

HOUSE OF ASSEMBLY

Tuesday 11 May 2010

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 11:00 and read prayers.

STANDING ORDERS SUSPENSION

The **Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:01)**: I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

Motion carried.

SUPPLY BILL

The **Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:02)**: Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2011. Read a first time.

The **Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:02)**: I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

A Supply Bill will be necessary for the first five months of the 2010-11 financial year until the Budget has passed through the parliamentary stages and the Appropriation Bill 2010 receives assent.

In the absence of special arrangements in the form of the Supply Acts, there would be no parliamentary authority for expenditure between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill.

The amount being sought under this Bill is \$5,220 million.

Clause 1 is formal.

Clause 2 provides relevant definitions.

Clause 3 provides for the appropriation of up to \$5,220 million.

Debate adjourned on motion of Mrs Redmond.

PAYROLL TAX (NEXUS) AMENDMENT BILL

The **Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:04)**: Obtained leave and introduced a bill for an act to amend the Payroll Tax Act 2009 and to make a related amendment to the Taxation Administration Act 1996. Read a first time.

The **Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:04)**: I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The *Payroll Tax (Nexus) Amendment Bill 2010* (the 'Bill') amends the *Payroll Tax Act 2009* to vary the payroll tax nexus provisions where wages are paid to workers who provide their services in more than one State or Territory in a month, to the jurisdiction of the employee's principal place of residence or, where the worker does not reside in Australia, to the jurisdiction where the registered Australian Business Number address of the employer is located.

A further minor technical amendment is being made to the employment agent provisions of the Act to ensure the continued operation of an existing exemption.

Currently, where an employee has provided services in more than one jurisdiction in a month, their wages are liable for payroll tax in the jurisdiction where the wages are paid (i.e. the location of the employees' bank account into which the payment is made). The current legislative nexus for all States and Territories is the same in this regard.

Electronic banking makes it possible for employees to have a bank account or accounts located across Australia and/or overseas. After considering the application of the current nexus provisions, all jurisdictions expressed concern because of the potential for an employer to direct employees to situate their bank accounts for payment of wages in a State/Territory which has either the lowest rate or the highest threshold depending on which provided the most benefit in the circumstances ('forum shopping').

To negate the opportunity for 'forum shopping', in cases where services are performed in more than one jurisdiction, and to ensure administrative simplicity, State and Territory Revenue Commissioners recommended that the principal place of residence of an employee is a more suitable tax nexus to use going forward rather than the location of an employee's bank account. This recommendation has been accepted.

The proposed principal place of residence nexus will address the potential avoidance opportunity.

From a policy perspective, the employee's principal place of residence is the preferred nexus. In many cases, the location of a bank account may have no relationship whatsoever to the location of the employee or where the relevant services are provided.

An alternative of requiring employers to ascertain where work is undertaken in these situations would significantly increase employers' compliance costs.

In the limited circumstances where an employee does not have a principal place of residence within Australia, a secondary nexus will be required. In this regard, the employer's ABN registered address will be used.

All States and Territories have formally announced their agreement to provide new payroll tax nexus provisions, with an application date of 1 July 2009, subject to retrospective legislation being passed by State and Territory Parliaments. This measure is essential to maintaining the payroll tax harmony established between the States and Territories.

The fact that the legislation will come into force after the commencement of the financial year does not present a problem, as a reconciliation of the total liability is undertaken subsequent to the close of the financial year.

The formal announcement made by South Australia, in regard to the new payroll tax nexus provisions, recognises that there may be transitional and implementation issues for some employers who may have to make changes to their payroll systems, which may affect the timeliness or accuracy of their monthly returns while necessary changes are made.

Accordingly, whilst there is no requirement for employers to lodge returns under the new arrangements until the legislation is enacted, RevenueSA has been willing to accept payroll tax returns in line with the proposed nexus from 1 July 2009. Alternatively, it will be permissible for employers facing transitional and implementation issues to make any necessary adjustments, without penalty, as part of the annual reconciliation process for the 2009-10 assessment year.

It has also been identified that a minor technical amendment to the employment agent provisions of the Act is required to ensure the continued operation of an existing exemption.

An exemption for employment agents is provided for wages paid to a service provider, under an employment agency contract, where the wages would be exempt from payroll tax under Part 4 of the Act had the wages been paid by the client to the service provider as an employee.

As part of the rewrite and repeal of the *Pay-roll Tax Act 1971*, several existing South Australian specific exemptions that are not provided in New South Wales and Victoria were moved from Part 4 to Schedule 2 of the new Act.

An unintended consequence of moving these South Australian specific exemptions to Schedule 2 of the new Act is that wages paid to persons provided by an employment agency to those organisations are arguably no longer exempt.

The opportunity is therefore being taken to make a minor technical amendment to the employment agent provisions of the Act to confirm that wages paid to persons provided by an employment agency to those South Australian specific organisations now listed in Schedule 2 of the new Act (and which, in their own right, are exempt from payroll tax) are exempt.

The amendment to the employment agent provisions applies retrospectively from 1 July 2009.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be taken to have come into operation on 1 July 2009.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Payroll Tax Act 2009*

4—Amendment of section 3—Interpretation

This clause inserts definitions that are relevant to the provisions that are now to form part of the Act. It is noted that *Australian jurisdiction* will mean a State or a Territory.

5—Substitution of sections 10 and 11

Sections 10 and 11 are to be replaced by new sections relating to what constitutes taxable wages, including where some of the work may have been performed out of the State.

New section 10 will provide that *taxable wages* are wages that are taxable in this jurisdiction (but will not include exempt wages).

Under new section 11, wages will be taxable in this jurisdiction if the wages relate to services performed wholly in this jurisdiction or, if that is not the case, wages will be taxable in this jurisdiction if—

- (a) the employee is based in this jurisdiction; or
- (b) if the employee is not based in an Australian jurisdiction, if the employer is based in this jurisdiction; or
- (c) if neither the employee nor the employer are based in an Australian jurisdiction, if the wages are paid or payable in this jurisdiction; or
- (d) if nothing under a preceding paragraph relates to an Australian jurisdiction, if the services were performed mainly in this jurisdiction.

Section 11 also contains a number of related rules.

Section 11A sets out the principles to be applied to determine in which jurisdiction an employee is based.

Section 11B sets out the principles to be applied to determine in which jurisdiction an employer is based.

Section 11C sets out principles to determine at which place wages are to be taken to be paid.

6—Amendment of section 13—What are wages?

The amendment to section 13 of the Act clarifies that the Act applies in respect of wages referred to in subsection (1)(a) to (e) (inclusive) that are paid or payable to or in relation to a person who is not an employee in the same way as it applies to wages paid or payable to an employee.

7—Amendment of section 24—Inclusion of shares and options granted to directors as wages

8—Repeal of section 25

9—Amendment of section 26—Place where wages are payable

These are consequential amendments.

10—Amendment of section 40—Amounts taken to be wages

This amendment clarifies that various exemptions set out in Part 3 of Schedule 2 will apply in connection with the operation of section 40 of the Act.

11—Insertion of Part 4 Division 9

This clause sets new section 66A, which will provide that wages are exempt wages if they are paid or payable for or in relation to services performed wholly in 1 or more other countries for a continuous period of more than 6 months.

12—Amendment of Schedule 3—Repeal and transitional provisions

These amendments will allow the regulations to make provisions of a savings or transitional nature consequent on the enactment of an Act amending the principal Act.

Schedule 1—Related amendment and transitional provisions

Part 1—Amendment of *Taxation Administration Act 1996*

1—Amendment of section 4—Meaning of taxation laws

This amendment updates a cross-reference.

Part 2—Transitional provisions

2—Transitional provisions

This clause sets out transitional provisions associated with the enactment of this measure.

Debate adjourned on motion of Mrs Redmond.

LAND TAX (MISCELLANEOUS) AMENDMENT BILL

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:05): Obtained leave and introduced a bill for an act to amend the Land Tax Act 1936. Read a first time.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (11:05): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill contains significant land tax relief measures that were announced as part of the Government's 2009-10 Mid Year Budget Review.

The Bill amends the *Land Tax Act 1936*.

The Government has decided to increase the land tax tax-free threshold from \$110,000 to \$300,000, adjust the subsequent land tax bracket to between \$300,001 and \$550,000 and introduce a tax rate for the bracket of 0.5 per cent.

The top band of the following bracket will be increased to \$800,000 from \$750,000.

The threshold increases and revised tax brackets and rates will provide land tax relief of up to \$1,245 for land tax payers.

All land tax payers will benefit from the proposed threshold changes, with approximately 74,500 ownerships no longer liable for land tax in 2010-11.

From 2011-12, all land tax thresholds will be indexed by the average movement in land values from 2011-12 to provide ongoing relief to taxpayers from bracket creep.

The average percentage change in site values for a particular financial year will be determined by the Valuer-General having regard to the *Valuation of Land Act 1971* and the *Land Tax Act 1936*.

On or before 30 June in each financial year (commencing 2011), the Valuer-General will publish a notice in the Gazette setting out the average percentage change in land values and the index value applicable to the land tax year relevant to the adjustment of thresholds.

The Commissioner of State Taxation will, on or after the Valuer-General's notice, publish a notice in the Gazette setting out the adjusted thresholds relevant to the land tax year.

The index value is to be applied to the 2010-11 land tax thresholds, in years from and including 2011-12, only when the index value is higher than all preceding index values, otherwise thresholds remain unchanged. Reductions in thresholds are not permitted.

In addition, this Bill contains measures to provide a land tax exemption for land that is used as a residential aged care facility approved under the *Commonwealth Aged Care Act 1997* effective from the 2009-10 financial year.

Currently the *Land Tax Act 1936* provides a land tax exemption for not-for-profit associations supplying living accommodation, medical treatment, nursing or other help to persons in necessitous circumstances. Not-for-profit aged care facilities are eligible for a land tax exemption on these grounds. Aged care facilities that are owned privately and conducted on a commercial basis are not currently eligible for a land tax exemption.

This Bill ensures that both profit and not-for-profit organisations that operate approved aged care facilities will be exempt from land tax.

If only part of the land is used for the purpose of residential care for the aged, a partial exemption will be given based on the proportion of the land used for the exempt purpose.

Land tax exemptions for aged care facilities are available in New South Wales, Victoria, Queensland and Western Australia.

I commend this Bill to Honourable Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The Act will come into operation (or, if necessary, will be taken to have come into operation) at midnight on 30 June 2010. However, section 4, which provides an exemption for land used for the provision of residential care, will be taken to have come into operation at midnight on 30 June 2009.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Land Tax Act 1936*

4—Amendment of section 5—Exemption or partial exemption of certain land from land tax

Section 5 of the *Land Tax Act 1936* provides for the granting of exemptions from land tax. Under the section, an owner of land may apply for an exemption or partial exemption from land tax and the Commissioner may wholly or partially exempt the land if satisfied that there are proper grounds for doing so.

Under the section as amended by this clause, there will be grounds for exempting land used for the provision of residential care from land tax. *Residential care* will have the same meaning as in the *Aged Care Act 1997* of the Commonwealth. The Commissioner will be authorised to wholly exempt land from land tax if the whole of the land is used for the provision of residential care by an approved provider (within the meaning of the *Aged Care Act 1997*). The Commissioner will also be able to partially exempt land from land tax if part of the land is used for the provision of residential care by an approved provider. The partial exemption will be achieved by reducing the taxable value of the land by an amount equal to the value of the part of the land that is used for the provision of residential care.

5—Substitution of section 8

Section 8 of the Act provides that land tax is calculated on the basis of the taxable value of land and includes a table that specifies the amount of tax payable in respect of different taxable values. This clause repeals section 8 and substitutes three new sections.

8—Scales of land tax—2009/2010

Proposed new section 8 specifies rates of land tax in respect of the taxable value of land for the 2009/2010 financial year. The rates specified in the table included in section 8 are the same as those that appear in the current section. The relevant thresholds for determining the rate of land tax payable are as follows:

- exceeding \$110,000;
- exceeding \$350,000;
- exceeding \$550,000;
- exceeding \$750,000;
- exceeding \$1 million.

These thresholds will continue to apply only for the 2009/2010 financial year. The thresholds that are to apply for the 2010/2011 financial year will be specified in new section 8A.

8A—Scales of land tax—2010/2011 and beyond

Section 8A specifies rates of land tax for the 2010/2011 financial year and sets out the method for determining land tax in each subsequent year. The amount of land tax payable in respect of land is to be determined by reference to different thresholds. For the 2010/2011 financial year, the thresholds are as follows:

- Threshold A=\$300,000;
- Threshold B=\$550,000;
- Threshold C=\$800,000;
- Threshold D=\$1,000,000.

For the 2011/2012 financial year and for each subsequent financial year, each of these thresholds is to be adjusted to take into account increases in the site value of land. The adjustments are to be made in accordance with a formula set out in subsection (3). For the purposes of that subsection, the average percentage change in site values for a particular financial year is to be determined by the Valuer-General following the application of certain principles set out in subsection (4).

Under subsection (5), if the application of the principles set out in subsection (4) to determine the Index value for a particular financial year would result in the Index value for that year being less than or equal to an Index value that applied for a previous financial year, the thresholds for the later financial year will not be changed.

Subsection (6) requires publication by the Valuer-General in the Gazette, on or before 30 June in each year, of the average percentage change in site values and the Index value for the following financial year.

8B—Aggregation of land

The provisions of section 8B currently appear as subsections (2) and (3) of section 8. These provisions provide that—

- land tax is calculated on the basis of the aggregate taxable value of all land owned by the taxpayer; and
- if a taxpayer is liable to pay land tax in respect of land included in more than one assessment, the land tax is apportioned to and chargeable on the land included in the various assessments in the proportions that the taxable value of the land included in each separate assessment bears to the aggregate taxable value of all the land.

Debate adjourned on motion of Mrs Redmond.

HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) BILL

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:06): Obtained leave and introduced a bill for an act to make provision for a national legislative scheme for the regulation of health practitioners; to make provision for local matters associated with the regulation of health practitioners, the registration of pharmacy premises and pharmacy depots and the supply of optical appliances; to make related amendments to other acts; to repeal certain acts associated with the regulation of health professionals; and for other purposes. Read a first time.

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (11:07): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

South Australia has had some form of regulation of health practitioners for nearly one hundred years. The earliest Acts, the *Medical Practitioners Act 1919*, the *Nurses Registration Act 1920* and the *Opticians Act 1920* required registration of those persons wishing to practice in these professions with a registration board. The number of health professions regulated was added to over the next fifty years and all of the Acts were reviewed in the early 2000's. This was principally for the purposes of the National Competition Policy Review, but also to reflect changed practices that have occurred in the professions over time, and to ensure that the health and safety of the public is paramount in the regulation of the health professions.

The registration Acts have enabled the public of South Australia to have confidence that the health practitioners under these Acts are appropriately qualified and accredited, and are required to maintain high standards of competence and conduct in the provision of services.

The Acts covering the regulation of health professions have served the people of South Australia well. However, with the advent of mutual recognition there has been the potential for the public in South Australia to be exposed to practitioners who may not meet the registration requirements established by local registration boards. Under mutual recognition, any practitioner registered in one jurisdiction is deemed to be eligible for registration in another jurisdiction. Mutual recognition has seen some professions work towards developing national standards for registration, but this does not apply to all registered professions. The prospect of incompetent health practitioners registered and practising in other States and Territories, such as Doctors Patel and Reeves, being eligible to practise in South Australia, is not something that this Government wishes to see happen. This is why we believe it is important for South Australia to participate in the National Registration and Accreditation Scheme for the Health Professions. The scheme will ensure that health practitioners will be subject to nationally consistent registration standards and codes for their professions.

The *Health Practitioner Regulation National Law (South Australia)* before the House forms part of a national reform process in the registration and accreditation of health practitioners agreed to by the Council of Australian Governments, or COAG, in March 2008.

The origins of the National Registration and Accreditation Scheme date back to 2005 when the then Howard Government commissioned the Productivity Commission to undertake a report examining the issues impacting on the health workforce including the supply of, and demand for, health workforce professionals, and to propose solutions to ensure the continued delivery of quality health care over the next 10 years.

The Productivity Commission found that there were 90 or so boards in place around the country responsible for the registration of health practitioners through an assessment of their qualifications, experience and 'character' to practise in their chosen field. The boards were also responsible for ensuring that these practitioners complied with the requirements to practise and their continuing professional development.

This jurisdictional-based system has led to variations in registration and accreditation standards across the country and also resulted in an additional administrative and cost burden on health practitioners that impedes their movement across jurisdictions. If a practitioner currently wishes to work in two or more jurisdictions they need to register in each jurisdiction and pay the relevant registration fee in each jurisdiction.

Under the Howard Government, COAG considered the recommendations from the Productivity Commission to establish a single national registration board for health practitioners, and separate to this, a single

national accreditation board for health practitioner education and training. However, when this proposal was presented to stakeholders it was seen as too cumbersome, and under the Rudd Government, COAG agreed to a single national registration and accreditation scheme.

Commonwealth, State and Territory Health Ministers were tasked with the development and implementation of this national scheme, culminating in the passage of the *Health Practitioner Regulation National Law Act 2009* in the Queensland Parliament on 29 October 2009. I will elaborate on this National Law later. I must stress that the National Law is agreed legislation between all Health Ministers. It is not Commonwealth law.

This National Law will commence on 1 July 2010 and cover ten health professions including: medicine, nursing and midwifery, pharmacy, physiotherapy, dentistry (consisting of dentists, dental prosthetists, dental therapists and dental hygienists), psychology, optometry, osteopathy, chiropractic and podiatry. In addition, the inclusion of a further four professions will commence on 1 July 2012: medical radiation practitioners, occupational therapists, Chinese medicine practitioners, and Aboriginal and Torres Strait Islander clinical health practitioners. Further consideration will be given to the inclusion of other health professions in the National Scheme over time.

The primary objectives of the National Scheme are:

- (a) to provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered; and
- (b) to facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between jurisdictions or to practise in more than one jurisdiction.

The National Scheme will be administered by the Australian Health Practitioner Regulation Agency, which is establishing offices in each State and Territory. A National Board has been established for each profession. Each Board will be responsible for the registration of the health practitioners, developing standards and codes for the profession, approving accredited programs of study, and the receipt and investigation of complaints against practitioners. Each Board may establish a jurisdictional committee to provide an effective and timely local response to health practitioners and other persons. I am pleased to advise that under the national legislation South Australia has at least one representative on each of the ten national boards established.

As with the current registration boards in South Australia, the National Scheme will be self-funded from registration fees from health practitioners. The Commonwealth, State and Territory Governments have contributed funding towards the establishment of the scheme through the Australian Health Ministers' Advisory Council, but in the longer term the scheme will be self-funding. Fees for the professions will be set by the National Boards in line with the overarching principle that the fees are to be reasonable having regard to the efficient and effective operation of the scheme.

For registrants wishing to practise in more than one jurisdiction, they will only need to be registered in one jurisdiction, and will only be required to pay one registration fee. This is in contrast to the current situation where practitioners are required to pay a registration fee in each jurisdiction in which they wish to practise.

I will table a copy of the *Health Practitioner Regulation National Law Act 2009* of Queensland for the information of honourable members. This Act is the outcome of a long and complex process to negotiate nationally consistent standards and processes across nine jurisdictions and ten professions, however I am pleased to inform the House that the strongest elements of health practitioner legislation from all jurisdictions have come together in this Act. The development of the Act involved extensive consultation with stakeholders and I must thank the South Australian registration boards, the Australian Medical Association (SA) and the Australian Nursing and Midwifery Federation (SA Branch) in supporting my efforts to ensure that student registration was included in the National Scheme. While student registration has previously been adopted across all regulated health professions in South Australia, for other jurisdictions this is a new practice. However, students at various stages of their training work directly with patients or clients in clinical practices and it is important to ensure that these students are also subject to standards, codes of conduct and medical fitness to ensure the health and safety of the public is protected.

The National Law has been agreed by the Australian Health Workforce Ministerial Council, and it is important that this law is adopted in this State as agreed by the Ministerial Council. To do otherwise will undermine the basic principles of the Act to have nationally consistent standards and processes and to facilitate workforce mobility across jurisdictions.

There are two health professions that are currently regulated in South Australia that will not be included in the National Scheme from 1 July 2010. The first, occupational therapists, will join the National Scheme from 1 July 2012. Until their inclusion in the National Scheme they will continue to be regulated under the South Australian *Occupational Therapy Practice Act 2005*. The second profession is dental technicians. Dental technicians, unlike the other dental professions, are not currently regulated in all jurisdictions, and this is why they have not been included in the National Scheme. Despite dental technicians not being included in the National Scheme, Health Ministers can continue their regulation within their jurisdiction.

The primary reason for the regulation of a health profession is to minimise the occupation's potential risk to public health and safety. We have considered carefully the arguments for and against the continued regulation of dental technicians and have decided that dental technicians will no longer be required to be registered in South Australia from the commencement of the National Law. Dental technicians construct and repair dentures and other dental appliances, including crowns and bridges. They make these dental appliances to the specification of a dentist or dental prosthetist, who is responsible for the care of the patient. Dental technicians do not deal directly with the public. Any potential risks associated with the work of dental technicians can be appropriately managed by existing infection control and occupational health and safety legislation. The profession may wish to adopt a self-regulatory

approach if they so choose, and there are many examples of professions of where this approach has been used successfully, including social workers and speech pathologists.

The legislative process in the implementation of the National Registration and Accreditation Scheme is a three stage process. The first stage was the passage of the *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008* of Queensland which enabled the legal and governance arrangements to be established to assist the implementation of the National Scheme from 1 July 2010.

The second stage was the passage of the *Health Practitioner Regulation National Law Act 2009* of Queensland, which will repeal the 2008 Act from 1 July 2010, and cover the substantial elements of the National Scheme including registration and accreditation arrangements, complaints, conduct, health and performance arrangements, privacy and information sharing arrangements, and transitional arrangements.

The third stage is the introduction of adopting or corresponding legislation by other jurisdictions to apply the National Law as a law of that jurisdiction, or in the case of Western Australia, the introduction of corresponding laws to achieve the same effect.

This Bill fulfils this third stage in the legislative process. The Bill also makes consequential amendments needed to fully implement the National Scheme in South Australia, continues arrangements in this State for matters not covered by the National Scheme, and repeals existing health practitioner registration legislation that will now be covered by the National Scheme.

The Bill adopts the *Health Practitioner Regulation National Law Act 2009* of Queensland as a law of this State. This gives effect to the registration and accreditation of health practitioners that wish to practise in this State falling under the responsibility of the national board for that profession. The South Australian registration boards that currently provide this function will be wound-up with the repeal of the State registration Acts.

Some of the national boards have decided to maintain State or regional committees to provide an effective and timely local response to health practitioners and the public. Although the constitution and names of the Boards will change, members of the Medical Board of South Australia, the Nursing and Midwifery Board of South Australia, and the Physiotherapy Board of South Australia will continue under committees of their respective national boards. Members of the current Dental Board of South Australia and the South Australian Psychological Board will transition to a regional board with board members from the Northern Territory and Western Australia respectively. Although no State or regional committee of the national board has been designated for the other health professions, there will still be a strong local presence through the State Office of the Australian Health Practitioner Regulation Agency to be headed by Ms Alyson Smith, Registrar/Chief Executive Officer of the Nursing and Midwifery Board of South Australia.

The Bill establishes the South Australian Health Practitioners Tribunal to hear disciplinary matters against health practitioners and appeals against decisions of the registration boards. Under the Intergovernmental Agreement to establish the National Scheme each jurisdiction must establish an external complaints and review process. The South Australian Health Practitioners Tribunal will fulfil this requirement. This tribunal will be established as a stand-alone tribunal outside of the Court system. The Government has decided to opt for this model because we believe that it will be able to provide a more timely resolution of matters than an equivalent tribunal established within the Court system. Similar tribunals operate in the Northern Territory, New South Wales and New Zealand, and reports from these jurisdictions indicate that practitioners find these tribunals to be less threatening and friendlier, thereby minimising anxieties for both complainants and practitioners. Such a tribunal structure is also expected to be less costly to parties and to provide lower operating costs. Decisions of the tribunals also tend to be more consistent within professions and across professions.

Matters before the tribunal will be heard before a President or Deputy President who will sit with a panel of three members, consisting of two health practitioner members from the same health profession as the practitioner to whom the matter relates, and one member who is able to represent the interests of the broad range of consumers of health services. To be eligible for appointment as a President or Deputy President of the tribunal, a person must be a legal practitioner of not less than seven years standing.

The tribunal will be supported by a small registry that will be responsible for the receipt and coordination of matters to be heard by the tribunal and administrative support to the tribunal.

The licensing of pharmacy premises and pharmacy ownership restrictions are not covered by the National Scheme and will continue to be the responsibility of the States and Territories. This Bill continues the provisions for the regulation of pharmacy premises and depots in South Australia that are currently contained in the *Pharmacy Practice Act 2007*. A separate independent statutory authority, the Pharmacy Regulation Authority SA, will be established to oversee the regulation of pharmacy premises and pharmacy ownership restrictions. The Authority will be a much smaller body than the current Pharmacy Board of South Australia, with membership from the Department of Health, The Pharmacy Guild of Australia, the Pharmaceutical Society of Australia, the Australian Friendly Societies Pharmacies Association, and a consumer representative.

The Authority will be responsible for the appointment of a General Manager and such staff considered necessary to allow the Authority to perform its regulatory functions. As currently occurs with the Pharmacy Board of South Australia, the Authority will be funded solely from the registration and other fees associated with the regulation of these premises.

The Bill also continues the restrictions on the sale of optical appliances without a prescription, including cosmetic contact lenses, that are contained in the current *Optometry Practice Act 2007*. While the National Law restricts the prescribing of optical appliances to optometrists, opticians or medical practitioners, there are no restrictions on the supply of optical appliances to people who possess a prescription. Unfortunately jurisdictions

could not agree on a national approach and the supply restrictions were left to individual jurisdictions to consider under their own legislation.

We believe that it is important to maintain the restrictions on the sale of optical appliances, including cosmetic contact lenses or plano lenses, to people who have a prescription from a qualified practitioner. This is in the interests of public safety. This will ensure that people wishing to wear cosmetic contact lenses will have lenses that fit correctly as well as the information they need to use, store and clean them properly. While cosmetic contact lenses do not have any therapeutic value, there is evidence that they can change the physiology of the eye, and if not fitted properly, can cause serious infection and damage to the eye.

It is interesting to note that the national Optometry Board of Australia wrote to all jurisdictions encouraging them to include provisions within their legislation to restrict the supply of optical appliances to achieve a national approach, and the Government had no hesitation in agreeing to their request.

The Bill also covers consequential amendments to a number of South Australian Acts to ensure consistency with the National Law. Under the National Law the Health and Community Services Complaints Commissioner in South Australia must be notified of a complaint received by a National Board in relation to a South Australian practitioner. The Board and the Commissioner must attempt to agree on how the complaint is to be dealt with, and if they are unable to agree, then the most serious action proposed by either must be taken. For example, if the Commissioner believes that the matter should be referred to the South Australian Health Practitioners Tribunal but the National Board believes that the matter could be dealt with by a panel of the Board, the matter will be referred to the tribunal. The consequential amendments to the South Australian *Health and Community Services Complaints Act 2004* are definitional and relate to the bodies and provisions within the National Law. The Commissioner will have the ability to make a report to the Minister for Health if dissatisfied with the outcome of an investigation by a National Board. The Commissioner will also have the power to request information from a National Board on the progress, or result, of an investigation.

The Bill also includes a number of saving and transitional provisions related to the repeal of the current South Australian health practitioner legislation and the wind-up of the registration boards. This includes the transfer of assets and liabilities from the registration boards to the Australian Health Practitioner Regulation Agency, which will then distribute these funds to the corresponding National Boards. The amount to transfer into the National Scheme has been determined by an agreed formula covering the operating costs, liabilities and revenue derived from registration fees across all registration boards. Some registration boards will have a balance of funds after the transfer to the National Scheme and these funds will transfer to the Minister for Health for distribution to external agencies to administer for purposes agreed between the Minister and those boards (for example, research, scholarships). Funds from the Pharmacy Board of South Australia derived from the regulation of pharmacy premises and depots will transfer to the newly established Pharmacy Regulation Authority SA. No funds from the current registration boards will be used by the Government for other purposes, and funds collected from one profession will not be used for another profession.

Eligible staff from the current registration boards will be offered redeployment with the South Australian Department of Health if they are not offered a position with the Australian Health Practitioner Regulation Agency, or if they are declared excess to requirements by the Agency within a two year period of the commencement of the National Scheme in South Australia.

I would like to take the opportunity to thank those staff and members, both past and present, of the South Australian registration boards for the service that they have provided in ensuring the health and safety of the public through the regulation of health professions. The transition from the State-based system to a national scheme does not imply that the tasks that they have carried out in the past have failed. In fact, South Australia has been fortunate not to have cases similar to those widely publicised in other jurisdictions of practitioners that have not been fit and proper persons to practise or that have engaged in unprofessional conduct. But I believe that it is now time to move from the current jurisdictional-based system to a national scheme where practitioners will be subjected to consistent registration standards and codes.

A number of jurisdictions have already passed legislation to participate in the National Scheme from 1 July 2010. It is now important that the legislation is passed to allow this State to also participate in the National Scheme. Failure to do so will require South Australian practitioners wishing to practise in another jurisdiction, or a practitioner from another jurisdiction wishing to practise in this State, to pay an additional registration fee and be subject to a separate registration process and possibly be required to adhere to different codes of practice. This is an unnecessary administrative burden to impose on health practitioners. Failure to pass this measure will also be disruptive for practitioners and registration boards who have already made plans to transition into the national scheme on 1 July 2010. Passage of this measure will also allow the State to meet its commitment to the Council of Australian Governments to implement the National Scheme on 1 July 2010.

This Bill will ensure the continuation of the objectives to protect the health and safety of the public through the regulation of health services and ensuring that practitioners that provide these services maintain high standards of competence and conduct from the current State legislation into a nationally consistent scheme.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Definitions

This clause provides for definitions of terms used in the Act. Subclause (2) provides that if a term is used in the Act and in the National Law, the terms have the same meanings in the Act as they have in the National Law.

Part 2—Adoption of Health Practitioner Regulation National Law

4—Application of Health Practitioner Regulation National Law

This clause provides that the *Health Practitioner Regulation National Law* (the 'National Law') set out in the schedule to the *Health Practitioner Regulation National Law Act 2009* of Queensland, as in force from time to time, applies as a law of South Australia.

Each jurisdiction that adopts the National Law will have an equivalent provision in its adopting Act so that the National Law will be the law of each jurisdiction and is not only the law of Queensland. The effect is that a person registered as a health practitioner under the National Law is registered nationally, rather than requiring registration in each jurisdiction, and each of the entities created by the National Law is created not only by Queensland law but the law of each jurisdiction. For example, each National Board will be not only a Queensland body but also a body of each of the jurisdictions in which the National Law is applied. Section 7 of the National Law clarifies that the effect is the creation of one single national entity rather than separate bodies in each jurisdiction.

Clause 4(b) provides that the Act may be referred to as the *Health Practitioner Regulation National Law (South Australia)*.

Clause 4(c) provides that the National Law, as applying in South Australia, is part of the Act. This is to ensure that the text of the National Law has effect for all purposes in South Australia as an ordinary Act of Parliament. The effect of the provision is that a reference in legislation to 'an Act' or 'any other Act' will include the National Law as applying in South Australia.

5—Meaning of generic terms in Health Practitioner Regulation National Law for the purposes of this jurisdiction

This clause defines some generic terms used in the National Law for the purposes of the application of that Law in South Australia.

6—Responsible tribunal for Health Practitioner Regulation National Law

This clause provides that the South Australian Health Practitioners Tribunal, constituted under Part 3 of this measure, is the responsible tribunal for the purposes of the *Health Practitioner Regulation National Law (South Australia)*.

7—Exclusion of legislation of this jurisdiction

This clause provides that a number of Acts that generally apply in South Australia do not apply to the *Health Practitioner Regulation National Law (South Australia)* or instruments, including regulations, made under that Law. In particular, Acts dealing with the interpretation of legislation, financial matters, privacy, freedom of information, the role of the ombudsman and matters relating to the employment of public servants will not apply to the *Health Practitioner Regulation National Law (South Australia)*. Instead, provisions have been included in the National Law to deal with each of these matters, ensuring that the same law applies in relation to each jurisdiction that adopts the National Law.

Part 3—South Australian Health Practitioners Tribunal

Division 1—Establishment of Tribunal

8—Establishment of Tribunal

The *South Australian Health Practitioners Tribunal* is established.

Division 2—Members of Tribunal

9—President and Deputy Presidents

The membership of the Tribunal will include a President and 1 or more Deputy Presidents. A person will not be eligible for appointment as the President or a Deputy President unless the person is a legal practitioner of not less than 7 years standing, or a magistrate.

10—Panel members

The Tribunal will also consist of members drawn from 2 panels established under this clause. One panel will consist of members of the health professions under the *Health Practitioner Regulation National Law*. The other panel will consist of persons who are suitable to represent the interests of consumers of health services.

11—Allowances and expenses

This clause entitles a member of the Tribunal to remuneration, allowances and expenses determined by the Governor.

12—Validity of acts of Tribunal

This clause protects acts and proceedings of the Tribunal in cases where there is a vacancy in the membership of, or a defect in an appointment of a person to, the Tribunal or a panel.

13—Registrar of Tribunal

This clause provides that there will be a Registrar of the Tribunal (and there may also be a Deputy Registrar). The office of registrar may be held in conjunction with another office or position.

14—Immunities

A member of the Tribunal has the same immunities from civil liability as a Judge of the District Court. Officers and staff of the Tribunal are also protected from personal liability for honest acts or omissions in carrying out (or purportedly carrying out) official functions.

Division 3—Constitution of Tribunal

15—Constitution of Tribunal

This clause sets out how the Tribunal is to be constituted for the purposes of particular proceedings.

Division 4—Jurisdiction

16—Jurisdiction

The Tribunal will have the jurisdiction conferred by this measure or the National Law (as it applies as a law of South Australia).

