

HOUSE OF ASSEMBLY

Thursday 30 September 2010

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:30 and read prayers.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (PARENTAL GUIDANCE) AMENDMENT BILL

Second reading.

Ms SANDERSON (Adelaide) (10:32): I move:

That this bill be now read a second time.

I rise today to speak to this bill, which has come from another place. The idea for the formation of the bill came from the YWCA, which is concerned, as are a number of parents and other community groups, about the sexualisation of children in various forms of media, from magazine to video clips. This bill targets magazines aimed at pre-teen and teenage children by requiring such magazines to have a classification marking on them of either PG or M. This will then provide some guidance for parents about whether the content is appropriate for their children.

As I have stated in this house before, many members know that I come to this house after more than 16 years of owning and managing a modelling agency and training school. During this time I have been entrusted with thousands of children and teenagers to build their self-esteem and give them life skills, including the skills used in the modelling industry, such as deportment and grooming. Although not a parent, I had a duty of care to ensure that an underage model represented by my agency was protected and not exploited by society. I believe that body image and the sexualisation of children is a huge issue, and the media has played a big role in the problems we are now facing.

In 2008 the Senate Standing Committee on Environment, Communications and the Arts held an inquiry into the sexualisation of children in contemporary media. The committee's findings outlined a number of recommendations to the then Rudd Labor government in relation to the inappropriate sexualisation of our children through the electronic and print media. The committee recommended that publishers consider providing parental reading advice based on the Office for Film and Literature Classification systems of classification and consumer advice on magazine covers indicating the presence of material that may be inappropriate for children of certain ages.

The federal government has the ability to act on the committee's recommendations. However, it has failed to act appropriately on such findings. Extensive worldwide research indicates that 'tweens', by definition children aged nine to 13 years of age, are a particularly vulnerable and impressionable group in our society. This age group has a very slick advertising and marketing drive focused on it. Tweens often receive a level of independence from their parents to purchase, with their own pocket money, magazines such as *Total Girl*, *Girlfriend* or *Dolly*. Such magazines, particularly *Dolly* or *Girlfriend*, regularly include sealed sections which contain highly sexualised content on the pretext of providing information to readers. Such sealed sections often include question-and-answer formats on topics that include sexual issues. While this may be considered appropriate information for girls over 15 or 16, a reader survey indicated that approximately 20 per cent of readers are girls aged 11 and 12. Such magazines are not required to meet any classification requirements and, as a rule, are not observed by the Classifications Board until a complaint is made.

Whilst I acknowledge that primary responsibility for many purchasing decisions such as clothing, magazines and DVDs falls on parents, I believe it is unreasonable to place all responsibility on parents to control access to media. I believe there is a role for government to play in supporting and assisting parents and caregivers in managing young people's access to media. For example, I spoke to a lady just last week who has both a 16-year-old and an 11-year-old daughter. She was at the checkout to buy a *Girlfriend* magazine when her 16 year old said, 'Mum, you can't buy that for her. She is too young.' She asked how a parent is supposed to know, with a magazine title like *Girlfriend* or *Dolly*. There is no way for most adults to know the content of the magazine, so I believe that these recommendations are very important.

South Australia is in a unique position to make a decision in relation to publications, films and computer games. This bill does not set out to tell parents what they can and cannot buy for their children; it merely provides parents with an immediate visual classification understanding of

the magazine so that they can deem whether or not the content is appropriate for their child. I hope members opposite will support a bipartisan approach to acknowledge that we have a moral responsibility to assist parents and children to readily and critically assess the content of print media. I commend this bill to the house.

Ms THOMPSON (Reynell) (10:37): I commend the member for Adelaide for her attention to this serious matter; however, the government will not support the bill, the main reason being that it is not appropriate for this house to deal with this matter.

I, and in fact the government in general, share the concern about the sexualisation of children. Indeed, on a number of occasions I have been distressed even by performances in schools where I have thought children have been inappropriately sexualised, and wonder if I am just getting so old that I see things as inappropriate that younger people do not. However, I think it is time we made a stand, and I commend the YWCA on the actions it has taken in this area.

I think people who have been here for a while would know that I have been a very strong supporter of Young Media Australia over many years, and, indeed, have been of some value in assisting it secure funding from the state government. The commitment of this state government in supporting parents to allow them to make appropriate choices has been quite unparalleled. When the Howard government cut off funding to Young Media Australia, which is a national organisation, it was the South Australian government, through a series of grants from the then minister for the status of women (the member for Ashford), sitting behind me, the former attorney general (the Hon. Michael Atkinson), and the Premier's department—grants from the South Australian government from a range of agencies—that kept Young Media Australia going.

I think the credentials of the Rann government in relation to its commitment to supporting parents to bring up their children in a situation of innocence and appropriate development in terms of sexual activity is quite outstanding. So, the fact that we cannot support this particular bill should not be read in any way to the detriment of the Rann government's credentials in this area.

I will go into the technical reasons of why we are not able to support the bill. It amends the Classification (Publications, Films and Computer Games) Act 1995—South Australia's National Classification Scheme legislation. The NCS is a joint commonwealth, state and territory legislative and administrative scheme, under which publications, films and computer games are classified, and their advertising, sale, demonstration and exhibition regulated.

