vicinity of \$10 million to \$20 million as a bare minimum, while a new hockey stadium would cost at least \$14 million. Then there is the cost of acquiring and relocating the Croatian Sports Centre. Perhaps the Liberals—

**Mr PENGILLY:** Mr Speaker, I rise on a point of order. I wonder whether you could read out the question again because I think the minister has lost track of what the question was. He has got the wrong answer. He is doing a Dorothy Dixier.

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

**The Hon. M.J. WRIGHT:** Perhaps the Liberals have decided cycling and hockey sporting groups are not worthy of these facilities and will build a new stadium to the detriment of grassroots sports. It is clear this proposal has not been well thought out and there are gaping holes in their plan which, so far, has raised more questions, rather than providing answers. But, more importantly, the figures just do not add up. They say that they are going to sell 140 hectares of land that does not exist and they will be selling land that they do not own. One day they say the capacity for the proposed stadium will be 50,000: the next day it leaps to 80,000. This kind of shoddy policy work is what we have come to expect from the Liberals. It demonstrates that they are simply not fit to govern.

### SCHOOL CLOSURES/MERGERS

**The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (15:23):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. LOMAX-SMITH:** Last week, I was pleased to announce that an investment of nearly \$100 million is being made as part of our Education Works initiative to dramatically improve schools in South Australia. Indeed, state and commonwealth investment will mean that 10 school restructure projects will revitalise and upgrade local schools to provide even better services and opportunities for children and their families. This is another excellent result of the approach we have taken in working with school communities to improve schools and curriculum choices.

Three years ago, the Premier and I announced a major initiative called Education Works as a major reform of our school infrastructure and services, including the provision of six brand new schools. This initiative involved listening to and working with local school and preschool communities, with a view to creating even better services, including better school buildings and facilities so that young South Australians have better opportunities through education. This approach also recognised that, right across Australia, families have fewer children. Much of our infrastructure needed upgrading, despite what is now a massive \$908 million investment in capital works, maintenance and asset funding since 2002-03, and before we take into account the current investment by the federal government through the Building the Education Revolution school infrastructure funding projects.

Indeed, members are well aware that demographic changes have meant that there are fewer school aged children in some regions than in the past. Parents and teachers have recognised that schools with fewer children have limited curriculum choices. Classrooms and other facilities may also be under used, yet they still have to be maintained. There has been significant progress in our Education Works initiative thanks to a very strong community involvement. We are now delivering on our commitment to build six new schools, while many school and preschool communities across the state have looked at how they can better shape education services. This has involved schools coming together to form a new school or indeed communities choosing to close a school with declining enrolments.

Through this process, children have been supported to transition to other nearby schools. Community consultation has led to decisions such as 'one-stop shop' arrangements to make it easy for children to progress all the way from child care through to preschool to primary and secondary education. Today I formally advise the house that the Chief Executive of the Department of Education and Children's Services has received requests from governing councils of the following schools and preschools to close or merge: They are as follows:

- Wharminda Primary School, which closed at the end of 2008;
- Salisbury North West Junior Primary School and Salisbury North West Primary School voted to close at the end of 2008 and have reopened as Salisbury North West School in 2009;
- Morphett Vale West Primary School, John Morphett Primary School and John Morphett Preschool voted to form a new school, which is expected to open in 2011;
- Reynella East Junior Primary School, Reynella East Primary School and Reynella East High School voted to form a new school, which will start operating in 2011;
- Parks Children's House Childcare Centre and Parks Children's Centre Preschool will close and become part of the new Inner West B-7 school in 2011;
- Magill Junior Primary and primary school will become one school in 2011;
- Dover Gardens Primary School closed at the end of term two in 2009;
- Evanston Preschool and primary school, as well as Gawler High School will become a B-12 school on the Gawler High School site from 2012;
- Melaleuca Park Junior Primary and primary school will join together to become an R-7 school in 2010;

- Glenelg Junior Primary and primary school will become an R-7 school in 2010;
- Flagstaff Hill Junior Primary and primary schools will become one R-7 school in 2010;
- Christie Downs Primary and Special School become an R-7 school in 2010;
- Salisbury North West Primary School, Direk Junior Primary and primary schools have requested that they become a CPC to Year 7 school in 2011; and
- Terowie Primary School has requested closure at the end of 2009.

The governing councils have advised that their school communities have voted to close in accordance with section 14(a) of the Education Act 1972 and the Children's Services Act 1985. The schools concerned in the department have publicly informed their communities of these developments as they have taken place throughout the year. Under the previous Liberal government, which closed 65 schools against the wishes of their school communities, our approach to school restructuring is to listen and to work with communities to improve opportunities for young South Australians.

I thank all school and preschool communities, which includes parents, staff, school and preschool leaders, as well as all those governing council members who have worked so hard and given their positive and collaborative input to make decisions in the best interests of children and South Australia's future.

### 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) (15:28):** I lay on the table a copy of a ministerial statement made by the Hon. Gail Gago in another place.

### GRIEVANCE DEBATE

#### ROAD MAINTENANCE, FAR NORTH

**The Hon. G.M. GUNN (Stuart) (15:28):** Thank you, Mr Speaker.

**An honourable member:** Is this the last one?

**The Hon. G.M. GUNN:** Well, you never know your luck in this place. On this occasion I want to talk about the inaction of the Minister for Transport and his department in relation to fixing up the roads in the north. The Labor Party and its candidates have been racing around the state putting out documents. I have one here from the Labor candidate for Stuart. On the bottom of it he has got:

PS. An extra \$23 million over the next four years will be invested in building safer roads, including \$5.2 million in 2009-10.

Let me give members some examples.

**Mr Kenyon:** He is a worthy successor.

**The Hon. G.M. GUNN:** He'll need a long apprenticeship before he gets anywhere near the place. You'll have to get him a safe seat! You have one road within 30 kilometres of Port Augusta, and the landholders out there have been told by the department of transport that there is no money to grade their roads. They want to shift their stock out—'No money. We're not allowed to spend any money.' The City of Port Augusta has graded its section. They are 30 kilometres from Port Augusta. Then you have got people east of Blinman, out towards Wertaloon, and their roads are in such a condition that they need grading—no activity. Then you go out from Oodnadatta, Hamilton Station and Mount Sarah, and vehicles cannot get along the road. The locals have offered to put their graders on the road, and the instruction from Adelaide is that there are to be no contractors employed. The department's graders are sitting idle but there has been no activity.

We want to know when some activity is going to take place. If we have all this money to get the trams to the Entertainment Centre and down the road, surely we can have a few dollars to grade the roads and get them back in order so that tourists and the local community can drive on them. It is good that there have been huge quantities of rain in the north, but that has an effect on the roads, and all these people ask for is a few graders. They are prepared—at reasonable cost, some of them—to put their own graders on the roads, but that has not been approved.

I want to know why there is a delay and what has happened to the money. We are told about this lavish amount of money that has been spruiked in the little dodgers that have been sent around. There is plenty of imagination and spin in these documents. One would think that they are the only people who have ever done anything in the north. In relation to my constituents' concerns about just having a reasonable road to drive on, at this stage there is lack of action. I call on the minister to take positive steps to fix this problem because, at the end of the day, when you have rain, there is a limited amount of time to get the best value for money in putting a grader on the road. My constituents want to see some action, and I call on the minister to take positive steps to rectify this problem as soon as possible.

People are ringing my office all the time in relation to the Hamilton Station, Mount Sarah and Wertaloonna roads. It is not a big undertaking to get a few graders on the road. There are plenty of contractors who want to do it, as well as plenty of other people out there. The north may be out of sight but it should not be out of mind, and there is no excuse. I am told that the hotel at William Creek is having difficulty getting supplies through to the hotel. We know the airstrip has had a problem and needs upgrading. At the end of the day, the roads are in a deplorable condition. We know the condition of the road north of Beverley going up to the Far North and Innamincka needs grading. It is in a deplorable condition, and I have complained about that before. We expect a reasonable cut of the cake. You cannot tell me the government does not have sufficient money, because there is money for other matters.

We have these glossy documents floating around the electorate. It is one thing to spin out this sort of guff, but the other and most important thing is to get some real action so that people who want to do good things for South Australia—that is, create opportunities, both for tourists and for local communities to get their produce to market—are given a fair go to achieve those objectives.

Time expired.

#### GILES ELECTORATE

**Ms BREUER (Giles) (15:33):** This probably will be my last grievance speech for this parliament. Hopefully, I will be back but, of course, we never take anything for granted, even though I have a good margin. You never take an election for granted, so the next few months will be an interesting time.

I have spent an interesting four years here. I think probably I have enjoyed the past four years more than my previous eight years (although I enjoyed them as well), but the past four years have been very interesting. I pay tribute to the staff in my electorate office—particularly Tracy, who is my right arm and runs my office. She looks after the office and keeps things going for me. I acknowledge Sherie and also Eddie Hughes, who has been a longstanding member of my office and a very important member of my staff. He keeps me informed about what is happening in the community. I acknowledge Anouk and Hannah, a young trainee who is doing extremely well. Previously, I had Pat working there. They have all been a great support for me over the four years. Without your staff, your office would fold.

I also want to pay tribute to my colleagues and, in particular, the Government Whip in this place, with whom I have developed a good friendship and on whose support I have very much relied.

*Mr Venning interjecting:*

**Ms BREUER:** And the Opposition Whip; I think he has also contributed. I also want to pay tribute to the Hon. Lea Stevens and Trish White, who are both leaving us after the next election. They have been great for our party and in this place, and I wish them well in the future. There are many other colleagues of mine, but I will not start naming them all because Ivan is yelling at me across the floor.

I also want to pay tribute to the Hon. Graham Gunn, because I will probably not get a chance to speak to him again. I talked about him during the motion to congratulate him. I will miss him. It is interesting that he was standing up there today, still fighting for his electorate. He often fights for mine as well, I think, without realising it.

I want to thank the staff in this place. We have some excellent staff, especially the catering staff, Hansard staff and the people in this chamber. I wish Perry well in his retirement. I want to thank John, who is always very obliging and happy to look after us, and Kane and Joy, who do a great job for us here. There is also my committee staff member, Phil Frensham, who has supported

me over the last four years as the chair of the Environment, Resources and Development Committee.

It is an interesting time. I have just received a message from one of the papers in my electorate, which asked: 'What have you achieved in your time here?' It is always interesting to face up to that and think, 'Well, what have I achieved?' I asked the Hon. Lea Stevens this morning what she had achieved as minister, and so on, and put her on the spot, because it is difficult to come up with a single achievement when you think back on all those things and the things you have done.

I suppose what I will be most proud of is the fact that I am always pleased to speak up for my electorate. I will always have a go when I need to and, while I am a loyal member of the government and certainly a loyal member of the Labor Party and would never consider leaving, I am prepared to speak up for my electorate when I need to. When the Premier asks me, 'What is a big issue in your electorate?', with an electorate my size there are so many different issues.

I was interested to hear the member for Stuart talk about the roads in the north of the state, and I want to mention them today and, in particular, the road from Hamilton Station to the Marla turn-off and then down to Nilpinna Station. There are some serious issues there. I have spoken to the minister today about this.

Sometimes these issues can be solved simply, if you think it through very carefully. Like the member for Stuart, I sometimes question the thought processes of some of the employees of the departments, but if we talk to them we can get things done. I will certainly be trying to make sure that that road is fixed, because it is in a bad state at the moment. The roads are never as bad as the member for Stuart makes them out to be, but in this case there is a bit of water damage and we need to fix that. Overall, I think we do a very good job, and the department of transport does a very good job with our roads.