Division 5—Proceedings, related powers and orders

17—Determinations

Any question of law will be determined by the presiding member. For other questions or matters, the Tribunal (when constituted by more than 1 member) will act according to unanimous or majority decision.

18—Provisions as to proceedings before Tribunal

This clause deals with the conduct of proceedings by the Tribunal.

19—Powers of Tribunal

This clause sets out the powers of the Tribunal to summons witnesses and require the production of documents or other evidence in proceedings before the Tribunal.

20—Enforcement of decisions of Tribunal

This clause provides for the enforcement of certain decisions of the Tribunal under the National Law.

21—Costs

Any costs awarded by the Tribunal under the National Law may be recovered as a debt.

22—Power of Tribunal to make rules

The Tribunal will be able to make rules regulating the practice and procedure of the Tribunal or providing for other matters relevant to the Tribunal.

Division 6—Appeals

23—Rights of appeal

An appeal will lie to the District Court, in its Administrative and Disciplinary Division, against a decision of the Tribunal.

24—Operation of order may be suspended

This clause empowers the Tribunal or the District Court to suspend the operation of an order pending the determination of an appeal.

25—Variation or revocation of conditions imposed by Court

This clause will allow the District Court to vary or revoke a condition that it may impose under the National Law.

Part 4—Pharmacy practice

Division 1—Interpretation

26—Interpretation

This clause provides for definitions of terms used in this Part.

Division 2—Pharmacy Regulation Authority SA

Subdivision 1—Establishment of Authority

27—Establishment of Authority

This clause establishes the *Pharmacy Regulation Authority SA* as a body corporate with perpetual succession, a common seal, the capacity to litigate in its corporate name and all the powers of a natural person capable of being exercised by a body corporate.

Subdivision 2—Authority's membership

28—Composition of Authority

This clause provides for Authority to consist of 5 members appointed by the Governor on the nomination of the Minister. It also provides for the appointment of deputy members.

29—Terms and conditions of membership

This clause provides for members of the Authority to be appointed for a term not exceeding 3 years and to be eligible for re-appointment on the expiry of a term of appointment. The clause sets out the circumstances in which a member's office becomes vacant and the grounds on which the Governor may remove a member from office. It also allows members whose terms have expired, or who have resigned, to continue to act as members for the purposes of proceedings under Division 4.

30—Presiding member and deputy

This clause requires the Minister, after consultation with the Authority, to appoint a pharmacist member of the Authority to be the presiding member of the Authority, and another pharmacist member to be the deputy presiding member.

31—Vacancies or defects in appointment of members

This clause ensures acts and proceedings of the Authority are not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

32—Remuneration of members

This clause entitles a member of the Authority to remuneration, allowances and expenses determined by the Governor.

Subdivision 3—General Manager and staff

33—General Manager and staff

This clause provides for the appointment of a General Manager by the Authority on terms and conditions determined by the Authority. It also provides for the Authority to have such other staff as it thinks necessary for the proper performance of its functions and empowers the Authority to employ persons on leave from employment in the Public Service or a Crown instrumentality or agency, as well as making use of the services, facilities or officers of an administrative unit (with the approval of the relevant Minister).

Subdivision 4—General functions and powers

34—Functions of Authority

This clause sets out the functions of the Authority and requires it to perform its functions with the object of protecting the health and safety of the public by achieving and maintaining high professional standards in the provision of pharmacy services in South Australia.

35—Delegations

This clause empowers the Authority to delegate its functions or powers.

Subdivision 5—Authority's procedures

36—Authority's procedures

This clause deals with matters relating to the Authority's procedures such as the quorum at meetings, the chairing of meetings, voting rights, the holding of conferences by telephone and other electronic means and the keeping of minutes.

37—Conflict of interest etc under Public Sector provisions

This clause provides that a member of the Authority will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector (Honesty and Accountability) Act 1995* by reason only of the fact that the member has an interest in the matter that is shared in common with pharmacists generally or a substantial section of pharmacists in this State.

Subdivision 6—Accounts, audit and annual report

38—Accounts and audit

This clause requires the Authority to keep proper accounting records of its financial affairs and have annual statements of accounts prepared in respect of each financial year. It requires the accounts to be audited annually by an auditor approved by the Auditor-General and appointed by the Authority, and empowers the Auditor-General to audit the Authority's accounts at any time.

39—Annual report

This clause requires the Authority to prepare an annual report for the Minister and requires the Minister to table the report in Parliament.

Division 3—Registration of pharmacies and depots

40—Registers

This clause requires the General Manager to keep certain registers, specifies the information required to be included in each register, makes the General Manager responsible for the form and maintenance of the registers and for the correction of entries. The clause also requires the registers to be kept available for inspection by the public and permits access to be made available by electronic means. A person ceasing to carry on a pharmacy business must inform the General Manager of that fact. A maximum penalty of \$5,000 is fixed for non-compliance.

41—Registration of premises as pharmacy

This clause makes it an offence for a person to provide restricted pharmacy services except at premises registered as a pharmacy and fixes a maximum penalty of \$50,000.

42—Restriction on number of pharmacies

This clause makes it an offence for Friendly Society Medical Association Limited (FSMA) to provide pharmacy services at more than 40 pharmacies in South Australia. A person other than a friendly society must not provide pharmacy services at more than 6 pharmacies, and a friendly society other than FSMA must not commence to provide pharmacy services at a pharmacy if friendly societies other than FSMA already provide pharmacy services at 9 pharmacies, or if another number is prescribed, that number. The maximum penalty for a breach of these restrictions is \$50,000.

43—Supervision of pharmacies by pharmacists

This clause requires a person who carries on a pharmacy business to ensure that a pharmacist is in attendance and available for consultation by members of the public at each pharmacy at which the business is carried on while the pharmacy is open to the public unless restricted pharmacy services or prescribed pharmacy services are not offered to the public and access to those areas of the pharmacy used for the provision of such services is physically prevented and certain other specified requirements are met. A maximum penalty of \$50,000 is fixed for non-compliance.

44—Certain other businesses not to be carried on at pharmacy

This clause makes it an offence to carry on certain kinds of businesses at a pharmacy. The maximum penalty fixed is \$50,000.

45—Registration of premises as pharmacy depot

This clause makes it an offence for a person to use premises outside Metropolitan Adelaide as a pharmacy depot unless the premises are registered as a pharmacy depot and fixes a maximum penalty of \$50,000.

46—Conditions

This clause makes the registration of a pharmacy or pharmacy depot subject to any conditions imposed by the Authority or prescribed by the regulations. It also empowers the Authority to vary conditions of registration on its own initiative or on application by the holder of registration. The clause makes it an offence for a person to contravene or fail to comply with a condition of a registration and fixes a maximum penalty of \$50,000.

47—Notices

This clause empowers an authorised officer to issue a notice for the purpose of securing compliance with a condition of a registration or a requirement imposed in relation to registration under this Division. It makes it an offence for a person to fail to comply with a notice without reasonable excuse and fixes a maximum penalty of \$5,000. The clause also creates an offence of hindering or obstructing a person complying with a notice and fixes a maximum penalty of \$10,000. The General Manager is empowered, after due enquiry, to suspend or cancel the registration of premises as a pharmacy or pharmacy depot if a person fails to comply with a notice,

48—Appeals

This clause provides a right of appeal to the District Court against certain acts and decisions of the Authority.

Division 4—Registration of pharmacy services providers

49—Registers

This clause requires the General Manager to keep registers of current and former pharmacy services providers, specifies the information required to be included in each register, makes the General Manager responsible for the form and maintenance of the registers and for the correction of entries. The clause also requires the registers to be kept available for inspection by the public and permits access to be made available by electronic means.

50—Registration of pharmacy services providers

This clause makes it an offence for a person to act as a pharmacy services provider unless registered under this Division and requires a pharmacy services provider to keep the General Manager informed of any change in particulars required to be given in relation to registration. In each case the maximum penalty is fixed at \$1000.

Division 5—Restrictions relating to provision of pharmacy services

51—Restrictions relating to provision of pharmacy services

Subclause (1) regulates the provision of restricted pharmacy services. A natural person must be either a qualified person and provide the service personally or through the instrumentality of another natural person who is a qualified person, or be a pharmacist who does not hold a current authorisation to practice but provides the service through the instrumentality of another natural person who is a qualified person. A body corporate must be a corporate pharmacy services provider and provide the service through the instrumentality of a natural person who is a qualified person. A trust must be a trustee pharmacy services provider and provide the service through the instrumentality of a natural person who is a qualified person. A maximum penalty of \$50,000 or imprisonment for 6 months is fixed if a restricted pharmacy service is provided other than by a person authorised by subclause (1). A qualified person, in relation to a restricted pharmacy service, is either—

- a pharmacist who holds a current authorisation to practice in the pharmacy profession (other than as a student) under the National Law; or
- a person authorised by or under other legislation to provide a restricted pharmacy service.

However, subclauses (2) and (3) provide that subclause (1) does not apply in relation to—

- a restricted pharmacy service provided by a natural person who is an unqualified person if the person carried on a pharmacy business before 20 April 1972 and has continued to do so since that date and the service is provided through the instrumentality of a natural person who is a qualified person; or
- a restricted pharmacy service provided by the personal representative of a deceased pharmacist or person referred to above within 1 year (or such longer period as the Authority may allow) after the date of death if the service is provided through the instrumentality of a natural person who is a qualified person; or
- a restricted pharmacy service by the official receiver of a bankrupt or insolvent pharmacist if the service provided for not more than 1 year (or such longer period as the Authority may allow) and is provided through the instrumentality of a natural person who is a qualified person; or
- a restricted pharmacy service provided by a person vested by law with power to administer the affairs of a corporate pharmacy services provider that is being wound up or is under administration, receivership or official management if the service is provided for not more than 1 year (or such longer period as the Authority may allow) and is provided through the instrumentality of a natural person who is a qualified person; or
- a restricted pharmacy service provided by an unqualified person in prescribed circumstances; or
- a restricted pharmacy service provided by an unqualified person pursuant to an exemption.

The Governor may grant an exemption by proclamation if of the opinion that good reason exists for doing so in the particular circumstances of a case. The clause makes it an offence punishable by a maximum fine of \$50,000 to contravene or fail to comply with a condition of an exemption.

Division 6—Disciplinary proceedings

52—Preliminary

This clause provides that in this Part the terms *occupier of a position of authority* and *pharmacy services provider* includes a person who is not but who was, at the relevant time, an occupier of a position of authority or a pharmacy services provider. The clause also provides for the Authority and the National Agency or National Board, or all 3 entities, to agree on protocols relating to the handling of disciplinary proceedings.

53—Cause for disciplinary action

This clause specifies what constitutes proper cause for disciplinary action against a pharmacy services provider or a person occupying a position of authority in a corporate or trustee pharmacy services provider.

54—Inquiries as to matters constituting grounds for disciplinary action

This clause requires the Authority to inquire into a complaint relating to matters alleged to constitute grounds for disciplinary action against a person unless the Authority considers that the matter should be dealt with under the National law or the Authority considers the complaint to be frivolous or vexatious. If after conducting an inquiry, the Authority is satisfied that there is proper cause for taking disciplinary action, the Authority can censure the person, order the person to pay a fine of up to \$10,000 or prohibit the person from carrying on business as a pharmacy services provider or from occupying a position of authority in a corporate or trustee pharmacy services provider. Fines imposed by the Authority are recoverable by the Authority as a debt.

55—Contravention of prohibition order

This clause makes it an offence to contravene a prohibition order made by the Authority or to contravene or fail to comply with a condition imposed by the Authority. A maximum penalty of \$75,000 or imprisonment for 6 months is fixed.

56—Constitution of Authority for purpose of proceedings

This clause sets out how the Authority is to be constituted for the purpose of hearing and determining proceedings under this Division.

57—Provisions as to proceedings before Authority

This clause deals with the conduct of proceedings by the Authority under this Division.

58—Powers of Authority in relation to witnesses etc

This clause sets out the powers of the Authority to summons witnesses and require the production of documents and other evidence in proceedings before the Authority.

59—Principles governing proceedings

This clause provides that the Authority is not bound by the rules of evidence and requires it to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms. It requires the Authority to keep all parties to proceedings properly informed about the progress and outcome of the proceedings

60—Representation at proceedings before Authority

This clause entitles a party to proceedings before the Authority to be represented at the hearing of those proceedings.

61—Costs

This clause empowers the Authority to award costs against a party to proceedings before the Authority and provides for the taxation of costs by a Master of the District Court in the event that a party is dissatisfied with the amount of costs awarded by the Authority.

62—Appeal

This clause provides a right of appeal to the District Court against decisions of the Authority under this Division.

63—Operation of order may be suspended

This clause empowers the Authority or the Court to suspend the operation of an order made by the Authority where an appeal is instituted or intended to be instituted.

Division 7—Related provisions

64—Authorised officers

This clause provides for the appointment of authorised officers for the purposes of this Part and sets out their powers for the purposes of investigations. It makes certain conducts towards an authorised officer (such as hindering or obstruction or using abusive language) an offence punishable by a maximum fine of \$5,000 and also makes it an offence for a person in charge of premises to fail to give an authorised officer assistance and facilities necessary to enable the officer to exercise powers. A maximum penalty of \$5,000 is prescribed.

The clause also provides that if a person is required to provide information or to produce a document, record or equipment under this clause and the information, document, record or equipment would tend to incriminate the person or make the person liable to a penalty, the person must nevertheless provide the information or produce the document, record or equipment, but the information, document, record or equipment so provided or produced will not be admissible in evidence against the person in proceedings for an offence, other than an offence against this or any other Act relating to the provision of false or misleading information.

65—False or misleading statement

This clause makes it an offence for a person to make a false or misleading statement in a material particular (whether by reason of inclusion or omission of any particular) in information provided under this Part and fixes a maximum penalty of \$20,000.

66—Disclosure of information

This clause authorises the Authority to disclose information obtained by it while acting under this Part to the National Agency or to a National Board if reasonably required in connection with the administration or operation of the National Law.

67—Use of word 'pharmacy'

This clause makes it an offence for a person to describe premises as a 'pharmacy' in the course of business unless the premises are registered as a pharmacy or pharmacy depot under this Part. The maximum penalty is fixed at \$50,000.

68—Pharmacy services providers to be indemnified against loss

This clause prohibits pharmacy services providers from providing pharmacy services unless insured or indemnified in a manner and to an extent approved by the Authority against civil liabilities that might be incurred by the provider in connection with the provision of such services. It fixes a maximum penalty of \$10,000 and empowers the Authority to exempt persons or classes of persons from the requirement to be insured or indemnified.

69—Information relating to claim against pharmacy services provider to be provided

This clause requires a pharmacy services provider to provide the Authority with prescribed information relating to a claim made against the provider for alleged negligence by the provider in connection with the provision of pharmacy services. The clause fixes a maximum penalty of \$10,000 for non-compliance.

70—Punishment of conduct that constitutes an offence

This clause provides that if conduct constitutes both an offence against this Part and grounds for disciplinary action under this Part, the taking of disciplinary action is not a bar to conviction and punishment for the offence, and conviction and punishment for the offence is not a bar to disciplinary action.

71—Evidentiary provision

This clause provides evidentiary aids for the purposes of proceedings for offences against this Part.

72—Vicarious liability for offences

This clause provides that if a body corporate is guilty of an offence against this Part, each person occupying a position of authority in the body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that the person could not, by the exercise of reasonable care, have prevented the commission of the principal offence.

Part 5—Optometry practice

73—Interpretation

This clause provides for definitions of terms used in this Part.

74—Unauthorised dispensing of optical appliances

This clause makes it an offence for a person to sell an optical appliance by retail unless it has been prescribed for the purchaser by an optometrist, orthoptist or medical practitioner. A maximum penalty of \$30,000 is fixed.

75—Dispensing expired prescription

This clause makes it an offence to dispense an optical appliance pursuant to an expired prescription. A maximum penalty of \$15,000 is fixed.

76—Failure to give free prescription on request

This clause makes it an offence for a person who prescribes or dispenses an optical appliance to give the patient a free copy of the prescription on request. A maximum penalty of \$5,000 is fixed.

77—Authorised officers

This clause provides for the appointment of authorised officers for the purposes of this Part and sets out their powers for the purposes of investigations. It makes certain conducts towards an authorised officer (such as hindering or obstruction or using abusive language) an offence punishable by a maximum fine of \$5,000 and also makes it an offence for a person in charge of premises to fail to give an authorised officer assistance and facilities necessary to enable the officer to exercise powers. A maximum penalty of \$5,000 is prescribed.

The clause also provides that if a person is required to provide information or to produce a document, record or equipment under this clause and the information, document, record or equipment would tend to incriminate the person or make the person liable to a penalty, the person must nevertheless provide the information or produce the document, record or equipment, but the information, document, record or equipment so provided or produced will not be admissible in evidence against the person in proceedings for an offence, other than an offence against this or any other Act relating to the provision of false or misleading information.

Part 6—Miscellaneous

78—Delegations

This clause empowers the Minister and the Chief Executive to delegate their functions and powers.

79—Commissioner of Police may give criminal history information

This clause authorises the Commissioner of Police to give criminal history information to the National Board and certain law enforcement bodies.

80—Application of fines

This clause provides for fines imposed for an offence against this Act to be paid to the Minister, the Attorney-General or Pharmacy Regulation Authority SA (according to specified circumstances).

81—Investigators

This clause allows State public sector employees to be appointed as investigators under the National Law.

82—Regulations

This clause empowers the Governor to make regulations.

83—Review of Part 3

The Minister will cause a review of the operation of Part 3 to be conducted after the Act has been in operation for a period of 3 years.

Schedule 1—Related amendments, repeals and transitional provisions

Part 1—Preliminary

1—Amendment provisions

This clause is formal.

Part 2—Amendment of *Acts Interpretation Act 1915*

2—Amendment of section 4—Interpretation

It will be most useful for the purposes of other Acts that there is a general definition of *Health Practitioner Regulation National Law* (being the National Law as in force from time to time under the *Health Practitioner Regulation National Law Act 2009* of Queensland and as it applies as a law of this State, another State or a Territory, or the law of another State or Territory that substantially corresponds to the national law).

Part 3—Amendment of *Births, Deaths and Marriages Registration Act 1996*

3—Amendment of section 4—Definitions

This clause sets out an amendment that is consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 4—Amendment of *Boxing and Martial Arts Act 2000*

4—Amendment of section 3—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 5—Amendment of *Consent to Medical Treatment and Palliative Care Act 1995*

5—Amendment of section 4—Interpretation

This clause sets out amendments that are consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 6—Amendment of *Controlled Substances Act 1984*

6—Amendment of section 4—Interpretation

This clause sets out amendments that are consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 7—Amendment of *Coroners Act 2003*

7—Amendment of section 3—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 8—Amendment of *Cremation Act 2000*

8—Amendment of section 4—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the regulation of health professions under the Health Practitioner Regulation National Law.

Part 9—Amendment of *Criminal Law Consolidation Act 1935*

9—Amendment of section 269A—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 10—Amendment of *Health and Community Services Complaints Act 2004*

10—Amendment of section 4—Interpretation

It is necessary to make consequential amendments to the definitions used for the purposes of the *Health and Community Services Complaints Act 2004*.

11—Amendment of section 57—Complaints received by Commissioner that relate to registered service providers

It is necessary to ensure that the scheme under Part 8 of the *Health Practitioner Regulation National Law (South Australia)* applies if a complaint received by the Commissioner relates to a nationally registered health practitioner.

12—Amendment of section 58—Referral of complaint to registration authority

This clause is mainly concerned to insert a saving provision with respect to section 150 of the *Health Practitioner Regulation National Law (South Australia)*.

13—Amendment of section 59—Action on referred complaints

This is a consequential amendment.

14—Amendment of section 60—Referral of complaint to Commissioner

If a complaint received by a registration authority relates to a nationally registered health practitioner, the matter will proceed under section 150 of the *Health Practitioner Regulation National Law* (South Australia).

15—Amendment of section 62—Information from registration authority

This is a consequential amendment.

16—Repeal of Schedule 1

This is a consequential amendment.

Part 11—Amendment of *Health Professionals (Special Events Exemption) Act 2000*

17—Amendment of section 3—Interpretation

This is a consequential amendment.

18—Amendment of section 5—Definition of visiting health professional

This is a consequential amendment.

19—Amendment of section 10—Exemptions relating to offences

This is a consequential amendment.

20—Amendment of section 11—Complaints about visiting health professionals

These are consequential amendments.

Part 12—Amendment of *Landlord and Tenant Act 1936*

21—Amendment of section 13—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 13—Amendment of *Mental Health Act 2009*

22—Amendment of section 3—Interpretation

This clause sets out amendments that are consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 14—Amendment of *Rail Safety Act 2007*

23—Amendment of section 4—Interpretation

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

24—Amendment of section 148—Immunity for reporting unfit rail safety worker

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

25—Amendment of Schedule 2—Provisions relating to alcohol and other drug testing

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 15—Amendment of *Road Traffic Act 1961*

26—Amendment of Schedule 1—Oral fluid and blood sample process

This clause sets out an amendment that is consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 16—Amendment of *Summary Offences Act 1953*

27—Amendment of section 81—Power to search, examine and take particulars of persons

This clause sets out amendments that are consequential on new arrangements for the constitution of health professions under the Health Practitioner Regulation National Law.

Part 17—Repeal of certain South Australian Acts

28—Repeal of certain South Australian Acts

The following Acts are to be repealed in connection with the introduction of the new National Law:

- (a) the *Chiropractic and Osteopathy Practice Act 2005*;

- (b) the *Dental Practice Act 2001*;
- (c) the *Medical Practice Act 2004*;
- (d) the *Nursing and Midwifery Practice Act 2008*;
- (e) the *Optometry Practice Act 2007*;
- (f) the *Pharmacy Practice Act 2007*;
- (g) the *Physiotherapy Practice Act 2005*;
- (h) the *Podiatry Practice Act 2005*;
- (i) the *Psychological Practices Act 1973*.

Part 18—Saving and transitional provisions

Division 1—Interpretation

29—Interpretation

This clause sets out definitions relevant to the operation of the saving and transitional provisions set out in Part 18 of this measure.

Division 2—Transfer of assets and liabilities

30—Ministerial orders

This clause will allow the Minister to deal with any assets or liabilities of a prescribed body. Any dealing under this clause will be effected by an instrument (to be called an 'allocation order').

31—Effect of allocation order

An allocation order will vest assets or liabilities specified in the allocation order to the transferee in accordance with the order. If an allocation order relates to the transfer of a prescribed body's interest in an agreement, the transferee will become a party to the agreement in place of the prescribed body and the agreement will take effect as if the transferee had always been a party to the agreements.

32—Continued effect of certain acts by a prescribed body

An act or omission of a prescribed body in relation to assets or liabilities transferred by an allocation order will, if it is of continuing effect, be taken to be the transferee's act or omission.

33—Continuation of proceedings

Proceedings involving a prescribed body in relation to assets or liabilities transferred by an allocation order may be continued and completed by or against the transferee.

34—Evidence of transfer

The Minister may provide evidence of the transfer of assets or liabilities under these provisions.

35—References

A reference in an instrument or other document to a prescribed body in connection with an asset or liability transferred under this Division is, from the date of transfer, taken to be a reference to the transferee (unless the instrument or document is excluded by the Minister by notice in the Gazette).

36—Substitution of relevant entity

This clause provides for the transferee to be taken to be a party to any contract, guarantee, undertaking or security given by a prescribed body that is subject to the application of these provisions.

Division 3—Staff

37—Staff

This clause sets out certain arrangements that apply to qualifying staff of a prescribed body. A qualifying member of staff is, essentially, a person employed on a permanent basis by a prescribed body whose salary (or salary package) does not exceed \$120,000. A qualifying member of staff who has not gained employment with the National Agency will be incorporated into the Department as a redeployee. Furthermore, a qualifying member of staff employed by the National Agency who, within the period of 2 years after this provision comes into operation, is declared by the National Agency to be excess to the requirements of the National Agency may elect to be incorporated into the Department as a redeployee.

Division 4—Provision of information and assistance

38—Provision of information and assistance

A prescribed body is authorised to provide documents and other information, and assistance, to a national body (or a person nominated by a prescribed body) to assist the national body in the performance or exercise of its functions or powers.

Division 5—References

39—References to members of professions

This clause provides a scheme under which references to a member of a profession, now to be regulated under the National Law, will be taken to be a reference to a member of the profession under the National Law.

Division 6—Complaints, notifications and disciplinary proceedings

40—Extended application of disciplinary proceedings

This clause makes it clear that the disciplinary provisions of the National Law may extend to any conduct or other circumstance occurring, arising or existing before the participation day for this jurisdiction. This clause is a facilitating provision that has effect subject to the other provisions set out in this measure.

41—Proceedings before boards

This clause is primarily intended to ensure that a matter brought before a prescribed body (or the Registrar of such a body), but not yet subject to a formal complaint, will continue as if subject to a notification under Part 8 of the National Law.

42—Proceedings initiated by complaint

This clause sets out the arrangements that will apply if a formal complaint has been laid before a prescribed body or a Tribunal under an existing Act. If the proceedings have commenced so as to be part-heard, they will continue in all respects under the existing Act. If the proceedings are not yet to the stage of being part-heard, they will continue before the responsible tribunal constituted under the new scheme but in other respects will be dealt with under the relevant State Act.

43—Complaints being dealt with on participation day

This clause makes it clear that the responsible tribunal may act under the scheme established by section 289 of the National Law (subject to the arrangements applying in the preceding provisions).

Division 7—Other matters

44—Actions with respect to immunity

This clause provides that an action that would otherwise lie against a prescribed body under section 74(3) of the *Public Sector Act 2009* (but for the dissolution of the prescribed body) will lie instead against the Crown.

45—Pharmacies and pharmacy depots

This clause sets out transitional arrangements that will apply in relation to the registration of pharmacies and pharmacy depots.

46—Pharmacy services providers

This clause sets out transitional arrangements that will apply in relation to the registration of pharmacy services providers.

47—Areas of special need

An area of special need in force under section 33(2)(d)(iii) of the *Medical Practice Act 2004* will continue for the purposes of the National Law.

48—References to Registrars

This clause makes provision with respect to references to a Registrar under a repealed Act.

49—FOI applications

This clause relates to any FOI application where the relevant agency would be a prescribed body (which will now be dissolved). The National Agency, or a National Board nominated by the National Agency in a particular case, will be taken to be the relevant agency for the purposes of dealing with the application.

50—Fees

This clause will allow arrangements to be put in place to provide an extension for the payment of fees by members of designated health professions.

51—Regulations

The Governor will be able to make additional provisions of a saving or transitional nature.

52—Validity and effect of steps

This clause ensures that nothing done under this scheme can give rise to any liability or cause of action under another law.

Debate adjourned on motion of Dr McFetridge.

ADDRESS IN REPLY

The SPEAKER: Before I call the member for Mitchell, I remind the house that this is the honourable member's first speech and accordingly I ask members to extend to him the traditional courtesies. Congratulations. The member for Mitchell.

Mr SIBBONS (Mitchell) (11:07): I move:

That the following Address in Reply to His Excellency's opening speech be adopted:

May it please Your Excellency—

1. We, the members of the House of Assembly, express our thanks for the speech with which you have been pleased to open parliament.
2. We assure Your Excellency that we will give our best attention to all matters placed before us.
3. We earnestly pray for the Divine blessing on the proceedings of the session.

As I rise to speak today I acknowledge and pay my respects to the traditional owners of the land on which we meet, the Kurna people, their elders, past and present.

Madam Speaker, I congratulate you on your election as the first female speaker, and I am sure that under your reign we will enjoy strong and fair decision making in this house. I also congratulate the Deputy Speaker on her appointment. To all my parliamentary colleagues, I congratulate you on your success in the 2010 election. I also congratulate the leader of our party, Mike Rann, on winning a third term in government.

I am truly humbled by the honour and significance of representing the people of Mitchell in this house. I thank the people of Mitchell for putting their trust in me and, in return, I pledge to represent them with the same determination as I and my dedicated campaign team displayed during the campaign. I will ensure that your voices are heard loud and clear.

I grew up in Mitchell Park with my mother, father and older sister in a small Housing Trust half-house. It would be described today as a lower income area, with many of its residents working in the manufacturing sector or as labourers. There were many young families with school-age children and a parent who worked at the Chrysler factory. My father, Noel, was fortunate to gain employment at that factory, which was only two streets from my home.

My primary school was at the end of my street and was the neighbour of the Chrysler plant, separated only by the Tonsley train line. As a small child, I remember wondering how they made cars, and I watched in awe as the trains full of cars went past. I had no idea how important the factory was to our community and the long-term effect it would have on shaping my life.

My father worked hard to provide for us, and the things we take for granted today were luxuries in those days. When I was two, my father suffered a major heart attack and was very lucky to survive. He was in the Royal Adelaide Hospital for a long period of time after surviving open-heart surgery, and he was not able to work for many months. This was a time when our family struggled financially and we needed government assistance and family support to get by. My father did get better and returned to Chrysler and then Mitsubishi until the day he passed away at age 58.

When I was 11 and in year 6, my mother suffered a chronic illness and needed hospitalisation. I believe that what happened next in my life helped shape the person I am today. In an act of generosity that I have only really come to appreciate since becoming a parent, my auntie and uncle offered to look after me during my mother's illness. Anne and Neil Birchmore, and their sons Wayne and Mark, brought me into their home and their life.

Neil was a plumber and a small-business owner in the northern suburbs, and he and Anne worked tirelessly to build up their successful business. He believed in working hard and embraced every opportunity. He was a firm but fair man who loved family and friends; his employees respected him, and I idolised him. During the time I was with them, I attended Blackfriars Priory with my older cousin Mark, and we would go back to the workshop after school and do odd jobs and learn.

After a long period away from my home in Mitchell Park, and the realisation that my mother would not be living with my father again, I returned home to live with my father. I left Mitchell Park High School at the end of year 11 and began my apprenticeship at Mitsubishi as a body maker and spray painter. I remember my first day clearly. I was nervous and yet excited, and I could not believe how big the factory was or the number of people working on the site.

After working in many areas of the plant and finishing my four year apprenticeship, my career headed in a new direction. I began representing the interests of workers as a shop steward with the Vehicle Builders Union, now known as the Australian Manufacturing Workers Union. In 2000 I stood for a full-time organiser's position with the AMWU and, after 16 years as an employee at Mitsubishi, I left to take up my new role and new challenges with the union.

After several years away from Mitsubishi, I returned as the organiser responsible for the Tonsley Park site. Not long after returning, I was greeted with the sad news that the Lonsdale plant would close and hundreds of workers would lose their jobs. I will never forget the mass meetings of workers and the fear that was confronting the workers. Many had worked for Mitsubishi since leaving school and they were uncertain as to what their future would bring.

My final involvement with Mitsubishi (and undoubtedly the saddest day of my working life) was the day my colleagues and I were advised that the plant would close. The factory had been a part of my community and had played a significant role in my life since I could remember, and it would be no more.

Mitsubishi provided so much employment for so many people. It was a multicultural community and a wonderful and rich learning environment for me. I learnt so much about people and our diverse society. I miss the friendship and the can-do attitude that resonated throughout the site, and I am so fortunate to have been called a 'Mitsy' worker.

Unfortunately, globalisation has been largely responsible for the south of Adelaide losing many large employers like Mitsubishi that provided very well-paid skilled jobs. I am so pleased that the Rann government has set the agenda to invest in our future with more apprenticeships and traineeships and the purchasing of the Mitsubishi site at Tonsley Park. This will provide real opportunity to build new value-added industries and much-needed employment for the people in the South.

It is important for the house to understand my passion for the site, and I can assure you that I will work tirelessly to ensure that my government will deliver on its promise for the Tonsley site. It has been an honour and a privilege to represent workers as a rank-and-file delegate and as a full-time union official. The fight for decent wages and conditions, dignity in work, equality and justice and a fair go is a fight that I will continue on behalf of all working people.

A very special moment in my life was the day I married my wife, Michelle, and the birth of my first son, Luke, and my middle child, Bradley. I will talk about another important journey in my life. In 2001, my priorities changed with the birth of my third child, Danielle. She was born with a rare congenital disorder called congenital melanocytic naevus. The disorder affects around one in 20,000 newborns in some form and as few as one in 500,000 in its most severe form.

Danielle was in the children's hospital for the first 12 months of her life. My wife and I were the only ones dealing with this condition, we thought. We were afraid and felt very alone. We wanted to know how we could help Danielle with this condition. There was no support group in Australia, and what we as parents needed most was to talk to other families who had been in the same position that we now found ourselves.

Not content to give up, we continued searching for answers and, with the help of an American online support group called Nevus Outreach and a social worker from the Adelaide Women's and Children's Hospital, we eventually made contact with several families in Australia who also had children with this condition.

As we spoke to the other families, it became apparent that everyone had a similar experience of isolation and a desire to connect with other families. In 2002, the concept of Nevus Support Australia blossomed, and by January 2004 we were holding our first national conference in Adelaide and released our first printed brochure about the condition to doctors' surgeries and major hospitals around the country.

Today, Nevus Support Australia is a registered not-for-profit tax-deductible charity. We have a membership of over a hundred families which incorporates New Zealand and southern Asia. We are working collaboratively with support groups and researchers around the world and holding regular biannual conferences so that our very special families can meet each other and share in their journeys.

An ordeal like this can make you weaker or stronger, but when the dust settles you always remind yourself that there is someone in our society doing it tougher than you. Like-minded individuals who volunteer can and do make a difference in shaping our society.

The Mitchell electorate was created in 1969 and is named after Sir William Mitchell, who was vice-chancellor and also chancellor of the University of Adelaide. He was professor of English language, literature, and mental and moral philosophy.

The area has a strong connection with the Kaurna people, and the Sturt River provided life to many. European settlers also found the banks of the Sturt River inviting. In 1838, just two years after the colony was founded, Colonel William Light laid out the village of Marion. The rich soil in the area produced vegetables, almonds, stone fruits and grapes.