The commonwealth legislation, the Classification (Publications, Films and Computer Games) Act 1995:

- establishes the Classification Board;
- determines the types of classifications that apply to publications, films and computer games;
- empowers the Classification Board to classify publications, films and computer games;
- sets out the procedures the Classification Board follows in making its classification decisions; and
- establishes a review mechanism, the Classification Review Board, which, on application reviews decisions made by the Classification Board.

Each state and territory has enacted its own enforcement legislation. These acts determine how films, publications and computer games can be sold, hired, exhibited, advertised and demonstrated, in each state or territory. The South Australian enforcement act is the Classification (Publications, Films and Computer Games) Act 1995.

Unlike other jurisdictions, South Australia maintains its own separate classification regime, that can, if triggered, classify publications, films and computer games independently of the commonwealth boards. The classification bodies under the South Australian act are the South Australian Classification Council and minister. When classifying publications, films and computer games, the council and the minister have basically the same powers as the commonwealth boards, and like the boards must classify in accordance with the national classification code and the classification guidelines issued under the commonwealth act. A classification decided by the council, or minister, has effect to exclude any classification of the same publication, film or computer game, under the commonwealth act.

In addition to the power to classify a publication, film or computer game, the commonwealth boards and, by virtue of section 21 of the South Australian act, the South Australian council or minister may, or must, depending on the classification given, determine consumer advice giving information about the content of the publication, film or computer game.

As this bill contains amendments relevant to publications, it is worthwhile briefly considering the classifications of publication under the NCS. Publication is defined very broadly to mean 'any written or pictorial material other than a film, computer game or an advertisement for a publication, film or computer game'.

Under the NCS legislation, code and guidelines, publications are either submittable, meaning they must be submitted for classification by the board, or not submittable. A submittable publication is one that, having regard to the classification code and guidelines, contains depictions or descriptions that:

- are likely to cause the publication to be classified RC;
- are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- are unsuitable for a minor to see or read.

The point of the submittable/non-submittable distinction is to ensure that publications that contain material that is below that which would attract a restricted classification, do not have to be submitted for classification. When one considers the content of non-submittable publications, and the number of magazines, books, pictures etc., that are published and released for sale in the market each year, the logic of this becomes apparent.

Once submitted, a publication must be classified in descending order:

- Refused Classification or RC;
- Category 2 Restricted;
- Category 1 Restricted; or
- Unrestricted.

A publication will be classified RC if it, first, describes, depicts, expresses or otherwise deals with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena, in such a way as to offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that it should not be classified; secondly, describes or depicts in a way that is likely to cause offence to a reasonable adult, a person who is, or appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or thirdly, promotes, incites or instructs in matters of crime or violence.

A publication (other than one that must be classified RC) will be classified category 2 restricted if it: explicitly depicts sexual or sexually-related activity between consenting adults in a way that is likely to cause offence to a reasonable adult or depicts, describes or expresses revolting or abhorrent phenomena in a way that is likely to cause offence to a reasonable adult and is unsuitable for a minor to see or read.

Category 1 restricted is the lowest of the restricted classifications. A category 1 restricted publication is one that:

- explicitly depicts nudity, or describes or impliedly depicts sexual or sexually-related activity between consenting adults, in a way that is likely to cause offence to a reasonable adult; or
- describes or expresses in detail violence or sexual activity between consenting adults in a way that is likely to cause offence to a reasonable adult; or
- is unsuitable for a minor to see or read.

I do not think I will have time to proceed with some of the background detail as to what is currently in place and why the current bill is not acceptable.

I will move to some of the concluding remarks. I ask honourable members to think about all the magazines (women's magazines, so-called lads' magazines, health magazines), novels (crimes, thrillers, romance, supernatural), prints, paintings, etc., that contain material that some children under the age of 15 might find confusing or upsetting, or which discuss one or more of the

classifiable elements (themes, sex, violence, language, drug use, nudity) in a mild way. I do not have the figures, but would conservatively estimate the number would run into the thousands each year.

Under these amendments, the council or a minister would be required to examine any magazine, book, picture, etc., reported to him or her as potentially containing PG material and be forced to assess and, if appropriate, require the relevant consumer advice to be attached. Even if the government was prepared to run a passive complaints-based system, a new administrative structure would have to be established. This structure would have to include trained assessors and a support structure to receive and process complaints and notifications. The current system—the minister's office and SACC—is simply not set up to deal with this. There is no administrative structure.

The Hon. R.B. SUCH (Fisher) (10:47): I commend the member for Adelaide and, I understand, the Hon. Michelle Lensink for what they are trying to do here. I heard the member for Reynell pointing out some of the difficulties and inadequacies (as she sees it) with the bill. I would point out to the member for Reynell and others that they can always amend a bill if they can come up with a better version.

There has been a lot of debate recently about the sexualisation of young girls in particular. I think it probably applies to young boys as well, but from a different perspective. Malcolm Muggeridge once said that our society has sex on the brain, which is the worst place to have it. I think it is—

Mr Pengilly: Dangerous too.

The Hon. R.B. SUCH: I cannot speak from experience on that point. I will have to take your word for it. We are—and I am talking about society in general—hypocritical, because on the one hand, at the adult level, we seem to delight in an obsessive interest in other people's sexual activities, alleged or otherwise. We are also obsessed with violence as a community. You only have to look at television, which I try to avoid, and films and videos. I think there is clear research evidence that violence is more harmful than any explicit depiction of the human body or even sexual activity.