My big issue in the last couple of years, which will be a big issue during the election campaign, is the jetty and the desalination plant that is proposed for Port Bonython near Whyalla. I have made my views very obvious on this. I do not support either of them being located in that spot. I think it is the wrong place, and I have consistently argued with the ministers on this. I think there are alternatives, because in Whyalla we never knock back opportunities; we never knock back development or industry. We are an industrial town: it is our base and our roots. However, we are saying that there are other alternatives, even if it was to go through the OneSteel facilities. We believe there are other options. We do not want to upset our local community. Port Bonython (as they call it; we call it Point Lowly) is a really important spot for us. It is a recreational area for us and it is a home of the cuttlefish and our fish farms. Let us look elsewhere. I wish everyone a merry Christmas and I look forward to another four years in this place.

Time expired.

#### CLUBS SA

**Dr McFETRIDGE (Morphett) (15:39):** On 31 October, I had the pleasure of attending the Clubs SA annual awards of excellence dinner. I was able to talk to a lot of people about running clubs in South Australia and to make sure that they are happy with the way things are going. From the awards that were awarded that night there is ample evidence that we have in South Australia a very strong club movement involving hundreds of paid employees and also thousands of volunteers. Right across the state, from Roxby Downs to Mount Gambier and up to the Riverland (Cobdogla is mentioned frequently), the clubs in South Australia that provide entertainment, community support and also individual support to members of those communities is a fantastic thing to see.

The board of Clubs SA is headed by Cameron Taylor, who has been president for a number of years. Bill Cochrane, who is deputy president, is a very dedicated person. The other members of the board are Kym Flanagan, Greg Saunders, Laraine Donaghay, Steven Grant, Bob Raphael and Graham Nichols. The board should be very proud of the work it is doing.

On the awards night a number of awards were presented. Employee of the Year was won by Matthew Nastasijevic of the Para Hills Community Club. Matthew was an outstanding nominee and a worthy winner. He has contributed a tremendous amount to the success of the Para Hills Community Club; and the Para Hills Community Club features quite often in nominations in various categories for Clubs SA awards.



The 2008 winner of the Community Service Award was Para Hills Community Club and, again, it received the award in 2009. It is a very strong club. I used to live at Salisbury Downs and had many friends in Para Hills. The community was very strong at that time and still is.

The Spirit of the Club Movement was won by the Renmark Club. I am going to Renmark on Monday and I hope to speak to community members and visit the club. It is important that this community club is contributing towards the health and mental health of that community, in a financial sense, by being a worthy club and also with its support and activities.

The Occupational Health and Safety Award was won by Cobdogla & District Club. Cobdogla, which is near Barmera, is a terrific place. I learnt to water ski at Cobdogla many years ago, and it is great to see that the Cobdogla & District Club is a recipient of an award from Clubs SA.

The Best Dining Facility was won by the Para Hills Community Club. Once again, it is more evidence of how well the club is going. The Best Bar, which is a new category, is interesting. Glenelg Surf Life Saving Club was one of the nominees but it was pipped at the post by the Parafield Gardens Community Club.

The Best Entertainment Venue was won by Parafield Gardens Community Club, which is a terrific club. Parafield Gardens is next to Salisbury Downs where I lived as a kid. It was a brand new community when I was younger but it is now a very strong community, which is evidenced by the fact that the Parafield Gardens Community Club has won the Best Entertainment Venue.

The Most Improved Club was won by Renmark Club; and, once again, it is evidence of the worth of that club to the local district. They are continuing to improve the club and their ability to serve their community—which they are doing well.

The Best Gaming Machine Venue—a bit of a controversial award in some eyes—recognises responsible gaming. The Grand North Club at North Adelaide won that award. I remember debate in this place in relation to the legislation about that club. The Most Professional Manager went to Greg Saunders of the Parafield Gardens Community Club. Greg is a terrific bloke. Glenelg Surf Life Saving Club and the Vines Golf Club of Reynella were nominees for the Best Club Operations (Non Gaming). The Vines Golf Club won the award.

The Best Club Operations (Gaming) was won by the Parafield Gardens Community Club. They certainly do well in the northern suburbs. The Club of the Year in a regional area was Renmark Club—once again more evidence of the fantastic job the club is doing. Club of the Year—Metro (Small) went to Colonel Light Gardens Community RSL, which is a terrific club and the RSL is a terrific organisation. It was great to see them winning the Club of the Year—Metro (Small) Award.

The Club of the Year—Metro (Large) was the Para Hills Community Club. It is a great club, one of many in South Australia doing a fantastic job. I congratulate them all.

### **GAWLER RACECOURSE REDEVELOPMENT**

**Mr PICCOLO (Light) (15:44):** Today I would like to talk about the Gawler Racecourse and its future. Thoroughbred Racing SA is in the process of implementing its overall strategy for venue enhancement and allocations of race meetings, with a view to creating a self-sufficient and, importantly, sustainable racing industry for South Australia. While the Gawler racing facility has been identified by the industry as the most appropriate second metropolitan facility, it is considered below standard and run-down. The current redevelopment of the Gawler Racecourse will involve a comprehensive upgrade and reconfiguration of track infrastructure and racing facilities, incorporating water resource initiatives and open space opportunities, together with the construction of a new multipurpose function facility, at a combined estimated cost of just over \$12 million.

To assist with the project, the Rann Labor government has committed \$6 million, with the balance of funds to be sourced from the sale of 4.3 hectares of surplus land at the southern end of the racecourse. This land has been identified by both Thoroughbred Racing SA and the Gawler & Barossa Jockey Club as being surplus to anticipated needs as a result of the redevelopment of the racecourse.

A Development Plan Amendment (DPA) has been commenced by the Minister for Urban Development and Planning and a range of investigations have been undertaken to determine the highest and best use for the surplus land. The DPA proposes to rezone the surplus land for the

development of a neighbourhood centre and for a proposed expansion of the Gawler High School. The DPA also provides the opportunity to realign the local road network to improve traffic management and rezone the Gawler Racecourse and facilities more appropriately.

The proposed DPA is supported by not only the Gawler & Barossa Jockey Club but also the adjacent school, that is, Gawler High. In its submission to the Policy Advisory Committee (DPAC), the governing council chairperson, Mrs Angela Macfarlane said that the school believed that the proposed road closures, the construction of a new service road to the school and the separation of traffic as a result of the proposed creation of a four-way intersection at Main North and Para roads will deliver better traffic outcomes for the school. Mrs Macfarlane said that, while the school supported the overall traffic plan, 'with respect to the proposed Main North/Barnet Road intersection, we (that is, the school) would strongly support, and urge, that it be relocated slightly northward to intersect with Morrow Avenue'.

Mrs Macfarlane said that, by moving the new Barnet Road intersection slightly north, 'the slightly larger area will help protect the vistas towards the schools and would result in better urban design options for the new integrated birth to year 12 school.' Mrs Macfarlane went on to say:

This area will play an important part in creating a new visual relationship and interface between the school and the wider community.

In a media release issued this week, Dr John McKinnon, President of the Gawler & Barossa Jockey Club, said that the DPA will:

- Improve traffic management in the locality by separating the high school and general traffic;
- Create quieter traffic areas near the high school;
- Enable the school to purchase a portion of land to help build the new R-12 school;
- Help secure the long-term financial viability of the racecourse;
- Provide employment opportunities for young people in the area;
- Enable Evanston Park and Evanston residents to shop more locally; and
- Increase the availability of office accommodation in the area.

Dr McKinnon believes that 'the DPA will deliver some great outcomes for the locality.'

Subject to any changes required as a consequence of community feedback, I believe that, overall, the DPA warrants support for the following reasons: it protects an important open space (that is, the racecourse); it provides an opportunity for Gawler High School to grow; it helps to resolve traffic problems in the locality; and, importantly, it protects local jobs, which is important for local businesses and their families.

The DPA can certainly be improved by policies and principles of development that clarify the objectives and provide greater certainty of the outcome. Importantly, the DPA has the potential to address a number of issues in the locality that have been debated for many years but not yet resolved. I urge local residents and businesses to put in a submission if they have any concerns or ideas about how the DPA can be improved. That submission should go to DPAC by 7 December.

Over the next few weeks, I will be consulting with local residents to ensure that my presentation to DPAC on 7 December accurately reflects a balanced view of the proposal. I am particularly interested in hearing from people who live in Morrow Avenue to ascertain the best traffic management outcome for them.

In her submission, Mrs Macfarlane also said that DPAC needed to ensure that the design of the proposed buildings and the overall footprint be given serious consideration as it needs to complement the school site rather than detract from it.

Time expired.

## DAIRY INDUSTRY

**Mr VENNING (Schubert) (15:49):** South Australia's dairy industry is in crisis. Years of protracted drought, coupled with low prices and a lack of water availability, has seen many dairy farmers struggling to continue and/or survive. Currently, farmers are getting only 21¢ per litre for their milk. This is not meeting their costs of production, and most dairy farmers are operating at a loss. When we compare the price dairy farmers are getting at the farm (21¢ per litre) with what we

pay for 600 mls of ice coffee—and I buy it at \$2.50 to \$3—it does not take much to realise that the prices farmers currently receive for their milk is not sustainable, and that someone is creaming their profit and they are being ripped off. That is why many dairy farmers have opted out of industry and many are considering leaving.

The number of dairy farmers in South Australia has reduced significantly in recent times, with hundreds of good dairy cows going to abattoirs—good cows killed. The 2009 survey undertaken by Dairy SA showed that, on average, respondents have sold or culled 19 per cent of their milking herd so far this year.

It is clear that milk prices being paid to the farmers have to improve or it will put our future milk industry supply in jeopardy; in fact, it will wipe them out. The dairy industry directly employs 1,175 people on farms in South Australia and a further 350 in the processing sector. The estimated value of farm milk production in the region in '07-08 was \$245 million. If the dairy industry in South Australia were to collapse, the flow on negative effects for the state would be huge.

I fail to understand how the Rann Labor government, at this time when dairy farmers are continuing to struggle to survive, can make a decision to close the Flaxley research centre dairy next year. According to PIRSA, the dairy business is closing because it is not viable. What about all the dairy farmers who own farms who are not viable at current prices? What assistance is the Rann government providing to them? Nothing, except to close the current dairy research centre.

The genetics breeding program run by SARDI will also go, and the herd is due to be sold off in March next year. What a disgrace! Talk about rubbing it in the face of an industry that is down. This closure, to me, smells of budget cuts. What about South Australia's dairy industry? Is the Rann Labor government just going to let it die? Are we just going to walk away from our industry and rely on Victorian milk, or overseas milk? It seems that the answer to this is yes. They have decided to close Flaxley dairy because they say it is no longer viable.

What about all the South Australian dairy farmers who are continuing despite their farms no longer being viable? They continue hoping that things will change. Where will we get our milk from when we do not have any dairies any more? Overseas. What about that? Will our community accept that? What about food standards in many overseas milk-producing countries? I urge the Rann Labor government to assist our dairy farmers and rethink the decision to close the Flaxley research centre dairy. I thank Malcolm Fechner very much for keeping me informed.

I turn now to the headlines in the weekend's media. I was quite moved to read, in the *Sunday Mail*, about the devastation that is occurring in our Riverland. The headline states, 'Fruit bowl losing life'. More than a third of South Australia's River Murray food bowl is now vacant, with irrigators forced to cut back on plantings or walk off the land. As reported in the *Sunday Mail*, the reasons for this are many: protracted drought, the high Australian dollar, cheap imports, a wine glut and lack of opportunities. The number of citrus growers in the state has halved, with a large portion of these being from the Riverland. The Central Irrigation Trust has seen 15 per cent of the water entitlements it administers for irrigators transferred permanently, with this figure projected to rise to a staggering 30 per cent.