In the early to mid-1950s, the South Australian Housing Trust began buying up large tracts of land for the provision of low-cost rental housing. Large companies were also established. In 1955, Chrysler purchased 71 hectares of land in Clovelly Park and established a car assembly plant, one of the largest such operations under one roof in the Southern Hemisphere. In the 1960s and 1970s, there was a need for housing in the southern suburbs, and Trott Park and Sheidow Park were developed.

Today, the Mitchell electorate has a number of exciting projects on the go, or ready to go—the State Aquatic Centre, the GP Plus, the long-awaited duplication of the Southern Expressway, the expansion of Westfield Marion, and the electrification of the Noarlunga rail line, just to name a few. A number of other priorities need workable solutions, such as the Marion triangle and preserving our open space. In the electorate, there are people who very well-off and there are others who have very little, so it is important that we as policymakers ensure that everyone is afforded a fair go. At this stage, I acknowledge the work and the contribution to the local community of the previous members for Mitchell: Kris Hanna, Colin Caudell, Paul Holloway and Ronald Payne.

I have enjoyed my involvement in supporting my children in sport, in particular, junior soccer. For the past 10 years, I have enjoyed my role as a junior coach at school level and as the Secretary of Southern Districts Junior Soccer Association, and I was very honoured recently to be awarded life membership for my contribution. I believe sport has an important place in teaching our children the value of teamwork and discipline, and I encourage all parents to get involved with their children; it is so rewarding. Unfortunately, in recent times, I have witnessed all too often work pressures and family breakdown influencing a child's opportunity to play sport. Unfortunately, I have struggled to find a solution. I have also made many lifelong friends, and I hope that I have made a real difference.

In conclusion, I take the opportunity to acknowledge several people. My heartfelt thanks go to my former boss and friend, the State Secretary of the Australian Manufacturing Workers Union, John Camillo. This would not have been possible without his endorsement and support. To Peter Malinauskas and the team at the SDA, who worked so hard and so tirelessly over the campaign to ensure that I and a Labor Party government were elected, I say thank you.

I say a special thank you to Bob Geraghty, the Secretary of the CEPU, the electrical and plumbing union. It is with great sadness that I am witnessing Bob fighting his own battle with ill health. My thoughts—and I am sure the thoughts of this parliament—are with Robyn and her family. I say thank you also to the past secretary of the Australian Manufacturing Workers Union (Vehicle Division), Paul McMahon, the present Secretary, Jon Gee, and the vehicle division rank and file; the Secretary of the Australian Manufacturing Workers Union (Print Division), Craig Larner; the Secretary of the Australian Manufacturing Workers Union (TSA Division), Peter Bauer; the Secretary of the Transport Workers Union, Alex Gallacher; the Secretary of the CEPU Communications Division, Graham Lorrain; and Secretary of the Finance Sector Union, Debbie Black.

To AMWU officials—Brendon Patchet, Scott Batchelor, John Short, Stuart Gordon, Nigel Alford, President Richard Wormald, staff and membership—I thank you. Thank you to my great friends from Mitsubishi, long-time friend, John Monaghan, Ray Sara, Allan Matthews and Alfie Baga. To my parliamentary colleagues—Treasurer Wayne Swan, Senator Don Farrell, Senator Annette Hurley, Senator Dana Wortley, Amanda Rishworth, Russell Wortley MLC, Bernard Finnigan MLC Robyn Geraghty, Michael Atkinson, Jay Weatherill, John Hill, Michael Wright and the Premier Mike Rann—thank you for your valuable advice and encouragement. In particular to Aemon Burke, who is my campaign manager and whose efforts went far beyond what was expected, and my campaign team—Matt Ellis, Peter Gonis and Dianna Zollo—thank you.

I want to make special mention of my staff—Cathy Perry, Lisa McIntosh and Emma Cope—who have been of great support setting up the office and who have done a tremendous job in the weeks since the election. Cathy was my sounding board over the campaign and I thank her

for being there. As you all know, we do not have the opportunity to represent electorates without a loyal band of volunteers assisting us. In that respect, I pay tribute to all the Labor Party branch members and special tribute to Maureen McEwen, Joan Watkins, Maurie and June Appleby, Robert Lloyd, John Gaucci and volunteers who supported me. There were so many people that it is impossible to name them all but I thank them all for their help and for their belief in me. To all my friends who have joined me here today, thank you; and to all those who could not join us here today I express my heartfelt thanks.

My mother has always been the most vocal of my fans and is proudly sitting here today. To my Auntie Anne and my Uncle Neil (who passed away at a very young age from a cruel disease in multiple sclerosis), I am certain that I would not be standing here without your guidance, support and love. To my mother-in-law, Marilyn, and my father-in-law, Geoff, for all the support over the particular 12 months, I thank you. To my children, Luke, Bradley and Danielle of whom I am extremely proud: they have been amazingly tolerant and supportive.

Finally, my wife, Michelle. I am the luckiest man to have found my best friend to share my life. Without your love, understanding and support, my journey would have been so much harder; in fact, it would have been impossible. It is an enormous honour to sit here today. I shall never forget or disregard the enormous faith the electorate of Mitchell has placed in me and I will do my best to make Mitchell and our state an even better place to live. Thank you, Madam Speaker.

The SPEAKER: Thank you, and well done. I now call another new member. I ask you to give her the same courtesy that you gave the member for Mitchell. The member for Taylor.

Mrs VLAHOS (Taylor) (11:30): Madam Speaker, I congratulate you on your elevation to the role of Speaker of this house. May your good sense and earthy sense of humour calm people, when necessary, in this chamber. I also congratulate the member for Bright on her elevation to the Deputy Speaker's position. I congratulate the Premier and the government on their re-election. I also congratulate the new members to the chamber on both sides of the house.

I especially wish to congratulate the new members on our side of the house—the members for Mitchell and Little Para. I extend my sympathy to party colleagues who were not successful in this election cycle. Most particularly, I hope their hard work and effort will be remembered and that the effort put in by new candidates only whets their appetite for the future. I would say to Mary-Lou Corcoran, the hardworking Tung Ngo and the legion of Young Labor Unity activists, 'Not getting what you want sometimes is a wonderful stroke of luck.' Believe me, I know this for a fact. You never know what door will open in the future and where it will lead you.

It is traditional to speak about the people and events that led us to this chamber and the areas we are privileged to represent. In my case it was my parents. My father, unknowingly through his chats, poems and excursions to different places in my early life, set my early interest in politics. My father was raised by his mother, who soldiered on her own, to raise her son by playing piano in pubs in Melbourne. Dad has told me stories about how he sold papers on St Kilda Road when he was a 10 year old to help out.

My father is a hardworking gentleman. First, he was a salesman, then a manager and later a managing director of a company. It is through his eyes that I have learnt hard work and dedication to your work can lead to better economic reward, better housing, good health, the opportunity to travel and more choices in life. The Frost-Nixon interviews glued me to the black and white TV as much as *The Young Doctors* did when I was a kid. My father's handing out how-to-vote cards at the dismissal election and as a child the view from his shoulders at a Don Chipp rally made lasting impressions on me. It is from these experiences that I came to understand some of the basics of government and the importance of democracy in Australia and the world.

My mother is a lover of the arts. She is the daughter of a wing commander and a country war bride who raised their daughter for a destiny of marriage and children. The landscape for women in the 1960s and 1970s was shifting. Her excursions with me included bookshops, cookery classes, musical productions, plays, galleries, church regularly, fetes and museums. The ABC and newspapers were almost always on or around our house, no matter what our budget. She encouraged me to help and be active in school clubs, Girl Guides and later scouting. She taught me the concepts of service and helping our community.

My mother wanted me to be independent and have choices her generation had lacked: a higher education and career before marriage and children. Hopefully, I have achieved this. I can remember clearly in the early 1970s in either reception or year one going to 'show and tell' to talk about a current affairs program I had seen on TV that featured Germaine Greer and the book *The*

Female Eunuch, how I thought this new idea of equality and partnership between boys and girls and men and women was fair, sensible and reasonable. Not surprisingly, all the children in my class laughed at me and only the teacher really knew what I was talking about, but it was the start of my library dwelling, nerdy years that would only really end when I got to university. I had the long hair and plaits but I did not have the glasses. At this tender age I was a novice at the art of convincing people of the merit of my argument.

In the late 1970s the divorce law reform started reshaping Australia and many marriages. My parents' marriage was one of these. Dad went to work for a multinational in Brazil and mum headed north to her parents on the Gold Coast and a single parent's pension. The Gold Coast is a great tourist town, but it can be very uncompromising for those who are bound to the seasonal ebb and flow of high-rise housekeeping, domestic help and retail work. Housing is hard to find when you go in and out of work, and we moved a lot. Life was difficult at times. These were also the years of the 'white shoe brigade' and Premier Bjelke-Petersen. His influence on the state's economy was strong but on social markers it was a difficult time in Queensland to have a different or alternate view.

Whilst my grandmother attended National Party fashion parades and thought about the frocks I should wear, my mother voted Liberal because that is what her parents had taught her to do, and I struggled with not feeling comfortable with either of these things. My Year 12 exams were marked by the electricity workers' industrial actions and rolling blackouts and the introduction of the emergency services legislation designed to stop the blackouts. Marchers were routinely photographed and placed in special branch files.

I was the first of my family to attend university and, thanks to the financial support of Austudy, continued there. I enrolled in the business faculty of the Queensland University of Technology (QUT) to study health administration. I remember being one of 15 or so kids to go to uni or BCAE from my year at a public high school, and that was after I worked nights at McDonald's to get there. We had more than 100 students in our Year 12 class, but few went on to further studies. Even nursing and education careers were considered to be special. No-one really encouraged my peers to dream—let alone big dreams.

My university was populated with private school kids who did not need to go home during the term breaks to earn money to come back to university; and, when the Young Nationals at the nearby university closed down the student radio, I became increasingly alarmed. The same conservative types on my campus tried to close down the student newspaper, too. This was enough to drive me to stand for student union elections as the business student representative. I thought, 'Don't get angry, change the outcome, get involved.' When the Goss Labor government was finally elected during my years at QUT I felt like a door had been opened and the sunlight was streaming down on the state for the first time.

In 1991 I joined the ALP, and not long afterwards moved to South Australia for a better position in health administration and ultimately my first job in politics with the quietly humorous and generous Vehicle Builders Union member Dominic Foreman. Dominic, who I am very fond of, gave several young Labor people a good start to a political career. He rarely demanded much in return apart from loyalty to the party, prompt travel bookings to Canberra and a cup of tea upon his arrival. Dom's generosity also extended to the Retired Members Association, and it was wonderful to hear Reg Bishop and Ralph Jacobi talking about the party's past.

My other federal parliamentary employers were John Quirke and Martyn Evans, and I thank them for the skills gained. Martyn Evans introduced me to the challenges of the northern suburbs, the area I now represent; and he opened my eyes to modern mining techniques and renewable energy when he was the federal shadow minister for science. John Quirke has an amazing tactical mind and an uncanny skill for telling how high or low the election result will be in any cycle. Life is never dull around John. He and his wife, Davina, and their boys have been very kind to me over the years. I thank them for that friendship.

Whilst never employers of mine, I wish to acknowledge the good influence that our Premier, Mike Rann, Senator David Feeney and Nick Bolkus have had on my career. As an enthusiastic activist, I was able to help the then Labor opposition leader, Mike Rann, with the thankless campaign tasks behind the scenes that needed to be done. I know that, at one point, I was sick of the paper cuts, of stuffing 'Labor Listens' invites and booking halls, but I learned a lot from the Premier's traits of perseverance and persistence during this time.

I would not have gone to Israel in 1993 after the Oslo Peace Accord if it had not been for David Feeney's support, nor gone on to establish for the party SA Progressive Business, with Nick Bolkus as its chair. It has been a great pleasure to work with and around Nick since 1992, and I admire greatly his optimism and his belief in this great state. The amazing business people I have had the good fortune to meet and with whom I discussed our state's economic future at SA Progressive Business events were educational, and they reshaped some of my views. These are the people we are here to help, not hinder, in growing our state's economy.

Let me turn my attention to the electorate of Taylor. It is indeed an honour to hold a seat named after a practical and successful woman, Doris Taylor MBE. Doris was instrumental in 1953 in establishing Meals on Wheels, an organisation that prepares and delivers more than 1.25 million meals to aged and infirm South Australians each year, much of this done with voluntary labour. Although Doris was severely handicapped from the age of seven as a result of an accident, she spent much of her life helping the aged, ill and needy. The first president of the organisation was the late Don Dunstan, who would later become premier of South Australia.

Taylor is a unique seat and one set for a great deal of change under the recently released 30-Year Plan for Greater Adelaide. Covering close to 525 square kilometres to the north-west of the city, it incorporates the residential areas of Paralowie, Salisbury North, Burton, Andrews Farm, Buckland Park, sections of Angle Vale and Elizabeth South next to the great GMH car plant, market gardens and vines around Virginia and Two Wells, and the Edinburgh RAAF base. Its boundary to the north-east is the Light River.

Like the member for Mawson's seat, it is full of horticultural abundance and is also a location of considerable disadvantage. Poverty, housing, poor dental health, intergenerational unemployment, dysfunctional families in need of support, mental health problems, special needs children, domestic violence issues and young people at risk of disappearing from the education and training system well before year 12 are common—far too common for many people in Taylor. These are the issues my office staff and I grapple with most days.

The people of Taylor deserve quality representation and advocacy, and I intend to provide this to them and the great community organisations that assist them. The northern suburbs in Taylor are full of hugely promising potential, with:

- new employment lands being created around the Edinburgh Park precinct;
- the tertiary education sector eyeing off the north for future growth;
- the advancing development of housing, and families looking for new lives in Buckland Park and Two Wells;
- the arrival of the army battalion;
- the development of the Edinburgh super base; and
- the much-promised second shift at the GMH plant.

I admire the people who are dedicated to making a difference in our local community with their practical assistance and advocacy. Most people I know who are dedicated to making a difference have a clear vision of the services, resources, roads, training, housing and the like that are needed to make this a reality. There are many of these optimistic and hardworking people in the northern suburbs, and it is these people I intend to support with capacity building.

A great example of this is the collaborative fundraising being done with the support of one of my colleagues, Nick Champion (the federal member for Wakefield), and the Hope Central church at Elizabeth South. Last Tuesday morning was wet and cold, yet nearly 200 northern suburbs people gathered at Hope Central at 7am to join us for Championing the Cause, another event Nick is running to aid the Northern Domestic Violence Service, Northern Carers Network, Elizabeth Special School and the Elizabeth Vale Primary School.

Our Deputy Prime Minister, Julia Gillard, kindly supported the event and spoke very movingly of the importance of social inclusion and its healing effect on troubled lives and the economic benefits to our whole society. Her message that 'your demographics are not your destiny' touched many people that morning.

Apart from the voters in Taylor who supported me, there are many people I need to thank today. To the Labor Party, for its faith and trust in me: thank you. I have not been one to shirk responsibility or hard work in opposition or government in the past, and I will work hard to repay the

party's faith in me in the future. To Michael Brown: thank you for tolerating my excursions out of the office and into the electorate. Thank you to the Deputy Premier, the Minister for Health, Stephen Conroy and Nicola Roxon for their support and good wishes.

To my friends and supporters in the business community, particularly Cameron Milner: I look forward to hearing your views on what is needed to keep our state moving forward and your practical support. To John Boag, who kept me company on the long road I travelled at party office: I will sorely miss your wise counsel and Dulcie's friendship. I also thank Mandy, Cathy and Joanne for their years of help.

Big thanks go to Senator Don Farrell for his steady support over time; his judgment of people and politics is truly inspiring. I also wish to thank ministers Snelling, O'Brien, Holloway; new parliamentary secretary, Bernard Finnigan; the Hon. Carmel Zollo; and the boys in the party office, particularly Reggie and Paul.

My first part-time job at high school was at Woolies, Runaway Bay, where I joined my first union, the SDA. I am a member today and will remain so. With Peter Malinauskas at its helm, it represents its members' values and beliefs amazingly well.

To my predecessor, the Hon. Trish White, I thank you for your friendship and support over the years. I wish you well in your new life with Joe and success in your new roles you have chosen. To my campaign team, a huge thank you—Julie, Sue, Shane, Lucas, Jess, Alex, Chad and AYL—you did yourselves proud.

To Nick Champion and Tony Piccolo and their wonderful teams, your advice has always been sound and practical. To my mother, Robin; father, Dennis; siblings, Alexander and Victoria; and my wicked stepmother, who I call with love Di, I say thank you. Also, to friends, Nick, Anna, Sharon, Rachel, Zoe, Carla, Moira and Helen, your thoughtful emails, Facebook messages and texts from interstate made my days better.

To the Taylor sub-branch, your support has been invaluable. To the nearly 100 volunteers who staffed our booths on polling days, you are too many to mention but thank you. To the Krashos, Tolis, Nisyrios, Christakos and Louca families and our godchildren, I am fortunate to have you to ground me.

To my in-laws, Garyfalia and Christos Vlahos, who I love like my own parents, thank you. My respect for you and your selfless work ethic and commitment to family is hard to quantify. Your life story as diaspora Greeks starting a new life in a new country deserves a speech on its own, and one day I will provide that to you. I also give thanks to Mark, Vicki and Christos Hancock and the extended Kiamos and Vlahos clans for their love, companionship and care.

Finally, to our cheery children, Leia and Christopher, who are in the gallery today, and my husband, George, thank you is not enough for the forbearance you have shown and continue to show for this odd life. George, your reminders to work hard and do better inspire me most days.

I would like to leave you with this quote, and it often inspires me, and I hope it will inspire all of us here in our work to craft good and useful legislation for our electors in our seats and state:

Be the change you wish to see in the world—M.K. Gandhi

The SPEAKER: Congratulations again to the member for Taylor and the member for Mitchell. It is very daunting, that first speech, and you both did very well. I am sure you will make wonderful members in our place. I now call the Leader of the Opposition.

Mrs REDMOND (Heysen—Leader of the Opposition) (11:49): Thank you, Madam Speaker, and may I say what a pleasure it is to be referring to a madam speaker at last in this house. I second the motion moved by the member for Mitchell. I congratulate the members for Mitchell and Taylor on their maiden speeches. As the Speaker said, it is a tough gig that first one, especially since we all sit here. For the rest of your career, you will find that none of us are sitting here or listening and, if we are, we are interjecting. So, enjoy the fact that you have had your day in the sun without any interjections, even if it seems tough at the time. I congratulate you on the content of your speeches and the insight it has given all of us into the lives that you have led before coming to this place. I look forward to hearing from the many new members on this side of the chamber in due course as they talk to us about those things.

Having done that some time ago myself, today I thought I would talk about the address to which we are replying. In seconding the motion, I welcome the fact that at last we have the opportunity to say anything in this parliament, since it has been from 3 December last year until

6 May this year that we have been in this chamber. I personally think that is too long a break and we should not have been up for quite that amount of time.

The Hon. M.J. Atkinson: It was okay when Olsen did it.

Mrs REDMOND: We did not have that long a break. In fact, we did not have fixed terms until the end of that era. As I say, I welcome the opportunity finally to be here. As we experienced last week, a lot of opening day concerns pomp and ceremony and, of course, the very important swearing-in of the new members of parliament, but to me the Governor's speech is really the heart of the day. In theory, although the speech is delivered by the Governor, it is made on behalf of the government about its intentions for the next term—in this case, sadly, the third term of the Rann Labor government. Typically, therefore, the written version of the speech delivered by His Excellency is full of spin, rhetoric and, indeed, a lot of misinformation.

In terms of its introduction, the government talks about renewed vision and commitment and yet nothing I have seen thus far indicates any renewed vision but, rather, the continued arrogance of this government. Its overarching aim, it says, will be to continue to foster confidence and help create jobs, and it has committed itself, says the Governor of behalf of the government, to reconnecting, re-engaging and listening to South Australians' concerns and aspirations. It has been there for eight years and it has done none of those things as yet, so I do not know why it has put the 're' in front of those words—connecting and engaging might be a start.

As for ongoing consultation, in my time in this parliament I have seen nothing but a redefinition of the term 'consultation' by this government—much as Mr Rudd has in the last week or so when he decided that he is going to negotiate; he makes an announcement about what the outcome is going to be and then says, 'We are going to negotiate now.' In that way, in that vein, this government, throughout its term, has consistently made decisions and then said, 'Now we are going to have a consultation process,' and the consultation process consists of setting up a public meeting and advertising that public meeting so that people will come along and be told what the government has decided to do to them.

Furthermore, it is all part of a process so that it can put a little tick in a box—it is not actually this government but the Australian Rail Track Corporation. Some of my colleagues, such as the member for Davenport and the member for Kavel, are aware that at the moment there is a so-called consultation process going on in that regard with the Australian Rail Track Corporation, which wants to put a loop through a particular part of the Hills. It is not a consultation. It conceded to me when it met me last week that it is all just part of the mechanism by which it can tick the box to say 'consulted with local member of parliament'. It does not matter that nothing it said convinced me in any way, any more than it convinced the people who attended its previous so-called consultation meeting. But, let's get on to the specifics of this particular speech.

In his speech the Governor says, 'the state's economy remains strong and increasingly diverse.' I find that an utterly extraordinary statement. Let's have a look at the reality of the economy of this state. Can I remind members that in its own budget papers this government in last year's budget—of course, we have not really got to this year's budget; we are still months away from this year's budget, for no apparent reason—in June last year they indicated that they have already, in the face of the best economic times that this state has ever seen up until the global financial crisis, got our state into a situation of \$6.8 billion of debt—\$6.8 billion—

Dr McFetridge: How much?

Mrs REDMOND: \$6.8 billion. And that, even on their figures last June, was going to cost this state \$711 million a year in interest. That is without things getting any worse; that is just to service the debt they have got us to. That does not take into account the unfunded superannuation liability, and it doesn't take into account the destruction of WorkCover and the blowout in the unfunded liabilities there, just the debt: \$700 million a year to service that debt.

My guess is that the figure is actually now up to \$730 million, because, of course, we have had several interest rises since that was published. And, if it is not \$370 million then, guess what? We are right back to \$2 million a day in interest—\$2 million a day. What I want to ask the people of this state is to imagine if you had a map of this state, and you were able to give every town, every day, \$2 million. If you could just get up and put on a blindfold and say, 'Here's a town. Let's give this town \$2 million today,' and go on doing it every day of the year, not just for this year but for next year and next year and next year.

Let's look at some of the truth about the extraordinary statement that they have made about the fact that this government has such a wonderful economic record, that they say the state's economy remains strong and increasingly diverse. Here is some of the reality: after eight years, South Australia's living standard, service levels, infrastructure and economic position relative to other states has declined. Our share of the national economy has declined from 6.8 per cent to 6.5 per cent under this government.

If we had kept pace with the national growth in jobs, then we would have 20,000 more jobs in this state than we have at the moment. In fact, in April the seasonally adjusted number of newspaper job ads in South Australia fell by 19.1 per cent, just in April. This was the largest fall for all the states and territories. It is now at the lowest level that it has been at for years. In fact, at national newspaper job ads fell by 0.7 of 1 per cent in April, and ours fell by 19.1 per cent. South Australian newspaper job ads was the largest fall of all states and territories. In fact, the most recent Access Economics business outlook report predicts national jobs growth will outpace South Australian job growth over the next five years under this government. We will get on to the mining supertax and the further impact of that a little bit later in this speech.

Access Economics forecasts that our jobs growth will continue to underperform; so, we will get further behind than 20,000 jobs. We had only 7 per cent of national business investment when Rann came to government in the 12 months to March 2002, but we have gone backwards under him from 7 per cent to now only 5.3 per cent of national business investment in the 12 months to December last year.

The value of our exports has fallen. Without even adjusting for inflation, just taking into account the absolute bald figures, our exports in 2001-02—that is, when we were last in office—were \$9.1 billion. Where are they now? This is a government that keeps adjusting upwards its target in this regard, so its latest target in the State Strategic Plan is to treble South Australia's export income to \$25 billion by 2014. In 2002 the government came in and put up a target; it has increased that target, and it wants to treble our export income to \$25 billion by 2014. Between 2002 and now we have gone from \$9.1 billion backwards to \$7.9 billion. That is without even adjusting for inflation and determining what the true value of those exports would be in those days' terms, were we to add up that amount now.

Our export growth is currently the lowest in the nation. South Australia's exports have declined by 23 per cent in the past 12 months alone. They went down from \$10.3 billion to \$7.9 billion. We now have the lowest proportion of exporting businesses of all mainland states. Our car exports alone fell by 84 per cent. Only 9 per cent of businesses in South Australia actually export. The national average is 14 per cent but in this state, 9 per cent.

The state continues to lose residents to other states with four times more people migrating to other states than under the previous Liberal government, and so our share of the national population has, like everything else, declined under the Rann government. Furthermore, our state taxes have been lifted to historically high levels under this government. I can tell you that it was 61 per cent but, in fact, the most recent figures now put it up to 66 per cent—a 66 per cent increase in state taxes, so that the only thing the government has achieved in getting us to the top is that we are now the top of the pile in terms of where our state taxes sit relative to other states.

The government has increased land tax by raising the revenue from it by 301 per cent. It has risen to \$561 million in the 2009-10 year. Payroll tax revenues have increased by 50 per cent, rising to \$903 million in 2009-10. These figures became very familiar to me, of course, because before the election I was out talking to the business community.

One of the things that is obvious is that this government bleats about its wonderful infrastructure projects (and I will talk about those later on) but a lot of those major infrastructure projects are not won by the contractors and tenderers in this state. The reason is not that they are not good producers, operators or workers: they are terrific in all of those things, but they cannot compete against companies from interstate that have a much more acceptable tax regime than the one that has been imposed by this government. Our debt, within the forward estimates, will be \$6.8 billion.

Our WorkCover scheme is the worst-performing in the nation. We have the highest levies in the nation by more than 50 per cent. It is my recollection that our state WorkCover levies are 3 per cent, and in other states they are less than 2 per cent. So our WorkCover levies are not just more than but significantly more than every other state's. From that, one would think we actually have a better scheme, but what did this Labor government do? It damaged workers' entitlements in

the so-called effort to fix it up but, in the meantime, it took the unfunded liability from where it was (at about \$59 million when we lost office) to now over \$1 billion. I think the unfunded liability has blown out to \$1.06 billion in the course of this government's operation in this state.

I truly fear for the future of this state and the way the government has run the economy. It thinks it is significant for Kevin Foley, every time he gets to his feet, to simply say, 'We are good economic managers', 'We are good economic managers', 'We are good economic managers', but all the while these things are getting worse.

Our unfunded superannuation liability has climbed from—are you ready for this—\$3.2 billion to \$8.9 billion. In addition to the \$2 million a day that we are paying on interest just on the state debt, which we shouldn't even have given our good economic times, this year taxpayers have to pay \$455 million in interest payments on this liability.

In the meantime, GST revenues have increased by about 58 per cent since 2001-02. In the past eight years, GST revenues have exceeded expectations. They have budgeted an amount and they have exceeded expectations in the order of hundreds of millions of dollars; yet, Labor originally opposed the GST. Instead of that, they have now taken it and wasted it.

From 2008-09 to 2009-10, commonwealth government grants rose by more than \$1.2 billion. That has been such a bailout for this state. You will note from the Governor's speech that the government talks about things like the Northern Expressway and \$564 million or whatever it is. The fact is that 80 per cent of that money is coming from federal government funding.

Then, having made such a mess of the economy that they couldn't actually straighten things up, they brought down their budget last year and said, 'We need to find another \$750 million in savings, but, oh dear, we have an election coming in March, so we better not tell people where we are planning to cut things. I know, we'll set up the Sustainable Budget Commission.' So they engaged all these people to be on the Sustainable Budget Commission and what do you know? They have not come up with the savings—in fact, I think they are still trying to find them—but even the Sustainable Budget Commission has blown its own budget by \$2.5 million. It is extraordinary, but it doesn't surprise me; nothing about the way this government runs this state surprises me.

We have an additional 11,000 public servants employed in general administration; not doctors and nurses and police officers, etc. but bureaucracy. They talk about social justice. I will divert for a moment to talk about the issue of social justice. They talk about, for instance, social housing and the wondrous job that the government does in creating social housing. Their problem is that they see this money coming from the commonwealth. It is meant to come from the commonwealth and go to organisations that can actually build social housing and put in place the sorts of supports that are necessary to help the people who need social housing. But not this government; this government says, 'Oh no, we'll have that money and we'll build the social housing ourselves.'

Of course, they can only build one-half or one-quarter of the amount of social housing because they have so much bureaucracy enslaved to the system and, at the same time, they do not have the support to put in place. Organisations such as Anglicare and all those other well-intentioned and hard working bodies, where we would get far more bang for our buck, miss out because the government keeps three-quarters of the money to do its own thing. For them to say that they are good economic managers beggars belief. To state at the very outset of this address by the Governor in terms of where this state is heading that the state's economy remains strong and increasingly diverse is an outrageous misstatement of the true facts.

The State Strategic Plan targets are like Rudd: it is all about big statements, they never have any idea of how they are going to get there; it is all about strategy and never about tactics. As I pointed out, the consequence is that, with the loss of export income in this state, we are actually going in the wrong direction. They have no footprint, no idea of how they are going to get there. When they say that they are going to maintain prudent and diligent management of the state's budget, that is just the most extraordinary statement given the information that I have just laid before the house.

I will move onto the second topic the Governor addressed in his speech at the opening of parliament, and that was on the issue of training and apprenticeships. It states that 'the government plans to introduce additional training places and apprenticeships across a number of industry sectors'. As usual, there is no detail. It is a bit like Mike Rann's magical promise of 100,000—

Ms FOX: On a point of order, on three occasions now I have heard the leader referring to 'Rann,' 'Foley,' 'Rann,' etc. and I do not think you are meant to do that.

The SPEAKER: Yes, that is a point of order. However, there is some leniency—

Members interjecting:

Ms FOX: I confess I do not know the number.

The SPEAKER: I think you do have a point of order there; however, Leader of the Opposition.

Mrs REDMOND: As I was saying, the speech from the Governor refers, with no detail, to just this 100,000 training places that will be offered over six years. Don't you love this idea of six years? Apart from the arrogance, it gives them an excuse because obviously with their current trend everything is going to go down for four years, and then they will lose office and suddenly it does not matter any more that they do not have to have any plan to get anywhere by a particular time.

There is no detail at all about these 100,000 training places that will be offered over six years. There is no statement as to whether these are additional training places to those already in the pipeline, where they might be, or who might be funding them. There is no indication as to how that is going to be. I seem to remember that, at the end of the last session of parliament, we had a lot of questions to ask about the Panorama TAFE, and it was pretty clear that the government's intention was indeed to close the Panorama TAFE.

There is no indication as to whether they will continue the things that they have been dropping. I have been talking to lecturers who used to do things like deliver the elementary training in literacy and numeracy and basic prevocational courses, and they have been scrapped as well. If you cannot get people up to the level where they are capable of taking on a traineeship or an apprenticeship, I would be interested in how they will achieve this magical number. It is such a nice sounding number—100,000 new training places. I wonder if that is the same 100,000 as the 100,000 new jobs they were going to have, and I would love to know why it is over six years.

One thing I will congratulate the government on in the area of apprenticeships and training is copying our policy on removing the payroll tax from apprenticeships and trainees. We identified the ridiculous situation where payroll tax was payable on apprentices and trainees but rebated to the tune of 80 per cent of that payment. It just created, unnecessarily, a huge amount of paperwork for all the small businesses that were trying to do the right thing and increase our productive workforce by taking on apprentices and trainees, so I welcome their seeing the sense of that. Interestingly, I note, at the very bottom of page 3 of the speech, the statement:

My Government will also remove payroll tax on wages for apprentices and trainees—

as I said, congratulations. Same sentence—

and will introduce further reductions in land tax rates, which will see nearly 75,000 South Australians no longer liable for land tax in 2010-11.

Can you remember the response when we started talking about land tax? 'No, there wasn't a problem.' Land tax, according to the Treasurer, was simply a thing that people who were very wealthy had to pay. He refused to recognise that virtually every business in this state runs out of rented premises and, if they are running out of rented premises, they are running out of premises that are owned by somebody who is paying land tax and, mark my words, that land tax is passed onto the tenant and it becomes a cost for employment and a cost for anyone running a business in this state, but, no, the Treasurer would not believe that.

Strangely enough, the little half sentence at the bottom of page 3 seems to be the only real discussion about the taxation situation in this state, notwithstanding that we are now the highest taxed state in the commonwealth. It is a very odd thing. I have a feeling that this might disclose a bit of a hint that, when we get to September and finally get the budget—that was due, of course, in June—there is not going to be any tax relief to speak of in our next budget because I think that they are in deep doo-doo with the budget, and that is why we have the Sustainable Budget Commission already \$2½ million over its budget, which I think is an extraordinary irony.

Let us have a look at what this speech goes on to say about jobs and the economy. On page 7, interestingly, the speech talks about all sorts of things. In particular it states:

The Government recognises that the south of Adelaide continues to undergo major population and commercial growth and, consequently, will duplicate the Southern Expressway as well as build a new interchange at Darlington.

Does anyone remember that during the election? I thought that was extraordinary. I know—because Labor members have told me so—that in fact they just made this up because they found out that we were about to announce the duplication of the Southern Expressway. What makes it so extraordinary is that they suddenly came up with \$445 million to do it in the term of this government.

Now, this is a government that very shortly before that, during the last session, when we were having a debate—

Mr Bignell: You should have done it properly in the first place; it should have gone two ways.

Mrs REDMOND: The member for Mawson says that expressway should have gone both ways in the first place. That is absolutely true, and if his side had not bankrupted this state we would no doubt have done that. We were lucky to be able to do anything, given the state of finances in which you left this state.

Can we go back to this duplication of the Southern Expressway. Suddenly the government, out of nowhere, is able to produce \$445 million—not over six years, like their jobs. No; within this term the government was going to complete this arrangement.

A very short time earlier we had been having a debate in this chamber and asking many questions about the state of the Magill Training Centre. Members may recall there were complaints to the Human Rights and Equal Opportunity Commission and in all sorts of places—

An honourable member: The United Nations.