I have had a close look at the whole issue of the research into child pornography and other pornography. It is not an easy subject to define, and I would challenge anyone in here to come up with a simplistic definition of pornography that goes beyond something like, 'To stimulate sexual interest or awareness'.

I noticed in a Melbourne paper this week that Bonds—which is one of those famous Australian companies—is now producing 'bralettes' for girls under the age of 10. I have two little granddaughters, one aged four and the other five; and, from my understanding of anatomy, I do not believe that, as a general rule, girls under the age of 10 need to wear a bra. So, what we have is one of the largest manufacturers now promoting that here following the trend in the United States.

It is often said that we do not allow children to be children any more; they are constantly subjected to a barrage of information, propaganda and influence from not only magazines but all areas of what you might call mass communications. So, I think the intent of this bill is good. This is a related issue, but it is ironical and sad that the term 'paedophile' or 'paedophilia', if you go back and look at it in terms of its linguistic origin, actually means 'lover of children'. Now it has become distorted to be used to describe people who abuse children sexually and take advantage of them.

As a society, I do not think we have really got to a sensible point in how to deal with what is an important aspect of our lives and that is sexuality. We have a lot of hypocrisy and double standards and it is not surprising that people in the community try to impose that and, in effect, direct their activities towards young children.

It is interesting that, if you look at the magazines that are targeting young girls and young women, they have a very explicit sexual theme. They also convey other, probably useful, information, and it is interesting that we do not have an equivalent type of magazine for young boys and young men. In some ways that may be a good thing, but it would be desirable if it discussed issues about changing body shape and emotions and so on to inform young boys—and the same would apply if it helped to inform young girls.

However, what we are seeing is this relentless propaganda and it afflicts society at large in that, somehow, our whole life is dependent on sexuality and sexual function. It has got to a point where our society is obsessed with sexual aspects and then violence, and then it is not surprising

that people link the two and we find people combining violence with sexual activity, usually to the detriment of women in our society.

I commend the member for what she is seeking to do here, and I think that, if the government wants to come on board, it could come up with a proposal which is more adequate and more comprehensive, as outlined by the member for Reynell. I think it is the responsibility of all of us to try to not only protect children but also ensure that our society is a healthy, happy one. I think there are elements within the wider communication industry that are currently exploiting and seeking to exploit young people, particularly young girls.

Debate adjourned on motion of Mr Pederick.

FREEDOM OF INFORMATION (FEES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 September 2010.)

Mr PEDERICK (Hammond) (10:54): I wish to continue my previous comments from a couple of weeks ago in this house. I was talking about the federal review and amendment of the Freedom of Information Act. The former Rudd opposition claimed that it would reform the Freedom of Information Act 1982 (the commonwealth act) to promote a pro-disclosure culture and more openness in government. There was a small legislative reform in late 2008, which was more about process than openness.

The state legislation is modelled on the commonwealth legislation passed in 1982. All Australian states and the Australian Capital Territory have adopted similar legislation. National consultation was undertaken for the release of the draft Freedom of Information Amendment Reform Bill 2009 and, ultimately, it was introduced and passed in the federal parliament. Additionally, a separate bill providing for the Information Commissioner was also passed.

The Finance and Public Administration Legislation Committee, which included Senator the Hon. George Brandis SC, tabled a report in March 2010 on the federal reform bills. The coalition supported many of the provisions of the bill but, in the first instance, opposed the change in the onus of proof of appeals to the Administrative Appeals Tribunal, effectively requiring that applicants must show why secret government documents should not remain secret. It makes it incredibly difficult for applicants to successfully appeal decisions by the Information Commissioner (in South Australia it is the equivalent of the Ombudsman) and, secondly, remained concerned about the changes to fees and charges, in particular, discriminating between individual researchers and those deemed journalists or from non-government organisations.

This bill proposes reform as follows:

- (a) It strengthens the objects of the act, emphasising open access to government documents to increase public participation in government processes, etc.
- (b) Introduction of an Information Publication Scheme. This requires an agency to prepare a plan and publish information outlining the structure of the organisation, functions, appointment of officers, information in annual report, etc. Additionally, agencies are under an obligation to ensure the information published is up-to-date, correct and accurate. There is also a provision for review of the Information Publication Scheme within five years.
- (c) To amend the public interest test for exemptions; the new definition of 'conditionally exempt documents'. The factors to be taken into account in the assessment are now clearly defined, together with factors that must not be taken into account—for example, embarrassment to government, loss of confidence in the government, and access could result in a person misinterpreting or misunderstanding the document. These are currently frequently used to refuse access to documents.
- (d) Providing power to investigate the conduct of agencies on freedom of information matters.
- (e) Introduction of a process declaring a person to be a vexatious applicant.
- (f) Reducing the period for cabinet documents exemption from 20 years to 10 years.

This bill only includes amendments consistent with the strengthening of transparency as promoted by the federal Australian Labor Party. I support the bill and commend it to the house.