Wine Grape Growers Australia estimates that we have 20,000 hectares oversupply of vineyards, with the wine glut set to impact heavily on the Riverland, as they supply more than 50 per cent of South Australian wine grapes. There are 2,000 clients of the Rural Financial Counselling service, and 600 of these hail from the Riverland. Thousands of fruit trees are being left to die, and many hectares of vines have been pulled in recent months. What devastation and heartache. My heart goes out to those in this wonderful community

But, why haven't we heard of this before, especially in this place? In my long time in this place, I cannot not recall the current member ever raising these issues in here, never moving motions in support of her people, never pleading with the house for understanding for the plight of her electorate. To make it worse, she has kept this government in power. You would think her electorate would have the ear of the government. Well, according to the *Sunday Mail* two days ago, apparently not. I hope the fortunes of the people of the Riverland turn soon; it could start on 20 March next year.

#### **SPIRIT OF EUREKA**

**The Hon. S.W. KEY (Ashford) (15:54):** I was really surprised and also pleased to hear that, on Thursday 3 December at 1.15 on the steps of Parliament House, the Hon. Bob Sneath, the President of the Legislative Council, along with a number of others, including Martin O'Malley from

the Construction, Forestry, Mining and Energy Union, will be conducting a celebration which commemorates 155 years of the spirit of Eureka.

*Mr Venning interjecting:*

**The Hon. S.W. KEY:** Eureka, yes. I understand that the Eureka flag will be flying. I am not sure whether it will fly from Parliament House, which would be unusual; we will have to wait and see and attend to find out. Needless to say, I think it is important for this house to note that the Spirit of Eureka Committee has been established in South Australia, as well as in other parts of Australia, including, of course, Victoria, where 155 years ago the Eureka Stockade rebellion took place.

Although I need to do a little more research into this organisation, certainly from the reading I have done so far it seems like one I would support. In its briefing information, the committee states:

We draw our inspiration from the fight for justice, democracy and a fair go for all that was born at the Eureka Stockade rebellion in 1854 which united more than 20 nationalities under the Eureka flag. The Eureka flag embodies the spirit of Australia's multiculturalism. It has become a national symbol for all those who fight for justice, unity, an egalitarian society and the vision of an independent and fair Australia. The Spirit of Eureka has adopted Eureka's spirit and its flag as an inspiration for all its endeavours.

I also understand that the Spirit of Eureka Committee has drawn up a charter of rights for Australians, known as the Eureka Charter, and that many of the demands it contains they believe would be a sound basis for a bill of rights for Australia to sit alongside a new updated and more relevant constitution. I know a number of organisations and people in Australia, particularly in South Australia, are very interested in investigating the bill of rights road for Australia. A number of really important points are made in the charter, which can be viewed on its website ([www.spiritofeureka.org](http://www.spiritofeureka.org)), and I refer to one in particular, that is;

The right of all Australians to secure a dignified retirement that ensures decent and comfortable living standards through the social security and taxation systems.

Issues I know that are very dear to your heart, Madam Deputy Speaker, as well as to mine, are:

The right of working parents to have access to quality, free publicly funded childcare,

The right to employment standards that enable working parents to manage both work and family commitments and, in particular, that working parents have the time and opportunity to form and maintain relationships with their children which foster the child's development.

This really does reflect the campaigns that many of us, particularly women on the Labor side, have been involved with for many years for quality child care.

Points are also made about the acceptance by the government that infrastructure, such as education, health, public transport, energy, telecommunications, postal services, water and community services, are vital to the collective wellbeing of all citizens and must be publicly owned and managed, and the acceptance that efficiency of public service must be measured in terms of the quality of service provided, as well as the economic cost. I know that, again, this is an issue many of us hold very dear, particularly in regard to the public sector and the services it provides.

Time expired.

#### **VALUATION OF LAND (MISCELLANEOUS) AMENDMENT BILL**

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:00):** I move:

That standing and sessional orders be so far suspended to allow me to move a motion forthwith for the rescission of a vote of this house on the third reading of the bill.

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

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

Motion carried.

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and**

**Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:02):** I move:

That the vote on the third reading of the bill be rescinded.

Motion carried.

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:02):** I move:

That the bill be recommitted for the purposes of reconsidering clause 5 in committee.

Motion carried.

In committee.

Clause 5—reconsidered.

**Ms SIMMONS:** I move:

Delete this clause.

**Mr GRIFFITHS:** I do understand that negotiation has taken place. Certainly, when I spoke to the office of the Hon. John Darley this morning, they did flag with me that there was an intention to move another amendment which, unfortunately, due to some confusion between a few of us, was not considered. I understand that the government and the Hon. Mr Darley have come to an agreement for the removal of this clause, and so the opposition indicates its support.

Amendment carried; clause deleted.

Bill reported with amendment.

**NATURAL RESOURCES MANAGEMENT (COMMERCIAL FORESTS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 18 June 2009. Page 3336.)

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:05):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

**ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (MINTABIE) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 17 November 2009. Page 4718.)

**Dr McFETRIDGE (Morphett) (16:05):** I will continue my remarks, which I started on 17 November in this place, and reiterate the fact that the Liberal Party will not be supporting this bill. During the conclusion of my speech I will put on the record a number of issues that have been put to me. My colleagues have reached their conclusions about this evidence and evidence they have obtained themselves, and they have decided, as I say, not to support the bill.

I was reading from a piece put together by Jonathan Nicholls from UnitingCare Wesley on the Paper Tracker website. As I said then, and I repeat now, Jonathan Nicholls is a very experienced operator in Aboriginal affairs. He is an honest operator. The information that he has put on the web for everyone around the world to read about Mintabie is, as far as I am able to determine (and I trust Jonathan), accurate. The first part of what I said outlined some of the concerns. I will continue reading from this article:

Drugs and alcohol continue to enter the APY lands through Mintabie. In August 2007, South Australia Police arrested and charged two men at Mintabie for their alleged involvement in a 'cannabis selling network'. In April 2008, the Mullighan Inquiry into child sexual abuse on the APY Lands noted South Australia Police's concern that Mintabie was 'being used as a staging post for the trafficking of marijuana on the Lands.'

The Mintabie stores have been an issue for quite a while, and I will read some more recent information shortly about the concerns around the operation of the Mintabie stores. The article continues:

For many years Mintabie's general stores and businesses have seriously impacted on Anangu well-being and on the viability of the stores in Anangu communities. In 2002, Iwantja community described this impact as follows:

'the biggest impediment to local Anangu is the Mintabie Mining Site and associated businesses operated there. The sale of poor quality cars without correct papers and warranty by unlicensed dealers is carried out on a daily basis...The stores that operate allow Anangu people to enter into a book-up arrangement, for large debts, then accept their bank key cards and pin numbers as security. They then use these key cards to remove the required payment themselves on a fortnightly basis, with little or no account keeping records...in some cases these same key cards have been used interstate for deductions by the store operators or their families.'

In March 2007, the Office for Consumer and Business Affairs (OCBA) reported on its recent examination of four Mintabie stores. OCBA noted that one store was selling between 300 and 350 second-hand cars per year, held 60 key cards and associated pin numbers and was allowing Anangu—some of whom lived more than 500km away - to enter into book-up arrangements.

In another store, 30 key cards and pin numbers were being held and the average amount of book-up was \$1,000. In a third store, OCBA found that prices were only displayed on half the items, goods were not properly weighed, and out-of-date items were being sold without the proper notification. In that store, customers were charged a 5% levy on any cash withdrawals and \$5 ever time they bought something on book-up. At a fourth store—whose Anangu client base stretched from Yalata to Docker River in the Northern Territory—95% of its business came from the direct debit of customers' Centrelink payments.

Again, such arrangements and irregularities are nothing new. Back in 1994, the Commissioner for Consumer Affairs reported that 'two shopkeepers from Mintabie' had been 'prosecuted...for dealing in motor vehicles without a licence'. Both men, who 'dealt mainly with local Aboriginal residents...were found to have been buying vehicles in the southern capital cities and transporting them to Mintabie where they would be displayed at the rear of their shops and sold'. Neither of the men 'provided their customers with proper warranties on the cars and in some cases actually charged their customers for doing repairs when the cars were returned with faults'. The Commissioner noted that the counsel prosecuting the case had described the vehicles sold at Mintabie as 'bombs' and that the judge had 'stated that cases such as these were far too prevalent'.

Mintabie is not what it used to be. Mintabie was a thriving precious stones mining field but it has declined over the years. The article continues:

The size and character of Mintabie have changed considerably since the original lease was granted in 1981. Back then it was a relatively new and rapidly expanding opal mining field. This is no longer the case.

Throughout the 1980s, the population of the township steadily climbed. By the late 1980s, well in excess of 1,000 people lived there. Since then, the population has declined.

The 2001 census counted 208 people at Mintabie, of whom 173 were staying in their usual place of residence. By the time of the 2006 census, there were only 122 people, of whom 112 were staying in their usual place of residence.

School enrolment numbers confirm Mintabie's decline. In 1988, 59 students were enrolled at the local school. In 2002, this number had fallen to 36. By 2008, 14 students were enrolled at this combined primary/secondary school. In 2009, there were only 11 enrolments.

Accompanying this population decline has been a significant change in Mintabie's economic base. Whereas in the 1980s the primary commercial activity at Mintabie was opal mining, today many of the town's most successful businesses rely heavily on commercial transactions with Anangu. In 2004, the Department of Primary Industries and Resources SA reported that there were 10 businesses operating at Mintabie, including five general stores and/or second-hand car dealers.

As Mintabie's mining fortunes have faded and fallen, business transactions with Anangu have kept the place alive economically. However, this development has reduced the growth and viability of Anangu's own stores and been a significant drain on the overall economy of the APY lands.

As I have said before in this speech, the land at Mintabie is leased by the people of the APY to the state government, which then gives permits to occupy and conduct businesses on the land. The lease was a 21 year lease and expired in 2002 and has continued on an ad hoc basis since then. The article continues:

Section 28(1) of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981 leased Mintabie to the Crown 'for a term of twenty-one years commencing on the date of commencement of this act'. The original lease expired on 2 October 2002. For more than nine years, Anangu have been negotiating with the SA government and interested parties over the conditions under which it would be prepared to enter into a new lease arrangement.

Those negotiations are continuing. The article continues:

...the determining factor in these negotiations is not monetary gain (from lease and licence payments) but the need to eradicate the serious, negative effects Mintabie has on their lives and their communities.

On 21 February 2007, APY held a Special General Meeting to discuss the conditions under which it might enter into a new lease arrangement. At the meeting, Anangu decided that any new lease arrangement must:

- restrict the way that alcohol can be sold at Mintabie,
- prohibit the selling of second-hand cars at Mintabie,
- prohibit the holding of ATM/keycards by store keepers,
- end the system of book-up operating in the stores, and
- require Mintabie residents to complete a police check as part of the process of obtaining a licence to work on the Mintabie Precious Stones Field.

At the same meeting, South Australia Police highlighted their concern at 'the amount of grog and drugs coming out of Mintabie' and urged APY to make sure its decision provided the police with 'strong powers to deal with people who do these things'.