Mrs REDMOND: —and to the United Nations, indeed—about the state of the Magill Training Centre. We could not spend a very minimal amount of money in doing anything to fix that, because the Treasurer said it would place at risk our AAA credit rating. So we could not do something to fix up the Magill Training Centre, which was under the scrutiny of the United Nations and the Human Rights and Equal Opportunity Commission and so on, because it would risk our AAA credit rating and yet, out of nowhere, unallocated capital expenditure that does not appear anywhere in the budget can be found to come up with \$445 million—not much shy of half a billion dollars. It just shows us what hollow logs this government is able to find when it wants to.

Then of course we have the \$564 million Northern Expressway, the tram extension and the desalination plant—our major infrastructure projects. I have already alerted members, however, to facts about much of the work of those. I remind the house that the desalination plant was in fact the idea of the Hon. Iain Evans and that we argued for that in the face of strenuous opposition from the government for a long, long time until suddenly it decided to do it. It is doing it all right, but then it gives the contracts interstate—nothing for this state. This state has some infrastructure projects, but largely the contracts are let to interstate tenderers. I think that is a disgrace.

I put on the record also that to me the tram extension just beggars belief. I am not opposed per se to trams. They can be quite pleasant, although I have to say that the seats on the new trams are the most uncomfortable public transport seats I have ever sat on. However, the point I would like to make about trams is that it simply seems to me that, if a city has had trams and you then took the trams out, it might at least have been worth having a bit of a public discussion before suddenly deciding that you were putting them back.

If the outcome of that discussion were to be, 'We still want to have trams,' well and good. There is no problem with that. I do not have a problem with trams per se but with the spending of the enormous amount of money that this government has put into trams: \$31 million on the first little bit, which had to be produced on time and on budget for a previous election promise—and that happened to be the exact same amount that the government was clawing back out of the disability sector that year—and now all that extra money to go out to the Entertainment Centre.

Wasn't it a lovely situation this week when they suddenly had a daytime function at the Entertainment Centre? We did try to raise that issue at the time. It is all very well to have that as a park-and-ride area, but what is going to happen when there is a function at the Entertainment Centre during the day and nobody knows about it beforehand? It is going to be a problem, but, no, the government did not want to know about that; it did not want to talk about that.

Let us look at some of these other infrastructure projects—the State Aquatic Centre, which the government proudly announced will be finished, hopefully, by the end of this year. That was announced in our last budget in 2001. So, 10 years later, the government is finally going to produce the State Aquatic Centre.

Members interjecting:

Mrs REDMOND: They are good at making things up.

The SPEAKER: Order!

Mrs REDMOND: They are good at making things up, and Labor politicians are also very good at backflips, triple pike and double somersaults, if you have noticed recently. Let us also look at the proposal for the Adelaide Oval. Now, there is a proposal. We know very clearly that that came about, because on Adelaidenow, for instance, our proposal for the area to the west of Morphett Street and to the north of North Terrace at the old rail yard site, as it is called, was getting about 83 per cent approval, and we know that the government needed to do something about that. So, suddenly we have an announcement about the Adelaide Oval.

Let us just look at what that announcement is. It is an announcement that they will have an agreement, but the agreement is just an agreement to sit down and talk. There is no agreement. It is just an agreement to talk. Indeed, we also know—and it has been published in the paper, so it is not just from whispers to us—that the people who attended on the oval that day for the big press conference announcing that wonderful agreement to sit down and talk were told to smile for the cameras. They were told to smile no matter what; they had to like it.

We also know that the \$450 million never existed. The \$450 million was \$200 million being pulled back from the trams, except the \$200 million for the trams is nowhere in the current forward estimates. It is off in the never-never. It does not exist. Another \$100 million that the government had already allocated to AAMI Stadium—oops, forgot. It has already taken back that \$100 million from the AAMI Stadium allocation and counted it as a cost saving in its own figures. So, it does not have that money. Then there is the \$150 million from the feds. I will be interested to see in tonight's budget whether there is \$150 million from the federal government to fund the revamp of the Adelaide Oval.

So, that money does not really exist. Kate Ellis was on the radio saying that she did not have the \$150 million. By the way, since then, she has confirmed her view that, rather than putting money in high-level sports, she wants to put it at community level sports. I saw an interview with her fairly recently reiterating that view. So, the money does not exist.

The media release is very carefully worded. It states that, if there is no actual agreement by 30 June—that is, by the end of next month and that is not an agreement to sit down and talk but an actual agreement—the money is off the table. Well, that is pretty handy, because the money was never there to put on the table in the first place, and clearly there will not be an agreement by next month. The fact is that the \$450 million was never going to get them there anyway.

The figure that I have been hearing on the radio is \$90 million, which is the SACA debt. We all know that somehow that SACA debt has to be dealt with, and we know that that is SACA's problem. It does not really want football there. What it wants is to rid itself of its debt problem for that amount of money that it cannot possibly service with the current use of the oval.

But never was there any suggestion as to how they would deal with the other issues—issues such as, 'Oh, where will we put 4,000 cars? Will we just park them on the parklands?' I wonder whether that could have anything to do with the 14.99 per cent swing that the member for Adelaide achieved against the minister for education! I wonder whether the minister for education's statement that bringing football to the city was a no brainer could have had anything to do with the fact that the people in North Adelaide actually do care about having 4,000 cars parked around their streets.

I understand that the government only recently began talking to the people in the council about just what they might do for the parking in this area, let alone for the expansion into the parklands of the actual building and the fact that, to have it equipped for soccer—which will not work—creates all sorts of problems with this proposal that the government has got nowhere near addressing. It simply needed something to go out and respond to us, because our proposal for what to do with that piece of land on the old rail yards was so much more popular than anything it had ever thought of.

From what the government has now said about that site, it is still planning to put the hospital there and, from memory, the Governor said in his speech that they will let the tender for the build of the new rail yards hospital by the end of this year. The fact is that, again, our proposal was more sensible, much cheaper and much better received by the people of Adelaide and the entire state. The reason was this: we all know that the most expensive part of a hospital is the heart of the hospital which we have already and which is already state-of-the-art with world-class theatres and technical areas. We can well and truly leave it intact and erect the other buildings that need to be built around it and save at least \$1 billion—that is on the government's own costings—which we can then redirect into hospitals around our suburban areas like the Lyell McEwin, the Modbury and others they have let run down, and around the rest of the state.

I do not believe that the government's \$1.7 billion hospital will ever come to fruition on that site, and certainly if it does it will not be for that price. They started out with a hospital costing \$1.7 billion on the basis of 170,000 square metres. As the election drew nearer, rather than increasing the price they decided that they had better reduce the size of it, so it went from 170,000 square metres down to 140,000 square metres. By the time they build it we will get a phonebox-sized hospital.

I was at a cocktail party when the Treasurer was asked about what planning advice they had had regarding that site, and he conceded that they had obtained no planning advice. My theory is that a couple of years ago the government thought: what will we do to have a big ticket item for this next budget? It needed something, and in every state, health, law and order and education are the top three issues. So they said, 'Let's go for health, and let's say we will have a new hospital.' The only trouble is that it is in the wrong place and cannot be afforded.

The \$1.7 billion, we understand, has blown out to at least \$2.3 billion, if not more than that. They do not really have a design. They criticised us for coming up with ideas and looking at options and coming to a reasonable conclusion so that we could come to some reasonable costings. They have come up with an airy-fairy figure with no design, and it seems to change from being horizontal to now being more vertical, but that does not address the flight path problems and all those other things.

We have not even begun to address the clean-up of the site. It would require a massive clean-up, the estimated cost of which I understand has already passed a quarter of a billion dollars. Why on earth would you proceed down that path when, for a lot less money, you can keep the hospital where it belongs, with its medical school, dental school and the IMVS, where it has all sorts of businesses that have grown up around it, as well as better transport access and all sorts of other things? You could have a brand-new hospital on that site for a lot less money and that other money could be put into other things.

By the way, on the issue of health, during the election campaign our Premier straightaway gave the tick-off to a proposal that came out of the federal government. I have read it, as have several of my colleagues, and I know it is a very detailed document, but the fact is that this Premier gave it the big tick and said, 'Yes, we'll agree to this.' I would like to hear his explanation for having done that when, by holding out, the other premiers managed to increase the package to the states by at least \$1.4 billion. Our Premier was all too keen to sign off on it.

I do not know whether he understands this, but I have certainly read it in detail. Indeed, I went to Canberra during the election campaign and talked to people in Nicola Roxon's office, in the department of health, treasury and finance, and the Department of the Prime Minister and Cabinet. They were none too thrilled about my questions, because the fact is that when you read the details of the plan it is patently obvious that it will lead to a much increased bureaucracy and no increase in doctors. Indeed, it would deplete the money we have in our state reserves for doctors and nurses.

I will tell members why that is the case. Under this new plan things called regional councils will be set up. When you read the description—about page 60 or 61 of the little blue book, if members would like to look at it—it uses the word 'local' and says that these regional councils will include local health administrative and management professionals, and so on. However, when I questioned that, it became obvious that the word 'local' was really only there to make people think there would be something local about these councils. They are not local at all.

Under some degree of cross-examination, they agreed that, in fact, these councils will have the money. The first year of the plan is to pay the money to the states, the states would pay it to the regional councils, and then it would flow through to these regional networks for hospitals. After that

it was to go straight to the regional networks, and the descriptor that goes with it makes it clear that the people on these regional councils will be paid and will have to have sufficient expertise to manage the millions of dollars coming through. That regional network will then employ a CEO and, of course, once you have a council employing a CEO that council will make decisions that the CEO will implement. Inevitably there must be another level of bureaucracy below that to put in place those council decisions and do the bean counting of all the money for accounting back to the commonwealth.

More worrying still, and the most staggering part of it—which is blindingly obvious to me but is clearly something about which the Premier did not care when he said that this was for us—is that it also says, in the same description area on page 60 or 62, that none of this can be paid for out of the money coming through from the GST and that it has to be paid for out of the existing state budget. So this massive bureaucracy—the regional council with all these paid professionals (who will not be locals at all), which will have a CEO and a bureaucracy below that—all has to be paid for out of the existing budget. Yet our Premier was prepared to stand here and say, 'Yes, this is a good idea; we'll have some of that.' He signed off on it when every other state premier held out and managed to get much more.

Mr Goldsworthy interjecting:

Mrs REDMOND: Well, this state gets sold out all the time. Have members noticed that in the last couple of days the Prime Minister made an announcement about a 40 per cent super resources tax? Apparently for this purpose super profits are defined as anything more than the government bond yield. For anyone who has ever run a business—which most of those on this side of the house have and most of the people, such as all the union hacks, on the other side have not—it surely begs the question why someone with money to invest would not simply put it in the government bond. That is the whole point.

I want to quote from something, and I do not know whether anyone else noticed this. It was a bit hard not to notice in *The Weekend Australian* on page 10 of *The Nation* an open letter to the Prime Minister from Atlas Iron Managing Director, David Flanagan, which states, amongst other things:

...Prime Minister, I urge you in the strongest and most genuine terms to rethink your plan to impose a super tax on Australia's resources industry. The astronomical level of tax you plan to impose on resource projects will swamp the engine room of not only the WA economy, but that of the nation.

He was not saying that you should not have some increase in tax, but he goes on:

I stand wholeheartedly by my comments that those who could afford to pay a little more should have to do so...

I am just quoting bits and pieces here. He goes on to say:

I sought to highlight the importance of a healthy social balance underpinned by world-class services that would help make our society a better place in which to live, work and do business. But in the same breath I warned governments against strangling the golden goose...your advisers have failed you woefully...Make no mistake. This imposition will be crippling...it will cause some projects to shut down altogether and some to wind back. Others will simply not start in the first place. This...is not scaremongering; it is the result of basic arithmetic.

That is something that those on the other side seem to fail. No wonder they have said they are going to employ more maths and science teachers. Here is the nub:

Mining is a high-risk business and investors...will not provide the immense funding needed to develop projects unless there is the prospect of a robust return...The effect of this chain of events on employment, export revenue and the overall economy will be nothing short of disastrous...the tax which flows to governments...will ultimately shrink, rendering the whole strategy destructive...

Here is something that those on the other side do not seem to get:

The impact of your proposed tax on the share prices of Australian mining companies over the past week should be ample evidence of the widespread damage it will cause...the toxic fallout for superannuation funds. This is just not fair for the 6.7 million ordinary working Australians who own shares.

Remember working families? Kevin Rudd has had a penchant for mentioning them again lately.

...their retirement savings were slashed [by this decision]. It is a flawed and ultimately highly destructive attempt to redistribute wealth from those involved directly in the resources industry to those with supposedly no link to it.

Thus it goes on. I will also mention briefly an article by Michael Owen in the same publication which states:

Mike Rann has long spruiked the importance of an expanded Olympic Dam mine to the wellbeing of South Australia.

It has been so long, for the whole time that I have been in this parliament, that we have been poised and on the precipice of this great mining expansion. Michael Owen goes on to state:

Yet this week, in the wake of the federal government's proposed resources tax, the SA Premier has stressed [that it] was always a long-haul venture.

Isn't that remarkable? This article goes on to talk about the fact that it is a high-risk venture. It is as simple as that. If people can earn 6 per cent in government bonds, why would they take their money and put it into a high-risk venture? The only reason for going into a high-risk venture—

An honourable member: John Bannon did.

Mrs REDMOND: Yes. He took our money and put it into a high-risk venture, unfortunately. Getting back to the Governor's speech, I have, of course, already been questioning Olympic Dam. How long has Mike Rann been promising this? How many jobs are actually involved? I know that the people from BHP will not tell you that 23,000 jobs are ever going to come out of this mining venture even if it does go ahead, but when will it ever happen? The fact is that Mike Rann wants to count every conceivable job under the sun. The RM Williams store on the corner of North Terrace here might sell some extra boots and that gets counted, and that is terrific if it ever happens, but at this stage there is no sign of it ever happening. Then Mike Rann went on to talk about—I am sorry, the Governor went on to talk about—

An honourable member: Point of order—

Mrs REDMOND: I have fixed it, Madam Speaker.

The Hon. M.J. Atkinson: The leader is repeatedly referring to the Premier by his surname and his surname only.

Mrs REDMOND: I will correct myself, anyway, Madam Speaker. I meant to refer to the Governor—

The SPEAKER: Standing order 123 says not to refer to members by name.

Mrs REDMOND: The Governor's speech states—are you ready for this—'South Australia continues to lead the nation in renewable energy investment.' That may be true, but it is not the government that has invested; it is private investors who have invested in it. He very carefully now says that South Australia is home to around 50 per cent of the nation's wind power—and that is probably an accurate statement. I remind members that, during the televised debate leading up to the election and, indeed, I think during the Labor Party's campaign launch, the Premier made the outrageous assertion that South Australia produced more wind power than all the other states combined—

An honourable member: It sounds like a good story.

Mrs REDMOND: It did sound like a good story, but the only thing is that it wasn't true. That was the only little problem.

An honourable member interjecting:

Mrs REDMOND: I know that you find it hard to believe, but it wasn't true. Indeed, I understand that, after the debate, the government was in damage control trying to figure out how to fix that because it was not true; that is, South Australia does not produce more wind power than all the other states combined. They thought they might cut out Tasmania, but Tasmania is a state and it is connected to the grid, so there is a slight problem with that.

The fact is that this government has been just outrageous in a number of its assertions, most of all on the economy, throughout its time in office. Yet, would you believe that, in spite of the disastrous consequences of this tax they are proposing to place onto the mining sector in this state, having spruiked the benefits of our mining boom—and I remind members that the mining boom in this state has only ever reached the stage of a mining exploration boom, and even that took a downturn with the global financial crisis—last year our royalties were only \$143.8 million, whereas in Queensland their royalties were \$1.8 billion and in Western Australia, \$2.6 billion. So, our mining boom is but a drop in the ocean compared with those states because it was only ever a mining exploration boom.

However, in spite of this wonderful new tax they are planning to put on the mining and resources area so that they will probably destroy the economy of the entire country, the government still says—and this is on page 7 of the Governor's speech—that it wants to address long-term disadvantage by ensuring that a social dividend is derived from the economic benefits that flow from the mining sector's expansion. So, the government's solution to all problems is the mining sector, yet it does not mind absolutely crippling the mining sector.

I do not have very much more that I want to talk about in response to the Governor's speech—and I thank the Governor for the excellent delivery of his speech—but there are two areas, that is, mental health and regional matters, that I think deserve special mention and, Madam Speaker, you would no doubt appreciate my comments about regional matters. In the area of mental health, I can but beg the government to reconsider this idea to which it seems so committed, that is, to put a film hub in the middle of our jewel in the crown—our mental health facility at Glenside.

I remember that, when Lea Stevens was the minister for health, the government sought nationwide for a replacement for Margaret Tobin, and it found Jonathan Phillips. Lea Stevens, as the minister at the time, announced with great pride the appointment of Jonathan Phillips as the new Director of Mental Health in this state. If any of you care to talk to him, he will tell you that it is the jewel in the crown and something that no other state has: such a wonderful precinct and wonderful mental health facility on the edge of and so closely associated with its major city. He will also tell you about the importance of the open space as part of that in terms of mental health and mental wellbeing.

We already know that mental health will affect at least one in five people, and it is something that we should not simply brush away. We cannot put every one into the community. We need to be providing mental health facilities within that precinct, as well as in the community, and we should not put a film hub in it. I believe there should be a film hub in South Australia. Gary Johanson, the Mayor of Port Adelaide Enfield, has a whole city block on which they could build as a greenfield building a new film hub, and that would be a better use and a better way to go about it. Putting a film hub in the middle of it is not the answer to the mental health needs of this state.

In closing, Madam Speaker—and especially in deference to the fact that you represent almost a quarter of the state, I imagine, in your electorate of Giles—I believe that, for far too long, this government has been completely city centric. It has focused all their attention on the City of Adelaide to the detriment of the regional communities. Since I became the leader, I have been to Eyre Peninsula twice. I am hoping to go there again very shortly. I think I went to Port Augusta four times and I have been to the Riverland five times now. This is just since July when I became the leader. I have been to the electorate of Frome on at least five occasions. I have been to Mount Gambier on five occasions.

The fact is that the people in those areas, if the government ever bothered to talk to them, feel very much that they have been completely forgotten by this government. I have committed to them that, whether I am Leader of the Opposition or the Premier of this state, I will remain engaged as a person who wants to govern for the whole of the state and not simply for those in the close metropolitan area.

Certainly, much of our population lives in the metropolitan area; I am not suggesting the government forgets that, but a very strong contingent of our state lives in the regional areas. They are responsible for providing for the people who work in the mines, the people who produce our agriculture and our aquaculture, and a whole lot of what exports we have left under this government. We owe it to our country cousins to realise that they deserve equity in their road maintenance and access to health services and all services around this state, and I believe that the failure of this government to address those issues over the whole time it has been in government will come back to haunt it. Madam Speaker, I commend the motion to the house.

Honourable members: Hear, hear!

The SPEAKER: I now call the member for Davenport.

The Hon. I.F. EVANS (Davenport) (12:47): Thank you, Madam Speaker. I congratulate you on attaining the high office. I am sure you will rule the house with the iron fist.

Dr McFetridge: From the Iron Triangle!

The Hon. I.F. EVANS: Fair enough; 'From the Iron Triangle', the member for Morphett interjects. I place on the record my congratulations to the Governor for his address, the way it was

delivered and also the excellent way he goes about the role of Governor throughout South Australia. The way in which he and Mrs Scarce have been performing the role of Governor is a credit to them. It is an important role, and I think they are doing an excellent job on behalf of the state.

I also take the opportunity to congratulate all members who, for the first time, have won their right to sit in this place. It is great to see more colleagues on this side of the house, and I welcome them all to the house and also the new members on the other side and, indeed, the Independent members who are new, congratulations to them also. Regardless of their politics, it is a great honour to be elected by their local constituency to represent them in this particular place. It is a great honour, and I hope that the members elected do appreciate the honour that the 22,000-odd voters have bestowed on them, whether they are on my side of the house, an Independent or the other side of the house.

It looks as though, with the timing of the speech, it will be split between now and something after question time. I want to touch on the mining tax this side of question time. The Leader of the Opposition has outlined an excellent summary of the state economy. I do not intend to rehash those statistics, but I think her statement that the South Australian economy is not performing as well as the Treasurer would have us believe is an accurate summary for those who wish to read it and find out where the state is going.

I want to touch on the Henry tax review, particularly the mining tax. The lack of response by this government to the mining tax proposal by the federal government amazes me. The Premier and the Treasurer could not have been quicker in saying that they support the principle of a super tax on the mining industry. They went straight out into the media and supported prime minister Rudd's proposal to introduce what will be a \$9 billion a year tax on the mining industry throughout Australia.

In my view, the stupid part about this tax is that Australia has a two-speed economy. All the economic reporting in Australia at the moment talks about this thing called a two-speed economy. What does the Labor Party do? It targets the one economy—the one economic factor—that is driving the faster of the two-speed economy, that is, the mining industry. The Queensland and Western Australian economies are going gang busters on the back of the mining industry, so much so that the federal government has decided to try to nobble the fastest horses and not help the slow horses.

It seems to be a good example of the difference in philosophy between the Labor Party and the Liberal Party. Instead of extending a hand to the economies which are struggling and which are slower—the manufacturing economies that are under attack through globalisation—this government, through its support of the super tax, and the Rudd government, which is proposing the super tax, are saying to the Queensland and Western Australian economies and the mining industry generally, 'You are being too successful. You are being too strong. We will put a higher tax burden on you to try to slow you down.' And slow them down they will!

Members should listen to all the mining executives and look at the drop in the share prices. Madam Speaker, it is well known to this house that I have Santos shares. It is in my declaration of interests. That aside, all the mining executives across Australia are saying that this will have a huge impact on investment, on their capital and on jobs. You do not have to be a brain surgeon to work out that, if you apply a \$9 billion tax to an industry, particularly an industry which is high in capital investment and which has long-term projects that last decades, if not centuries in some cases—hopefully, the BHP mine in our own state might do that if that it gets up—and if you start changing the rules midstream, it will have huge impacts on future investment decisions.

The reality is that the mining industry is in a capital market that is global. The boards of the mining companies ultimately have a duty to their shareholders to get a good return on investment. If the Australian government makes it too hard or too expensive to invest here, the simple reality is that that they will not invest here.

Members interjecting:

The Hon. I.F. EVANS: Members interject to say that they will go to Canada. From memory, the Canadian finance minister was very quick to say, 'Thank you prime minister Rudd and thank you Australia. We have lots of unexplored territory in a huge country called Canada so come here and invest your money.' That is what will happen. It may not be Canada, but it will be somewhere else in the world. We will now be under attack from every other country for possible

investment from the mining industry and it may stop jobs in Australia and take them somewhere else.

The Rudd government has deliberately attacked the fast moving section of the two-speed economy. It has done it with a deliberate decision. Our Premier and our Treasurer said, 'We do not have a problem with this super tax on the mining industry.' Typical of this government, it is now saying, 'Hang on a minute, there has been a bit of negative press. We had better try to look like we are doing something.' It is reported in today's paper that the Treasurer has said, 'I will get on a plane and go to Canberra with BHP to argue for change.' And it is a point that the Leader of the Opposition made quite validly during her contribution: what is it about the Labor philosophy that says that you will announce your decision today and then go out and consult and talk about it later? Prime minister Rudd is already in the paper saying that, regardless of the consultation process, the 40 per cent level of super tax will remain.

Mrs Redmond: What's the point?

The Hon. I.F. EVANS: What is the point, as the Leader of the Opposition says, about the consultation? They are talking about the minor detail and not the main game. From South Australia's viewpoint, I guess that the question comes: what will be the impact of this tax on South Australia and South Australian jobs?

Mr Marshall: Disaster!

The Hon. I.F. EVANS: One of my colleagues says that it will be a disaster. I think that it will have a huge impact on future investment decisions in South Australia, and that is regrettable, because Dale Baker, when he was the minister for primary industries, started a very good program called the TEIS program. It was an exploration program for the mining industry. The deputy leader reminds me that it was actually on the back of work done by Frank Blevins, who was primary industries minister before Dale Baker. Frank Blevins did one good thing in this house; he—

Members interjecting:

The Hon. I.F. EVANS: Well, he introduced poker machines—I was not in favour of that. But he did one good thing and that was that he expanded the magnetic photography of South Australia so that the mining industry could have a better information base. Then, to his credit, Dale Baker, from memory, made about a \$23 million investment at the time, making it easier for mining companies to explore, and then, hopefully, develop more mines.

So, it was the Liberal government under Dean Brown, John Olsen and Rob Kerin that expanded that exploration program; this government has simply continued it. Then what does the Rudd government do? The Rudd government turns around and says, 'Have we got a deal for you! Even if you can get your mine up we will then tax it at a higher level', and you can understand the mining industry saying to South Australia, 'What is your problem?' You have spent over 15 years trying to develop the mining industry around governments of all colours, then you get this madman in Canberra who wants to bring in a super tax; and our government, through the Premier and the Treasurer, did not stand up to Rudd at the time and demand that he not introduce it.

We know that at the last COAG meeting (which the Premier and the Treasurer attended), when that health reform deal was signed off, a briefing on the Henry tax review was given to the various leaders. Our Premier and our Treasurer had a week's notice that this was going to come in. Given a week's notice it is going to come in, where was the fierce opposition? It was nowhere to be seen. The Premier should stop lying down for his mate and start standing up for his state, because South Australia does need a strong mining industry, and the super tax, as proposed by the federal government, will damage the South Australian mining industry long term. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

SUPPLY BILL

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as might be required for the purposes mentioned in the bill.

VISITORS

The SPEAKER: I acknowledge the presence in the gallery today of six members of the Polish community. They are: the President of the Federation of Polish Organisations SA, Mr Chris Balcerak, and his wife Eva, Ms Gosia Skalban, Irene Dalidowicz, Mr Sam Duluk and Mr Andrew Malecki.

POLISH AIR TRAGEDY

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) (14:02): I move:

That the House of Assembly:

- expresses its sadness at the tragic air crash on 10 April this year that took the lives of 96 people, including the president of Poland, Lech Kaczyński;
- extends its deepest sympathies to the people of Poland, as well as to the Polish community and its supporters in South Australia; and

as a mark of respect to the memory of those who perished, the sitting of the house will be suspended until the ringing of the bells.

It was a month ago today that we woke to the terrible news that initially was almost impossible to comprehend. The people of Poland had once more been touched by the cold hand of fate. A nation that has endured so much pain and injustice faced another unfathomable loss, and one that was visited upon them in the most bitterly ironic of circumstances. A large contingent of people comprising Poland's political, social, business and religious leadership, along with a number of everyday Poles and veterans, had perished in the misty distant fields of Russia. Their Russian-built Tupolev aircraft had come down while trying to land in thick fog at an airport near the Russian city of Smolensk.

Even today, the roll call of the dead seems too overwhelming to be true in terms of the spectrum of a nation's leadership. In addition to president Kaczyński his wife Maria, the victims included the chief of Poland's National Security Office; the Governor of the National Bank of Poland; the Deputy Speaker of the lower house, and a number of other members of parliament and senators; the heads of Poland's military and foreign affairs department and other senior officers of the public service and of the armed forces; the nation's deputy foreign minister; and senior members of the Polish clergy.

The crash also claimed the life of Poland's last president in exile, who served in that role while based in England until the first democratically elected president, Lech Wałęsa, took office in 1990. Of course, people in this house and the Polish community would remember the Nobel Prize winner's visit to Adelaide just a few years ago and how he touched all of our hearts. Among the victims was one of modern Poland's true popular heroes, Anna Walentynowicz, the former crane driver and trade union activist whose sacking in 1980 sparked the strike that led to the creation of the Solidarity movement. In short, this most tragic accident robbed Poland of so many of its political, spiritual and cultural elite.

Compounding the world's shock and disbelief was the fact that the party was on its way to honour the memory of an earlier generation of Polish leaders and heroes that had been murderously cut down. The passengers were flying to Russia to take part in ceremonies marking the 70th anniversary of the notorious Katyn massacre of Poles during World War II. In a chillingly cruel reminder of that unspeakable episode in Polish history, the President's plane crashed near a forest where in 1940 Russian secret police shot some of the nearly 22,000 Poles murdered in that massacre.

I, like many members of this house, have had a long-held deep respect and admiration for Poland and friendship for its people, and that is why I feel enormous sympathy and empathy for them and for those of Polish heritage at this time of shock and sorrow. As the pain slowly heals, I hope they can find reassurance and comfort in the knowledge that Poland has been unfairly tested many times in the past, yet its spirit and faith have always prevailed.

Poles have, indeed, inspired the world with their refusal to yield to oppression and tyranny and to remain true to their values, their faith and their beliefs. It is a nation that has known oppression and tyranny more than just about any other nation. For so long it has felt the sting of the jackboot, whether it was under the Soviets or under the Nazis. It has seen its borders violated and redrawn time and time again.

Think about recent Polish history in the 20th century: the role of the Polish spitfire pilots in the Battle of Britain with the highest strike rate of any squadron during World War II; when they fought alongside Australian diggers at Tobruk and El Alamein or alongside commonwealth forces at Monte Cassino in Italy through the Italian campaign; and then of course the Warsaw ghetto, Auschwitz, and the heroism of the Warsaw uprising.

For centuries Poland was dominated and downtrodden save for the brief ray of sunshine that accompanied the rise of the Second Republic following World War I. Poland has emerged from the challenges of history as a stronger, braver and more resilient nation. In the wake of this latest tragedy, the people of Poland worldwide will doubtless draw strength from the example set by their passionately patriotic late president.

Lech Kaczyński assumed the office of president in December 2005, having served as mayor of Warsaw for three years. He and his twin brother, Jarosław, were born in June 1949, and they both starred in a celebrated 1962 Polish film called *The Two Who Stole the Moon*. Lech became involved in Poland's trade union anti-Communist movement of the 1970s and, like many others, was arrested for his activities and his beliefs. He then held a series of senior bureaucratic, civic, parliamentary and ministerial positions from the late 1980s and he jointly founded the Law and Justice Party. He and Jarosław formed a formidable political partnership, with the latter at one stage becoming prime minister.

By all reports, the president was a strong-willed and pugnacious man. He was not afraid to speak his mind and he was capable of badly falling out with old friends, including Lech Wałęsa. Nevertheless, he was widely respected for standing up for what he saw as the best interests of Poland. He also had a thorough understanding of history, of its uses and abuses, and of its power to help ultimately liberate people from the ghosts of the past and to help them start afresh. That was why the event to mark the 70th anniversary of the Katyn massacre held such significance for both the president and the Polish people.

There is no better insight into the president's philosophy than the speech he personally wrote for the Katyn commemoration that he was planning to deliver in Russia. The Polish government publicly released that speech the day after his funeral, and it is, indeed, a powerful and poignant document. In an eloquently haunting speech that was, tragically, never delivered, he wrote:

Lasting relationships cannot be built on lies. Lies divide people and nations. Lies bring with them hatred and anger. Truth, however painful it might be, sets us free. It connects us. It brings justice with it. Truth guides us on the road to reconciliation. Let the wound of Katyn heal at last.

On 18 April, at the funeral of Lech and Maria Kaczyński, the word rang out across Poland and around the world: the word that the latest in a long line of Polish heroes whose lives had been cut tragically short, was being laid to rest. It rang out from St Mary's Basilica, across Cracow's Market Square, and along the royal route to Wawel Castle. It echoed around nearby parks and gardens, down streets and laneways, across thawing forests and forgotten battlefields, through the capitals of Europe and beyond.

Here in Australia we are, in geographic terms, a long way away from Poland, but we understand that nation's enormous loss and, therefore, share its pain, and wish it God speed as it slowly recovers. In particular, on behalf of my parliamentary colleagues and all South Australians, I extend our sympathies to our state's Polish communities, some of whose leaders have joined us today in the public gallery.

The South Australian government, this parliament and our people, have enjoyed a long, enriching and warm relationship with the people of Poland since the first Polish settlers arrived here more than 150 years ago. In the wake of the accident, I wrote to the President of the Federation of Polish Organisations, Mr Balcerak, who is here with us today, and to the Ambassador for the Republic of Poland in Australia, His Excellency Andrzej Jaroszynski.

I offered, on behalf of all South Australians, our deepest condolences to the Polish communities here, throughout Australia and around the world. This tragedy will be remembered with reverential sadness for years and for generations to come. If it is possible for such a dark cloud to yield a glimpse of a silver lining, perhaps it is the fact that the tragedy of Katyn has again been reinforced in the world's collective consciousness. Now we have another reason never to forget Katyn.

Both of these sad events will be mourned in our state, in private homes, churches, social clubs, at concerts, Polish festivals and on suburban soccer grounds. At the Katyn Memorial outside

the Dom Polski Centre in Angas Street and at the historic Polish Hill River settlement in the Clare Valley the 96 lives that were lost will be remembered and honoured. May they rest in peace, may they never be forgotten and long live Poland.

Honourable members: Hear, hear!

Mrs REDMOND (Heysen—Leader of the Opposition) (14:14): I rise to second the motion. I apologise in advance to the members of the Polish community who are with us if I fail to pronounce all the Polish names correctly. It is with great sadness that I, too, record this tragic day. On Saturday 10 April 2010, Poland lost its president, Lech Kaczyński, a man who had played a major role in post-communist Poland. We also lost his wife and many serving members of the country's political elite and other members of Poland's community.

Mr Kaczyński was only 60 years old. He and his wife, as the Premier has said, were killed when their plane crashed on approach to a Russian airport. They were part of an official party, a delegation travelling to commemorate the 70th anniversary of the Katyn massacre in which 22,000 Polish soldiers were killed by Soviet troops during the Second World War. Also on board were leading members of Poland's political elite, including the chief of Poland's armed forces, the head of its navy, the central bank governor and opposition lawmakers. For obvious reasons the incident prompted a period of national mourning in Poland, and a number of countries also declared periods of national mourning.

Lech Kaczyński and his identical twin brother, Jarosław, were born on 18 June 1949. Although both brothers would become part of Poland's political elite, they started on a rather different path, at the age of 13, in what was apparently quite a hit movie, *The Two Who Stole the Moon*, in 1962. They were playing a town's troublemakers.