Mr VENNING (Schubert) (10:59): I support this bill. I have always been strongly of the opinion that freedom of information was brought into being because people had the right to know certain information. Although it has been fairly controversial over the years, it has also been very useful. It has been a tool for the opposition, and other people in the community, to get access to information that may affect them and their communities.

I believe that openness and transparency are certainly to be admired and respected but the problem is that, in recent days, there has been a refusal to give this freedom of information for all sorts of obscure reasons. I think it is going against the original intent of the act to start denying access this way. I can understand that there will be some occasions when this information should be kept private, particularly if it is a commercial decision, but I believe there has to be an independent umpire involved in relation to this, so that these decisions can be made in a non-political way.

I understand that the Rudd Labor opposition—because this is to do with the federal area—claimed it would reform the Freedom of Information Act to promote a pro-disclosure culture, and more openness in the government. There was a small legislature reform in 2008, as the member for Hammond just said, which was more about the process than the openness of it. Also, the national consultation was undertaken for the release of the draft Freedom of Information Act reform in 2009, and ultimately it was introduced and passed in the federal parliament. Additionally, a separate bill providing for the Information Commissioner was also passed.

So I certainly support that we progress and support the Freedom of Information (Fees) Amendment Bill 2010, and I commend the member for Bragg—who is not here—for handling this for us. I certainly believe that we must always remind ourselves what the intent of the original Freedom of Information Act was all about and ensure that those principles are upheld and that it cannot be used for political reasons.

Mr PICCOLO (Light) (11:02): I wish to speak on this matter very briefly. I wish to speak on this matter because in the debate yesterday the member for Bragg, when talking about freedom of information and other matters, sought to link it with the current action against the Burnside council. There is court action at the moment, I understand, by a number of councillors to prevent the report prepared by Mr MacPherson from being released.

Yesterday in debate the member for Bragg suggested to the house, and therefore the community, that the minister was failing in her duty to release the report, when in fact that report, as I understand it, is being suppressed by court order, by an injunction by the court. So, for the member for Bragg (who is a solicitor, I understand, by profession) to come in here and suggest that the report is not in the public domain because of the minister is not only misleading, it is actually quite deceptive. She should correct the record, because freedom of information is very important, and this government has a good record in that area.

She was implying that this report was being suppressed by the minister, which is completely untrue. The report is not in the public domain by an action of the court. I do not wish to make a comment about the court—that is its domain and I do not want to be held in contempt of the court—but suffice to say that the member for Bragg should not be making allegations in this place that are completely untrue. If the opposition is to have any credibility on issues of freedom of information, they should call their member to order and correct the record.

Debate adjourned on motion of Mr Williams.

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL

Adjourned debate on second reading.

(Continued from 27 May 2010.)

Mr PEDERICK (Hammond) (11:06): I rise to support the view of the Liberal Party. We maintain that it is essential to have a South Australian independent commission against corruption in this state. I will give some background on this. Since 2007, the state parliamentary Liberal Party team has argued the need for an independent commission against corruption in South Australia. On 5 April 2008, the Liberal Party released a policy outlining our preferred model for a South Australian ICAC, detailing the objectives, powers, structure and processes of the proposed ICAC.

On 27 November 2008, Isobel Redmond introduced the Independent Commission Against Corruption Bill 2008 in the House of Assembly to establish an ICAC in South Australia consistent

with our proposed model. The bill did not proceed past the second reading and lapsed with the proroguing of parliament for the 2010 election.

The proposal for a South Australian ICAC was supported by Family First, which, on 4 March 2009, introduced a similar bill to the Redmond bill in the Legislative Council. The Family First bill passed the Legislative Council on 14 October 2009, following three amendments moved by the Liberal Party. On 5 August 2009, Isobel Redmond gave a commitment that the proposed ICAC would be established within the first 100 days of a Redmond Liberal government.

The Rann government has consistently rejected calls to establish an ICAC on the grounds that there is not sufficient corruption in this state to warrant an ICAC and that current anti-corruption measures are adequate. It is interesting to note how a government can state that they believe that there are not enough grounds for corruption; but how would they ever know?

In August 2009 premier Rann announced that the government would support a national ICAC, but continued to oppose a state ICAC; so I think this was a halfway house for the government. The new Attorney, John Rau, reaffirmed this position post the election in March 2010.

While the Rann government argues for a national ICAC, at the meeting of the Standing Committee of Attorneys-General on 6 November 2009, the Rann government failed to ensure that the issue was on the agenda. On 7 April 2010, the Attorney-General, John Rau, suggested that putting a national ICAC on the SCAG agenda might not be a bad idea for us to think about, implying that the Rann government is not actively pursuing a national ICAC.

In any event, there is doubt that a national ICAC would have the jurisdiction to investigate corruption in state and local government unless the incidents relate to commonwealth funding or jurisdiction. The President of the Law Society, Richard Mellows, has also expressed his concern that a national ICAC would be too removed from South Australia and may miss specific instances of local corruption in South Australia.

On 15 March 2010, the former attorney-general (of blessed memory), Michael Atkinson, conceded on radio FIVEaa that anti-corruption processes in South Australia could be improved and that, should the Rann Labor government be re-elected, it would move to improve South Australia's anti-corruption measures. It is interesting that the former attorney has made statements that things could be further improved when we have the Premier clearly indicating that there is not enough corruption in this state to facilitate a state-based independent commission against corruption.