In August 2007, the state government provided Anangu with an update on the Mintabie lease negotiations. It reported that it was preparing a 25-year lease under which:

- stores would be prohibited from selling second-hand cars and the book-up system would be phased out,
- police checks would be incorporated into the application for Mintabie licences, and
- at Mintabie, people would only be able to consume alcohol at the local hotel or at specially licensed functions.

So these changes that we are looking at today are not new: in August 2007 the state government was proposing these changes. There has been plenty of time for people to look at them and seek amendments or some conciliation if they felt so strongly about them. The article continues:

The government indicated that these changes would require amendments to the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981 and that it anticipated being ready to present draft amendments to Anangu within two months.

That was in 2007, and here we are today, in the last sitting week of 2009, still debating this bill.

In July 2008, Ms Alison Anderson, the member for McDonald in the Northern Territory parliament, attended a funeral at Amata. In the course of her visit she observed 'four young people sniffing petrol at a house in the community'. The main resident of the house informed Ms Anderson that 'the premium unleaded fuel had come from Mintabie opal field and was selling for \$70 a soft drink bottle'. The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council subsequently raised the matter with the South Australian Crown Solicitor's Office. In a reply dated 29 July 2008, the office advised the NPY Women's Council that premium unleaded petrol was sold in Mintabie in containers for use in power generators. The reply continued:

While I am assured by relevant people at Mintabie that sale to Anangu does not occur at fuel outlets, having the fuel available in containers increases the likelihood of illegal sale to Anangu.

On 29 July 2008, the Crown Solicitor's Office also noted that the negotiations were 'nearly finalised for the new Mintabie lease'. That was some 18 months ago, and here we are today debating this bill and we see that the lease has not yet been signed. The Paper Tracker piece finishes off by stating:

Recent developments (updated 24 September 2009)

On 26 June 2009, the State Minister for Aboriginal Affairs and Reconciliation (Hon. Jay Weatherill MP) reported that his Government was 'determined to press ahead' with some amendments to the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981, including the 'remaking of the lease in relation to the Mintabie part of the APY lands'. The Minister noted that the proposed amendments would include a 'toughening' of alcohol restrictions and 'some tightening up' of credit arrangements, and commented: 'These [amendments] are welcomed by the Anangu APY Executive but are not so welcomed by some of the residents of Mintabie.'

And don't we see that. The latest information that Mr Nicholls has sent to all members of both sides of the house, I think (and if not I am happy to make it available to members on both sides), reiterates that Mintabie is a source for alcohol and drugs and has been for many years now. The Mintabie stores and second-hand car dealers have been a problem just recently. In Mr Nicholls' outline, since 1994 the Commissioner for Consumer Affairs reported that two shopkeepers from Mintabie had been prosecuted for dealing in motor cars. In subsequent reports, one store was selling between 300 and 350 cars a year. That has to stop. It cannot be allowed to continue.

With respect to the declining community, as I said previously, the school now has 11 kids and the total population of the town is about 122, according to the 2006 census. I would like to know what it is today, because I think that there certainly are—

**The Hon. J.W. Weatherill:** It's 80, I think.

**Dr McFETRIDGE:** The minister has just informed me that it is about 80 now. It is a community in decline. The member for Giles, I think, said there might have been 93. So, it is less than 100, and it is certainly an issue that the economy of this small community is dominated not by precious stones but by the sale of goods to the Anangu.

I have also received a copy of a letter from the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council dated 16 November. In response to the proposed amendments, the women's council said:

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC/NPY Women's Council) represents women in the remote tri-State area of Western Australia, South Australia and the Northern Territory. The region covers 350,000 square kilometres. There is an overall population of around 6,000. Anangu and Yarnangu...living on the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara lands (Western Desert language region) who share strong cultural and family affiliations...The push for a separate women's forum emerged through the South Australian Pitjantjatjara Land Rights struggle of the late 1970s. Many women felt that their views were ignored during consultations over land rights, so they established their own organisation. Advocacy and information dissemination were the main foci for NPYWC during the 1980s and early 1990s. NPYWC is now a major provider of human services, working to address the identified unmet needs of Anangu and Yarnangu women and their families.

The organisation's position remains that there should be no further lease granted over the Mintabie opal mining area, in keeping with expressed preference of Anangu when the original lease was granted, and in view of the well documented social, health and financial damage caused over the years to Anangu through reprehensible activities of legal and illegal traders who reside in this 'shanty town' on Aboriginal land.

As the minister noted in his second reading speech of 23 September, the opal mining has declined, the population is just 100 to 150—

we have just heard it is now less than that—

and the commercial activity of the four shops and the second-hand motor dealer are mainly with Anangu, and have been less than satisfactory.

The letter continues to express deep concerns about the continued activities and existence of Mintabie. They raise the issue of supply of illicit and/or intoxicating substances from the Mintabie opal field. The women are very concerned about the damage that has been done to 6,000 Anangu they represent by the activities at Mintabie. Mintabie is not the only way in which drugs and alcohol are getting into the APY lands, but I said to my colleagues that it is like having a paddock with 12 gates; if you were to shut one gate you would improve things and then there are only 11 other gates to look after. That is my opinion and certainly the opinion of the NPYWC. They are very concerned about the activities at Mintabie and this letter, which has been circulated, expresses those concerns.

The evidence that has been presented not only to this house but also to the Senate is interesting to read and put on the record. In October 2008 the Senate was inquiring into some of the activities in Aboriginal communities, mainly concerning petrol sniffing. On 29 October 2008 representatives of the NPY council gave evidence in Adelaide. Ms Vicki Gillick, who is the coordinator of the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council, gave evidence. She said:

Yesterday we had quite a long discussion about this [petrol sniffing and what is happening with some of the retailers around the place] at women's council. A few years ago you could go to any community in our region and you would see people with their shirts up and cans under their noses. Apart from the outbreak that happened recently at Warburton, with fuel getting in from places like Mintabie, it is very different from what it was. However, we do not want that window opened again.

They were concerned back then about Mintabie being a source of petrol being sold to Anangu. Mrs Inyika gave evidence and, as part of her evidence, she said:

But what we are thinking is that there is one place that is no good. That place is making our people go silly and is making our children skinny. All our communities have good petrol—OPAL fuel—but one place is making problems for all the communities and that place is called Mintabie. That is the only place that is destroying our communities.

They wanted Opal fuel to be sold at Mintabie. In further evidence to the Senate inquiry in October 2008, Ms Gillick said:



The women's council position is that they should not have another lease because Mintabie is a well-known and renowned source of cannabis, sly-grogging and now premium fuel.

The Mintabie Miners Progress Association states that only a few people are doing that, but the damage that has been caused and the money that has been obtained in the region over the years is enormous. Huge keycard trading issues have been revealed by the Book Up Reference Group and so on...we are told that cannabis makes its way from Mintabie to Warburton and other parts of the Ngaanyatjarra lands...Not much opal—

she is talking about the precious stone—

is left there, so people's keycards and pockets are mined instead.

I do not think you will find any women's council members with a good word to say about Mintabie. There might be a few. There are second-hand clothing stores and people get into that a bit, but recently it was described at a general meeting as a 24 hour a day, seven day a week, shopping centre for marijuana.

That evidence was given to the Senate committee last year, and just a few weeks ago at a federal ministerial inquiry into stores in remote Aboriginal communities there was a submission from Nganampa Health Council. Nganampa Health is based in Alice Springs but it has a main office at Umuwa on the APY lands. In its evidence to the ministerial inquiry, it said:

Of serious concern is the decline in store turnover across the lands. This is attributed to the credit system available at Mintabie and another private store trading on the APY lands...It has been estimated that around \$4 million per year leaks out of the Anangu economy and into the business at Mintabie...The APY Land Council has included compliance with a Mai Wiru policy by the Mintabie traders as a precondition for APY agreeing to any renewal of Mintabie mining leases.

So, even Nganampa Health at Umuwa is expressing to the federal government its concerns about the stores at Mintabie.

The Mai Wiru policy is a good food policy that has been put in place across the lands, and it has been working for a number of years. In my travels across the lands, I have seen significant changes to the quality of food in the stores. We are not seeing all the full strength Coke; we are seeing a lot more Coke Zero and Diet Coke, which is all contributing—in a small way, perhaps—to better health outcomes. There is a long way to go. The evidence given to the ministerial inquiry certainly will continue to progress those issues, because good nutrition is a vital part of good health.

The miners and the Mintabie Miners Progress Association have raised a number of concerns. I said to them, 'If there are only a few people doing these bad things, why don't you do them in to the police and get rid of them?' They really had no answer to that, but I would encourage them to do in those people who do the wrong thing to make sure that things progress.

There has been a concern that this legislation is removing human rights. In an email I received from one of the residents, who I assume is from the APY lands and living at Mintabie, it states:

The legislation has the potential to erode the civil rights of every Australian. Forbidding Mintabie residents the right to drink at home, this state legislation will also cause the presumption of guilt before enforcing every visitor and resident to undergo compulsory police checks. And this state legislation will add extra layers of bureaucracy...for nomads, tourists, rock-hounds and adventurers, all visitors who may be refused entry into the Mintabie Precious Stones Field in future.

We have always had to have a permit to enter the precious stones field at Mintabie. It was part of the original act and always has been.

The claim, though, that this piece of legislation is going to impinge on people's civil rights is just an absolute furphy. I will read from part of a letter that I received from one of the legal advisers to the APY, when we were seeking some answers to this claim about the erosion of civil rights. It states:

Duncan,

The APY Lands Rights Act is in fact a discrimination against non-Anangu. It has been upheld as a valid state law by the High Court in 1985 only because it is a special measure under the Racial Discrimination Act for the purpose of enabling the Anangu to rebuild their culture and its connection with the land.

I wanted a bit more evidence on that and, not being a lawyer, I asked for some evidence to show me that this was a special measure and that it was not discriminating against the people of Mintabie. So, I have been sent a copy, and there are probably 100-plus pages here. I am not going to read all of it, but I will read part of the summary of a court case from 1985 concerning the Racial Discrimination Act and whether the state act was actually valid. Part of the summary states:

A 'human right or fundamental freedom' in s.9 and a 'right' in s.10 included by the incorporation of Art. 5(d)(i) of the International Convention on the Elimination of all Forms of Racial Discrimination, 'the right to freedom of movement and residence within the border of the State'. By force of s.8(1), ss. 9 and 10 did not apply to 'special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms...'

The Pitjantjatjara Land Rights Act 1981 (S.A.) vested the title to a large tract of land in the north-west of South Australia, comprising more than one-tenth of the land area of the State, in the Anangu Pitjantjatjaraku, a body corporate, comprising all Pitjantjatjara and some other groups of Aboriginal people. Section 18 provided that 'All Pitjantjatjaras have unrestricted rights of access to the lands.' Section 19 prohibited any non-Pitjantjatjara person from entering the lands without permission.

The court held that the state act was a 'special measure' within section 8(1) of the commonwealth act and, accordingly, section 19 of the state act was a valid law of the Parliament of South Australia.

So, this legislation is not an infringement of the human rights of the people Mintabie. The fact is that this is a special measure under the Racial Discrimination Act and upheld by the High Court in 1985, when it was challenged. I am no lawyer, but it appears to be an open and shut case that this legislation cannot be challenged on those grounds.

The big issue at the moment is that the lease is still to be negotiated at Mintabie. As recently as this morning, I spoke to people on the APY lands about the progress, or lack of it, with the lease. It seems to be going backwards and forwards like a ping-pong ball. At the beginning of my contribution, I quoted the Premier as saying that Aboriginal affairs is like taking three steps forwards and two steps back: there is some movement, but it is slowly, slowly.