Lech Kaczyński went on to study at the Faculty of Law and Administration at the University of Warsaw. He was then interned under martial law from December 1981 until October 1982 for his involvement in the Solidarity movement, the pro-democratic anti-Communist movement in Poland, Workers Defence Committee, as well as the independent trade union movement.

After the fall of communism the twins became powerbrokers in Polish politics, and Mr Kaczyński was head of Poland's national security office under president Lech Wałęsa's victory in the country's first free presidential elections in 1990. Mr Kaczyński and his twin brother Jarosław were instrumental in Wałęsa's victory. Mr Kaczyński then became justice minister in the subsequent government. He was active in all levels of politics, and in 2001 he founded the Conservative political party with his brother. Lech Kaczyński was the president of the party between 2001 and 2003.

In 2002, in the midst of that, he was elected the Mayor of Warsaw. He started his term in office by declaring a war on corruption. He also strongly supported the construction of the Museum of the Warsaw Uprising. He also promoted the construction of the Museum of Polish Jews in Warsaw by donating city land to the project. Further illustrating his support for Polish Jews, on 21 December 2008 Lech Kaczyński became the first Polish head of state to visit a Polish synagogue and attend religious services held there. In public office, both the Kaczyński brothers campaigned to expose those who had collaborated with the communists and promised a 'moral revolution' against corruption.

Lech Kaczyński's appeal was based on his image as an incorruptible politician who, unlike some post-Communist leaders, never personally benefited from politics. He was elected president in 2005 and named his brother as Prime Minister in 2006. The win followed a general election victory by the Law and Justice Party, led by his brother, and made the Kaczyński duo the undisputed first family in the new European Union member state.

While Lech Kaczyński was a sometimes controversial politician with far right and populist views on many issues, he will be remembered for the instrumental role he played in post-communist Polish politics. The loss of such a strong and inspirational leader, along with his wife and the many others who perished with them, will leave a great void in Polish politics and Polish society as a whole.

On 15 April I was privileged to attend a special mass for the late president at St Francis Xavier's Cathedral, and the sadness at Mr Kaczyński's passing was evident among the members of the Polish community who attended that mass. On behalf of the Liberal opposition I express my heartfelt sympathy to the Polish community of South Australia, and I want to make that known

especially to those of that community who are present with us today. I commend the motion to the house.

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (14:19): I join the Premier, the Leader of the Opposition and my parliamentary colleagues today in honouring the president of Poland, Lech Kaczyński, his wife Maria and the 94 others killed last month.

The atmosphere surrounding the mourning of the president was best summed up by a Polish parliamentarian who said on the day of the crash, 'There is no right or left today; there is no separation, no difference.' When we read through the list of those who perished, we understand why the former president of Poland, Lech Wałęsa, did indeed describe them as the elite of the nation.

The victims also included relatives of those killed in the 1940 Katyn massacre, who were flying to Russia to take part in the remembrance ceremonies for that event—such a horrific irony. Try as we might here in Australia, it is difficult for us to fully comprehend the scale of loss that Poland has suffered. Today, I would like particularly to acknowledge the significant response by members of our local Polish community, who have remained close to their homeland's culture, politics and public affairs.

The recent history of Poland, especially since 1980, has been tumultuous, and I think the local community sees itself as being part of that difficult, yet ultimately triumphant journey to freedom and true self-determination. In this regard, I join the Premier in acknowledging the presence in the public gallery here today of members of the local Polish community and in extending my personal sympathies to them.

The manner in which South Australia's Poles came together and comforted one another reflects great credit on them as a people and as valued members of our own multicultural community here in South Australia. This was particularly evident a few days after the tragedy when the community came together for a memorial service as celebrated by Monsignor David Cappo and attended by a crowd of about 900 people. I was not able to attend that event, but I was honoured to attend further memorial events held here in Adelaide on Sunday 18 April. This included a memorial mass at the Church of the Resurrection at Unley, where the church was overflowing.

Immediately after the mass, about 70 people attended the Dom Polski Centre in Angus Street, Adelaide's most well-known meeting place for the Polish community. Here, we were clearly reminded of the Polish community's strong connection with the history of their homeland and, in particular, the Katyn massacre in 1940.

The courtyard of the Dom Polski Centre was the site of an extremely moving ceremony, where I was honoured to lay a wreath with my colleague, the former minister, Michael Atkinson, who was very close to the Polish community. Although it saddened me that these remembrance ceremonies were some of the first public events I attended in my capacity as the new minister, I was honoured to be given the opportunity to acknowledge the Polish community's loss and share in their community spirit.

When terrible events strike nations, we struggle adequately to express our sympathy. So, in closing today, I wish to quote a few lines from a sonnet by a famous Polish poet, Adam Mickiewicz, called *Goodnight*:

Goodnight! No more merriment for us today,
May angels enfold you in blue wings of cheer,
Goodnight! May your eyes ease after bitter tears,
Goodnight! May your heart's passion slumber away.

The SPEAKER (14:23): I join with members in expressing my condolences to the Polish community, both here and abroad. I ask that the motion be carried in the usual manner, in silence, following which the house will be suspended until the ringing of the bells.

Motion carried by members standing in their places in silence.

[Sitting suspended from 14:23 to 14:35]

PAPERS

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

AustralAsia Railway Corporation—Annual Report 2008-09
Public Sector, South Australian—Code of Ethics
Remuneration Tribunal—
 No. 1 of 2010 Ministers of the Crown and Members of Parliament
 No. 2 of 2010 Alternative Vehicle Request—Magistrate Iuliano
 No. 3 of 2010 Travelling and Accommodation Allowances
 No. 4 of 2010 Ministers of the Judiciary, Members of the Industrial Relations
 Commission, the State Coroner, Commissioners of the Environment,
 Resources and Development Court
Regulations made under the following Acts—
 Mutual Recognition (South Australia)—South Australia Temporary Exemptions—
 Air Conditioners
 Public Sector—General
 Public Sector (Honesty and Accountability)—Honesty and Accountability
 Trans-Tasman Mutual Recognition (South Australia)—Air Conditioners
 Various—Public Sector Consequential Variations

By the Treasurer (Hon. K.O. Foley)—

Electricity Industry Superannuation Scheme—Annual Report 2008-09
Finance—Final Budget Outcome Report 2008-09
SkyCity Adelaide Pty Ltd—Variation of Casino Duty Agreement—Second Amending
 Agreement
Regulations made under the following Acts—
 Public Corporations—Land Management Corporation

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

Architects Board of South Australia—Annual Report 2009
Development Plan Amendment—
 Better Development Plan (BDP) and General by Rural City of Murray Bridge
 Bushfires (Miscellaneous Amendments) by the Minister
Regulations made under the following Acts—
 Development—
 Adoption of Codes and Standards
 Local Heritage External Painting
 Regional Development Assessment Panels
 Schedule 1
 Harbors and Navigation—
 Alcohol and Drug Testing
 Facilities Fund
 Miscellaneous
 Highways—Port River Expressway Project
 Motor Vehicles—
 General
 Mandatory Alcohol Interlock Conditions
 Road Traffic—Miscellaneous—
 Blood Tests
 Revocation Regulation 28
Rules made under the following Acts—
 Road Traffic—Vehicle Standards—General

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

Regulations made under the following Acts—
 Valuation of Land—Fees and Allowances

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

Regulations made under the following Acts—
 Electrical Products—Air Conditioners
 Electricity—
 General—Exemption of Techport
 Principles of Vegetation Clearance

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

Reproductive Technology, Council on—Annual Report 2009

By the Minister for Mental Health and Substance Abuse (Hon. J.D. Hill)—

Controlled Substances Advisory Council—Annual Report 2008-09

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

Carrick Hill Trust—Annual Report 2008-09

By the Minister for Police (Hon. M.J. Wright)—

Police, Commissioner of—Directions to
 Regulations made under the following Acts—
 Firearms—Regulated Imitation Firearms
 Hydroponics Industry Control—General

By the Minister for Education (Hon. J.W. Weatherill)—

Teachers Registration Board of South Australia—Annual Report 2008-09
 Regulations made under the following Acts—
 SACE Board of South Australia—Fees

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

Regulations made under the following Acts—
 Building Work Contractors—Exemptions
 Liquor Licensing—
 Dry Areas Long Term—
 Angaston and Lyndoch
 Christies Beach
 Coober Pedy
 Fisherman Bay and Port Broughton
 Grange and Henley Beach
 Hallett Cove
 Meningie
 Strathalbyn
 Dry Areas Short Term—
 Adelaide Area 1—Bonython
 Adelaide Area 2—Elder Park
 Beachport Area 1
 Glenelg Area 1
 Morgan Area
 Robe Areas 1—3
 Rymill and Rundle Park
 Rymill and Rundle Park—Fringe Festival
 Two Wells
 Unley
 Wallaroo Areas 1 & 2
 General
 Local Government—General—Local Government Sector Workers
 Local Council By-Laws—
 City of Charles Sturt—No. 5—Management of Vehicles and Animals
 City of Mitcham—No. 6—Cats
 District Council of Robe—
 No. 1—Permits and Penalties

- No. 2—Local Government Land
- No. 3—Roads
- No. 4—Moveable Signs
- No. 5—Dogs
- No. 6—Cats
- No. 7—Bird Scarers
- District Council of Yankalilla—
 - No. 1—Permits and Penalties
 - No. 2—Local Government Land
 - No. 3—Roads
 - No. 4—Moveable Signs
 - No. 5—Dogs
 - No. 6—Nuisance Caused by Building Sites
- Mid Murray Council—
 - No. 1—Permits and Penalties
 - No. 2—Movable Signs
 - No. 3—Roads
 - No. 4—Local Government Land
 - No. 5—Dogs
 - No. 6—Cats
 - No. 7—Bird Scaring Devices
 - No. 8—Caravans and Camping
- Port Augusta City Council—
 - No. 2—Moveable Signs
 - No. 6—Waste Management

By the Minister for Environment and Conservation (Hon. P. Caica)—

- Dog Fence Board—Annual Report 2008-09
- Environment Protection (Waste to Resources)—Policy 2010
- South Australian—Victorian Border Groundwaters Agreement Review Committee—Annual Report 2008-09
- Regulations made under the following Acts—
 - Crown Land Management—General
 - Dog and Cat Management—General
 - Environment Protection—Waste Deposit Levy
 - Fair Work—General—National Industrial Relations System
 - Natural Resources Management—
 - Financial Provisions—OC-NRM Levy
 - Marne Saunders Prescribed Water Resources Area—Reduction of Water Entitlements
 - Upper South East Dryland Salinity and Flood Management—
 - Project Works Corridor—No. 2
 - Statutory Easements
- Rules made under the following Acts—Fair Work—
 - Fire and Emergency Services
 - Rule 35—Monetary Claims

By the Minister for Industry and Trade (Hon. A. Koutsantonis)—

- Trade and Investment Corporation, South Australia—Annual Report 2008-09

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

- Regulations made under the following Acts—
 - Lottery and Gaming—Lottery Licences
- Rules made under the following Acts
 - Authorised Betting Operations—Responsible Gambling Codes of Practice—Pre-Commitment

By the Minister for Agriculture, Food and Fisheries (Hon. M.F. O'Brien)—

- Barley Exporting Act 2007, Review of—Report November 2009

Regulations made under the following Acts—
 Fisheries Management—
 Abalone Fisheries—Individual Catch Quota System
 General—Protected Species
 Primary Industry Funding Schemes—
 Apiary Industry Fund
 McLaren Vale Wine Industry Fund

By the Attorney-General (Hon. J.R. Rau)—

Courts Administration Authority—Annual Report 2008-09
 Dangerous Area Declarations—Statistical Return 1 October-31 December 2009
 Legal Practitioners Guarantee Fund, Claims against—Annual Report 2008-09
 Road Block Establishment Authorisations—Statistical Return 1 October-31 December 2009
 Supreme Court of South Australia—Annual Report 2008-09
 Regulations made under the following Acts—Electoral—
 General
 Prescribed Classes of Material
 Summary Offences—Dangerous Articles and Prohibited Weapons—Gas Injector
 Devices
 Rules made under the following Acts—
 District Court—
 Civil Rules—
 Amendment 12
 Amendment 13
 Criminal and Miscellaneous—Amendment 9
 Magistrates Court—
 Civil Rules—Amendment 32
 Court Rules—Amendment 34
 Supreme Court—
 Civil Rules—
 Amendment 10
 Amendment 10 Erratum
 Amendment 11
 Criminal Rules—Amendment 26

By the Minister for Aboriginal Affairs and Reconciliation (Hon. G. Portolesi)—

Regulations made under the following Acts—
 Anangu Pitjantjatjara Yankunytjatjara Land Rights—General

By the Minister for Multicultural Affairs (Hon. G. Portolesi)—

Multicultural and Ethnic Affairs Commission, South Australian—Annual Report 2008-09

MINING SUPER TAX

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:38): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: I rise to update the house on the government's position on the commonwealth government's proposed Resource Super Profits Tax, commonly referred to as the RSPT. As members would be aware, the commonwealth government announced its intention to introduce the tax in its response to the Australia's Future Tax System report, more commonly known as the Henry review. The Resource Super Profits Tax seeks to impose an additional tax on the profits of mining companies in a similar, but not exactly the same, way as the Petroleum Resource Rent Tax on the offshore petroleum producers, which was introduced in 1987.

I do not believe that anyone could rightfully argue against mining companies paying an increased dividend back to the Australian people from high profits made from the extraction of minerals owned by the Australian people. As we know, high commodity prices have seen incredible wealth generated from the mining sector in recent years, especially prior to the global financial

crisis. These profits were being generated under a taxation regime which has gone largely unchanged for many years.

With the mining sector seemingly on the cusp of another boom in activities and profits, the Rudd commonwealth government has made clear its intention to capture more of the benefits from these activities for the Australian community as a whole.

The Rudd government's response to the Henry review also outlined cuts to the company tax rate which have also been fast tracked for small business along with other tax concessions for small business. The response also included a new rebate for mining exploration activities and a new infrastructure fund to support mining activities.

These proposals are to be funded from the revenue generated by the resource super profits tax. The commonwealth anticipates that this package will generate significant benefits for the economy with real GDP growth expected to be boosted by 0.7 per cent over the long term from these changes.

The Rann government's support for the package was made clear on the release of the commonwealth response to the Henry review on 2 May. However, our support is not unconditional. The South Australian economy has benefited greatly from the increase in mining activity over the past eight years. One of the key drivers in the mining industry's growth over the past six years has been the Rann government's successful investment in our Plan for Accelerating Exploration, commonly known as the PACE program.

Mineral exploration has increased from \$22.6 million in 1999-2000 by over eight times to \$220.8 million in 2008-09 under this Labor government. When this government came to office there were four operating mines in South Australia. That number has now grown to 11 and by the end of the year is expected to be 16. Clearly we have worked hard as a state and as a government to support the mining sector, and we recognise the economic benefits that increased mining activity production provides to the South Australian economy and its citizens. It is the government's view that, while a new resource super profits tax should be supported, its final design and implementation must ensure that South Australia's mining sector can continue to flourish.

Without going into detail, the Premier, minister Holloway and I have received representations from mining companies that are concerned that the commonwealth has not yet achieved the most appropriate design and implementation parameters with the new tax. We have made it clear to these companies that we will make representations to the commonwealth on these concerns and seek clarity on some of the matters that are being canvassed publicly.

These include the definition of a super profit, the proposed treatment of investment and losses, the scope of the application of the tax and other features. Indeed, our engagement with the commonwealth has already begun and will continue throughout the consultation period outlined in the commonwealth's response to the Henry review.

In the same way, we have urged the mining companies to also directly engage with the commonwealth. I see from today's report that Santos CEO David Knox is already doing this and, I understand, so is BHP Billiton and other mining houses.

Ultimately this is about balance, about making sure that the Australian community is benefiting from the profits being made in the mining sector while ensuring that the new tax does not hamper future growth and operations.

ADELAIDE PACIFIC INTERNATIONAL COLLEGE

The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (14:49): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: South Australia is recognised for the quality of the education and training that it provides to international students. The South Australian government actively works on providing international students with a high quality education and training experience in a safe and supportive environment. Commonwealth and state governments have recently agreed several reforms to strengthen the regulation of education and training providers to international students. These initiatives, such as recommendations in the Baird review of the Education Services for Overseas Students Act, including reviewing the registration of all international education

providers, have a strong focus on improving regulatory and consumer protection arrangements to underpin quality and provide further support to international students.

Responsibility for regulation of international education and training providers is shared between the commonwealth and states and territories. In South Australia, the Department of Further Education, Employment, Science and Technology is responding to these reforms by increasing the audits of private colleges offering training to international students. Honourable members may be aware of recent concerns raised publicly about one such college, the Adelaide Pacific International College.

I can inform the house today that the Department of Further Education, Employment, Science and Technology, in accordance with the Training and Skills Development Act 2008, carried out a monitoring audit of Adelaide Pacific International College in March this year. I am informed that the audit found the college to be noncompliant with the Australian Quality Training Framework standards. This is a framework that prescribes conditions, protocols and standards that a training provider must meet to ensure quality training and to continue to meet its conditions as a registered training organisation under the act. The audit by DFEST has been carried out in cooperation with the commonwealth government, and the provider is alleged to be noncompliant with 12 of the 14 standards under the commonwealth's national code.

On Friday, 7 May this year the delegate of the South Australian Training and Skills Commission, the Chief Executive of DFEST (Mr Raymond Garrard), served notice to the college of its intention to cancel its registration as a registered training organisation, and has given the college chief executive 28 days to respond in accordance with the Training and Skills Development Act. No decision about the suspension or cancellation of the registration of the college by the state regulator has been made, and it is important that we allow due process in the matter. It is entirely and properly a matter for the delegate under South Australian law, and I am told that no decision about the college's registration will be taken by Mr Garrard until the management of the college has been afforded the opportunity to respond to the allegations within 28 days.

Also, on 7 May 2010 I have been advised that the commonwealth Department of Education, Employment and Workplace Relations served notice to the college of its intention to suspend or cancel the college registration as a provider to international students. The college has been given until 5pm today by the commonwealth to respond to its notice.

I repeat that the final result in this matter is not known. However, should the registration of the college be suspended or cancelled, I assure the house that the welfare of the students is a paramount consideration. The state and commonwealth have measures in place to make certain that students will be looked after. For example, under the Tuition Assurance Scheme, students will be offered a place in an equivalent course with an alternative provider. Under this scheme, students who paid fees in advance to the college will not be charged a second time for these services.

The college is registered to offer courses in aged care, automotive, community welfare and business. There are about 450 international students studying at the college, and the majority of them are from India. I stress that the welfare of students is what is most important. With this in mind, the delegate of the Training and Skills Commission has told me that students have been sent a letter informing them of the audit and that they are obliged to attend classes under their student visa conditions until a final determination is made. South Australia is also the first place in Australia to establish a rapid response task force to work with the commonwealth and to provide a quick first point of contact and support for any international students who are affected.

Students of the college are also being encouraged to contact the office of Therese O'Leary, the South Australian Training Advocate. The South Australian Training Advocate, which is the only service of its kind in Australia, is an independent statutory authority with the power to act for students to resolve problems, conduct independent investigations and appeal disputed issues.

I am certain that Ms O'Leary and her staff will make certain that student issues are resolved as quickly as possible and with minimum inconvenience. Indeed, I understand that steps are being taken that, in the event of a suspension or closure of the college, extra resources are to be allocated to help the Training Advocate.

I have contacted Mr Amit Dasgupta, the Consul-General of India based in Sydney, to make him aware of the current situation and the South Australian government's assurance of the welfare of students. I thank him for his support and his good work. The action taken so far underlines that South Australia is serious about ensuring quality and protecting the high reputation we have in

quality training. We are also serious about our duty of care to students who are living so far away from home.

The South Australian government is dedicated to the quality of education and training provided to international students. The house can be certain that all providers of education and training in South Australia will continue to be closely monitored and audited regularly, and wherever necessary appropriate action will be taken on colleges that do not meet the requirements of the state and commonwealth legislation and regulations.

QUESTION TIME

MINING ROYALTIES

Mrs REDMOND (Heysen—Leader of the Opposition) (14:58): My question is to the Treasurer. If changes to the state's mining royalties regime were 'always on the agenda', as stated by the Treasurer on 3 May 2010, why did the Treasurer not inform the South Australian people or the mining sector before the state election? Neither the Mid-Year Budget Review released on 28 January 2010, nor Labor's mining election policy released on 25 February 2010, nor even Labor's election costings released on 18 March 2010 made any mention of an increase in mining royalties.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:58): The government is entitled to have a view about certain matters that it may be considering. It actually appears in the terms of reference of the Sustainable Budget Commission. I am looking for the exact wording; I just can't put my hands on it, but we have it in the Sustainable Budget Commission that the Sustainable Budget Commission is entitled to look at matters of revenue, and that was released in its terms of reference well before the state budget.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: I am trying to answer the question. If you would like me to answer it, could I do so without being interrupted? Would that be possible? It was made very clear in the terms of reference of the Sustainable Budget Commission that revenues and charges are a matter for the commission to report on. Whether the government chooses—

Mr Williams interjecting:

The Hon. K.O. FOLEY: No—whether the government chooses to accept those recommendations or not, that is a matter for the government—

Members interjecting:

The SPEAKER: The opposition will note that it has asked the Treasurer a question, so will it allow him to answer that question.

An honourable member: It's going to be a long haul.

The Hon. K.O. FOLEY: Four years; pace yourself, Isobel.

An honourable member: You won't see the distance.

The Hon. K.O. FOLEY: Pardon? I won't see the distance?

Members interjecting:

The Hon. K.O. FOLEY: I won't see the distance? It's like the 'Knights who say Ni', isn't it? 'Come and fight me; fight me!' Since the election in the pre-budget period, as I always do with my budgets, we look at a number of issues. The issue of resources—I have now put my hand on it.

Members interjecting:

The Hon. K.O. FOLEY: Unlike some members of parliament, I do not rely on my staff to hand me bits of paper to give me an answer.

Members interjecting:

The Hon. K.O. FOLEY: Isolated incident. The commission will have the capacity to review all government expenditure and revenue. It was actually in the paper I had; I just could not find it.

Members interjecting:

The Hon. K.O. FOLEY: That was released publicly months ago.

Mrs Redmond: Royalties.

The Hon. K.O. FOLEY: That is a revenue. It was released publicly—

Members interjecting:

The Hon. K.O. FOLEY: Madam Speaker, I am not going to bother. I am happy to give an answer, but if members opposite want to heckle, I have better things to do with my time. The federal treasurer, Wayne Swan, made it clear to all treasurers in a telephone hook-up on Sunday that if there were royalty issues in train under consideration he would accept that and allow us to increase those royalties, which under the resource rent tax would have no further impact on the mining company—it would be at a loss to the commonwealth. I think it is a good thing that we are looking at increasing royalties, because—

Mr Williams: So, were they in train?

The Hon. K.O. FOLEY: Yes, they were. If the member is saying to me that we just thought it up on Sunday morning, the commonwealth is not that gullible; it is going to require a bit of authenticity behind it.

Members interjecting:

The Hon. K.O. FOLEY: The woman who would not meet with BHP before the election, the leader, who would not support a desalination plant, wanted to put it 300 kilometres away and cost BHP another \$300 or \$400 million, wanted to move some of—

Mr WILLIAMS: I rise on a point of order.

The SPEAKER: Point of order, Treasurer. The member for MacKillop.

Mr WILLIAMS: The point of order is relevance. The minister is struggling to answer the question, and he has now gone off on a complete tangent to the question.

The Hon. P.F. CONLON: Point of order, Madam Speaker. It sits ill in the mouth of the—

Mr WILLIAMS: Is there a point of order on the point of order?

The SPEAKER: We can only have one point of order at a time.

Members interjecting:

The Hon. P.F. CONLON: I just point out that it sits—

Members interjecting:

The SPEAKER: Could we have some order from the opposition, please.

The Hon. P.F. CONLON: Unfortunately, three votes got you deputy leader; it did not get you a speakership. Madam Speaker, it is impossible for my friend to stay relevant if members opposite are going to engage in interjections, and it sits ill in their mouth to ask for standing orders when they will not observe them.

The SPEAKER: I agree with your comments, Minister for Transport. This is a really important question, particularly for my electorate. Could the Treasurer please return to the substance of the question and respond accordingly, and ignore interjections from my left side.

The Hon. K.O. FOLEY: I have the answer for the leader if she would just please give me the opportunity to present it. We are negotiating with BHP Billiton the expansion of Olympic Dam. It is a new project and will be subject to a new royalty rate. We have made that clear to BHP, and BHP has made it clear to us that they do not want to pay any more royalties. One thing I can assure the leader is that the biggest mining company in South Australia was aware that we were considering the issue of an increase in royalty rates, because they kept making the point in our discussions that they would be unhappy if we were to increase royalty rates.

Can I say, without breaching too much internal confidence—and I am happy to brief the leader privately—that it would come as no surprise that we have been diligently working at a high level for some years now on a whole raft of elements that impact on Olympic Dam, including what is an appropriate royalty rate to charge for Olympic Dam, given that the current indenture bill was signed off 25 years ago, or whatever, at a lower rate than—

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley, please be quiet. Treasurer, continue with your answer.

The Hon. K.O. FOLEY: At 3.5 per cent the royalty rate charged to BHP Billiton for its uranium, and the copper royalty rates that are levied, were at a low level compared to comparable mines elsewhere in Australia. BHP knew full well that it would be only appropriate—albeit they would not have been happy—that this government would have been considering the increase in royalties in our negotiations.

What we have chosen to do with BHP—and they are well aware of this—is to have a raft of matters that we are working through with BHP. As we have seen, the desalination issue is one issue, as is the removal of shacks in the member for Stuart's electorate. We are looking at a whole range of issues through the EIS process, and both parties, both government and BHP, were always going to leave the issue of the final royalty debate/argument/stoush/arm wrestle until we had cleared most other obstacles.

There is a substantial body of work within government that has been undertaken over the course of the last 12 months about the royalty issue on the BHP mine. Now, what has happened, of course, is that that has been gazumped by the resource rent supertax. What I have said is that for some time we have been considering this issue, and the federal Treasurer—

Mr Williams interjecting:

The Hon. K.O. FOLEY: Well, it's no secret to BHP.

Mr Williams: What about OzMin at Prominent Hill?

The Hon. K.O. FOLEY: I'm talking about the BHP mine. Ultimately, this government has and does work extremely well with the mining industry in this state. It has been a Labor government that has delivered the mining boom in South Australia, a Labor government that is pro-mining, a Labor government that is pro-jobs, a Labor government that is pro-investment, and a Labor government that knows how to run an economy.

Members interjecting:

The SPEAKER: Order!

ADELAIDE FESTIVAL OF ARTS AND FRINGE FESTIVAL 50th ANNIVERSARY

Mr BIGNELL (Mawson) (15:09): Can the Premier inform house about the 50th anniversary of the Adelaide Festival of Arts and the Adelaide Fringe Festival held earlier this year?

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) (15:09): I am pleased to see discretion from the member for Mawson, because, whilst his international sporting prowess is well known, most people do not know that he is also a cultural icon in Willunga and McLaren Vale.

As the member has already stated, in February and March this year the Adelaide Festival of Arts and the Adelaide Fringe Festival both celebrated their 50th anniversary in extraordinary fashion, further enhancing Adelaide's fine festival reputation. Unfortunately, I was unable to attend as many arts events in March as I have in previous years, but, certainly, the 2010 Adelaide Fringe Festival was the biggest in the event's history. Ticket sales were very strong, with 301,831 tickets being sold. This was particularly great news for Fringe artists, because they received most of the ticket sales revenue.

There were 705 shows featured in the guide, which is a 36 per cent increase on the number of shows in 2009. With the help of additional government support—with the generous support of the Treasurer—the Adelaide Fringe marked its 50th anniversary with glorious giant inflatable astronauts throughout the city and the spectacle of the inflated luminarium Amococo. With over 30,000 visitors, Amococo was one of the most popular events in the 2010 Festival.

Do you remember when we announced—in fact, it was the idea of the Minister for Health—an annual fringe and people said—just as when we announced an annual WOMADelaide—that it would be a disaster? Of course, what has happened is a massive increase in attendances at the fringe since we have gone annual.

In further testament to the strength of the 'new', 58 per cent of all 2010 Adelaide Fringe shows were Australian premieres. The number of shows featured this year increased by 46 per cent since the first annual event in 2006. There is a raft of other statistics that show the continuing growth and success of the Fringe: 296 independent venues opened their doors to Fringe shows in 2010, an increase from 250 in 2009; performers in the Adelaide Fringe put on 6,911 sessions across all art forms; 593 Australian shows and 112 international shows were on offer; and, while the economic impact assessment is still being prepared, the Fringe have told me that they are confident that they will again break one million in attendances.

The South Australian community is an ever present force in the Adelaide Fringe, and no statistic shows this more than the number of volunteers who work to bring the festival to us. The 2010 Festival was no exception, with 400 volunteers working more than 2,000 hours to bring the Adelaide Fringe to life.

This year, there were 35 community groups and over 1,700 people parading in the opening night parade. The South Australia Police estimated a crowd of approximately 80,000 attending both the opening night parade and party. The Adelaide Fringe continues to demonstrate the strength of the decision to move the festival to an annual event, and I would like to take the opportunity to congratulate the chair, Judy Potter, and board members, but especially Christie Anthoney and Sandy Verschoor, who saw this transition period through in the most extraordinary way.

The 50th anniversary Fringe was the last Fringe with both Christie and Sandy at the helm, and we can be very proud of what the Fringe has become under their guidance. I am sure that the chamber will add its thanks to mine for Christie and Sandy's hard work and dedication. I am also excited that the new Director of the Adelaide Fringe, Greg Clarke, brings new vision and energy to the festival with plans to further enliven and transform the city during the next year's Fringe.

The Adelaide Festival, also having celebrated its 50th anniversary, is regarded as Australia's foremost arts festival and is basically regarded in the top three festivals in the world, along with Edinburgh and Avignon, which my friend Chloe Catiene Fox would probably agree with. Artistic Director, Paul Grabowsky assembled a fitting program for this special occasion. In fact, it was the largest Adelaide Festival program to date, including Australian and world premiere performances.

I am pleased to report that 23 South Australian arts and cultural organisations were involved in the festival this year, and 250 performances, events and exhibitions were staged in 33 venues. The festival program featured a significant Indigenous component across both the performing and visual arts and, for the first time, our major visual arts galleries were drawn together for a major international exhibition.

The much loved music and dance festival, WOMADelaide, was extended to a four-day event for the first time for this special 50th anniversary with great success. The Adelaide Festival broke all of its targets in 2010, taking an impressive \$3.4 million at the box office, selling a total of 66,000 tickets and attracting total attendances of over 650,000 people, not including WOMADelaide.

We also provided a one-off allocation to the 2010 Adelaide Festival, given its 50th anniversary status, and there were some free events for the public during this landmark festival. These included the phenomenal opening weekend spectacular *A Little More Light* by the French pyrotechnics masters Groupe F, and the return of the acclaimed *Northern Lights* installation along the city's cultural boulevard, also involving this building.

The festival had a significant economic impact on the city, with 4,852 hotel room nights and 1,150 flights booked just for the artists. Again, while I understand that the final economic assessment is yet to be finalised, these figures alone are significant. They also demonstrate the enormous amount of work that goes into planning and managing a festival. I would like to pay tribute to Kate Gould, the general manager; her team; as well as members of the Festival board, led by Richard Ryan, for all their efforts in assisting Paul Grabowsky in realising this fabulous program.

Importantly, this year's festival attracted widespread critical acclaim for a program featuring some of the finest artists and productions from across the world. We look forward to not only the next festival under Paul Grabowsky two years from now, but then the Adelaide Festival of Arts, like the Fringe, like WOMADelaide, becoming an annual event.

VISITORS

The SPEAKER: I acknowledge the presence in the house of the Hon. Rob Kerin, a former premier of South Australia. It is good to see you here.

QUESTION TIME**MINING ROYALTIES**

Mrs REDMOND (Heysen—Leader of the Opposition) (15:16): My question is again to the Treasurer. What revised royalty rate will be charged to South Australian mining companies, including BHP Billiton, under the government's changes to the royalty rate, and has the Treasurer informed BHP or any other mining companies of this new rate?

According to the explanation given by the Treasurer on 3 May, the commonwealth government is going to rebate to mining companies the amount of royalties paid to the states. Our royalties in South Australia are at 3.5 per cent. The Treasurer, as I understand his explanation, needs to demonstrate to the federal government his bona fides in claiming that the government was in the process of increasing that rate in order to justify any higher rebate.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:17): I am really just having to repeat the first answer. The federal Treasurer and I have now had two conversations on this subject. The Treasurer was made aware last Sunday—actually a little earlier than last Sunday—that we had been reviewing our royalties in line with royalty rates in other states and where we may or may not choose as a cabinet to pitch those royalties, because we are the lowest, or one of the lowest, in the country. I can tell you someone else I was consulting with on royalties: your Liberal colleague in Western Australia, Colin Barnett. I must say, I quite like Colin Barnett; he is a very nice person.

The Hon. J.D. Hill: So do West Australians.

The Hon. K.O. FOLEY: Yes, they do.

Members interjecting:

The Hon. K.O. FOLEY: What does that say about you lot? What does it say about them?

Members interjecting:

The Hon. K.O. FOLEY: Colin and I have had a couple of good chats about royalties, etc., where we go into the future.

The Hon. J.D. Hill: He is the Treasurer now, too, isn't he?

The Hon. K.O. FOLEY: He is the Treasurer now. The point is that we will have no difficulty in demonstrating to the commonwealth what our intentions were and I am confident the commonwealth will accept that. But that is a matter between us—

Mr Williams: What are you intending?

The Hon. K.O. FOLEY: Well, I'm going to tell you now that some things we have not yet decided because the budget is still four months away.

Mr Williams interjecting:

The Hon. K.O. FOLEY: The budget is four months away.

Members interjecting:

The Hon. K.O. FOLEY: There was an election in March—

Members interjecting:

The Hon. K.O. FOLEY: Madam Chair, are they suggesting to me they would have come in and delivered a May budget?

Members interjecting:

The SPEAKER: Order! I remind the Treasurer that we are now 21 minutes into question time and we have had two questions answered.