I just want to reflect on incidences that have come to mind as a local member when people have come to me in my electorate who have been serving police officers. I cannot say whether the issues they bring to me are right or wrong until they are fully investigated, and how can they be fully investigated when, as they believe, if you take a matter to the Police Complaints Authority, you have police investigating police?

There have been allegations of improper use—and I must stress that they are allegations—of information that is available to police to use against either serving officers or former officers. How is any of this going to be investigated appropriately so that we know that there is not this misuse in our police force of information that is available to people, supposedly, on a confidential basis? I have certainly taken my constituents' issues to the new Attorney, John Rau, and I hope that things are progressing there.

Mr Pengilly interjecting:

Mr PEDERICK: Absolutely. I would like to think that there is nothing improper happening. I will not broaden my comments too far in relation to the case in question, but when people believe that classified documents and information is being used improperly against them, I find that to be a very, very serious matter. With those remarks, I commend the bill. I think this state would be far better off if we had an independent commission against corruption.

BURNSIDE COUNCIL

Ms CHAPMAN (Bragg) (11:13): I seek leave to make a personal explanation.

Leave granted.

Ms CHAPMAN: I understand that the member for Light indicated to the house only minutes ago that minister Gago in some way has been impeded from publishing a report commonly known as the MacPherson report into the Burnside council as a result of that report being

necessarily suppressed by court order. I rise, by way of a personal explanation, to inform the house that that is untrue.

The correct position is this. There is an application before the Supreme Court and it relates to the validity of the process of the investigation. In the course of those proceedings, an affidavit by one of the claimants has been sealed, and attached to it as an annexure is that report, but there has been no court order or injunction, no action whatsoever by the Supreme Court or any other court to suppress the publication of this report. This is a matter that entirely rests with minister Gago, and that remains the case. I ask that the member for Light make sure that he clearly understands that before he comes into this place and makes that sort of assertion.

Mrs GERAGHTY: On a point of order, Madam Speaker.

The SPEAKER: Point of order, member for Torrens.

Mrs GERAGHTY: I think this has gone well beyond a personal explanation. I actually think the member is giving a speech.

The SPEAKER: I uphold that point of order. I was getting rather concerned. A personal explanation is about something relating to the member, and this seems to have gone well beyond that. I think we have heard sufficient from the member. The member for Fisher.

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL

Second reading debate resumed.

The Hon. R.B. SUCH (Fisher) (11:14): This bill raises an interesting dilemma for me, given that I have been arguing for a long time that we could have the equivalent of an ICAC without actually establishing 'ICAC House', and I have been corresponding and lobbying the Attorney-General to that end. I take him at his word that he is working on that project and that he has people assessing some options, but I make it quite clear that, if we do not get some action soon on this issue, I will quite clearly come out in support of establishing an independent commission against corruption.

There are various elements to this. Mention was just made of the Police Complaints Authority. I have very considerable doubts about that organisation, and some of them relate to my own case. I have never, in my experience, found it to be an agency which pursues matters in the way in which I believe it should. In fact, generally, the authority comes back accepting what police say, dismissing allegations and not even thoroughly investigating matters.

I would say to anyone who thinks that the Police Complaints Authority is a body able to investigate complaints against the police thoroughly, 'You are absolutely and utterly misguided.' Someone said that it is police investigating police. I do not believe that is correct. The head of the Police Complaints Authority is a lawyer, and so are many of the people working there; but, nevertheless, it is not a body that is able in any significant way to act in relation to dealing with corruption, and I think that we need to acknowledge that corruption can be in various forms.

You can also have a corrupt process—where the process is not of the highest standard, where procedures have not been followed and where there is a lack of integrity. Many people think of corruption as someone giving money, a bribe, or something like that. Corruption and corrupt practice are also very much a part of what needs to be addressed.

The Police Complaints Authority, as presently constituted, tells me in correspondence that it cannot investigate the 300 or so complaints it gets a year, and therefore it is selective in what it investigates; and one could say at face value that is reasonable because some complaints would have more substance potentially than others.

The other agency I have absolutely no confidence in whatsoever is the Anti-Corruption Branch of the police department, and that is based on firsthand experience. I can talk about this now because my court case matter has concluded. The Anti-Corruption Branch was asked by the commissioner to investigate a leaked letter, which someone in the police force obviously thought was germane to my case. It was not. Because the letter mentioned the same road and it was written on behalf of constituents, someone thought that it was germane to my case. Well, it was not.

Anyway, it was leaked to Michael Owen of *The Advertiser*. The Anti-Corruption Branch never interviewed my staff, but its report said that one of my staff probably leaked it because they did not like me using letterhead. They had never interviewed them, anyway. It was an absolute

nonsense, so I have no confidence in the ability of that branch. What you have is police investigating police, which is the point that has been made repeatedly in Queensland about corruption issues—you cannot have police investigating police. It does not make sense, and it is a complete abrogation of proper process.

That is what we have got in South Australia at the moment. I could detail some other cases where the Anti-Corruption Branch has done things which were quite unacceptable relating to a former president of the Legislative Council. It has been put to me that it tape-recorded his phone call and then, when he was extremely ill, went to him to get permission for what had already been done. That has been put to me by a very senior person within this parliament. I have no way of checking that, but it is a very serious allegation. I have no confidence whatsoever in the Anti-Corruption Branch.