The concern raised with me this morning was the fact that, should this legislation not be progressed, a number of people on the APY lands—not just the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council—and a number of traditional owners are dead set against even giving a lease to the people at Mintabie.

I do not want to see this happen, and I certainly do not want those living in and enjoying their unique lifestyle at Mintabie to be evicted. As a Liberal, I uphold the rights of the property owner—and let us never forget that the APY people own that land. They are not tenants on Aboriginal Lands Trust land; they are the owners of that land. They own it in inalienable freehold title: they cannot sell it and they cannot do anything else with it, other than sublease it under special conditions.

What is happening at Mintabie is that the lease that was initially granted in 1981, and expired in 2002, has outlived its purpose and needs to be renegotiated. I have a copy of the draft lease, which contains sections that address permits and the fact that there is a liaison committee. I understand that the committee has not met for quite a while, but the draft lease proposes that it be maintained and improved.

The liaison committee comprises three Anangu Pitjantjatjara Yankunytjatjara people, two from the Mintabie Mining Progress Association and two representatives from the state, including one from PIRSA, and let us not forget that this lease is to the state government through PIRSA. The lease will be reviewed every five years.

Clauses 32, 33 and 34 of the draft lease talk about how the shops will be required to comply with APY Mai Wiru policy to the extent set out in the licences, and consultation will occur with APY on shop licences about this. Shops and other commercial premises will be required to comply with credit and other conditions related to book-up or other matters set out in the licence.

As to second-hand cars in clause 33, no commercial sale of cars is permitted in Mintabie, and clause 34 provides that, in relation to the hotel licence, only the current licence will continue. No additional licences will be granted unless agreed to by APY. Operations of the hotel are subject to APY by-laws.

The APY Executive and the traditional owners are very keen to advance the conditions on the lands, including Mintabie, by the use of by-laws. In the APY act there is the ability to make by-laws, and the range of subjects that can come in under the by-laws are determined by regulation. My information is that the traditional owners, the APY communities and the APY executive are all looking to change their by-laws. They need regulation to allow them to introduce by-laws, particularly with the stores, the good food stores policy, and that needs to happen. This is not to eliminate Mintabie as a form of competition; this is not about shutting Mintabie stores down.

It is just making them conduct themselves in exactly the same way as all the other stores on the APY lands are being asked to do at the moment. That is a necessary step forward, because if we do not do that the condition and nutritional status of many of those communities will continue to leave a lot to be desired.

The other thing that the APY community are very keen to do is to have the power, under their by-laws, to change the permit system. I know that a bill has been introduced into this place about the permit system, but we will step back a bit from that. The APY wants to be able to have the ability to make by-laws to control the permit system. They have already expanded the use of permits there.

There is some opinion out there that they are being obstructive, that they are being restrictive in the way they deal with permit system. The evidence that has been given to me is that there have been a few occasions where people have been refused permits or there have been delays in granting permits for what I consider to be fairly genuine and just reasons. What is happening now is that the APY are wanting to get control of the permit system.

Let's not forget that the by-laws that will be made by the APY would have to come before this place and be approved by the Executive Council and the Governor, so we are not losing control of what is going on up there, we are just acting as an oversight, a review of what is going on up there. The APY want to introduce these by-laws to really open up the lands.

One person told me that they would love to get rid of the permit system completely, but they realise that that will take a while. That is the sort of thing they want to do with these by-laws. They want to free up access for people who want to come to the lands for good purposes, not just for people who want to be voyeurs and go up there and look at the bad things. There are indeed a lot of challenges there, but some of the most beautiful country in this state is in those APY lands, and, at the moment, some people think it is locked away. I and other members of this place, particularly through the Aboriginal Lands Parliamentary Standing Committee, have had the opportunity to travel to those lands to see what is magnificent country.

These people are very proud of their country. They have a long history, thousands and thousands of years of history, and they want to make sure that their country is not abused by people who are coming in for purely commercial purposes or other negative purposes. They do want some control. It is their land, they own it freehold. They want the right to be able to make by-laws to control entry through the permit system, and I do not think this place should be getting in the way of them doing that.

As I said, we can look at it again, we can control it if we really need to, but forcing Aboriginal people to do things has never ever worked. Giving them money and then forcing them to do things has not worked. We need to allow them to be given the opportunity and support to make their decisions. Certainly, if those decisions look like they need some further support, then we should be doing that as well.

This particular bill allows people to take some control of one part of the problems that they face in getting their communities to the standard that we would expect and what they would expect as well. Their standards are exceptionally high. Their community organisations, their caring for community, caring for country, is very high, but we need to give them the opportunity to do that.

I realise that there are members, particularly on this side of the house and possibly in the other place, who do have concerns about the way this bill will operate. They do have concerns about the way the police have been unable to get control of the situation. They do have concerns that the stores at Mintabie will somehow be disadvantaged. I do not believe that that is the case. I do not believe that the stores there have been operating in a manner that deserves to have the extra consideration.

I think if they could have shown themselves to be responsible store owners and responsible citizens, we would not be doing this today; and if people were not selling alcohol and drugs there, we probably would not be doing this today either and the lease would have been rewritten. The people at Mintabie who are opposing this bill, the people who claim to be whiter than white, should be dobbing in the people who are causing the issues. We should not have to be debating this.

The huge risk we run if we are not able to come up with some compromise on the way this legislation will work and give people on the APY lands (who own that land freehold) the comfort that we are doing the right thing by them is that the lease may not be granted. I would not like to be

a politician in the state of South Australia, with our proud history of Aboriginal land rights, saying that we should be taking that land back off them. That should not even be considered, and certainly I hope that no-one in this place would be thinking anything like that. If that were the case, I think it would be a sad day for South Australia.

Having said that, I realise my colleagues on this side have concerns about the bill and the Liberal Party will not be supporting it. I will continue to look for improvements on Aboriginal communities and Aboriginal lands where I possibly can in this place. I will be interested to watch the passage of the bill through the upper house. I will certainly continue my dialogue with the people on the APY lands to ensure that everyone on the APY lands, whether they are Anangu or non-Anangu, but particularly at Mintabie, do receive what is a reasonable outcome for their life, knowing that they should be going into the future with their eyes wide open.

**Ms CHAPMAN (Bragg) (16:41):** On 2 October 1980, Mr Pantju Thompson on behalf of the Pitjantjatjara council and the Hon. David Tonkin (the then premier of South Australia) on behalf of the South Australian government signed a document indicating that a Pitjantjatjara land rights bill had been agreed between the parties and subsequently (that month) legislation was introduced. When it came to consideration of the Anangu Pitjantjatjara Yankunytjatjara Land Rights (Mintabie) Amendment Bill 2009, I looked back to that legislation, which is now known as the APY Land Rights Act 1981 as a result of the title being amended during the course of the debate. It was interesting to note who made a contribution to that debate. Obviously, Dr Tonkin as the then premier proudly introduced this bill and there was considerable contribution by members, including the member for Kavel's father (Hon. Roger Goldsworthy) who was deputy premier. He spoke at length on this bill. I will not revisit those contributions but they are instructive when we come to look at the origins of the legislation which we are being asked to amend.

For the purposes of this exercise, there was acknowledgment of the Mintabie opal field and the development of a proposed township on a Granite Downs property, part of which is the lease which is under consideration in this legislation. That is, an existing settlement and enterprise needed to be taken into account. It was, and that was included in the legislation. It was recognised at that time that, first, there would be the transfer of ownership of the land to the Anangu people; and, secondly, a lease would be issued through the minister of lands for 21 years. As the minister has explained to the house, that lease expired on 1 October 2002, and essentially, for the last seven years, there has been no resolution as to the terms of a further lease to be entered into between the relevant parties.

It is important to note, I think, that the relevant party here is the Mintabie Consultative Committee, which comprises a state APY and an MMPA representation, that is, the Mintabie Miners Progress Association, which, I understand, is a voluntary body of Mintabie residents. I will come back to the management that has been happening in the last nearly 30 years of this matter. However, I will say that, although it appears there has been a development towards a draft lease, there are a number of impediments to a final agreement to sign up.

Really, what we are being asked to do, I suggest, is more than just a legislative umbrella to facilitate the perpetuation of the lease. What we are being asked to do is to legislate a whole lot of conditions, some of which have not been agreed to between the relevant parties. Some are very meritorious on the face of it and some of them—I have never seen this new lease, but I understand that a draft is floating around—are to impose obligations which already exist on other parts of the APY lands. Some are significantly new but take into account the uniqueness of the Mintabie establishment. I think that is the best you can call it.

I can say that I have never been to Mintabie. I have never had any great desire to go to Mintabie. Many times I have visited the APY area. Indeed, in my earlier life in visits to Alice Springs I attended a number of occasions at Ernabella, as it was then known, in the 1970s. It is beautiful country. There has been much advance in its transfer to the Anangu people and the establishment of some autonomy in the management. I will say that I read with some concern the minister's advice to the house that the apparent management of Mintabie over the years has resulted in a whole lot of things not being attended to (or shabbily attended to at best), which has resulted in a significant number of dwellings being constructed without any development approval, it seems.

They may be substandard, I do not know, but they are not even in the area that is designated for occupation by the dwellings. There appears to be even the establishment of the town's waste dump outside the area that is zoned to be entitled to activity for Mintabie. There seems to be no progress, apparently, in identifying Aboriginal heritage areas to ensure that buildings and developments are not in culturally-sensitive areas, and the like. All those things

concern me, and that, even with a lease, there at least seems to have been a complete failure on the part of a number of these aspects.

It seems even more concerning that there has been even a failure to enforce the permit requirements for visiting Mintabie and that that is simply more in the breach than the observance. All these things are very concerning, but the issue we are being asked to deal with today is to facilitate the re-establishment of the lease and to provide the legislative framework for that to occur. A number of issues have been raised to which, as I say, there seems to be impediments to final resolution. The minister advised us (and I want to repeat them) that the APY's chief concerns are:

- alcohol and other drugs (mainly cannabis) entering the broader APY lands through Mintabie;
- the operation of a second-hand motor vehicle dealer at Mintabie. There have been allegations that vehicles bought by Anangu soon break down, which is contributing to financial hardship because they are often purchased on credit;
- credit or book-up practices and the retention of Anangu Bank key cards at Mintabie shopkeepers, which is seen as contributing to financial hardship and is in conflict with the APY Mai Wiru stores' policy [that is a provision for good, healthy food]; and
- the sale of pornography to Anangu at Mintabie.

The minister also advised that SAPOL and the Office of Consumer and Business Affairs (which has investigated trading practices at Mintabie) had confirmed many of those concerns and that, consequent upon these issues being raised (and, I repeat, summarised by the minister's contribution), they had advised how they would deal with it. The conditions to be met were that there would be a change in alcohol consumption on the lands. Currently, people can buy alcohol at the Mintabie Hotel and locals can consume alcohol in their own home. There will be a restriction to that being at a hotel or at an approved licensed premises, etc. There is a long list. I do not need to repeat those; they have been canvassed by others.

Let us then consider the situation. When we received a briefing on this matter on the question of alcohol and drugs one of the things that was raised was that there is an abuse of substances on the lands and that the culprit in providing the availability of this was some person or persons in Mintabie; or, at the very least, that Mintabie was the place where transactions were occurring for access to prohibited substances and alcohol.