The Hon. K.O. FOLEY: Madam Chair, I am giving responses in a controlled, calm and orderly measure and I am happy to continue to do that. I will not revert to type because of the behaviour of members opposite. What I can say again is that, whatever rebate we finally strike, and if it is accepted by the commonwealth, it is no additional charge to the mining company because they get a 100 per cent rebate.

The SPEAKER: Thank you, Treasurer, and you are behaving very well and I thank you for that.

NATIONAL LITERACY AND NUMERACY TESTS

Mrs GERAGHTY (Torrens) (15:19): My question is to the Minister for Education. Can the minister please advise the house of the recent developments regarding this year's NAPLAN tests?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (15:20): I am pleased to advise the house that, starting earlier today, this year's National Assessment Program—Literacy and Numeracy tests (the NAPLAN tests) are being conducted in year 3, 5, 7 and 9 classes across the state. The tests will be conducted in all schools in the state this week.

This of course comes after the AEU's decision last Thursday not to proceed with its proposed bans on this year's tests. As I made clear on numerous occasions (both publicly and privately) during the dispute with the AEU the government has always believed that banning the tests was the wrong approach to addressing the union's concerns about the use of data from those tests.

The NAPLAN tests are important for children and their progress at school. The tests help children and their parents measure their child's progress on key basic skills such as reading, writing, spelling, grammar and numeracy. They also help teachers to measure the progress of each child in their class and principals to check on programs across their schools to see how they are going and whether those programs are working for the children in their schools.

There is a particular reason why it was so important to go ahead with this year's tests. This year's tests provide the first set of NAPLAN tests that will permit you to see how children have progressed over two sets of tests. They have been running for three years now and because they run in every other year level you will have the capacity to measure an individual child's progress. That is something that parents are particularly interested in, and of course teachers and principals will be able to measure the improvement or otherwise since the last tests.

The tests are clearly valuable and to lose those benefits would have been a bad thing. It always seemed to me to be frankly illogical that one would seek to ban the tests because you were concerned about some collateral matter which was what you do with the results of those tests, which is the My School website debate. Even that issue in my view was based on a fear that is not well founded.

The government's view is that measuring the performance of students and schools is critical if we are going to improve our education system. If you can't measure it, how can you manage it? A key role for an education minister and an education agency must be to seek to improve the educational achievements of children. Measuring the performance of children across schools allows schools themselves to work out what they need to address and also allows governments to better assess the success of their policies and the curriculum areas on which they need to focus.

Measuring the performance of schools—and I think this is something that seems to have not been fully appreciated by those people that were opposing the My School website—allows us to better target the schools that are in need of additional assistance. It is incredibly counter-productive not to have this comparative data because this is the very data that allows us to say that these schools need some extra help.

The commonwealth is making funds available to those schools that have been identified as needing extra assistance. Of course, we need to be transparent about that process. That is why the community needs to see the data in the way in which it is presented on the My School website. That will improve the community's confidence in the way in which this system is managed. These are the points I sought to make to the AEU and they are the sorts of points that were made to the AEU by the commonwealth government.

Whilst we remained resolute in opposing the proposed bans and took action to ensure that the tests could continue and made these points, we did so in a way that was calculated not to inflame the dispute. I want to contrast that with the handy hints we were getting from the member for Unley which were all about inflaming the dispute. The Liberal Party is not known for being a great source of advice on industrial relations, but we did have the member for Unley suggesting that there should be compliance and that I should issue a direct order on each individual—

Members interjecting:

The SPEAKER: Order! I can't hear the minister.

The Hon. J.W. WEATHERILL: The member for Unley was suggesting that I should issue a direct order to each individual teacher and that then there should be a 'three strikes and you're out' policy which would allow me to sack the teachers who refused to participate in the tests. That would have been a recipe for mayhem in the schools. That was the prescription from the member for Unley. We were not going hard enough with the schools and therefore it was going to cause some problem for the NAPLAN test. Of course, the difficulty of restoring the relationship after you have gone down that path would have been substantial.

The measured approach that we took last week has yielded results. The tests will go ahead in all the schools. I am glad to see that common sense has prevailed. This will mean that South Australian parents, their children, teachers and principals will have access to this valuable information which will improve the education of our children.

OLYMPIC DAM

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:25): My question is to the Premier. Does the Premier stand by his pre-2006 election promise of 23,000 jobs from the proposed Olympic Dam mine expansion and when will these jobs be delivered? In a media release on 20 February 2006, prior to the 2006 state election, the Premier stated that the Olympic Dam mine was poised to more than double in size and create 23,000 jobs. The dictionary defines 'poised' as fully prepared or in a position and about to do something; teetering on the edge of a sudden change; absolutely ready. BHP chief executive has warned that it would be very difficult to approve the \$21 billion expansion of Olympic Dam if the commonwealth resource super profits tax was introduced in its current form.

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) (15:26): I am pleased that the deputy leader is using the dictionary. I would have to say that I thought some interjections made by this side of house were quite uncalled for in relation to your three votes for the deputy leadership and saying that there were really only two extra votes, because that assumed that the deputy leader voted for himself.

On the question of Olympic Dam, what we have done in terms of the 23,000 is simply taken the advice from the company. Of course, I know that this is uncomfortable for members opposite who saw Olympic Dam as some kind of mirage in the desert, but the fact is that we have always believed in this mine; we have always believed in this expansion. This government has worked closely with my friend, Marius Kloppers—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —and others from the company in order to make it a reality. They have a world-class resource. Only members opposite do not believe that. Have a look at the comparison. How many extra mines were created during the term of the last Liberal government—zip; zero. How many under ours? Gone from four mines to 11 mines—and, by the end of this year, I am hoping to attend the opening of the 16th mine—and another 20 in various stages of application, because we initiated the PACE scheme which saw a tenfold expansion in mining exploration. It is not our fault that the Liberal Party in this state is anti-mining. It is not our fault that they tried to talk down the Olympic Dam mine as some kind of mirage in the desert. We stand behind this mine. We stand behind working to do everything we can to achieve its expansion.

OLYMPIC DAM

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:29): I have a supplementary question, Madam Speaker. If the Premier has always believed in this mine and

always fought for it, why did he write the book *Uranium—Play It Safe*, which attempted to stop the Olympic Dam mine from ever starting?

The SPEAKER: It is up to the Premier to reply, but I do not think it is worth responding to.

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) (15:29): It was a former Labor government that decided to support the mine to the hilt and it was our Labor government that has been behind the expansion, and it was this Labor Premier who went to the national conference of the Labor Party and, together with my friend the Prime Minister, changed a more than 30-year policy basically to allow more than the existing mines to exist and for more mines to come. I am proud to say—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I know people call me 'Yellowcake Rann' and other things. The fact is that I am also pleased that you read that best seller. It is now a collector's item: there were thousands produced. And it was right: it said that we should not proceed until we got safe international safeguards right. And you know something: I am proud to have been the person who, with the Prime Minister, moved the motion and secured the support of the entire Labor Party conference—well, at least, just over 50 per cent of it. It may have been by about 8 votes, I think.

The Hon. S.W. Key: 15 votes we won by.

The Hon. M.D. RANN: We won by 15 votes, I have been corrected. I do not want to mislead the house. So I am proud to have changed the policy, because it made no sense. It made no sense that we could have the world's biggest uranium mine but we could not have any more with the same strict standards and with the same commitment to improved international safeguards.

Members interjecting:

The SPEAKER: Order! Did they make a movie of the book, Premier? The deputy leader.

MINING SUPER TAX

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:31): My question is to the Treasurer. How many South Australian mining companies have advised the government of their concern about the Rudd government's super profits tax, and how many are pulling back on their investment due to this uncertainty?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:31): Madam Speaker, I can say one thing: I have not yet found a mining company that says it is a great idea. I have not yet found anyone saying, 'Whoopee! I want to be taxed more.' I can say none has said they support it.

We are in discussion with a number of mining companies and we are doing as any government would do: assessing what, if any, impacts may occur under the current structure of this tax. We are talking to a number of mining companies. The Premier has met with some, I have met with some, we will meet with some more, and our officials are meeting. We are doing a good piece of work. Something we have been noted for is we are not a government that grandstands on these issues. We are working constructively behind the scenes—objectively and constructively with the commonwealth—so we can highlight—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Vickie, you will have to yell a bit louder. You are much further away now.

The Hon. P.F. Conlon: Any more moves and she will be in the corridor.

The Hon. K.O. FOLEY: One more move and she will be in the corridor!

The SPEAKER: Treasurer, would you get back to the question?

The Hon. K.O. FOLEY: Just be careful, Vick, that is the last-of-the-line seat, where you are. I should put on the record, Madam Speaker, I think it was very harsh the way the member for Bragg and the member for Waite have been put in the middle benches. That would be—

Mr PISONI: I have a point of order, Madam Speaker, under standing order 128.

The SPEAKER: Yes, I agree entirely with you—relevance. Have you finished your answer, Treasurer?

The Hon. K.O. FOLEY: I have.

MINING SUPER TAX

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:33): My question is to the minister for employment. What impact will the new federal mining profits tax and proposed increase to state mining royalties have on South Australian jobs, and can the minister table the government's modelling on those impacts?

The SPEAKER: The Treasurer.

Members interjecting:

The SPEAKER: Order! Could the Deputy Premier answer the question, please?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:34): It was only in the context, Madam Speaker, that what work is being done is currently being coordinated by the chairman of the Economic Development Board, Mr Bruce Carter. He is reporting to me and the mining minister in terms of the impacts, and we have not yet assessed what, if any. The critical issue in all of this in terms of the resource rent is this: it is not the federal government's intention to see the mining sector disadvantaged in a way that investment contracts.

Now clearly, if the commonwealth government's tax appears to have that impact in some areas, I am very confident that it will work to ensure that the tax is modified or the design and structure of the tax is modified so that those events don't occur. In fact, the modelling done by the Reserve Bank of Australia (and I think KPMG) in aggregate terms sees an increase in mining activity in the nation as a result of this tax because smaller mines that otherwise would be paying a tax through an 'ad valorium' system—

The Hon. P.F. Conlon: Ad valorem.

The Hon. K.O. FOLEY: Ad valorem—I call it AV but, for the purposes of the uneducated, I will call it 'ad valoria', is it?

The Hon. P.F. Conlon: Ad valorem.

The Hon. K.O. FOLEY: Ad valorem.

Members interjecting:

The Hon. K.O. FOLEY: Latin wasn't one of the core subjects at Royal Park High School, I can assure you; we struggled with English. Madam Speaker, I've forgotten the question.

JOB CREATION

Mr PISONI (Unley) (15:36): My question is to the Premier. Does the Premier still stand by his election promise to create 100,000 new jobs over the next six years? Since the Premier's promise made during the election campaign, the mining profits tax has been announced, SA's job advertisements have declined by 19 per cent and continue to decline over the entire year (both seasonally adjusted and trend), and there are an additional 5,100 people unemployed in South Australia. Access Economics has forecast that future jobs growth in South Australia will underperform the national average. Queensland Premier, Anna Bligh, has threatened to break her promise of 100,000 new jobs, and she has an inquest into job ads in her state.

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) (15:37): During the first two terms of this government, about 114,000 jobs were created. No-one on the other side of this house, when you compare our record, not only with the total number of jobs but also with the total number of full-time jobs, which was massively more, about 10 times more—more than 10 times more—no-one on that side of the house believed it was possible because, when we put out our plan for the future, while cowards sneered and traitors flinched—

Mr PISONI: Point of order, Madam Speaker: the question was whether he stood by the comments he made before the election about 100,000 jobs.

The Hon. P.F. CONLON: On the point of order, Madam Speaker, I was going to take—

Mr WILLIAMS: Point of order, Madam Speaker—

The SPEAKER: The deputy leader will sit down. There is only one point of order at a time, but this is an explanation.

Mr Williams interjecting:

The SPEAKER: Will the deputy leader sit down—I haven't heard what the Minister for Transport has to say yet.

Mr Williams interjecting:

The SPEAKER: Not necessarily, but you are very good at giving advice also. I think we will ignore all these points of order and let the Premier finish his answer.

The Hon. M.D. RANN: While cowards flinched and traitors sneered, we achieved more than 100,000 jobs in our first two terms—eight years. Because we built the foundations, solid foundations, I stand here saying to members opposite, 'Get on board and support us to create another 100,000 jobs, this time in six years.' So, do I stand by our commitment? My word, yes.

Members interjecting:

The SPEAKER: Order!

STATE BUDGET

The Hon. I.F. EVANS (Davenport) (15:39): My question is to the Treasurer. Why did the Treasurer claim in his ministerial statement on 6 May that the state budget is nearly \$1.2 billion down on revenue across the forward estimates against what was originally forecast in the 2008-09 budget, when the 2009-10 Mid-Year Budget Review shows that the revenue across the forward estimates is actually \$1.7 billion above the 2008-09 budget forecast, not \$1.2 billion below, as claimed?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:39): The reality is that the shadow treasurer simply cannot read a budget paper. He put this out in a press release on Friday. Mr Speaker, what the leader did—sorry, what are you now? Shadow treasurer. My apologies.

Mr Williams: Madam Speaker. You will see that she is Madam Speaker.

Members interjecting:

The Hon. K.O. FOLEY: He is red hot. He is happy. He has a job to do now. Madam Speaker, what the shadow treasurer did in that instance was take total revenue into the budget, which included direct payments from the commonwealth that are part 3 payments and not general revenue. I am referring to the untied GST grants from the commonwealth.

The Hon. I.F. Evans: It doesn't say that in the ministerial statement.

The Hon. P.F. Conlon: We shouldn't need to spoonfeed you. You're a big boy.

The Hon. K.O. FOLEY: Come on! If I have to go to that level of specifying exactly when I am referring to GST revenue—GST revenue, shadow treasurer, is our discretionary funding from the commonwealth. That is down \$1.2 billion. The 1.7 figure the member talks about includes special purpose payments (SPs—or we call them now NPs) and the Infrastructure Australia funding.

The Hon. I.F. Evans interjecting:

The Hon. K.O. FOLEY: Absolutely; absolutely, it's up.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: The leader is making it near impossible for us to give a constructive answer. The shadow treasurer made an error in his press release on—

Members interjecting:

The SPEAKER: Order! The Treasurer can hardly talk over this noise, and I cannot hear.

The Hon. K.O. FOLEY: The shadow treasurer made an error of fact on Friday. He has repeated that error now: the revenue that he refers to in the budget as being an increased amount includes the Infrastructure Australia money and the special purpose payments. What I am referring to is the discretionary fund that we receive from the commonwealth—the GST payments—which is down \$1.2 billion. That is pretty simple. If you are the shadow treasurer, that is, honestly, about as basic as it gets, and that, quite frankly, is a very embarrassing error.

The SPEAKER: Thank you, Treasurer. I would point out to members, in the words of the immortal Joan Child: in this position there is no sex in the chair. So, if the Treasurer refers to me as Mr Speaker, I am quite happy to accept that. I am sure he will learn in due course that I am Madam Speaker.

BUILDING THE EDUCATION REVOLUTION

The Hon. I.F. EVANS (Davenport) (15:43): My question is to the Minister for Infrastructure. Why did the minister say to the house on 6 May in relation to the federal BER program:

I will tell you how many complaints I have had across my desk from these schools. How many have come across my desk? None; zero!

when the Eden Hills Primary School wrote to the minister over six weeks ago complaining about the BER program?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:43): It may well be that the Eden Hills school did do that. I will see if it has been sent up to me yet. I have no recollection of seeing it. There are something like 570 of these jobs contracted; there will be, I think, about 700 builds at the end of it. They are proceeding faster, better, more efficiently and more economically—at a better price—than anywhere else in Australia.

The member really does feel himself now that he has those three votes behind him. We have seen a lot of deputy leaders come and go, and most of them had a slightly stronger base than being the last man standing, so I would not get too cocky just yet.

The Hon. K.O. Foley: One, two three, four, five!

The Hon. P.F. CONLON: My goodness me!

The SPEAKER: Minister for Transport.

The Hon. P.F. CONLON: I will say again that it may well be that that matter has not come to me. Regrettably—and my thoughts are with him—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: They are pig-ignorant. I was about to say, Madam Speaker, that Rod Hook has done a tremendous job on this. He is on sick leave, and my thoughts are with him. We would certainly like him back soon, but we do not want him back before he is well. It may well be that it has not come across my desk yet, but I will return to the point, Madam Speaker. Of those 700 jobs, if this is the best that they can do, to find that six weeks ago one school wrote to me—and I do not know what that issue is; I am sure that I will find out soon, and I hope to find out before the end of this week. But, if they can tell me that out of 700 builds one school has raised an issue with me, then I would say there is no better testament to the success of this program, my credibility—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. P.F. CONLON: I am told by the man with three votes that I have no credibility.

The Hon. A. Koutsantonis: Two.

The Hon. P.F. CONLON: Two votes, and his own. He may have voted for himself twice, who knows. The truth of this matter, and the seriousness of it, is that, from 700 builds, I allegedly—and I will look for the letter—have had one complaint. I would have thought that that is an

outstanding return on that. It is regrettable, and I suggest that perhaps these people talk to the head of the Master Builders Association about the success of this program and the way industry has worked with the government.

But, make no mistake, they have been opposed to these schools getting these buildings every step of the way. They would have voted against the funding of it; they did in Canberra. They opposed the schools getting the building. We will have the courage to deliver to these people the buildings that they have fundraised and asked for for years.

I am quite happy to write, if they would like, to every one of these schools—every one of the school councils, every one of the principals—and have the minister say, 'They didn't want you to have this program.' I do point out that no-one was forced to have the building, and we did not have anyone say, 'Please, please, don't do this for us.' It has been an outstanding success, because of South Australian people, South Australian businesses. You are churlish. You didn't like it, you never liked it, and you would be happier if these people had never got the buildings.

The SPEAKER: Does the member for MacKillop still have a point of order?

Mr WILLIAMS: The point of order was to the relevance of the question, which was about the minister's credibility, not about the program.

The SPEAKER: I don't think there was a point of order—but we will move on. The member for Unley.

CHILDCARE CENTRES

Mr PISONI (Unley) (15:48): My question is for the Minister for Early Childhood Development. Will the government be keeping its 2010 election promise to build another 10 childcare centres at a cost of \$14 million and its previously undelivered 2007 commitment of 20 childcare centres by the end of next month now that the Rudd government has cancelled building 222 childcare centres nationwide due to a lack of demand?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:48): It is disturbing that the shadow minister has paid so little attention to the commitments we have given that he confuses our commitment around children's centres with a commitment to building a childcare centre. They are, of course, a much bigger concept than the childcare centre. Indeed, they involve the bringing together of kindergartens, the bringing together of parenting services, the bringing together of allied health services, and also, of course, the childcare centre. They are internationally renowned and at the cutting edge of early childhood policy, and we are very proud of them. Indeed, other states travel to South Australia to look at these centres and take away their advice.

I am advised that the earlier 20 centres are on track to be completed either by 30 June, as was expected in the budget papers, or shortly thereafter, except for one that is wrapped up in an Education Works project in the Gawler region. The school community has asked that that project, instead of it being on the existing site, go into the new build; so, it will be deferred to catch up to that. So, those 20 will be delivered, I am advised, and of course we stand by our election commitment to deliver the remaining 10, subject, of course, to budget deliberations; but I fully expect that we will deliver them.

CHILDCARE CENTRES

Mr PISONI (Unley) (15:50): That being the case, minister, how will the government build 10 childcare centres that you claim to be bigger and more complex than the federal government's program for \$1.4 million each when the 38 childcare centres funded in the federal budget were \$3 million each?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (15:50): How we fund these projects will be subject to the budget. You will see how we translate the commitment that was given during the election into how it works on the ground. Those figures will be revealed within the budget. The simple point is that we are bringing together a range of services. The most significant element, which is very clearly set out in the election commitment, is the commitment of recurrent funding to actually coordinate all these services. One of the great strengths of this is the seamlessness of the services. So, when a family and a child actually go into, often, a primary school setting, they do not have to worry about whether it is a health service, a parenting service, a disability service or a childcare service they are

getting; they will see all of that in the one site, brought together for the families so they will not have to worry about those matters.

MINISTER FOR AGRICULTURE, FOOD AND FISHERIES

Mr PEDERICK (Hammond) (15:51): Does the Minister for Agriculture, Food and Fisheries stand by his statement that he is the most qualified and best person nationally for his current role as Minister for Agriculture, Food and Fisheries? During his recent tour of the Riverland, the newly appointed minister for agriculture said publicly, and I quote, 'I am probably the most qualified member of the South Australian parliament—both Liberal and Labor—to be doing this job, and I am probably one of the best nationally, so I think I am a bit of a natural fit for this portfolio.'

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for the Northern Suburbs) (15:52): I thank the member for Hammond, I hope that was picked up clearly in *Hansard*, and I stand by it. If the member for Hammond can illustrate to me that either he or his colleagues have operated at an international level with a firm like Elders, I will stand corrected. I stand by my statement. I started—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: The question was put to me in the Riverland that, as a Labor—

Members interjecting:

The SPEAKER: Order! Can we listen to the minister's answer, please?

Mr Pisoni: He's pumping himself up.

The Hon. M.F. O'BRIEN: I could say a few things about the member for Unley and about slipping his wife into his directorship when he realised his company was going bad, but I will not.

The SPEAKER: Order! Minister, can you return to the question, please?

The Hon. M.F. O'BRIEN: Yes. I was asked by a journalist in the Riverland that, being a Labor member of parliament, and Labor having a high level of representation in the metropolitan area but not in rural South Australia, would I be able to represent the interests of rural South Australia. My response was that I thought I was extremely well-qualified, having—

Mr Hamilton-Smith: You said you were the greatest, the best.

The Hon. M.F. O'BRIEN: I said that I was—

Members interjecting:

The Hon. M.F. O'BRIEN: Yes, I did. I was fortunate to work for what was then Elders Pastoral. I was employed—just by way of a quick thumbnail—by Elders in a national position. I was promoted to Elders Agribusiness, operating a division of Elders IXL, one of four operating divisions, in an international position. I worked out of Elders Grain in Melbourne.

Members interjecting:

The Hon. M.F. O'BRIEN: Yes, okay. I was asked.

Members interjecting:

The Hon. M.F. O'BRIEN: I think I have answered the question. If the member for Hammond wants to get to his feet and tell me that there is somebody—

MINISTER FOR AGRICULTURE, FOOD AND FISHERIES

Mr PEDERICK (Hammond) (15:55): As a supplementary question, in light of his answer, can the Minister for Agriculture, Food and Fisheries equate this with the subsequent statement that he made on the day regarding the locust plague that he was informed of, and I quote, 'A bit surprised they've actually arrived in this state,' clearly demonstrating his ignorance of the existence and extent of the locust plague currently threatening the state, particularly the Riverland and the Mallee? Presumably locusts have yet to reach green, leafy Springfield.

The SPEAKER: I fail to see how that was a supplementary question to the last question.

Mr Pederick: I think it is very relevant.

The SPEAKER: I think we will count that as a question. Minister.

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for the Northern Suburbs) (15:56): I was acting on the advice of the department.

Members interjecting:

The Hon. M.F. O'BRIEN: Yes. When I arrived in the Riverland the first thing I did was put in a call and that was the response that I got, so I was acting on advice. The advice that I got at that particular time, which I did query—

An honourable member interjecting:

The Hon. M.F. O'BRIEN: The advice that I was given was that there had been some activity over the previous 18 months but not approaching the level of plague proportion and that PIRSA were quite surprised at the level of locust activity over those few days. That was the advice that I was given, and it was subsequently modified by PIRSA.

KERSBROOK TAVERN GAMING MACHINE LICENCE

Mr KENYON (Newland) (15:57): Madam Speaker, congratulations by the way.

The SPEAKER: Thank you.

Mr KENYON: My question is to the Minister for Gambling. Can the minister advise the house about the decision of the Liquor and Gambling Commissioner to suspend the gaming machine licence at the Kersbrook Tavern?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services, Minister for Gambling) (15:57): Thank you, Madam Speaker, and congratulations on your elevation to high office.

The SPEAKER: Thank you.

The Hon. A. KOUTSANTONIS: It is long overdue and well deserved. The Office of the Liquor and Gambling Commissioner conducts inspections of gaming venues, SA TAB outlets and bookmaker betting operations at racing events. These are made on an ongoing basis to ensure compliance with the act, regulations, codes and practice. On 9 March 2010 a gaming inspection was undertaken at the Kersbrook Tavern. Ivan, pay attention; it's about your electorate. The inspection identified numerous areas of noncompliance, such as gaming machine licences not being properly displayed, a responsible gaming code of practice document not being made available on request, signage not prominently displayed, barring notices not maintained and a copy of the training certificate not on file.

On 10 March 2010 our state's Liquor and Gambling Commissioner, Mr Paul White, wrote to the Kersbrook Tavern advising of his intention to hold an inquiry to determine if there was cause for disciplinary action under section 36B of the Gaming Machines Act. As a result of this inquiry, Commissioner White was satisfied there was proper cause for action against the licensees of the Kersbrook Tavern.

Beginning at 12:01 this morning until midnight Thursday 13 May 2010 the Kersbrook Tavern's gaming machines licence has been suspended. Under instruction of the commissioner, the Independent Gambling Corporation has disabled eight of their machines for a stated period. The licensees of the Kersbrook Tavern have not taken their responsibility seriously, and it is important to note that this venue received a reprimand for identical matters of noncompliance on 26 August 2009. I am advised that never before has a gaming venue in South Australia had its gaming machines switched off for noncompliance with codes of practice and conditions of licence.

I fully support Commissioner White in the way he has handled this matter. I believe this move by the commissioner sends a strong message to licensees who do not take their responsibilities to operate gaming machines seriously. All gaming venues around the state should take note of this action. The Rann government is right behind this tough approach.

Legislation and regulations make it clear that licensees have a responsibility to encourage responsible gambling and to reduce problem gambling in South Australia. I will continue to support

the actions of the Liquor and Gambling Commissioner as he continues to monitor compliance and the regulation of the industry to ensure high standards of compliance.

GRIEVANCE DEBATE

HIGHGATE PRIMARY SCHOOL

Mr PISONI (Unley) (16:00): One of the pleasures of being a member of parliament is conducting parliamentary tours. I would like to talk about an experience I had with a tour of the Highgate Primary School—Mrs Schaf's class—that occurred the week after the election.

As usual we had a primary school tour, starting in the foyer and moving to Old Parliament House and from there into the House of Assembly and then into the Legislative Council. Mrs Schaf's class from Highgate Primary School—and Highgate are regular attenders of school tours as part of their civic program—had some very interested young students who were particularly interested in the parliamentary process and what the role of an MP is. They asked all sorts of questions: everything from what is the metal grille in the middle of the floor to who is the woman opposite on the wall, Mrs Joyce Steele. I had great joy in explaining all of those details to my students.

It is particularly rewarding when the students—in this instance grade 7 students—are obviously paying attention and take home some of the information that they have learnt from their tour and put it into practice. I would like to read into *Hansard* a letter I got from one of the tour participants a day or two after the tour. It is a great letter, which says:

My name is Elisabeth Williamson, I'm 12 years old and today I went on the tour of parliament house (the girl who asked for your ottograph...Lizzy).

They say that politics is Hollywood for ugly people but we don't get asked for our autographs as often as some of us perhaps might if we were in Hollywood. So I did remember Lizzy and she tells me in the letter:

Right now it is 11:10pm at night. I am writing this letter to you because I've been kept wait for nearly a week now because of a cow mooing in Urbray. I know that the cow is not in you electrote but I live in Unley. My sussepicons is that the baby cow was taken away from its mum and the mum is trying to find her baby.

The cows non-stop mooing to making it close to impossible to sleep. That may not seem like a big problem right now but I can get very grumpy without my sleep and my temper get out of control. Therefore it's putting my teacher, mum, dad, sisters and friends in danger. Help the cow find its baby help them. Please write back.

The address is here and she has got:

P.S. This letter is not a joke

P.P.P.S. I really enjoyed the tour today!

P.P.P.P.S I'm going to bed now.

Then on the back—it has asked me to turn the page—and it says, 'Sorry about spelling! I'm not good at spelling...one of my many weaknesses.'

I am very pleased to say that I diligently followed up Miss Williamson's request, contacting the principle of Urrbrae High School by letter and by phone and explaining the situation that Lizzy found herself in. Mr Czernezkyi wrote back and explained that Lizzy was right. The cow had lost its baby and was in fact mooing—looking for its baby. He went on to explain that this is part of the animal husbandry that is practised at Urrbrae High School. I was able to pass that information on to Lizzy and I was very pleased (as we all are as members of parliament) that I was able to satisfy the interests of my constituent and respond to her concerns. I was very pleased that someone showed that initiative, wrote to me and was able to get a result, because we all like to get results for our constituents and be available when we are needed.

I wish Lizzy all the best with her career. We might see her in politics one day. Obviously, she is a young girl with plenty of confidence. You do not need to be a good speller to be in politics, so I would encourage her to consider that as a course of action some time in the future.

MINDA INCORPORATED

Ms FOX (Bright) (16:06): Today I rise to speak about the suggested plans—and I use the word 'suggested' quite carefully—for 144 apartments near or on sand dunes at North Brighton in the electorate of Bright. I choose this forum to express my very real doubts about the environmental wisdom of such an idea and I should make it very clear from the outset that, at this

point, we are simply discussing a plan. This decision has not yet been taken. It is part of a plan which was put before the whole community and to which the whole community has been asked to respond. I have written to Minda, I have emailed Minda and I have met with their CEO, and I know that Minda is motivated (as it should be) by a genuine desire to raise as much money as it can to support its clients, clients who are amongst the most vulnerable in our community.

Minda has an excellent relationship with the residents and stakeholders in the Bright electorate and I truly regret that, on this particular occasion, I cannot support their master plan in its entirety. I understand that the land is private land, but I would also point out that coastal volunteers have worked tirelessly on this land, funded by all levels of government of all persuasions, be they Labor or Liberal. Careful examination of this master plan shows four apartment buildings—two of five storeys and two of six storeys—built along the shoreline.

These apartments would be on the verge of the coast offering wonderful views of the ocean. However, a wonderful view of the ocean is going to come at a price which is beyond mere dollars. Building on this site will potentially destroy an ecosystem that cannot be replaced. Development on the secondary line of remnant dunes will potentially result in the disappearance of the sand dunes in this area which would be highly regrettable. I have canvassed opinion from the general community, as well as local environmental scientists, and both sectors agree that the proposed building of apartments on or near these sand dune systems would not be wise.

In an exchange on radio last week on ABC 891 on the Matthew Abraham and David Bevan show, I recollect a Minda representative saying to me that the apartments would not be built on the sand dunes, but when I consult an aerial map and I compare it with the plan, it seems fairly clear to me that the apartments will be built on a dune system. This is backed up by a submission to Minda from the Australian Coastal Society. In their submission, the ACS makes it quite clear that, in their opinion, the map places the proposed retirement apartments directly upon the secondary line of sand dunes. This dune system is one of the last remaining such systems in South Australia and the remaining dune, the one on the actual foreshore itself, will probably disappear if these apartments are built. The ACS informs me that situating 144 apartments adjacent to the remaining dune will have 'an immediate and irreversible negative impact'.

Minda is an outstanding organisation caring for some of the most vulnerable in our community. Fifty years of outstanding care and love have made Minda a friend to many. I support them in their general work and I will continue to do so; however, on this occasion we must agree to disagree. I would appreciate it, as would my constituents, if Minda would consider moving the apartments to another less environmentally sensitive site on the Minda grounds.

GOOLWA TIDY TOWNS AWARD

Mr PEDERICK (Hammond) (16:09): Today, I wish to pay tribute to a town in my electorate. Standing, as it does, at the junction of one of the world's greatest rivers (the River Murray) and the mighty Southern Ocean, the river port of Goolwa has a special place in the history of both South Australia and Australia. Goolwa was built around the once thriving river trade that funnelled inland produce to export markets around the world. In the days before trains, planes and major road networks, the river was the nation's inland highway—the vital thread that linked producers to markets. Goolwa is the home of Australia's first railway. It is home to South Australia's first post office. It is at the doorstep of one of the most diverse and unique ecosystems in the world, for which it enjoys international recognition.

It is also home to one of Australia's most sustainably progressive communities. Keep Australia Beautiful (better known as KESAB) give Tidy Towns awards to recognise local community and individual efforts that are helping rural and regional communities become environmentally, economically and socially sustainable. In winning the Resource Recovery and Waste Management category of KESAB's 2009-10 Tidy Towns awards, Goolwa has shown other communities around Australia how, with vision, leadership, planning and commitment, ordinary citizens can achieve extraordinary results. That was the national award of the Keep Australia Beautiful program. Goolwa has also received a commendation for water conservation, further underlining its intelligent and valuable utilisation of vital resources.

The programs behind these awards may one day become standard procedure for all communities in a country where sustainable use of water is pivotal to survival and success. In a world increasingly focused on maximising resources and minimising waste, Goolwa stands as a beacon for 'how to' innovation and application. It is cited in the Tidy Towns 2010 Program Report

for its community initiatives. Goolwa has a proud history of achievement in this field, being winner of Australia's Tidy Towns in 1998-99 and South Australian winner in 1996, 1998 and 2010.

Sustainability is the key to a healthy and successful future, and sustainability is at the core of the programs that underpin Goolwa's success. The Tidy Towns 2010 program report addresses many different areas of activity, such as: community action and partnerships; litter prevention; environmental innovation and protection; heritage and culture; and young legends.

The report refers to broad community alliances that complement Alexandrina council's strategic approach to sustainability. An example of this is the Cittaslow at Goolwa—a community-managed system of continuous improvement with sustainable outcomes, combining the energies of community, council and business. Goolwa is Australia's first Cittaslow town and the first outside Europe, where it began in 1999.

In relation to litter prevention, the report refers to 'positive litter control strategies and the community's commitment to keeping Goolwa litter free', noting the numerous bins evident throughout the town and the fact that many residents pick up litter during their daily walking regimes.

In the area of environmental innovation and protection, Goolwa has undertaken stormwater, waste water and coast care projects, as well as energy efficiency initiatives, including purchasing renewable power for street lighting.