What we have is an auditor-general who has his (or maybe in the future, her) hands tied in terms of investigating local government. It is not surprising we have had problems in councils—and it is not just the current matter of Burnside—because the Auditor-General has had his hands tied in investigating matters related to local government. He has had no oversight of financial matters, he has been unable to investigate council matters, and many councils run businesses. I know from personal knowledge that some of them have done things in the past which the public would be horrified if they knew. So that is the other dimension.

Then we have the Ombudsman who has the power of a royal commissioner, and I have argued that the Ombudsman's powers could encompass and be the focal point for complaints about alleged corruption and the ombudsman could engage someone from the independent bar, a senior counsel, to investigate a matter. That, I think, would constitute a pretty good model as an alternative to a standing ICAC, but if the government cannot come up with that alternative in a package which is meaningful and effective then I will support the Leader of the Opposition in her quest for an independent commission against corruption.

The idea of a national ICAC is nonsense. Most other states now have their own; they are not going to have a national one anyway. Anyone who thinks South Australia is immune from corruption is kidding themselves. If you follow what has been happening recently in Victoria, there has been evidence brought forward that the police department over there have been monitoring the phones of journalists who have written articles that are critical of the police, and there is a suspicion that has been raised by Ted Baillieu, the Leader of the Opposition, that the police may well have been monitoring the phones of MPs.

We do not know in South Australia, and you are not likely to find out, because we do not have a mechanism that can thoroughly and independently investigate those things. We also have a situation in South Australia where I believe SAPOL and the commissioner are not really responsible to anyone. Theoretically they are responsible to the Minister for Police but in reality I would like someone to tell me who they are actually accountable to. So we have a serious problem here in South Australia at various levels—local government, the police and other possible areas—that are not adequately covered at the moment in terms of any anti-corruption measures.

I implore the Attorney-General, who I believe is a capable decent person, to act promptly to bring in either an equivalent to an ICAC or, if he wants to have an ICAC, then that is fine. But if he cannot and the government does not want to call it an ICAC, then reform those other components, change them, so that they can do the work that an ICAC would be expected to do. I think the public in South Australia are calling for an ICAC or, as in my model, an equivalent.

Debate adjourned on motion of Mrs Geraghty.

LOCAL GOVERNMENT (AUDITOR-GENERAL) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 July 2010.)

The Hon. S.W. KEY (Ashford) (11:23): The honourable member for Fisher, Dr Such, has introduced the Local Government (Auditor-General) Amendment Bill 2010 to amend provisions of the Local Government Act 1999. The honourable member has called for the amending of part 2, division 4, sections 128 to 130 of the act to require that the auditor of each council and any subsidiary of the council be the Auditor-General. The government does not support this motion.

His argument for the amendment is that this change would give the Auditor-General oversight of the affairs of councils, thereby minimising risks to breaches of governance,

administration and financial malpractice. He argues that this would provide early warning signs of inappropriate behaviour and allow financial performance comparisons of council by the public. In his second reading speech the member cites a quote from the Auditor-General's report of 30 June 2006 which states:

There are a number of factors that indicate a need for the responsible Minister and/or Parliament to have, on an annual basis, a positive comprehensive independent audit assurance concerning not only matters relating to the financial statements, but also, the adequacy of controls and general governance issues associated with Local Government administrative arrangements, ie, propriety and lawfulness considerations.

The current provisions of the Local Government Act 1999 require councils to have an independent qualified auditor (section 128), set out requirements as to the conduct of the audit (section 129) and direct the CEO of a council to assist the auditor (section 130).

The provisions of the act provide a legislative audit mandate for a local government auditor that is comparable to the Auditor-General. It ensures that councils are audited to a broader extent appropriate to the public sector and sets positive comprehensive audit assurance that not only covers the matters relating to council financial statements but also the adequacy of internal controls and general governance issues associated with council administrative arrangements, that is, property and lawfulness.

In layperson's terms, section 129(1) and (2) of the act mean that the auditor is not just examining where the money went but also how a council controls public money and whether its management systems are sufficiently robust and prudent to prevent or detect fraud, wasted inefficiencies and so on. The purpose of auditing controls is to increase confidence in the way the public finances are managed. It is not sufficient that the public money is managed well: it also needs to be seen to be managed well. Therefore, the auditor will be required to check not only the use of public money but also the systems of control that a council uses to manage public money.

Both the audit opinion with respect to financial statements and the audit opinion relating to sufficiency of internal controls will accompany the council's financial statements (section 129(9)). Further, the customary audit management letter that provides technical advice to council management is also to become a public document after the council has had 60 days to consider and respond to it.

Under the recently introduced amendments to section 129, the matters on which a council's auditor must report to the minister have been expanded. They now include the reasons for any adverse audit opinion, the reasons if the audit opinion is provided subject to qualifications or limitations, and any matter that in the auditor's opinion ought to be reported to the minister (section 129(6)(a) to (h)).

The act states that the council auditor must be a registered company auditor or a firm comprising of at least one registered company auditor (section 128(3)(a) and (b)). As such, individuals or firms undertaking audits would normally be members of one of the three professional accounting bodies and, as such, are bound by strict codes of professional conduct. Private sector individual firms are required to prepare audit reports in accordance with the same auditing standards applicable to the Auditor-General.