Also, concerns were raised about petrol because, in the times prior to the introduction of Opal fuel in a number of Aboriginal communities, petrol, of course, was a significant source for what is otherwise known as petrol sniffing—and we all know the dangers of that. First, a briefing was provided to us by the government, and the two things that stuck in my mind about the briefing in respect of the access to substances and alcohol and petrol were statements made by the police and, secondly, the Mullighan inquiry. The Mullighan inquiry, for the purposes of those who ever read this debate, was an inquiry into children who were victims of sexual abuse on the APY lands; and it was secondary to a more expansive inquiry that he undertook.

I tried to find some record or some indication in the Mullighan report of this concern. I tell the house that there is no recommendation in respect of this. I half expect that this is because his charter in the terms of reference was not to deal with substance abuse on the lands; his charter was to deal with the vulnerability of children to sexual exploitation and abuse. Therefore, that did not surprise me.

What did surprise me is that I cannot find anything in the report that confirms that the vulnerability of the children in this instance is a result of being under the influence of alcohol or drugs that have been obtained via Mintabie. Certainly, there are issues raised about the vulnerability of children, particularly teenage girls, being asked to exchange sexual favours for the purposes of obtaining alcohol or a substance of abuse, either for themselves or in the expectation that they will be provided for others. These are very concerning issues. So I turned then to the notes that I had made in relation to the claim that the police were concerned about this; and that seems to be frustrated, I suppose, by the fact that no information has ever been provided to us to confirm that.

However, I did note, in more recent times, that there are a lot of statements about what is happening, including from the minister, but not a lot to go with them. I read a number of reports in this parliament (including by the minister) in respect of the success in the reduction of petrol sniffing in the APY area and, indeed, in other facilities of a similar governance. The minister reported to the parliament (in response to estimates questions on 26 June 2009) about the APY task force program. He reported that the rate of seizure of illegal substances, including alcohol, coming on the

lands has increased dramatically since 2006. That is interesting, and I note that statement, but we have not had one scintilla of information to support it.

I do not doubt it is true, and I will tell members why. It is totally fanciful to me that the APY should be different from any other Aboriginal community on the lands where cannabis use is rife. We have arrested the problem with petrol sniffing by the replacement of petrol with Opal petrol and, largely, that has resolved a big problem. But a recent study by the James Cook University found that up to 70 per cent of people in remote indigenous communities were using marijuana, as well as some children as young as 13 years, and it gives some very difficult statistics. That is referred to in some research done in Queensland, but there was a statement made during the course of that media coverage that the use of marijuana has been spreading throughout central Australia, from the top north through to Aboriginal communities in South Australia's far north-west. The inquiry in relation to what was happening specifically in Queensland resulted in that statement being made about our own. So, I do not have any doubt. There is no reason why our community should be immune to the same dramas. What I need to be able to see, though, is some evidence of where it is coming from.

During the course of debate on this matter I was pleased to receive a briefing from both UnitingCare Wesley and the APY women's council—the Ngaanyatjarra, Pitjantjatjara Yankunytjatjara Women's Council (Aboriginal Corporation). I refer to the submission of UnitingCare Wesley. I spoke to its author, the CEO, Sue Park. She confirmed that her submission was seeking our support for the bill but that she had not provided information on this. The submission was to try to arrest the negative impact of some of the businesses at Mintabie on the economic wellbeing of the rest of the area and an attempt to have an effect on the reduction of cannabis and other prohibited substances on APY lands. She told me this had all come from Jonathan Nicholls. I had not spoken to him, but she referred me to the information he provides via a service known as The Anangu Lands Paper Tracker, which I found to be quite an interesting website about current programs.

Regrettably, we did not find the evidence that we were looking for in that regard, so I looked to the women's council, who, let us face it, are the people who are on the ground dealing with the tragic outcomes as a result of any use or abuse of substances and alcohol. Theirs is a rather disturbing letter to read because, of course, they confirm the high level of violence and high level of abuse of aged persons, young children and women in the community; and they refer to the flood of cannabis onto the lands as a contributing factor to domestic and family violence, and poverty across the communities.

When I read their submission, again, I was looking for some evidence to support the notion that it was coming through Mintabie, but I think it is fair to say that, notwithstanding our lead speaker on this matter suggesting that there was a concern raised in other areas, in fact, their primary objective here was to highlight the poverty arising out of keycard use and also the question of second-hand motor vehicle use or abuse.

There are some pretty good arguments outlined in that submission about those issues, and I will only briefly refer to them because of time. I will say that the information does not give much comfort—even the submission put a year ago, back in August 2008, and then a written submission in, I think, late October 2008 to the Senate inquiry. There are lots of good things about how they are improving the petrol sniffing problem, but not much else.

So I went to the Nganampa Health Council which, of course, is the body responsible up there. They do not have anything in their annual reports: they just do not report anything any more. I think they spend half a million dollars every year on alcohol and substance abuse matters but they do not tell us anything about cannabis abuse in their report. I think they included one sentence this year. I rang the people in Alice Springs to see whether I could get any further information, because they did not even publish their financial reports in the actual reports, so we had to go through and get those checked off.

However, leaving that aside, there is nothing to tell us that, yet you would think, with what we are hearing anecdotally, that there would be a number of things. First, we would have something from the police—who are not permanently on the lands—and the women's council, I hasten to add, make it very clear in their submission that it is not really going to make much difference making any of these rules unless you have a permanent presence in the Mintabie township to supervise whatever the rules are going to be. So, let us have some of that. Let us have some answers from the government about:

- the placement of someone at the Mintabie township for the supervision of these matters;
- why we have not had arrests and/or prosecutions of people in this area;
- why we are being asked to make a decision on matters without the evidence to support them in respect of this particular location; and
- what the government is going to do in respect of making provision for that. We must have that information to be able to isolate this matter.

As much as I respect the women's council's having a very clear understanding of the difficulties they face there, their primary objective (which they acknowledge in their submission) is to oppose this community's having a lease at all. It may be for good reason, but I do not think they have identified that in their report.

In relation to the shop issue, I am not at all persuaded by what I think we are being asked to do, which is effectively to provide a monopoly for the store facilities that are in the other townships on the lands. Again, I am concerned that we do not have any report from consumer affairs as to unacceptable trade practices that are taking place there. We should have that information if we are going to be asked to impose this.

In 2006 (over three years ago), we debated some of the concerns at length and we said to the government, 'We are not happy with what is going on up there, but we accept for the moment that there is a trafficking in petrol and illicit substances on the APY lands.' We supported the government in increasing penalties for these people to a \$50,000 fine or imprisonment of up to 10 years, the confiscation of their car, which could be sold off in the event that it was to be forfeited under the rules and that the proceeds of those vehicles could go back to the APY lands. However, three years later, we have had no report back to this parliament about what action has occurred with respect to that legislation.

It is important that we deal with this issue. Those groups have been waiting out there in the wilderness for seven years without any clear information. There has been no attempt to give us that information and, until we have it, this will not have my support.

Time expired.

**The Hon. G.M. GUNN (Stuart) (17:01):** I do not normally take a lot of time in the house, but can I say to the house and the minister that I am the only person left here who was involved at the time when the Pitjantjatjara land rights legislation was introduced and debated and went to a select committee, and I think I know all the major players who were involved in it. For example, there was Punch Thompson, Donald Fraser, Ivan Baker, Danny Colson and Yami Lester. I knew them all, and I have sat down and seen this whole process take place.

In relation to this legislation, let me make it very clear that I believe the people at Mintabie are just as entitled as anyone else to have a place in the sun. They were legally there before the AP lands legislation came into effect. It was a part of the Walatina pastoral lease. I have been there many times, and they provided services and facilities and acted legally.

What is the purpose of this legislation? Will it be the panacea: will it solve the problems of the people in the AP lands? If that was the case, I would vote for it. I want to see the people in the AP lands improve their status in life. I want their children to have a chance, and I want to see them gainfully employed and lead healthy and productive lives and go about their business. This measure will have no effect with respect to improving them. If you shut down Mintabie are you going to shut down Marla and Curtin Springs? Are you going to go across to Western Australia and shut down the place just over the border?

I want to mention some of the people who have been involved in these sorts of exercises—for example, that character who threw mud on Dean Brown a few months ago at the lakes was one of the major players in relation to the AP lands exercise and he was one of the hangers-on up there.

**Mr Goldsworthy:** Tregenza.

**The Hon. G.M. GUNN:** Yes, John Tregenza; that character. I well recall going across to Wingellina in Western Australia, and he said to me, 'You will leave.' I said, 'Well, it will take a better bloke than you,' and he was a bit grumpy. He said, 'I don't want you here.' I said, 'Well, I thought that, as a citizen of this country, we've got freedom of movement. But I'm sure Sir Charles Court will be interested in you,' and I took it upon myself and went and met Charlie Court and he was

most interested in that character. He was not there much longer—I do not know what happened. Charles Court was a man of great judgment. He had very good judgment and he was a fine Australian. Anyway, that is an aside.

In relation to this measure, a lot of people went there from Coober Pedy, but there had been mining at Mintabie years and years ago, although not large scale. Then when bulldozers arrived on the scene they went to Mintabie and there was massive mining. Millions and millions of dollars came out of Mintabie. They put in bulldozer cuts and went down 90 feet. Then they used those small front-end loaders and burrowed in, and it involved a huge quantity of money. Members of the Aboriginal community came along and noodled the dumps and made a lot of money. It was a good thing. If you had been there in the 1990s, you would have seen them; they were noodling. Then the facilities came. They got a school, which was a good thing, and there is a community hall. There is some accommodation at the Goanna Grill and some shops. There were some illegal activities but, unfortunately, that sort of thing has taken place everywhere.

At the end of the day, if we want to solve the problems in the AP lands, this is not the way to do it. There is a road, and I had a lot to do with getting the taxpayers to fund a new road into Mintabie. In the early days, we had to go on a track and open two gates to get in there. So, after a great deal of debate, discussion and harassment of government, we got a good, all-weather road built there so that the community could have easier access. I do not know if anyone has been there, but there is a big lagoon just on the edge of Mintabie and they used to have speedboats racing there after the big rains. I went to the opening of the school and the opening of hall, and I will never forget going to the opening of the hall. There was some discussion about raising a bit more money. They had drawn the rings on the ground and the police sergeant said, 'Wait until Mr Gunn and I get over the hill before you start playing two-up.' There were some interesting characters there.

At the end of the day, what do we really want for the people in the AP lands? Well, I think we want to give them an opportunity to go about their business in a productive, well-organised way, so that their children will get a decent education. No matter what we do, if those young people on the AP lands do not get a decent education there will always be problems.

A closed society has the potential to be a bad society. We have to open up the roads and make them the same as the roads anywhere else in South Australia. We have to encourage the community to allow enterprises there. I do not know whether the minister has read the evidence of the select committee. Jim Vickery from the Pastoral Board at the time estimated that you could run 50,000 head of cattle in the AP lands. Now they would not have 5,000 there. T&R has gone up there to do very good work, create opportunities and rebuild the infrastructure but now it has had trouble.

One of the problems has been that the people who have gone there to advise and associate with the local indigenous community have had odd agendas. They have used the community for other purposes which, in my view, have been dishonourable. We have had a royal commission. At the end of the day, we have to open it up in order to create opportunities and improve health care.

I remember going to a hospital in a particular community with Graham Ingerson on one occasion. As a pharmacist he was interested in it, so we went in and he asked to look at their drugs—and they were expired! He went through the roof. The people there did not seem to worry much about it. One could imagine what would happen if a hospital at Port Augusta or in Adelaide had expired drugs. Well, there was a bit of action when he got back.