Resource recovery initiatives, such as specialised landfill facilities, reduce the town's impact on the environment. Various recovery and recycling projects covering, among other things, building products and green waste provide business opportunities and employment for individuals with a disability. Similarly, environment education programs involve school students and the Aboriginal community working together, which improves understanding and extends social networks. Numerous changes to school infrastructure have improved efficiencies and reduced the school's carbon footprint. In keeping with the world stage theme, there is the following comment from a judge:

The whole Goolwa community and Alexandrina council are to be commended on their tremendous efforts in hosting the internationally-renowned Tour Down Under professional cycle race as well as community ride. Thousands of cyclists and spectators descended upon Goolwa and were well catered for and hosted by a willing and embracing community.

I had the pleasure and privilege of being present at the awards presentation in Canberra in April 2010. During the awards ceremony, Keep Australia Beautiful chairman, Don Chambers, said:

It is always a pleasure to be able to recognise and promote the work that many dedicated individuals and communities are undertaking to protect and preserve their local environment and history. Congratulations to the community of Goolwa for their local sustainability practices and education.

As the local member of parliament, I am proud to represent the people of the town of Goolwa.

Time expired.

JUSTICES OF THE PEACE

The Hon. S.W. KEY (Ashford) (16:15): Thank you, Madam Deputy Speaker. I take this opportunity to congratulate you on your new role and also Madam Speaker. It is a wonderful day when we have more women in prominent positions in this place.

Ms Bedford: Herstoric.

The Hon. S.W. KEY: It certainly is herstoric. I wish to draw to the attention of the house an issue concerning the duties of justices of the peace and other people who are authorised by the Oaths Act 1936 to certify copies of documents. Members in this place would be aware of the important task that justices of the peace undertake in the community in the certification of copies of documents required by members of the community for official purposes.

Members of the community require certified copies of documents for a range of official purposes. In my experience as a member of parliament, the largest group needing certified documents—certainly in recent times—are applicants for permanent residency and citizenship. Many other people need certified copies of documents for employment purposes or because they wish to be involved in a volunteer organisation.

Members are likely to be aware of the difficulties that justices of the peace face, particularly recently, when asked to certify copies of documents that have been electronically produced. A

problem arises because it is very difficult—and, in some cases, impossible—for a justice of the peace or other authorised person to satisfy herself or himself that an electronically produced document is, in fact, what it purports to be. This is because computer and photocopying technology has advanced to a point that it is relatively easy for an electronically produced document such as a utility account, whether in portable document format (PDF) or some other format, to be altered. This creates an ethical dilemma for justices of the peace who are asked to certify that a document is an authentic copy of an original document.

On one hand, the JP obviously wishes to help the person who has asked him or her to certify a copied document. People need certified copies of documents for a series of purposes including, as I mentioned, for purposes connected with their immigration or employment status. On the other hand, justices cannot ethically certify a document that is not a genuine copy and have no way of knowing that the electronically produced document is what it purports to be.

The relevant South Australian act, the Oaths Act 1936, gives no guidance on this matter. The act does not define or specify what a justice of the peace, a commissioner for taking affidavits or a police officer must do to satisfy herself or himself that a copied document is a genuine copy of the original document.

The main guidance that most of us rely on is available in the *Justice of the Peace Handbook*. The first and current edition was published in October 2006. On page 14 of the *Justice of the Peace Handbook*, justices are advised:

To certify that a document is a true copy of an original you must examine and compare the copy of the original and make sure they are identical. The person must present both the copy and the original for your inspection. You then write on the copy that you certify that the copy is a true copy of the original.

So, the *Justice of the Peace Handbook* states that the JP must satisfy himself or herself that the copy is a true copy of the original. For many documents, this is quite easy to do. Passports, driver's licences, birth and marriage certificates, academic parchments and some other documents have watermarks, raised seals, photographs and original signatures that allow a person, with confidence, to certify a copy.

Unfortunately, a justice cannot necessarily have a required degree of confidence when trying to certify an electronically produced document. I have been advised that the Royal Association of Justices of South Australia Inc., in addition to the fantastic work that it does, has raised this issue with the Attorney-General's Department and has asked the department to assist in resolving this dilemma for we who have to go through this process.

I understand that the New South Wales Attorney-General has determined that justices of the peace should not certify copies of electronically produced documents but ask the applicant to sign a statutory declaration to the effect that this is a true copy of the document, even if it has been made by electronic means.

Time expired.

MARINE PARKS

Mr PENGILLY (Finniss) (16:19): There is a large sleeping issue out in the South Australian community, and the people in my electorate are very much awake to it, and that is the matter of marine parks, which has been fiddle-flopped around in this place, I think, for eight years. We are currently going through yet another round of consultation. We have had community committees put into place. I attended one of these meetings not so long back in Victor Harbor and I was rather surprised at the comments I received from some members of the committee afterwards that they thought they were fed a lot of hogwash all afternoon and that they were not having any major input into it.

There are a lot of ongoing concerns about the marine parks fiasco and where it is heading. The professional fishermen, the recreational fishermen and even some environmentalists are most concerned about the way the agenda is being pushed at the moment. The Marine Parks Bill was never meant to be about fishing. It would appear that the extreme conservation movement—what we colloquially call the extreme greenies—is still pushing this and trying to turn it into an effort to get rid of people going about their business, whether they be professional fishermen or recreational fishermen.

It is simply not good enough that this takes place. This needs putting to bed once and for all. I am hopeful that the new Minister for the Environment will take the issue of marine parks up and pull these bureaucrats into gear. Indeed, I am also hopeful that the Minister for Agriculture may

act in the right manner and stop this play acting of trying to control the fishing industry of South Australia, whether it be recreational or professional. It is not about fishing. Marine parks are about protecting the whole marine environment.

One of the other issues is the zoning. There are a whole lot of secret agendas being run around on the inner zones, which is causing great concern, particularly to the professional fishermen, and that will translate to recreational fishermen if and when we ever find out where these zones are, because currently we do not know. There is developing mistrust, I am afraid to say, yet again with some of the officers who are going around on the consultation process. They are not giving straight answers to these committees. They are dillydallying around in showing them copious video presentations and trying to fill the day in without telling them what they want to know, which is where these zones are going.

When is the government going to listen to the everyday people, those people who use the water, the sea, around our state for all sorts of means, whether that be fishing, sailing, diving, anything you care to add to the list? When are they going to get some assurance that they can go on with their businesses and do what they have always done? I am really concerned about the professional fishermen, whether they be hook fishermen, net fishermen or, indeed, rock lobster fishermen.

The rock lobster fishermen are under an enormous amount of stress at the moment, both in the northern zone and the southern zone. My electorate is in the northern zone, and the fishermen on Kangaroo Island had all caught their quotas by the end of February. So, they fish from 1 November to the end of February and for the rest of the year they are going to have to go on the dole. They caught their quotas quickly. The recruitment stock is good and they are saying, 'Where is this industry going to end up?' Their families are having to go out to work, they are going to have to find other jobs, and in some cases they go hooking fish.

Another issue which gets hidden away by the Rann government is the fact that there is no marine park proposed for metropolitan Adelaide. Surely, with 1.3 million people in the city of Adelaide you would have thought the most obvious place to start would be off the coastline of South Australia, indeed Adelaide, where the seagrass has been diminishing for years and where the marine environment does need looking after, a lot more so than those areas that are currently being looked after properly, fished properly and everything that goes with that. I merely ask that both ministers get their heads together and get some certainty for South Australian fishermen.

Time expired.

NEIGHBOURHOOD WATCH

Mr BIGNELL (Mawson) (16:25): Thank you, Madam Deputy Speaker, and congratulations on your elevation to that high position. I would like to pay tribute today to the men and women of South Australia who are involved in Neighbourhood Watch. This year we are celebrating 25 years of Neighbourhood Watch. On Saturday, to mark the silver anniversary, there was a march from St Peters Cathedral to the Torrens Parade Ground. Many of the people involved in Neighbourhood Watch joined in the march and celebration held at the Torrens Parade Ground.

There are now more than 600 Neighbourhood Watch groups and 20,000 members in South Australia. The electorate of Mawson has seven Neighbourhood Watch groups, and they vary in size. It is one of those organisations whose numbers seem to dwindle a little bit, and then there is renewed growth and we see the numbers change around a little bit.

Last night, I was at the Willunga Neighbourhood Watch monthly meeting, which I get to as regularly as I can. Judy Dunn is the coordinator there, and she does a fantastic job with a group of about 15 to 20 regulars. We have a fairly good time. We usually spend about two hours, and we talk about not only police issues but also things in general that affect the community of Willunga. The police officers who attend these Neighbourhood Watch meetings also need to be congratulated, because a lot of the time they are giving up their time after hours. Damien Epps, the officer in charge at Aldinga Police Station, is a regular at Willunga Neighbourhood Watch meetings, as he was last night.

We have, as I said, seven Neighbourhood Watch groups. Peter Wire is the coordinator at McLaren Vale, and he does a fantastic job. Like so many other people involved in Neighbourhood Watch, one of Peter's core focuses is on stamping out graffiti in the local area. He has the paint and kits. He gets around, and no sooner do those people, who are quite big nuisances in our community, get out and paint their tags and spray the area with graffiti and leave their mark, Peter

and his band of volunteers are out there painting over it. Congratulations and thanks to Peter. He does a job that governments and local governments would find impossible to do at that level.

Huntfield Heights is a new Neighbourhood Watch group. It is doing a really good job and has very strong numbers. We are aided there because the police have a community police officer who walks the beat, talks to the community and gathers intelligence in a friendly way that is non-threatening to the local residents. The local community police officer has gained the trust of the community, so the police get a lot of things reported to them. Sue Bergamin is the coordinator of Huntfield Heights, and she is doing a very good job.

At Hackham West the coordinator is Karen Briscoe, and she is also doing a good job. We must remember that in 1998 the then coordinator of Hackham West, a 45 year old man called Les Scanlon, was chased by a deranged man and beaten to death on his doorstep with a brick. As a woman was being chased, she ran from her house to Les' place, because Les was a very community-minded man who did a lot for Neighbourhood Watch. He was a member of the Hackham West Neighbourhood Watch group since its inception in 1991.

In 1998, he was at home minding his own business with his wife and three kids, and a woman, whose house was being invaded, came running towards his house for safety. When Les confronted the man on his doorstep he was bashed to death, as I said, with a brick. I am happy to say that that is an isolated incident and that Neighbourhood Watch is a very safe group to join and it is very good for our community.

We could probably do with some younger people joining in as well. We seem to have a lot of retirees as members of Neighbourhood Watch, but it is a very good outlet for lots of people of all ages. I encourage all people to join in and learn more and, in fact, contribute to their local community.

We have two neighbourhood watch groups in Woodcroft: the Woodcroft 414, where the coordinators are Vicki Smythe and Peter McMahon. Peter is also the South Coast chairman of Neighbourhood Watch, and he does a terrific job looking after all the Neighbourhood Watch groups in the southern area. The coordinators at Woodcroft 436, 407 and 406 are Shona Morgan and Rod Morgan. Again, it is a very strong Neighbourhood Watch group. As local members of parliament, I am sure there are many people here who regularly attend Neighbourhood Watch.

Congratulations again on the 25th anniversary of this wonderful organisation. I hope you have another 25 years. I know that I will be there to support Neighbourhood Watch.

SESSIONAL COMMITTEES

The Legislative Council notified its appointment of sessional committees.

STANDING COMMITTEES

The Legislative Council notified its appointment of standing committees.

ADDRESS IN REPLY

Adjourned debate on motion for adoption (resumed on motion).

The Hon. I.F. EVANS (Davenport) (16:36): Thank you, Madam Deputy Speaker, and congratulations on your elevation to your role. The other issue with the resources tax being proposed by the Rudd government ultimately is the combination of increased costs of that tax and their proposed ETS scheme on the mining industry. It is one thing for the mining industry to run off to Canberra and argue about the impact and extra costs of the super tax on the mining industry, but they should also keep in mind what the Rudd government has planned in relation to the increased costs of the ETS proposed for 2013-14.

I mentioned earlier there was a typical Labor approach about taxing the more successful side of the economy and I want to speak about what the government is proposing to do in relation to the other side of the economy. In particular, I want to speak about small business.

The Liberal Party went to the state election with proposals for payroll tax reform, land tax reform and workers compensation reform. I note that the Treasurer has essentially picked up the land tax reform and announced that as part of the election policy, so he essentially followed the Liberal Party on the debate about the need to reform land tax. With payroll tax, he has also essentially copied one element of our policy about apprentices and trainees. We welcome that, but you would have to ask the question, from a small business viewpoint, as to why it has taken eight

years for the government to address that question, when we all know the government was being lobbied for many years about that particular issue.

The other issue is workers compensation and WorkCover. It is not lost on the opposition, or indeed the injured workers, what the WorkCover board has announced in recent weeks in relation to the reduction of the levy. Prior to 2002 and as they took office in 2002, this government castigated the previous government for a reduction in WorkCover levies on the basis that the workers compensation scheme was not fully funded, and at that stage the unfunded liability was around \$55 million to \$60 million. Currently the unfunded liability is something over \$900 million, from memory—from the latest public figures—and WorkCover has decided to reduce the workers compensation levy.

While businesses will rejoice in that, because we have the highest WorkCover levies in Australia, the point is the hypocrisy of the administration. The Labor administration criticised the Liberal government for reducing WorkCover premiums when it had an unfunded liability of \$55 million to \$60 million on the basis it was unaffordable and it should not reduce levies until the scheme was fully funded, and here we have a scheme with an unfunded liability not of \$55 million to \$60 million, but around \$950 million, and WorkCover has seen clear to reduce the levy. It will not be lost on the injured workers out there that they are getting fewer benefits under this government at the same time that businesses are having their levies reduced. I know many of the injured workers have some concerns about that particular aspect of the government's policy.

I will comment about the delay in the budget. I think the argument the government puts forward as to why it needs to delay the budget is a nonsense. This is not a new government. In fact, there have been very few changes in the government over the years in the key ministries. Here is a government that has been in power for eight years, wins the election and says that it has to delay the budget until September so it can work out what it wants to do. It seems unbelievable that South Australia is so accepting of this particular act by the government. All around Australia, when governments are re-elected, they do not delay bringing down the budget by another six months. It is almost as if the government has got across the line in the election, drawn a big sigh of relief and said, 'Thank God we've won and now what are we going to do?' It is now waiting six months to decide what it will do based on a report by the Sustainability Commission which the government has set up.

The government is hiding the budget in the middle of the football finals. It is not lost on the opposition. I hope it is not lost on the media that this government has placed the bringing down of its budget right smack bang in the middle of the AFL football finals. I think it is a deliberate strategy to try to minimise media scrutiny on the budget because of the media reporting euphoria that generally goes with the lead-up to the AFL grand final, which is only a matter of days after the budget is brought down. I think it is a pretty cynical exercise on behalf of the government to delay the budget by six months, whack it in the middle of the football finals and say that it is for some great strategic reason for the state's benefit.

In my view, it is not for any other reason than that the government is not clear what it wants to do. It needs six months to sort out its priorities, which is staggering given it has been in government eight years, and then it will bring down the budget in the middle of the football finals, hoping to minimise the scrutiny. It is a good argument for three year terms. Although that is not Liberal Party policy, it is a good argument for three year terms, not four year. It is a good argument to take the election out of March and put it in November. If you had the election in November, you could have questioning of the government right up until September or October—

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: Yes, the member for Croydon says it came in under a government in which I was a minister. Yes, a government which was a minority government and which did not control that debate of the house, which the member for Croydon will remember.

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: May I suggest the member for Croydon—excuse me—

The Hon. I.F. EVANS: Madam Chair, I make the point—

The DEPUTY SPEAKER: Please continue, although you already have.

The Hon. I.F. EVANS: I think South Australia will be better served by a three year term of government and better served by a November election, not a March election. It is a nonsense for a

government that has been in eight years to have to delay its own budget for six months so it can sort out its particular problems. The other issue that has evolved over the last few months—that is, during and since the election—is the health deal signed off between the state government and the federal government and referred to in the Governor's speech.

The only comment I wish to make about that at this stage is that I do not think it is a smart move by the state to quarantine funds to the tune of 30 or 30-odd per cent of the GST. Today in question time the Treasurer was saying that it is the one area where we have budget flexibility—our revenue flexibility is mainly through the GST. Then to quarantine it aside for health, I am not sure is a great principle for budget flexibilities for future treasurers and, indeed, the state generally.

The other issue I raise is the impact of the Rudd announcement on increased superannuation for workers to be paid for by small businesses. This is the increase of compulsory super from 9 per cent to 12 per cent. On the surface, it looks like a reasonable announcement. However, the reality is that the structure of the federal government's compulsory super announcement is that something like two-thirds of small businesses are not corporations and therefore they will not benefit from the reduction in corporate tax from 30 per cent to 28 per cent.

So, in actual fact, two-thirds of small businesses in Australia are going to get a 3 per cent increase in charges based on their payroll and, essentially, no corporate tax rate benefit. So they are getting all of the pain and none of the gain. To me, that is stupid. I think small business is the engine room of the economy, particularly the South Australian economy. We have tens of thousands of small businesses, if not around 100,000 small businesses. About two-thirds of those will get a 3 per cent increase in superannuation costs and, really, no net tax benefit. That is a nonsense.

To put it in the context of a state charge, the WorkCover levy currently is 3 per cent and the increase in superannuation from 9 per cent to 12 per cent is a 3 per cent equivalent, so the Rudd government is essentially announcing a doubling of the WorkCover levy for all of those small businesses, based on no tax offset.

Why would we be accepting that? When the compulsory superannuation scheme was brought in, the workers gave up a pay rise as a productivity offset so that the businesses could afford it, but I do not see this government rushing out to increase payroll tax by an extra 3 per cent or doubling the WorkCover levy because of the jobs impact on small business. So, not only does the Rudd government need to deal with the mining tax, but it also needs to deal with the superannuation surcharge increase, because that is going to be an issue for small business long-term.

The other issue I want to quickly touch on is that of the Southern Expressway, because the Labor government has spent some time criticising the former Liberal government for building the Southern Expressway as it was built. I am very proud to have been in the government that built the Southern Expressway, for this reason: all the previous Labor governments never built it. They sit here and ridicule us, of course, for daring to build it—

The Hon. M.J. Atkinson: We do.

The Hon. I.F. EVANS: 'We do', says the member for Croydon—but, of course, the previous Bannon government never gave priority to the south of Adelaide. Its priorities were a little bit different. Of course, the member for Croydon was here then and was part of that government. We all remember that that government invested in 333 Collins Street, New Zealand forests, South African goat farms and insurance schemes in America, but it would not invest in a Southern Expressway for the southern suburbs. Well may members opposite criticise the former Liberal government for daring to build the Southern Expressway but, given that we were paying \$2 million a day in interest—from memory, it was about \$700 million a year, and the police budget at the time, I think from memory, was around \$400 million or \$450 million, you can see the financial troubles that that government left the previous Liberal government.

The question the Labor voters in the south should ask is: in all those years they voted for the Bannon government, why could that government not be bothered to build them a road? It could not be bothered to build them a road, such was the arrogance of that government. At least the Liberal Party invested down south when it could afford it.

The only other issue I wish to raise is that of the state election in terms of the vote. While this is not Liberal Party policy, I think it is timely for the state parliament to reconsider the various results of both federal and state elections where the party that gets the majority of the two-party

preferred (or popular) vote does not form government. I acknowledge that it happened to the Beazley opposition and it has also happened to—

The Hon. M.J. Atkinson: It happened to Mick O'Halloran time after time—

The Hon. I.F. EVANS: Yes, that is right.

The Hon. M.J. Atkinson: —by you and your faction of the Liberal Party.

The Hon. I.F. EVANS: Apparently, when I was not yet born, Madam Chair. Given the way party politics has evolved in the parliamentary system of politics in South Australia over the years, I think it is fair for the South Australian public to ask why the parliament is not looking to set up an inquiry to look at changing the voting system so that the principle that the parliament has previously espoused can be guaranteed, that is, that the party that wins the two-party preferred vote statewide should form government. I think the public are now at a point where they are saying that that principle is actually right: the party that wins the two-party preferred vote statewide should actually form government. Certainly, the feedback to my electorate—

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: People have raised that with me since the state election. They are confused.

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order! A moment please, member for Davenport.

The Hon. I.F. EVANS: He is taking my time up deliberately, Madam Deputy Speaker.

The DEPUTY SPEAKER: I know, and if you would allow me to make that point that would be very lovely. Member for Croydon, I know it is very exciting being on the backbench, but if we could just control our excitement that would be fantastic.

The Hon. I.F. EVANS: People in the electorate have been asking why is it that a party that wins 51.6 per cent of the statewide vote does not actually form government. My view is that the parliament should look at setting up some form of inquiry or get a group of experts to look at the question of whether the voting system cannot be changed so that the party that does win 50 per cent plus one of the two-party preferred statewide vote wins government. Whether that is a top up system, whether that is a weighted vote system, that is a matter for this group or the inquiry to look at.

I do know something: if the system was changed so that it was guaranteed, suddenly a Liberal vote in Port Adelaide becomes as important as a Liberal vote in Burnside and a Labor vote in Port Adelaide becomes as important as a Labor vote in Burnside, and the whole system of the way the government operates and the way the parties campaign would have to change because every vote statewide would be of equal value.

The Hon. M.J. Atkinson: Good point.

The Hon. I.F. EVANS: The member for Croydon says 'Good point.' I'll get that on the record because it will be the only time he will agree with me for four years. My view is that we, as a parliament, should be looking at how to deliver that principle because I think it is a bit of a nonsense in modern times to have the government decided on who wins the majority of seats based on artificial boundaries. The boundaries are artificial in the sense that there is a tolerance in them. Liberal votes can be locked in some seats, Labor votes locked in other seats.

The reality is that the party system is now so developed in our politics that the public are ready for the debate about whether the party that wins 50 per cent plus one should form government and, if that is the principle the public wants, the parliament should start developing a system to deliver that result for the people. The party that does win that—and it will be a Labor government sometimes, a Liberal government at others—would win government based on that principle.

The parliament in 1990 adopted that principle. It asked the Electoral Commission in making the redistribution to do the redistribution on the basis that the party that wins 50 per cent plus one has the best chance of forming government. So, the parliament in 1990 already said, 'That is the principle we want to adopt. Please change the boundaries to try to develop it.' The reality is that the boundaries are arbitrary. We have the state boundaries, so why don't we look at changing the

system so that the party that gets 50 per cent plus one vote across the state then forms government. That would deliver fairness to the system.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: I have said they should look at all the different systems around the world, member for Croydon. I am not a voting expert but I know this: the system is wrong. It was wrong for Kim Beazley when he won over 50 per cent of the vote and didn't win it.

The Hon. M.J. Atkinson: I didn't hear you say anything in 1998. You didn't say anything then.

The Hon. I.F. EVANS: Neither did you. You didn't even stick up for him. Wasn't he from your faction? Why didn't you stick up for Kim Beazley at the time?

The Hon. M.J. Atkinson: Because I'm not a whinger.

The Hon. I.F. EVANS: You're not a whinger. There are some comments. I think the voting system needs to be reviewed and changed. I think democracy in South Australia would be far fairer if we did look at adopting that principle and somehow guaranteeing it in the parliament.

The DEPUTY SPEAKER: I call on the member from Norwood and, as this is the member's maiden speech, accordingly I ask members from both sides of the house to extend the traditional courtesies to the member.

Mr MARSHALL (Norwood) (16:55): It is with great pleasure that I rise in support of this motion and sincerely thank the Governor for his opening of parliament last week. I am a strong supporter of a non-political head of state and I pay tribute to the Governor and the excellent role that he and his office plays in supporting both the legislative process and more broadly the people of South Australia. I congratulate you, Madam Deputy Speaker, on your election to the important post that you shall hold during the term of this parliament. I also congratulate the Speaker on her appointment. I congratulate all newly elected members, indeed, all members on their election to this the 52nd parliament.

Although it is an honour and privilege to be addressing the chamber for the very first time, it will come as no surprise that I would prefer to be doing so from the benches opposite. Isobel Redmond's Liberal team won a significantly higher proportion of the primary vote and a clear majority of the two party preferred vote in the state election just held. In fact, the Liberal Party has won the two party preferred vote in two of the past three state elections, despite Labor going on to form government after all three. This is certainly an issue which this parliament will need to consider.

How can we claim to have a fair democratic system when we so consistently appoint the losing team to govern us in South Australia? Premier Rann and his government do not have a mandate to govern from the people of South Australia. It is, therefore, very important that the government acknowledges this and does not continue to pursue policy and legislation which is not supported by the people of South Australia. I refer specifically to the current position of the government to move the Royal Adelaide Hospital to the proposed rail yard site. This is a significantly flawed proposal, as evidenced by the failure to win the popular vote and the losses in crucial city and city fringe seats, such as Adelaide, Norwood and Morialta.

I earlier congratulated those who, along with me, have been elected to this parliament. I am indeed privileged, but I cannot reflect for too long on my good fortune without thinking of those who should also be here, in particular Joe Scalzi, Maria Kourtesis, Cosie Costa, Matt Donovan, Jasmine Wood and many others. Each of these people fought hard to win their respective seats. They were often fighting against a member so obsessed with winning that they would stoop to using deceptive and malicious tactics. It is naturally good to win, but winning at all costs can compromise our democracy. This is the situation we find ourselves in in South Australia.

I wish to begin this speech by particularly thanking the electors of Norwood for the confidence they have shown in me. It is a great privilege and honour to serve the people of Norwood. Norwood is, undoubtedly, a rich and diverse electorate. I could not wish for a better electorate to serve. It is no coincidence that both major parties chose to launch their election campaigns in the Norwood Town Hall on The Parade. Adelaide may be the capital of South Australia; however, I believe that Norwood is the capital of Adelaide.

I have lived in the eastern suburbs for the past 22 years. In reality, it is not easy to define the Norwood electorate. It is made up of so many parts which combine into the most wonderful

community. The electorate is named after the suburb of Norwood; however, Norwood is only a part of this rich and diverse electorate, which includes: Kent Town, Hackney, College Park, St Peters, Joslin, Royston Park, Vale Park, Klemzig, Maylands, Marden, Evandale, Stepney, Payneham, Payneham South, Trinity Gardens, Firle, St Morris, Beulah Park and, of course, Kensington, which came into the electorate at the last election.

The Norwood electorate values community, heritage, open space, equity for all and our environment. It is also a most ethnically diverse electorate, with strong multicultural communities, including: Italians, Greeks, Hungarians, Russians, Koreans, Chinese, Germans and many more. These people, and their cultures, add an extremely valuable dimension to the broader community. They have brought their food, culture, language and sport to the electorate of Norwood. It has been an absolute pleasure to get a greater depth of understanding of the electorate during my candidacy, and I very much look forward to working with the people of Norwood as their elected representative.

Naturally, the people of Norwood will remain my priority. Nevertheless, I also feel strongly about representing those people and causes forgotten by this government. In particular, I plan to work hard to represent those with disabilities, those with mental illness, Indigenous Australians and those struggling with circumstances beyond their control.

I particularly plan to champion both the environment and business sectors, especially our crucially important family business sector here in South Australia. I strongly believe that a clever and hardworking government can achieve a strong and growing economy without losing sight of those less fortunate. This requires a government which looks beyond the populist policies. It requires leadership and vision.

A maiden speech is traditionally an opportunity to reflect on one's path to the parliament and one's core beliefs, objectives and goals to serve. I would not be here today if not for the support and assistance provided to me by many.

In my first speech in this chamber I wish to recognise my parents and the debt of gratitude that I owe them. Unfortunately, my mother is in hospital today and could not be present, but I thank them both very much. By way of interest, my parents met in the electorate of Norwood at a dance at the Norwood Town Hall, so I owe a lot to Norwood, of course. I have learned much from my parents.

My father has taught me and my two sisters the importance of hard work and goal setting. He is a quiet but determined man who started his early life in Port Adelaide. He worked extremely hard his entire life to better his lot and that of his family.

My mother is originally from Broken Hill. She is an extremely compassionate person who has taught me the importance of family, looking after others and self-sacrifice for the common good. She has been a great role model to me and my sisters. We are a very close and supportive family, and I would not be here in this chamber today if it was not for their love and support and, indeed, for their very good humour.

Undoubtedly my greatest inspiration comes from my two children, Charlie and Georgie, present in the chamber today. They are both outstanding children, wise beyond their age. They have been my partners in Norwood for the past two years, and I dedicate all my work in this chamber to them and to the next generation of South Australians. If I am successful they will find jobs and a rewarding life here in Adelaide.

There are many others whom I wish to recognise. I congratulate and thank the Norwood campaign team, the Norwood SEC, the Norwood central branch and the Norwood Young Liberals. Their support and commitment was unwavering throughout the almost two years of solid campaigning. I particularly wish to acknowledge and thank my campaign chairperson Vickie Chapman, my Legislative Council pair the Hon. Rob Lucas, state director Julian Sheezel and the hard working team at Liberal HQ, our leader Isobel Redmond and the entire Liberal parliamentary team.

I would especially like to thank Norwood campaign manager James Stevens. James worked tirelessly on the Norwood campaign for more than 18 months. He kept an inexperienced and anxious candidate calm and, most importantly, focused. He has a tremendous strategic political brain and I hope to see him one day using his talents in parliament here or in Canberra.

I would also like to thank my very tolerant employer Michell Pty Ltd and, of course, the Michell family for their support. I have very much enjoyed my time working for this iconic Australian

family business. All South Australians should be proud of the Michell company, which has represented our state on the world stage, exporting merino wool for more than 140 years. It is a most successful, ethical and environmentally responsible company.

Finally, I would like to thank my many patient and long-suffering friends for listening to my constant political commentary over the years. Thank you for your support; I really appreciate it and guarantee that I will tone down the rhetoric from now on.

We are all a product of our experiences. Today I would like to share with the chamber a little of my journey to this place. I was born in the western suburbs of Adelaide. Many people say that that explains a lot, but I am actually very, very proud of my heritage. I attended the Ethelton Primary School and was actively involved in my local community from a very young age.

Growing up near the beach meant that I was fortunate enough to participate in plenty of activities on or close to the water. I was a member of the Largs Bay Sailing Club, the Semaphore Surf Lifesaving Club, the 1st Semaphore Scouts, the Port Adelaide St John's Ambulance Brigade, the Ethelton Amateur Swimming Club, West Lakes Shore Tennis Club and, for a short time, the highly regarded but nevertheless little known Semaphore Park Football Club. Many people wonder whether I should in fact be running for the seat of Port Adelaide.

The Hon. K.O. Foley interjecting:

Mr MARSHALL: Quite a long time ago.

The Hon. K.O. Foley interjecting:

Mr MARSHALL: Well we might have been playing together on the same team at that point in time. My parents were very active in the local community and they encouraged their children to do likewise. They were and are extremely interested in their children's lives. They have both worked very hard to ensure their children were given opportunities they never had.

My father was a strong believer in the importance of education, and in 1980, I started at Immanuel College. The school—its headmasters, teachers, staff and students—had a profound effect on my life, too many people to acknowledge individually. Nevertheless, I do want to pay special tribute to former headmasters, Rob Patterson and the late Noel Volk, and to Margaret Ames, the deputy headmistress. Each of these people had a very significant influence on me. Immanuel taught me the importance of service to others. Immanuel taught me the importance of substance. I treasure my time at this school.

From Immanuel I graduated and attended the Institute of Technology where I studied for my Bachelor of Business. That was the only business course you could do back in those days. At the same time, my family purchased the ailing South Australian business Namco Industries. My entire family, but especially my father, worked extremely hard to return this manufacturing company to success.

We invested heavily in technology, design and marketing, and transformed the languishing company into a growing and thriving business. This business taught me the value of manufacturing and 'making things'. Manufacturing is a tough sector. It requires tenacity. It also requires innovation and ideas. I was fortunate enough to serve on the government's Manufacturing Industry Advisory Board for several years under both Liberal and Labor governments.

In 1992 I journeyed to the UK to study for my MBA at Durham University. This university had a particular specialisation in the family business sector—another of my great passions. On completing my studies I returned to Adelaide and to my family business.

In 1997 my father offered me the role of managing director of our family firm. I was 29 years of age. We had 200 employees, including a dozen apprenticed tradesmen. By this time manufacturing furniture in Australia was extremely tough. I was not deterred. In the next three years I negotiated one of Australia's first enterprise bargaining agreements, introduced a rapid new product development system, set up a trainee placement program with the Rosenheim Technical College in Germany, implemented a fully integrated ERP system, designed a program to integrate employees with disabilities, and substantially grew our business turnover.

In 2001 I negotiated to sell our business to Steinhoff International, a German-based multinational. It was a sad time to be leaving the industry, but it was the right timing for our family to exit this sector. Since this time I have worked for a range of companies in both board and executive positions. I have very much enjoyed working in diverse sectors to broaden my experience. I have particularly enjoyed my time at Jeffries (a fourth generation South Australian family business)

where I finished as a director in February this year; and also Strategic Data Management, where my great friend Geoff Rohrsheim taught me about the strategic importance of efficiently managing IT. I have also enjoyed working on a range of not-for-profit boards too numerous to mention here today.

My route to this parliament is different from many. I was not a student politician. I was not an employee of my party. I have not worked for a politician. My training for this role has been in the real world, employing South Australians, growing businesses, taking commercial risks, learning, growing. My life and work experiences have made me the person that I am today. They have prepared me for my next role as a member of this parliament. There is no doubt that business, community service and the environment will remain a strong focus for me whilst I am in this place.

Madam Deputy Speaker, I have two specific themes that I would like to address for the remainder of my speech: liberalism and federalism. During the election campaign I found many people were surprised that someone with an obvious interest and concern for the environment was a Liberal candidate. This, in turn, surprised me as I see the Liberal Party and liberal philosophy completely compatible with environmentalism.