In addition to legislative requirements, the Local Government Association (LGA), in conjunction with the state government, has issued information papers dealing with the scope of external audits and the content of an audit management letter. These papers provide important material for councils covering a specification for robust external audits in the local government good practice.

Section 129(6)(a) to (h) set out provisions that require auditors to report to the minister. Under section 129(8) of the act, the minister may, on the basis of a report, under subsection (6) appoint an investigator or investigators to carry out an investigation of a council under chapter 13 part 3 division 1 of the act. The investigator may be the Auditor-General. On that basis, the government does not support the bill.

The Hon. R.B. SUCH (Fisher) (11:29): The Economic and Finance Committee, I believe, was in support of something similar to what I propose, and I do not know why the government has overlooked that. The reporting format from the private auditors, and no-one is suggesting they do not continue to audit, is not standardised, so you cannot easily compare one council with another. That is not a matter of potential corruption but it is a matter of ratepayers not being able to compare what one council is doing vis-a-vis another. I think this is a reasonable measure, and I think it should be part of the package that the Attorney develops in his alternative to an ICAC.

The house divided on the second reading:

The SPEAKER: There being only one aye, there is no count required. The motion is negatived.

Second reading thus negatived.

BLACK HILL PONY CLUB

Mr GARDNER (Morialta) (11:36): I move:

That this house—

- (a) commends the volunteers who have worked for 26 years to build and maintain the remarkable Black Hill Pony Club facility on what was previously a dump site at Woodforde and has since been used for the benefit of young people in the local community;
- (b) notes the community's desire to maintain open space, sporting and recreational facilities as much as possible in their built environment; and
- (c) condemns the government for demanding that the Black Hill Pony Club cease using its facility from November 2010 in order to maximise the amount of land available for new housing developments.

This issue has been discussed over a number of months now and the history of the debate has been canvassed publicly and in this place. I do not intend to retread old ground and I may not finish the debate by just going over the same things that have been said before, but I do want to introduce some new material into the context of this house.

First, in terms of commending the volunteers who have worked for 26 years to build and maintain this remarkable facility, the Black Hill Pony Club, as has been said, was previously a dump site and using clean fill and the efforts and endeavours of volunteers, they have built an arena, a cross-country course, club rooms and a facility that currently assists 200 members—children of all backgrounds in the local area—to have the benefit of access to animals, learning about using animals, very healthy activity and the sorts of recreational opportunities that they have at the pony club.

One volunteer in particular, the club's president Katherine Warren, is worthy of particular commendation. Some members who have had a bit of involvement with this debate would be aware that Mrs Warren and her family have had a dreadful year, and all sorts of challenging and difficult personal circumstances have compounded how difficult this issue has been for that family but, throughout the debate, Katherine Warren has conducted herself with a dignity and courage that is commendable. She has represented the interests of the Black Hill Pony Club extremely well throughout.

It is very disappointing that this is going on, not just for Katherine Warren and her family but also for the families of those other 200 children who are involved in the club. It has become clear that, unless the minister is about to advise us of remarkable new developments, the government will not be removing the requirement that the club move, and I will get to some more specifics later in my comments. I appreciate the responses to my inquiries from the minister throughout this debate. In one of the responses, in a letter dated 7 June, the minister concluded by pointing out:

The Magill land is a high value site and, as such, the government cannot ignore its value to the South Australian community and reinvesting the proceeds of the sale of new government infrastructure.

As I understand it, the proceeds of the sale are supposed to be reinvested in the new youth training facility to be built at Cavan, and that is a very important infrastructure development which I support. In fact, I was publicly very vocal throughout the lead-up to the election and up to the decision being made in 2009. However, there is money in the budget to do all sorts of things, and I do not believe that the best way to fund these projects is by reducing the community's opportunity to be involved in other worthy pursuits. As I said, the pony club supports 200 local families in having their children involved in active recreation and is worthy of continued support.

A number of members of the pony club, local residents, as well as others in the community, have had the courage to put their views out in the public arena, and I think it would be useful to have them in the *Hansard* as well. In particular, I would like to refer to some of the comments that have come to my attention for the benefit of the house. Reb Row wrote:

I am a member of the BHPC and find it difficult to understand why my government will displace and threaten this active and successful sporting club. I have been involved with horses 14 of my 22 years and directly link being around horses with increasing self-esteem, confidence and social skills. Horses have taught me, and the

other children at the club, responsibility and what it means to put another being before oneself. I am dismayed that my government is so hastily compromising this club which already facilitates physical activity, education and life skills for youths; to further provide for youths who have made incorrect choices in life.

On that point, I should say that I certainly agree with the government that we need that new training centre at Cavan; that is important. Going on, Reb Rowe wrote:

It seems that the government is more comfortable dealing with punitive measures rather than prevention. BHPC was built and still runs on volunteers and fundraising and, as a hardworking club, we keep fees low to enable anyone to be involved with horses. We are living proof that horses aren't an elitist hobby. The location of BHPC is important so as to remain in the metro PC zone and keep competitions challenging in the zone and statewide. We hope an alternate option can be reached and that the government realises that gold medals are born of grassroots clubs like BHPC.