We must encourage good people to go up there, so they can have cattle enterprises and tourists up there; so we can upgrade the health and other facilities. There is a need to ensure that the education we give these young people includes things in which they are interested, because they will make progress when young Aborigines become role models and take leadership roles in their communities. That is when great progress will be made. They can encourage other people to go forward and improve their station in life and give leadership to their communities.

Years ago when people used to sly grog from Curtin Springs the elders would catch them and burn their motor cars. They could not do it a second time, but the powers that be said that it was too draconian, we could not have that, so that process was stopped. We had mining enterprises at Wingellina and there was more chrystophase dropping off the trucks than ever hit the markets. A big bulldozer was left on the side of the hill.



I have seen this whole process go from good, bad to indifferent. This legislation is aimed at a small group of people. If you lived at Mintabie and went to school there, if you have left and you want to go back, under this legislation you will have to get a permit to go there. That is an absolute nonsense. If you go to Woodville High School and a few years later you want to go back there, you do not have to get a permit.

What good will this do? This will not stop people going to Coober Pedy, Marla or Oodnadatta, or anywhere else, if they want to get alcohol. Prohibition has never worked. If people are involved in sly grogging it is an offence everywhere, so that is a role for the police to be involved in. But in most communities it would be regarded as unreasonable and silly to say to people, 'You are not allowed to have half a dozen cans of beer in your fridge to have a drink after a hard day's work.' Will police go around checking people's refrigerators? What have we come to? At the end of the day we can put these draconian laws in place and say that we have fixed Mintabie, but we have still not solved the problems, difficulties and challenges on the APY lands.

This will be my last opportunity to speak. I have visited there many times. I have sat in creeks and spoken to people at length. They always used to say to me, 'We want our young people to be able to read and write. We will teach them Pitjantjatjara. We do not want white teachers teaching them Pitjantjatjara.' They wanted to be involved in cattle enterprises; they liked it and they wanted to be involved. Some of them had little enterprises, but there were always challenges.

That country has great opportunities. I am sure that the tourist industry could be developed responsibly at Amata, and so on, and backpackers and people who like climbing mountains would have a wonderful time. If I were to get a couple of buses and take every member of the South Australia parliament to Indulkana and Fregon, it would be such an eye-opener for them. They would be so appalled at some of the conditions that they would want immediate action. They would not want window-dressing or things to appease a few agitators and others but not do anything long term to affect the total community.

If we do not improve the circumstances out there, do you think the young people will want to stay there? They want to go to the bright lights of Alice Springs and wear Reeboks. If they go to Alice Springs and see the other young people there, do you think they would want to go back to live in an old car or a smashed-up house or be affected by hundreds of mangy dogs? Do you really think that is the sort of environment they want to live in?

It is no good blaming Mintabie; that is just a minor source. If you think there are problems being created at Mintabie, they are going to shift elsewhere. The point I want to emphasise is that the people of Mintabie were there; they live there. Some of them have been there for a long time. They were there before the APY lands legislation was enacted.

I first met Marie Shaw when she acted for the Mintabie Opal Miners Association—she and the late Frank Moran, and they did a great job. They stuck up for them, and they argued with Philip Toyne and those other people who had even grander ideas. The processes they put in place made the place a restricted area, and only members of parliament and registered candidates can visit there; ordinary law-abiding citizens cannot. People are being denied entry there.

So, minister, I put this to you with the best will in the world: I do not believe that this will help the people in the AP lands. It may appease a few people, but the real inherent problem there is the lack of the ability to get an education. The most important thing that we can do is make sure that children go to school and we need to make sure that we have adequate, effective health facilities there to ensure that we can create opportunities for people to have some meaningful work and pride in themselves. That is not going to be achieved by this legislation. All this will do is upset and make life difficult for a small group of people. The overwhelming majority of them are not villains. There have been one or two people who have done the wrong thing but, unfortunately, that is life in general. Every community has one or two people who do not do the right thing, but we do not suddenly draw up a set of laws that penalise the whole community.

I will not delay the house any more, but I believe that the people of Mintabie are entitled to be treated fairly and reasonably. They should not have to go through this permit system, annual reviews and all that sort of thing, because it will only tie up the police. What will we do with someone who forgets to renew their permit, if that is the only house they have to live in? It is a pretty harsh environment. If it is the only place they have to live, how are you going to put them off? That will not achieve anything.

I have made my point clearly. I believe that these people's representations have not been given adequate consideration. I believe that they are entitled to be treated fairly and reasonably,

and I believe that there are other important issues that need to be addressed to ensure that the people who live in the AP lands can enhance their position and move forward to create better opportunities for the next generation of young people. I want to be able to see them take their place in the community.

I have driven out there by myself many times. I have flown in there and all sorts of places. When you take off from Yulara and you fly to Amata, you fly right over the top of Mount Woodroffe, the highest point in the state. If it is a hot day and you are flying up around those hills, I can tell you that there are a few lumps there.

I will conclude by saying that, on one of my visits to Mintabie, Peter Dunn and I had Michael Armitage with us. We took him up there to show him things. We took off first thing in the morning. I was flying and, off we went, climbing up to 4,500 feet. Peter Dunn was a great one to save fuel, and he put oil in the mixture and stopped the engine. Poor old Michael was nearly in the front seat with us. He did not actually think that was very funny. All we had to do was push everything forward—the motor had hardly dropped—and we were mobile again. It was an interesting morning, and I think he was pleased to get on the ground at Coober Pedy. That is just an aside, and one of the many interesting things.

On one night we were camped at the airport out at Umuwa and the damned donkeys woke us up. We were camped under the wings and, at about two o'clock in the morning, there were donkeys coming around the place. We were frightened that they would start biting the aeroplane, so we had to chase them away.

**Mr Goldsworthy:** What, wild ones?

**The Hon. G.M. GUNN:** Yes, wild ones. There are heaps of donkeys and camels. There are thousands of camels up there, as well as other interesting wildlife. I have made my point. I ask the minister to treat the people of Mintabie fairly, because it will not help the Aboriginal people if they are penalised.

**Ms BREUER (Giles) (17:20):** The member for Stuart has just made a very good and interesting speech, as he usually does, and mentioned that it would not solve the problems in the APY lands. The APY themselves, including their executive; the women's council; police; Nganampa Health; welfare organisations; the people of Marla; Families SA workers; and so many more, say that, yes, it will help some of the problems in the APY lands.

It is such a shame that the Liberal opposition has taken this stand on this bill. First, I want to congratulate the member for Morphett for his courage in saying what he has. I have great respect for the member for Morphett. He has great integrity and great honesty. I have served on the Aboriginal lands committee with him for the last eight years and have admired him for the fact that he has always put Aboriginal people first. He has never used it as a political platform. We went into that committee under the agreement that we would look after Aboriginal people; that was to be our prime cause. On the odd occasion, we have told off members of the committee when they have tried to use it to their own political ends, and we have sorted them out very quickly.

The member for Morphett has always been a great ally of mine. He must find it very difficult here today with this legislation, because he presented a lot of the background on the Mintabie legislation and why people are feeling so strongly about it and about why it has been recommended as a means of action.

Recently, I moved into a new flat in Fullarton, and I love it. It is bigger and comfortable. I have put pictures on the walls, I have decorated it how I want, I have my furniture there and I have made it very personal to me. However, I would like to have a dog, but I do not have one. I certainly cannot do any major structural alterations. I would like to have the kitchen done up, but I am not doing that. I have to care for the garden (something I do not particularly like), and I have to make sure that I water it, keep it going and whatever, so I have respect for it.

I do not have wild parties every night of the week, and I do not sell drugs from there or grow dope in the backyard, although there is a lovely area that I am sure would be a perfect little dope growing area, but I do not do that. I do not sell grog or make my own grog. The reason I do not do all those things is that it is not my property—although I do not grow drugs or sell grog from the property I own in Whyalla, either.

I do not make any alterations or have a dog because it is not my property and because my lease states that I cannot do lots of those things: I cannot have a dog, I cannot alter the flat structurally and I cannot do any of those sorts of things. So, to me this issue in Mintabie is quite

simple: it is part of their lease, they do not own the land and they are not the owners. The owners of the land are the APY.

We recognise that, over 30 years, this has been a place from which many of the problems have emerged, so this act is really stating that we respect the owners of the land and that, if you live there, you lease that area, that it is part of your lease and that there are things you cannot do—end of story. What is the problem?

The member for Stuart went into lots of the history, and I was interested to listen because it is now part of my electorate. He has a long history in the region because, of course, he was the local member for many years. He talked about all the issues that need to be resolved and, yes, I agree with him that there are many issues on the APY lands that need to be resolved.

He talked about the permit system and about how dreadful it was that somebody who had been born in Mintabie would have to apply for a permit to go back into the area. I am sorry, member for Stuart, but this is part of the lease and part of living in that area. It is not their land, and they have to abide by what the owners want.

I have said and will continue to say that one of the biggest problems which occurred in the past and which will continue into the future is that many people who go onto the lands—and I am not saying all of them because some fantastic people work there in different departments, for the Aboriginal council, etc.—fit into the category of missionary, mercenary or misfit, and they have created a lot of problems in those communities.

People go in with the wrong motives, or with ulterior motives, or they are total misfits who cannot get a job anywhere else so they go up there. I believe that the permit system will help to weed out a lot of those issues, and I am very glad that we have that system because there are people we need to keep out of those communities and those land areas. So, I support the permit system—I always have and I always will—and I will be terribly sorry if it is eventually abolished because I think it will open up a whole can of worms if we do so.

This legislation will not solve the problems on the lands, but it recognises many of the drug-running issues, the grog-running issues, the issues with people's ATM cards being taken and kept on site in the stores and the issues with people having no access to their money because the cards are in the stores and their not knowing how much money is going into or out of their account because they never know what is going on.

In the past, I have had many dealings with people who have dealt with shonky car dealers who operate through Mintabie and sell cars that last five minutes on the lands because of the roads and the conditions there. This legislation recognises that many of these issues emanate from Mintabie, from that area, and this sort of thing has been happening there for over 30 years. Everyone is saying is that this is one of the problems. It is not the whole problem, but is a big area of the problems that are there.

I cannot understand why the opposition feels so passionately about this because we are not talking about a big community. We are not talking about a community of 5,000, 10,000 or 20,000 people who are being affected by this measure. Mintabie is a very small community. I think that something like 93 voters are on the electoral roll, so probably about 150 or 160 people live there, as I am sure the many may not be on the roll.

We are not talking about a huge community of people who are being affected by this legislation. We are talking about a very small number, but we are talking about a large number of people whose lives have been affected by what has been emanating from the Mintabie community, particularly young people.

It is tough on the locals. It is tough that you cannot have a beer in the fridge or a bottle of wine in the cupboard, and I am not sure that I would particularly like it. However, if my landlord told me I could not have any grog in my flat, I would not have any grog in my flat. It is just part of the deal. It is not life shattering if you cannot have half a dozen beers in your fridge and have to go to the pub to have a drink.

However, the effects of drugs and alcohol and lack of access to your money can be life shattering for not only the young people but anybody who lives on the lands. Perhaps you are not a grog drinker, but you have seen your son, daughter or a member of your family die, and it has shattered your life. So, if I had a choice between not having a drink or a life being affected, I know which path I would take.

The member for Stuart said that many good things are happening there and that supporting this legislation will not change what is happening in those areas. That may be his theory, but opposing it will not change the things that are going on, either, and these things will continue to go on. The opposition is denying the opinions of so many people who are working there every day in those areas, who know what is going on, who know the problems that are happening, and they are saying, 'We need this legislation.' We should respect those opinions.