I am a Liberal because I strongly believe in the liberal philosophy. The definitive statement on liberalism was John Stuart Mill's *On Liberty* first published in 1859. Mill was a great defender of the rights and liberty of the individual. He believed that the role of the law and of government was not to impose majority rule but to ensure the liberty of the individual. To me, this is fundamental. I do not want to be told how to live my life by others. I strongly believe that we all have the capacity to determine how we can best live our lives and best achieve our own goals and aspirations. I want a government which facilitates, not stifles, this. I am increasingly concerned about our 'nanny state' direction. I do not believe that governments have any right to interfere in our lives save to prevent harm to others. When discussing the formation of the Liberal Party Robert Menzies stated:

We took the name Liberal because we were determined to be a progressive party, willing to make experiments, in no sense reactionary, but believing in the individual, his rights and his enterprise, and rejecting the socialist panacea.

I honestly believe that the Liberal Party is the party which best suits the breadth of opinion and diversity in Australia.

The Liberal Party is often referred to as a broad church, tolerating and, indeed, encouraging many often divergent opinions. Often, this can be targeted for political point-scoring. In reality, I believe that it is our greatest strength. There is simply no central authority stifling opinion and debate in our party, no central authority determining policy, which I must then adopt and subsequently preach to others. This is not the case in other parties, which converge around narrow interest groups which cannot possibly serve all Australians.

I am a committed federalist. I believe very strongly in the federal system of government. I have sought to represent my community and the state parliament because I believe it is here that we can effect the most change and influence a bright future for our children in this great state of South Australia. Nevertheless, it is disappointing to reflect that, at present, the role and value of state governments across our continent is being called into question. I have to say that to me this is no surprise.

In recent years, there has been a widening gap between the role that state governments should play and the role that they actually play. State governments should be focused on service delivery and be designed to keep decision-making as close to the people affected as possible. People should feel that their state government is there to look after them, to educate their children, attend to the sick, police their communities, build their infrastructure and help the vulnerable within their society.

By contrast, the role of our federal government should be to take responsibility for those matters that are clearly best dealt with at that level. Maintaining a defence force, a uniform corporate environment and the conducting of foreign policy should all be in the domain of a national government. However, it is interesting to note that at the time of Australia's federation the constitution that was adopted involved a specific codification of the powers and responsibilities of the federal government.

As is made clear in section 107 of the Constitution of Australia, apart from those powers enumerated to the federal government all and any other powers and responsibilities lie with the governments of each of the states. This point is very telling, that at federation the thinking was

extremely clear. There was and still is a defined role for a federal government, but the default and most substantial level of government should be that of state government.

The situation that we find ourselves in today is far from the intention of the founding fathers. Problems that our state government should be addressing have been neglected. The federal government has greedily sought more and more of the powers and responsibilities that state governments should provide, and our state governments have glibly acquiesced to such advances. The most recent ceding of responsibilities for health care is a prime example of state governments preferring to give away responsibility rather than to take responsibility.

Far from being the default and substantive level of government in Australia, debate and public opinion is heading towards the concept of abolishing state governments altogether. Indeed, at a recent public appearance of former Labor prime minister Bob Hawke and Liberal prime minister John Howard both men agreed that the role of state governments was defunct and unnecessary in modern Australia.

Mr Kenyon interjecting:

Mr MARSHALL: Indeed. It is no surprise to hear such statements from a member of the Labor Party. Labor does not favour the federalist structure. For them, any power and decision-making that they can centralise they will seek to do. Where they can take decision-making away from local communities and place it behind closed doors with faceless bureaucrats they will do it. What is concerning is that this opinion is echoed by a man I greatly respect and consider to be one of our greatest prime ministers, John Howard. But I know the basis and motivation of John Howard's position. It is not the theory behind state governments but the reality of their recent performance in carrying out the functions that they are supposed to. He speaks from exasperation with the status quo attitude prevalent in our state governments tailored towards buck-passing, blame shifting and nest feathering.

Current state governments are letting this country down. However, I am not prepared to cede to the notion that this means that the system is broken or incompatible with modern life and ways. I am here to fight for the role of state government and to demonstrate that it is not the system that is broken but the people running it.

I currently represent the same electorate as the former Labor Premier, Don Dunstan. Whilst I would not have voted for him, Don Dunstan was unequivocally a political leader who held the courage of his convictions and his ideology. In our democratic adversarial system, there is no greater outcome for the people than when two competing ideologies stand up and clash against each other, allowing the public to adjudicate the arguments on election day, but what we have today is far from this. Rather than a government engaging in a battle of ideas, seeking solutions to our problems, encouraging our endeavours and empowering our aspiration, it is obsessed with self-preservation through media manipulation and spin—no bold thinking, just safe mediocrity.

I am here to participate in a battle of ideas. I have the courage of my convictions and my ideology. I believe in small but effective government. I believe in the strength, determination and freedom of the individual. I believe in the enterprise of the South Australian people and our ability to be the best in the world at whatever we choose to dedicate ourselves to. It is time for bold ideas, vision and action. I relish this opportunity and commit myself to this cause while I have the privilege to serve my community and my state in this chamber.

Honourable members: Hear, hear!

The SPEAKER: Thank you. Congratulations to the member for Norwood—very good.

Ms BEDFORD (Florey) (17:17): In speaking to the address, I thank the Governor for his speech and his dedication—along with that of Mrs Liz Scarce—to this wonderful state. His speech highlighted the work that this government has undertaken and will undertake as we build together for the future and the exciting times ahead. I welcome all new members and all returning members and remember the retiring and former members. I congratulate you, Madam Speaker, member for Giles, on your elevation to the office that you now hold, and to all other members on their appointments.

I acknowledge that we gather and meet in this 52nd parliament on the traditional lands of the Kurna people. I thank Uncle Lewis O'Brien for his welcome on opening day. It is fitting to acknowledge our debt to Aboriginal people for their care of country, especially in the lead-up to National Sorry Day later this month (26 May), followed by Reconciliation Week from 27 May to 3 June.

One of the most important challenges that we face today is ending the disadvantage of Aboriginal and Torres Strait Islander people imposed on Aboriginal people after colonisation resulted in massive destruction of their traditional social institutions and kinship ties. The damage inflicted cannot be overemphasised, with many Aboriginal people today still searching for their identity and for lost links to their traditional lands. The impact of these practices laid the foundation for generations of exclusion from mainstream society, with the resulting impoverished conditions leading to poor educational outcomes and income levels, high levels of unemployment, incarceration and poor living conditions. Whatever approach is taken to close the gap and reduce the burden of suffering for Aboriginal people, it needs to be done in collaboration with the Aboriginal community. Anything less than this would further disempower an already disadvantaged population.

Prime Minister Rudd's historic national Indigenous apology in 2008 was aimed at building a bridge between Indigenous and non-Indigenous Australians, urging all of us to embrace a new partnership. I look forward to working with the state's new Minister for Aboriginal Affairs and Reconciliation in this very important work.

Many years before the apology, I helped establish the Florey Reconciliation Task Force in my own electorate in an effort to begin to understand, acknowledge and support Indigenous culture and people at a local level by involving Indigenous and non-Indigenous members of the community in initiatives within the electorate. We have had many successful events, perhaps the most colourful being the quilt project.

In another, local Kurna people identified a scar tree in our local council area at Pine Park in 2002 and the task force, with the help of the Archaeology Department at Flinders University, is currently working on developing a proposal for a cultural trail to showcase Tea Tree Gully's rich Indigenous histories and European heritage and settlement. My thanks go to the current task force coordinator, Lea Crosby, and all members who have contributed to the proposal so far, and I look forward to continuing to assist on this exciting project. I would also like to thank Shirley Peisly, a tireless worker recently retired from the paid workforce after 20 years at the Otherway Centre and continues to serve the community now in a voluntary capacity.

Education and schools play a vital part in this state's future and I acknowledge the work of teachers and all who prepare our young people to take their place in society. The many schools in the community with a focus on cultural inclusion also deserve our recognition for their efforts. On 19 May, Modbury School, which has students representing over 30 cultures, will be holding a whole of school Racial and Cultural Inclusion Day. I commend the school for contributing in this way towards breaking down barriers and fostering understanding and equality through their cultural learning program.

Other schools I commend are Modbury West, with a wonderful music program under Mrs O'Dea. They also have a beautiful 'Garden of Dreams' created by students and volunteer parents. Para Vista School also has a wonderful choir and music program and learning environment, with a band called The Fossils—a fine example of something to aspire to. They recently unveiled the Ann Beruldsen Memorial Sundial. Ann was an inspiration and really improved the educational values of the school.

Another school I would like to commend is the East Para Primary School. They also have a wonderful music program under Mr McConnochie in music. EPPS emphasises the importance of diet and healthy lifestyle through their parents encouraging their children to eat fresh fruit and vegetables and take water for 'crunch and sip' breaks which are taken during class time. This new program is aimed at students at the school achieving optimum consumption of two serves of fruit and five serves of vegetables each day. They are in harmony with my long held view that vegetables are great—and I have, of course, spoken on broccoli in this house before.

The East Para Primary School has had a school vegetable garden for many years. I know Wandana School (also in Florey) is in the process of re-activating their vegetable patch and I look forward to seeing the fruits of their labour. The Heights School, which is an R-12 school and where my own children attended, offers many extras, including a wonderful observatory. The Florey Music Award is in place in all my local schools and I also support Pedal Prix in many of my local schools. The AIPP, which is chaired by Andrew McLachlan assisted by his board, provides a great event over three heats during the year, which encourages the wider school community, all parents and children to be involved, and round 3 at Murray Bridge—which the member for Hammond and I attend each year—is a highlight of my year and perhaps my only long weekend.

Most of us would have celebrated Mother's Day or Mothering Sunday last weekend with our family and loved ones. I wish to make a particular mention of all South Australians who act in a nurturing capacity for their care of our children and young people. We have the wonderful Modbury Special School in the electorate of Florey and I pay tribute to the mothers of autistic children. Mums like Helen Howson, who, together with Alison Dix from the autism support group, Rainbow Land, have drawn our attention to the special needs of this growing group through the celebration of the first International Rainbow Day last week.

Last August, these special women made a presentation in my office to Parliamentary Secretary for Disabilities and Children's Services (Hon. Bill Shorten) on the need for including people with intellectual and complex developmental disabilities in the issuing of disability parking permits. Credit must go to the City of Tea Tree Gully, at the insistence of councillor Paul Barboro, for taking the national lead on this issue at local government level. In December, the parliamentary secretary announced that the federal government has provided \$1.6 million to develop a new universal parking permit, which, after extensive community consultation, I hope will be rolled out nationally by the end of this year.

May is Autism Awareness Month and Autism SA figures indicate that there has been a doubling of the annual number of children diagnosed with an autism spectrum disorder over the past four years. Our state government has pledged two new special education units with a focus on autism by 2014 and an extra \$4.25 million over four years for assessments and early intervention. This is clearly much needed support, given that in term 1 of this year, 24 children with an autism disorder have been suspended or expelled from South Australian schools.

While reflecting on Mother's Day, I am pleased to note that a new pregnancy research facility at the Lyell McEwin Hospital was opened last month by Professor James McWha, Vice-Chancellor and President of the University of Adelaide. By focusing on the earlier stages of life, the Robinson Institute is looking at preventing disease and improving the health of pregnant women and their unborn children. The facility at the Lyell McEwin will incorporate laboratory research with clinical investigation to discover more about reproduction, fertility, pregnancy, stem cells and the origins of healthy living. Through community support and donations, the Robinson Institute will continue to provide immeasurable benefits to the health and wellbeing of future generations and, for that, we owe the nine research staff and 16 University of Adelaide PhD students our thanks and recognition for their efforts.

The Lyell McEwin Health Service is also home to the Mothercarer service, launched here in Parliament House in 2002. It was my honour to be involved in the organisation of this launch. I pay tribute to Professor Gus Dekker and his team. They are always on call and provide a remarkable service to birthing mothers in the north and northeast, working with them on their return home after birthing. It remains a personal hope, as someone who is a mother and still in awe of the whole birthing process, that I may be instrumental in seeing a low-risk midwifery-led birthing unit in place for women in my area. Birthing should be a wonderful and natural process, and it is in the best interests of mother and child to keep the process as intervention free as possible while still ensuring a safe and healthy outcome.

Finally, in considering the health and wellbeing of future generations, I hope that those of us who bought or received chocolate this Mother's Day will remember the production of our favourite treat can be a nightmare for workers. Since the year 2000, the chocolate industry has been under scrutiny for using cocoa beans from West Africa where there are estimated to be close to 300,000 child labourers, many thousands working in slave-like conditions on cocoa farms. These children are mostly under 14 years old and are involved in dangerous work, including the use and spraying of pesticides, handling machetes and carrying heavy loads. Some media reports have claimed that in the worst cases children as young as six years are being forced to work between 80 and 100 hours a week, enduring malnutrition on top of their backbreaking work. They have no access to education or health care, and physical abuse is also common.

Fair Trade certification guarantees cocoa farmers a fair price for their products. It also explicitly prohibits the use of forced or slave labour, requires support for community development, and has a system of independent auditing. The good news is that over the past several years more than 25,000 Australians have lobbied the chocolate industry for change. They have called and visited chocolate manufacturers and retailers, signed petitions, held protests and visited members of parliament to demand change. I have received letters from residents on this issue myself.

On 26 August last year, Cadbury Australia (a company with a long history in an industry that goes back to the Quakers) announced that it would use Fair Trade cocoa in the production of

its most popular product, the Cadbury dairy milk chocolate, in both Australia and New Zealand. This move will triple the amount of Fair Trade cocoa available in Australia, and Cadbury has assured consumers the taste and price of the chocolate will remain the same. My staff recently put their dietary needs under strain and conducted a test in the Florey electorate office, and I am pleased to advise that the consensus was that Fair Trade chocolate is smoother and more satisfying.

There is still much to be done to deliver ongoing change to the lives of tens of thousands of Ghanaian cocoa farmers and their families, but this outcome is proof of the power of grass roots activism. Fair Trade is, of course, an international issue over many industries and it is beholden on Australia to do what it can to support fair work practices both overseas and within this nation.

Employment is a pivotal issue. The working conditions of all Australians is what led me and many of my colleagues to this place, and what continues to inspire us to work as hard as possible to ensure that everyone has a job that allows them to have a high quality of life and the opportunity to be the best they can. That is why making sure we have great schools remains perhaps our most important responsibility. Through learning, we can gain meaningful employment.

Our Deputy Prime Minister (Hon. Julia Gillard) visited Modbury South school last week and opened the BER building, a gym that replaces the much-loved and well-used Shedley. The choir, led by Mrs Mysak, sang beautifully, and the concert band of Modbury High, under the baton (or, should I say, the waving finger) of Mr Duncan, enthralled the Deputy Prime Minister with their musical ability. I am happy to say I will be accompanying the band to Mount Gambier this weekend as they perform in the annual Generations in Jazz. This is a wonderful event, and I take with me the best wishes of the principal, Mr Martin Rumsby, and the entire Modbury High school community.

The other vital responsibility we have is the delivery of health care. Modbury Hospital continues to provide great care for the north-eastern community, and I thank the staff for their dedication and service over many years to what is a fine institution, now in line for \$44 million worth of improvements. This must be the end point of the whispering campaign around the hospital and the beginning of a renewed pride in it for the fine health professionals who work there and their place within the state's health service.

With this revitalisation, along with the eagerly anticipated GP Plus that will soon open, we will see a new outlook on health and wellbeing. Each of us can take a more active role in our health by monitoring what we eat and remembering the maxim—everything in moderation (perhaps except broccoli and chocolate).

This includes exercise and, like many people, I walk in the morning—a great time to think and plan. If the outdoors is not for you, there are many other ways to exercise safely, and I am particularly proud of the Tea Tree Plaza Mall Walkers, a group of seniors who have expanded their health activities over many years by including attention to their social needs: organising events and outings and caring for each other by keeping in touch, especially if they do not show up for their morning session under the wonderful Jeanette Richards and her team of instructors.

Many other seniors in the north-east are involved with the University of the Third Age at Modbury. Again, it was good to be able to help with negotiations that have seen a surplus primary school building returned to lifelong learning, and it is now the home of many U3A classes in almost every subject area you can imagine. It is wonderful to see the experience of our community still making a difference and helping others.

It is an honour, perhaps the highest honour in public life, to serve your community as a member of parliament. I am grateful for the assistance of my family and my campaign workers, Team Florey, for the trust that has been placed in me and the opportunity to serve the wonderful people of the Modbury area. Wherever I meet them in local community groups, sporting clubs, particularly calisthenics clubs, in schools and other institutions including those who provide health care, I know we all share the same ambition: the best for our children and our area.

As I move around the area, the many suggestions they make will shape my contributions in this place and help me to represent them and their best interests. The role of a local MP is often maligned and misunderstood. Through representation and support of my community, I hope not only to serve but to lead by example and encourage others to become activists for what they believe in and aspire to. In my recent research of a great South Australian woman, Muriel Matters, I have learnt again the value of activism and the importance of the democratic process. Long may

both last along with the enthusiasm for change for the better and the chance for everyone to succeed in their ambitions and contribute to a better world.

The SPEAKER: I call on my neighbour and new member, the member for Stuart. As this is the honourable member's first speech, I ask that we extend the traditional courtesies to the honourable member.

Mr VAN HOLST PELLEKAAN (Stuart) (17:33): Madam Speaker, thank you for my first opportunity to speak here on behalf of the people of Stuart. Especially during International Volunteers Week, volunteering, a remarkable feature of Australian society, is no more evident than in the country areas of our state. Madam Speaker, I would like to start by congratulating you on your election as Speaker of the House of Assembly. We first met each other at Pimba, 170 kilometres north of Port Augusta, in mid-1999 and I am sure that, while you have your work cut out for you, you will find your feet very quickly. I also congratulate all the new members who like me are starting their first term in parliament. It is freshest in our minds how hard it is to get here. I will do my best to work with all members regardless of political persuasion to achieve the best results I can for the people of Stuart.

It is hardly possible to mention the electorate of Stuart without thinking of my predecessor and friend the Hon. Graham Gunn. That Graham McDonald Gunn was the member for Stuart, named after John McDouall Stuart, for so long seems hardly a coincidence. I can confirm that it was not a coincidence; however, it had nothing to do with their shared Scottish heritage. Graham Gunn and his wife, Jan, worked incredibly hard. Graham was and still is very politically astute. He could sniff and interpret the political winds well, and he also went about his work with some very basic strong personal rules which helped him to win 12 elections in a row—a remarkable feat for any politician. My wife, Rebecca, and I are extremely grateful to Graham and Jan for all the help and everything they have taught us over the past two years, and I look forward to a long friendship between us.

The electorate of Stuart is magnificent. It covers 374,000 square kilometres. It runs from Kapunda, 75 kilometres north of Adelaide, all the way up to the Northern Territory border about 1,500 kilometres away as the crow flies. It includes a section of the Riverland and heads east to the New South Wales border. It includes the Mid North agricultural region, all of the internationally renowned Flinders Ranges and the vast north-east pastoral region surrounded by the Northern Territory, Queensland and New South Wales. It includes the iconic Birdsville and Strzelecki Tracks, and Cooper Creek. It includes Nepabunna and other indigenous communities, and it has the wonderful regional city of Port Augusta as its heart and main population centre.

Stuart includes many national parks and the world heritage listed Coongie Lakes. We have major mining, oil and gas exploration and production, and a power station supplying the necessary electricity to our region and to Adelaide. We enjoy the environmentally delicate coastline of the Upper Spencer Gulf, a section of the River Murray, amazing arid lands, some of the best farming land in the state, commercial fishing and forestry, fruit orchards, vineyards, tourism and much more.

In Stuart, there are 30 townships, supported by 42 schools. There are 11 hospitals, 21 police stations and two prisons. There are seven different local government councils, plus the outback lands and four Natural Resource Management Boards. There are countless football, netball, cricket and other sporting clubs. There are churches, youth groups and a myriad of other community-based support networks. Every community in Stuart is important and I will fight to retain these services, industries, community groups, townships and the environment.

I come to this role with a strong sporting, community and business background, both corporate and small business. I have lived and worked in Adelaide and overseas and, importantly, in the outback of South Australia for seven years. Rebecca and I moved to Wilmington nearly five years ago—a town of about 250 people in the Southern Flinders Ranges, just outside Port Augusta.

Working hard and effectively on behalf of the people of Stuart will always be my primary work responsibility and focus. Supporting and promoting regional development more broadly throughout the state will receive whatever time and energy I have left over thereafter. To this end, I will happily work with a wide range of people both within and outside politics.

I challenge the government to show far more support for our state's regional and remote communities than it has over the past eight years. If and when that happens, I will be the first person to give credit where it is due. I would be pleased to give the government credit for

expanding country health services rather than removing them. I would be pleased to give the government credit for increasing the maintenance of outback roads rather than reducing it. I would be pleased to give the government credit if it were to increase the money available in the state's Regional Infrastructure Development Fund rather than reducing it.

I would be pleased to work with the government to provide the much needed increases in support for aged care, special needs education, disability services and mental health—in many cases they just do not exist in regional areas. I will be pleased to work with the government cooperatively on all regional service and development issues—but, unfortunately, I am not optimistic. Madam Speaker, you and I both know why I am not optimistic. I cannot count the number of times that I have heard you, on our local radio programs, speaking as the member for Giles, saying that you have advocated hard on behalf of your communities, and I know that you have, but that your colleagues have not supported you.

Madam Speaker, you already know that I fully support your elevation to your current position; however, I must say that in one regard I am disappointed with the government on your promotion. By choosing you as the Speaker of this house the government has deliberately removed its one and only member of parliament representing a regional electorate from participating in debate on the floor of this house. The government has chosen to have no-one on its side fighting for regional people in this place. I support you in your new role, but I am disappointed in the government.

Where I am optimistic, however, is in the strength and resilience of the people living in rural and remote South Australia. Our people have shown strength for over 150 years, and many of them for tens of thousands of years. While I fear that sometimes their resilience, flexibility, perseverance and ability to find a way to make things work is taken advantage of by decision-makers in the city, I am always optimistic that they will not give up, and neither will I.

Graham Gunn told me on many occasions that if you want to be a good member of parliament then the most important thing to remember is that you have to be prepared to stick up for the people you represent, and that it does not matter who is on the other side of the argument against you. I guarantee to do this. I am comfortable with this commitment for two reasons: first, it is in my nature anyway; and, secondly, because I know that I will be supported by our leader.

Isobel Redmond captured the hearts and minds of so many people during the last election campaign because she said what she thought was right and wrong immediately, and then thought about the politics of the issue. This is the type of honest, no-nonsense leadership which South Australians are looking for. This is the type of leadership which saw her unanimously re-elected as the Leader of the Opposition. She is the leader who will take us to the next election.

Madam Speaker, I am new to politics but not new to the real world. I have lived and worked interstate, internationally and, most importantly, all over the electorate of Stuart for the last 17 years. I am a down-to-earth person who takes this responsibility and this privilege extremely seriously. I plan to operate in a very professional but not overly formal way.

I have already shared my passion for my electorate and for regional South Australia, in general, and I am sure we all agree that we all live in the very best state in Australia. We have a wonderful culture in South Australia; we have tremendous industries and small and medium-sized businesses in place already; and we have wonderful new opportunities ahead to create wealth and significantly increase the prosperity for all South Australians through the mining projects which we hope, after the 40 per cent resource rent tax announcement, may still go ahead.

On the other hand, our state's water security issue and the dreadful condition of the River Murray still loom as large as ever, despite the fortunate rains which are flowing our way at present. We must improve on Indigenous and rural health outcomes in general, and our state's youth unemployment remains far too high. We should always encourage and support people to create and make the most of opportunities, and we should also provide the best support services possible for those people who genuinely need them.

I believe in business and industry because they, combined with a fair wage system, create positive employment. Businesses must be successful for employment to grow. Employment pays for families' mortgages, grocery bills, school books, Christmas presents, and advances in standards of living and self-esteem. Employment in one generation improves the quality of life immediately and also for the generation that follows.

Our natural environment must be protected and improved. We will never be able—and should not try—to return the planet to the condition it was in thousands of years ago. We should use our natural resources to continue to improve our society. However, we must harness ever-improving technology and public will to reduce our environmental impact with every new project that goes ahead, and some projects or some components of projects should not go ahead if the environmental cost is too high compared to the return to the state.

As members of parliament, we have many opportunities, challenges and responsibilities to work through together for the good of the people we each represent and for the state as a whole. I look forward to working with all members for the good of South Australia, and I will never let this parliament forget to consider the people of Stuart and the rest of regional South Australia.

I must also point out that I note that the government's plans for this new term, as outlined by the Governor last Thursday, include minimal reference to our state's regions and no commitment regarding improved regional services. My colleagues and I will be working very hard over the coming four years to ensure that this omission is corrected in 2014.

Lastly, I would like to thank the many people who have helped to give me the honour of standing here today. Family, friends, colleagues, acquaintances and strangers have all contributed in so many ways. I have thanked almost everybody face to face, so I will not go through a long list again today, but at the top of the list is my incredible wife, Rebecca. Thank you to her and thank you to everybody who has supported me. Thank you to the people of Stuart for their faith in me. To the old, the young, the rich, the poor, the Indigenous, the non-Indigenous, the farmers and the factory workers, I will stick up for you. Thank you, Madam Speaker.

Honourable members: Hear, hear!

The SPEAKER: I would ask honourable members to return to their seats. Congratulations to the member for Stuart; very well said. I look forward to working with you over the next four years. I call now on the member for Goyder.

The Hon. M.J. Atkinson: No spin.

Mr GRIFFITHS (Goyder) (17:47): No spin; exactly. Yes, that's true. I shall reflect upon that. Thank you, Madam Speaker, for the opportunity to speak before the chamber today. Indeed, I congratulate you on your election. You are a person whom I do respect enormously for your commitment to the communities in which you serve. I have absolutely no doubt that you will undertake the role of Speaker in the manner that we would all expect, in fairness to both sides of the chamber. I also congratulate the member for Bright on her selection as Deputy Speaker, and wish her well, not only in the role but also in learning the standing orders. I hope that she can give me some lessons afterwards. It is one thing that I sadly lack.

I support the motion for the adoption of the address of His Excellency's speech to open this session of the 52nd Parliament. The speech outlines the agenda of the government over the next four years and obviously focuses on many economic opportunities which are going to drive the future of South Australia. I hope that those words become reality. Sadly, I feel as though that will not be the case on all occasions, but I hope that in the spirit of cooperation that does exist on some occasions in this chamber, and, as wonderfully espoused by the member for Stuart, we will have the opportunity to assist, to a far greater degree, to ensure that all South Australians benefit from the chances that are going to be here in the next four years.

I do recognise those members who are returning to this chamber, and the other place. I join particularly with all members to congratulate those new MPs who have decided to dedicate their lives to the service of the community, who have decided to give up any level of a private life to ensure that they have the opportunity to represent their communities in parliament. They have actually chosen a wonderful vocation. It is not a job, but it is a role, really. It is not a career, I do not think, but it is choosing, and to have this chance is a wonderful one that we all respect enormously, but one that takes up so much of our time that it is hard. You have to sacrifice many things to have this opportunity.

I am very sure that all the members who have come into the chamber for the first time, based on the speeches we have heard today, will do well. I congratulate the members for Mitchell and Taylor for their contributions. I wish to pay particular attention to the wonderful words of the members for Norwood and Stuart. They have all expressed themselves in a different way, but the speeches by the two new members from my side of the chamber have been truly inspirational. I have learnt much about them as people and much about the ethos that they bring to this. I have

certainly witnessed their work ethic in the past, and I am very confident that the attitude and skills that they bring will benefit not just their communities but, indeed, the people of South Australia.

To the members for Mitchell and Taylor I am sure you will be a great contribution to the chamber also. I know that you believe in the communities that have the honour to represent, and I am sure that good things will come to those people. I still look forward to the contributions that are still to be made by the members for Morialta, Chaffey, Adelaide and Flinders. As new chums into our side of the chamber, I have seen them all in various ways of last year, and I have been nothing but impressed by each of them. I am sure that, when they learn how this strange place that we call parliament operates, they will make some great contributions and ensure that the issues and legislation considered within this chamber are improved because of their attendance and their involvement.

The member for Taylor referred to one phrase that particularly impressed me, which was, 'Demographics are not your destiny.' I truly believe in those words, too. Whenever I speak to young people, I impress upon them that opportunities are there before them. They cannot just assume that what has been their lot in life is what they are destined to always be. If they work hard, other people around them will recognise that they are worthy of support and they will, indeed, give it. I am a beneficiary of that also, and many people who come to this place are recognised in the same way. They were great words. It is a very simple phrase, but I think it encapsulates everything that is good about our society—it gives you an opportunity to do wonderful things. So, well done.

The member for Norwood also impressed me at another function in the Norwood electorate during the election campaign, where he spoke first. I thought, 'Wow, this guy actually knows what he's talking about.' He was very impressive. I did say to the crowd whom I talked to afterwards that I was glad that I was elected four years before him, because it gave me an opportunity to develop my little niche in the political sphere. I know that Steven Marshall, the member for Norwood, is certainly on top of everything that relates to business. He spoke very passionately about family businesses, and I know that is his background. I think he will also make a difference in financial matters in the future of this state, so I wish him well in his career.

Opening day last Thursday brought back a lot of memories for me as a new member, too. I know it is a very nervous time. An MP gets the call from the Speaker, stands for the first time, has practised their lines as much as humanly possible, but is just overwhelmingly consumed by a sense of nervousness and a hope that God will allow them to sound intelligent for the next 15 seconds when they are asked a question or, indeed, 15 minutes when they make their first speech. You feel as though the eyes of the world are upon you, but I think all who have spoken so far can hold their heads high.

In my maiden speech I reflected upon many things that have been espoused by other members who have spoken today, certainly the issues that were important to my electorate. I spoke about the maiden speech of my predecessor, Mr John Meier, when he was elected in 1982.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: A very nice man, too, and I am pleased that his son is actually marrying my PA. The wedding is later this year.

Members interjecting:

Mr GRIFFITHS: Yes. At Emmanuel, he was, yes, deputy headmaster. He reflected upon things which had still not been fixed. I think that took up the theme of the member for Stuart, when he talked about so many issues in regional South Australia, which this side of the chamber is greatly concerned about and, indeed, the support that the government will provide.

I understand as well as anybody that there are a lot of competing demands for the pie, which is the \$15 billion that our budget includes. After having had the shadow treasurer's role for eight and a bit months and trying to recognise every intimate detail of a stack of figures that stand about this high, I know that it is a challenge to get it right, but I can assure people in this chamber that we do not get it right. As much as we would like to, we are never going to live in Utopia, but we have to make the best informed decision we can to ensure that the resources available to our great state are spread as much as possible to support all levels of society to ensure that not only do we have an economic future that is strong and viable but also, importantly, that the people at the lower end of the scale get the support they need.

That is our great challenge. All treasurers, in the 153 years that South Australia has had an independent government, have faced that challenge. I hope that the wheels turn again and that, in

four years' time, we have someone from our side of politics in control of the chequebook, and that those people work collectively to ensure that it is done, but it will take a lot of work to get it right.

I want to talk about democratic principles. The member for Davenport referred to it earlier. I have always been a believer that it is not necessarily the result that is important, but that the principles of a democratic society are observed. I have asked people within my electorate to support me personally, but I have said that, if they believe someone else represents a better option as their mouthpiece in parliament, to make sure that they have reached that position in an informed manner; not just blindly vote as their parents might have or from what they have read, but actually take the effort to contact the candidate and talk about issues that are important to them. I think that is important, too. Various people in this chamber have reflected on the fact that over the last 21 years there have been four elections where the party that had more than 50 per cent plus one of the vote has been unsuccessful. That is a great frustration. For the Liberal Party to experience an 8.4 per cent swing, to gain 51.6 per cent of the vote and to see some really significant swings in safe seats, both Liberal and Labor—

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: Yes. Mick O'Halloran, formerly from Peterborough, I think, and Leader of the Opposition during the Playford years.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: I have read some of the history of it.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: Did he? Well, there is a lot of frustration out there.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: And Steele Hall did something about it, too, much to the frustration of the Liberal Party for the next 30 years.

Mr Williams interjecting:

Mr GRIFFITHS: Hey, this is me, not you. It just goes to show that the democratic principles at some levels have been abused and allowed to be thwarted for 70-odd years, with the consequence that the true position held by the people of South Australia has not always resulted in the election of the government they supported. I believe that a proposal is going to be put in the Legislative Council for a review to be undertaken in relation to the recent election result. I think it is important that we put in the effort, do the work on it and consider what are the opportunities for reform, and ensure that the result we get in future years is the appropriate one.

An enormous amount of resources go into each election campaign, bearing in mind that there are 47 House of Assembly seats. An enormous effort is also put in by Legislative Councillors, and I believe that there were 73 candidates for the Legislative Council on this occasion. With the hundreds of people who put themselves up to be representatives in either house, we need to ensure that it is right. I hope that over the next few years there will be an opportunity for that matter to be reviewed. I acknowledge as much as anyone that the poor result the Liberal Party achieved in 2006 certainly did not help our cause when it came to the 2010 result.

An 8.4 per cent swing is an amazing result, and I think it was predominantly the result of the wonderful effort of the Leader of the Opposition (the member for Heysen). As the deputy leader at the time, I had the opportunity to see at close quarters her work ethic and the way in which she connected with people and projected the vision she held for the future of South Australia and its people. Simply put, I think she inspired South Australians. She put forward to the electorate the notion that they should consider their vote very carefully and focus on a vision for our future needs and opportunities.

I am not sure whether Isobel is listening, but she can certainly hold her head very high in relation to what she did for South Australia over that three-month period immediately prior to the election.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: No doubt.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: I'm not sure about that. You might say that, but I'm very confident that the member for Heysen will continue to be the leader.

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: Put a bet on it? We'll see. I'm not normally prone to betting, to tell you the truth.

An honourable member interjecting:

Mr GRIFFITHS: That's true. I hope that no-one minds and will take a point of order on that, because she is known as that. She made the people of South Australia listen in relation to politics again. They had become so sick of listening to people who stood up to speak and just droned on in an insincere way. However, when Isobel stands to speak before a crowd, the people listen to every word she says because there is a level of integrity that comes with it which very few people portray. So, the member for Heysen can be very proud. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 17:59 the house adjourned until Wednesday 12 May 2010 at 11:00.