I know that the member for Stuart has spent a lot of time there in the past, but, as he said, he flies in and out from Uluru. Well, that is fine; you drop in for an hour or two, but you are not living in those communities as do many of the experts who have come up with this legislation. The opposition is denying the opinions of those people.

It sounds good to say how terrible this is for the people of Mintabie, that we are denying their basic human rights. It is an emotional sort of argument that you can push, but I feel far more emotional about the lives of people who are affected by what is happening there.

I fully support this legislation. I think it is very important. Yes, I am going against the wishes of my constituents—and I know I am because I have had many emails and contact from the people in Mintabie who feel very strongly about this—but I do not care. Normally, I support my constituents as hard as I can, but in this case I say, no, I believe that what is happening out there is wrong and we need this legislation to change things in that area.

If people are not happy with that, then I am sorry. It is not your land, you may have to move on. It is just like my flat; it is a fact of life that if you do not own it then you really cannot say what needs to be done. If the owners are saying you cannot do this, then you cannot do it. Marla is only 27 kilometres away from Mintabie. People can move into that area if they want to be able to have beers in their fridge, or whatever. It is not life shattering, but there are life shattering results, so I fully support this legislation.

I urge the opposition to think again about their arguments. Do not talk about human rights; talk about human rights for the lives of the people on the lands who are affected.

**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) (17:32):** I thank all members who have made contributions. I note that those opposite oppose this legislation. I have to note that the lead speaker for the opposition, the member for Morphett, placed on the record some very compelling reasons the opposition should, in fact, be supporting the legislation. Of course, I am grateful that he has put that material on the record.

I think the argument really comes down to two fundamental issues. The first is: whose land is this? The contributions that have been made seem to proceed from the misapprehension that somehow the title that was restored to Aboriginal people through the historic APY lands legislation was when their rights to ownership commenced. The truth is that it was simply restoring an historical wrong. It was simply recognising that it was always their land.

As it is their land, those opposite, being the property party, I would have thought would be standing up for the rights of landowners to do as they will with their own land. That is a fairly fundamental principle about how anybody who has the right to property should be entitled to deal with it. I think that a lot of the contributions seem to suggest that there is a lack of legitimacy, or that the grant of that land should give way, in some way, to these later claims that are made by the residents of Mintabie.

The second fundamental issue concerning why we should support this legislation is that people in this country are quick to blame Aboriginal people and point the finger at them when they do not take responsibility for their own circumstances. We know that there is disadvantage in Aboriginal communities. We know that the APY community is struggling with a lot of disadvantage, and they know this and they acknowledge it.

What they have chosen to do as a group of people, through their representatives, is to try to take responsibility for that. What they are seeking to do in this measure is to ask the parliament to assist them in taking responsibility for that. What they want is to act on the best advice that they can receive. The best advice of all the professionals who are engaged to support the people of the APY lands is that Mintabie is a vector for a lot of unfortunate activity, in particular the running of

grog into the APY lands. It is an important one; it is important enough for the police to say that steps need to be taken to curtail it.

Of course there is a range of other organisations—Nganampa, and the NPY Women's Council and, indeed, those other organisations such as UnitingCare Wesley, which takes a particular interest in the APY lands—who have all made the same observations, and, most powerfully, Commissioner Mullighan, who, in giving evidence to the Aboriginal Lands Parliamentary Standing Committee, I am advised, said that if it was down to him he would close Mintabie entirely.

That is the starting position, I must say, for APY. They want this land back, they do not want Mintabie there, but they acknowledge that there is an existing community there and they are prepared to make accommodations. They have been prepared to compromise in ways that they find distasteful, but nevertheless they accept that they want to try to reach an accommodation with those residents.

So, for us to throw that back in their face, to say that, despite them wanting to take control over their own affairs, to take these steps to ensure that these negative influences, which are coming into their communities, which are a scourge in their communities, and not meet them halfway and do the things that we can do as a parliament to assist them in making those choices, I think would be a horrible thing to do to this community. It would disempower them, it would undermine them, and it would show them a level of disrespect. What it would really be saying is that they may have land rights, but they are really not first-class land rights, they are second-class rights that we have decided to read down in this place. For all those reasons, I urge this house to support the bill, and I thank all members for their contribution.

Before I do conclude, in particular I want to acknowledge the member for Giles. Of course, the member for Giles as the local member has responsibility for the residents of Mintabie. I have been on the other side of the argument when the member for Giles is advocating for her community and it is not a pleasant place to be. She almost always takes the side of the residents of her community because she sees her role as a member to represent their views faithfully, but here she has decided, notwithstanding their views, to look at the broader issue of another group of her constituents, who, of course, are the people of the APY lands. She has had to balance those things.

There are choices to be made here. There is no doubt that there is a level of inconvenience for these particular citizens and that must be balanced against the threat that exists to the broader APY community. When one weighs the inconvenience (which is real) against the threat to the APY lands, it is a very powerful one—and we know about the effects of alcohol abuse and the consequential effects that that can have for a whole range of behaviour, including sexual abuse—and it is her judgment (and one that I share) that we must take these measures to protect, in a sense, that interest, which really overrides the other interest that is inconvenienced by these changes. I thank her for the leadership she has taken. It has assisted the house, I think, to arrive at the proper conclusion here and it demonstrates that she is prepared to accept the role of leadership in relation to her community. I thank all members for their contribution.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

**The Hon. G.M. GUNN:** At the time that the AP land rights legislation was introduced into the parliament and debated, clear undertakings were given to the people of Mintabie, and if you doubt my word, ask Ian and Carla Kimber. Ian Kimber was the mines department warden at Mintabie at that time; he now lives in Port Augusta. Those undertakings were given clearly and precisely on behalf of those people to ensure that they had a future, because what the minister did not say in his second reading response was that Mintabie was a part of the Wallatinna pastoral lease. It was incorporated. We are not talking about areas outside, the unincorporated areas, it was part of it. Those people went there legally and they were given assurances and undertakings that their rights would be reasonably protected and decisions were taken to enhance their ability to live there.

It is no good people saying anything different because I was there. I know what was said. It was as clear as night follows day. I can tell you that there were some pretty heated discussions behind the scenes between Trevor Griffin, me and others. They were very unhappy with me

because I stuck out for these people. I believe that, notwithstanding what the minister has said today, he is talking about whose land it is. The land was alienated in a pastoral lease and it was then set aside. That was part of the deal to have this historic agreement to create the Pitjantjatjara Land Rights Act.

This matter was under discussion for a long time. The Dunstan government put a proposal to the parliament with no intention of proceeding with it because it was so radical. I know for a fact that the ministers in the Dunstan government—and I had better not name them—made sure the bill did not proceed. When there was an election, there was a change of government, and it started again. Part of that arrangement was that we would pass this historic agreement—you had Ernabella, which was previously run by the Presbyterian church, and other areas, they would forgo their rights and there was not a deal done—and that the people of Mintabie would be protected.

That is where I come from and that is why I have taken the stand I have. I want to see the people in the AP lands improve their status. I want to see them given opportunities and I want to see the right thing done, but if anyone believes that putting restrictions on the people of Mintabie will solve the problems of drug running, domestic violence and other improper activities, it is like whistling *Dixie* in the dark. That is about as bright as it will be, because it will have no effect whatsoever. For goodness sake, apply a bit of common sense.

I will not say anymore. I have done my part. I hope I have put on the record a few historic facts, but remember this: clear undertakings were given to those people and, in my view, they have now been basically abrogated. Okay, governments want to tear up those sorts of things. The member says there are 90 people on the roll, well, when I was there about 90 people did vote. I understand that. I have stayed overnight there many times, like at Indulkana. I guarantee that this will do nothing to improve the lives of the people at Indulkana who are living in a spot which, I have to say, is one of the most unfortunate areas in South Australia.

When you go on that gibber plain and see people living in motor cars and houses wrecked, this will do nothing to help them. I say to the minister that I sincerely hope he thinks about how this will be implemented and apply a bit of common sense. If you really want to help these people very substantial decisions need to be made, such as opening up the roads and encouraging responsible commercial development which will employ, help and assist the Aboriginal communities who live there, and create opportunities so that young people want to be there and lead productive and interesting lives and raise their standard of living.

The most important thing we can do is to raise their standard of living. It is appalling to go there and see young people with Coke cans around their neck sniffing petrol. I have gone there and said to some of these people who have been there advising them, 'Why don't you do something about this?' They throw their hands in the air. You think, 'Heaven help us. What are you here for?', because they are blowing their brains out. I have made my point. I will save the committee the indignity of a division, but the minister knows my point of view.

I am right in what I say. I know that. Before any of you people here ever heard of the Pitjantjatjara lands I was going there. Just remember that. I was going there in 1970. It was a lot harder to get up there then than it is today—a lot harder. I have driven through there and camped on the side of the road. I did all those things. I was going up there before Marla was there. Marla was not even there.

**Ms Breuer:** Marla Bore.

**The Hon. G.M. GUNN:** Marla Bore was not there.

**Ms Breuer:** Marla Bore was there but not Marla.

**The Hon. G.M. GUNN:** The windmill was there. It was on Wellborn Hill Station—Ernie Giles's station. I stayed a night there. I know the history of the place. I would drive up there. To drive out through there was an interesting exercise, and I look forward to doing it again one day in the next 18 months. Barry Wakelin and I are looking forward to doing it again. They might not let us in. They stopped Ian McLachlan from going in after he retired as defence minister. That was not a very smart thing to do.

One of their problems is that the Aboriginal people have had political activists up there more interested in political activity than their genuine welfare. I conclude on this note. I will never forget when I rang up the permit officer and said, 'You've knocked back Mr McLachlan's application to drive through here. What do you think you're doing?' I got a crazy left-wing female from Alice Springs. This is what I said to her: 'Someone who had the highest security rating in this country

you've stopped from going there. His family have happily handed over some of these properties to be incorporated in this particular legislation. They did it because they thought that it was the right thing to do. Do you realise this person is a personal friend of the Prime Minister? How do you reckon your budget allocation's going?'

There was dead silence on the phone. I put the phone down and rang Donald Fraser who was a friend of mine, and, in a few minutes, the permit came through. It was rather interesting. He was very upset. That is the sort of stupid person who has held back the Aborigines in those areas—those sorts of political agitators. I have gone to some of those places. You have had derelicts there and all they wanted to do with someone like me was to abuse me. I said to them in those days, 'It doesn't matter what you say. You agitate and get everyone to vote against me. It won't have any effect. You've got me and you'll have to put up with me.'

I think that I am the only Liberal to have ever won the Pitjantjatjara land rights boxes. I won one election up there. I actually think that I have some affinity with those people and understand how they think. Unlike some of you people, as a young person I worked with lots of Aborigines in shearing sheds. I have had some experience with them and I have never had any problem dealing with them personally. I have had a fair bit of trouble dealing with some of their agitators and advisers who had other agendas. I have made my point. I say to the minister: they were given undertakings at Mintabie and I do not believe those undertakings have now been honoured.

Clause passed.

Remaining clause (5), schedule and title passed.

**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) (17:51):** I move:

That this bill be now read a third time.

I thank my advisers for their long and very detailed work in the negotiations and also in the drafting of the bill. I acknowledge Adrian Shackley and his assistants. I also acknowledge the contributions that have been made by all members, and thank them for the same.

Bill read a third time and passed.

#### **STATUTES AMENDMENT (PUBLIC SECTOR CONSEQUENTIAL AMENDMENTS) BILL**

The Legislative Council agreed to the bill without any amendment.

At 17:54 the house adjourned until Wednesday 2 December 2009 at 11:00.