In a similar light, a lady called Vanessa wrote on the *East Torrens Messenger* site in relation to this matter as follows:

As a youth worker and a pony clubber when I was a child... I do not believe closing down a community—any positive community. That just goes against everything I have been taught as a youth worker!! Which is how important community and community involvement is!!

Sue Young wrote:

I have been a member at Black Hill Pony Club for 23 years. Have had three children go through, one rider representing our state in a national competition for five years and then internationally and now the youngest (12 years) training at state level, ready for selection. It will be devastating if the club goes from this site. Hard work, community support and fund raising helped to give our children/riders the grounds today so they can ride safely and practise under the watchful eye of an instructor and parents. Being a very competitive club our young riders have a passion that shows in the results. Every year we always represent our club at state competition in all disciplines and do well. We are family orientated and the children enjoy our camps at clubs in the holidays. How does one explain to the young children that they may not have their ponies for much longer? Where is the sense, that our club families that do the right thing for their children compared to the children...that don't! We are a community and a very proud one at that. We teach self-discipline, patience, social interaction, care of animals and the knowledge of landcare that involves all our families. Where's the justice??

Mike Round of Montacute recently wrote a letter to the editor, saying:

Black Hill Pony Club has been in existence for 30 years and I am appalled that the Rann government could consider upending the club for some tawdry financial deal. I might be naive, but I thought the idea of progress was to improve quality of life, but it will be sadly decreased for pony club members, their families and society as a whole. I have travelled to work past the disputed site for the past two years and I would much rather see the youngsters and their ponies than more houses. Also I thought that keeping facilities local was a government priority, in line with reducing car travel and carbon emissions. With a background of daughters and horses, though no association with the Black Hill Pony Club, I can understand the anguish this move by the government is causing. How about the government putting our young people ahead of the developers?

This is the sort of community concern that exists and has been prompted by the government's move to sell off this land. We know that the land at the Magill Training Centre site is significant—some 16 hectares I believe—and the six hectares occupied by the Black Hill Pony Club is an additional opportunity the government has seen to make some money, but it will devastate local infrastructure. Turning back to the minister's letter:

The focus is on it being a high value site and as such the government cannot ignore its value.

There are high-value sites all around Adelaide that are currently being used for community use and open space, and if that is the basis on which government will make its decisions to sell land, just looking at the value and nothing else, then all members should be concerned that their community facilities, wherever open space is in existence at the moment, will potentially be overtaken in the government's quest to sell land for housing.

The Premier in this place two weeks ago told us forcefully that he did not agree with those who understood the cost of everything and the value of nothing, but this is a prime example of this government showing that it may be able to put a cost on the Black Hill Pony Club land and what it can achieve in terms of money, but it does not know the value to the community that this club represents.

The letters to the editor continued throughout the Messenger, and I will not read out any more, but we have to look forward. We know the government is expecting the club to be off the land within two months. The club has been actively pursuing alternative opportunities for a site ever since they were first told that they would have to relocate, which was at the beginning of this year, through negotiations with various councils. It is a matter that has been discussed with a number of councils in the Morialta area. Campbelltown and Burnside do not have any available land. The

Adelaide Hills Council may have one patch of land that might potentially work and the pony club will be working through that council.

The pony club has also written to other councils, but it is difficult to get answers while those councils are in caretaker mode at the moment. Hopefully, an opportunity may arise where there could be an alternative piece of land, which would not be in the best interests of the pony club, but if this land is to be sold and the government is not going to retract its position on that, then I hope the government will facilitate those moves.

I notice in the budget the community recreation/sports facilities program opportunities have increased from a maximum of \$300,000 grants to \$500,000 grants, and such a grant is in the range of what the pony club would require in order to be able to relocate, if a suitable patch of land can be found. In recent weeks, I wrote to the Minister for Recreation, Sport and Racing, requesting his assistance in potentially making that available. It would require a special exemption to the date by which grant applications must be made, because it is impossible now for the club to secure a piece of land from another council until after the council elections, which would preclude them from this grant.

I urge the Minister for Recreation, Sport and Racing to enable them to do that. In a similar context, I have also written to the Hon. Jennifer Rankine, the Minister for Families and Communities, requesting that, if the government will not step back from forcing the club off the land, at least it give them that extra few months that may well enable a smooth transition, if the planets are in alignment on the other matters.

The alternative of course is that this club will end and the families and children who currently benefit from the opportunities for recreation in this way in their local community will no longer have that opportunity. Riding a horse is not something that should be available only to the wealthy who can afford to own land of their own and have the time to operate it, by visiting that land and their horses in that sense. Where there is an opportunity for people of any background to be involved in this sort of activity it should be encouraged. I therefore urge the house to support this motion.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (11:50): I would like to read into *Hansard* a letter to the president of the Black Hill Pony Club, which states:

The Department for Family and Community Services, in conjunction with the Treasury, are currently assessing options for the progressive rationalisation of the Magill Training Centre. Initially, it is proposed that the portions of the site which are not required for the operations of the training centre will be subdivided and sold. The land currently utilised by the Black Hill Pony Club will be one of the parcels to be included in that process.

Accordingly, in accordance with the undertaking given by the former minister for community welfare on 16 May 1986, I hereby give formal notice that the Black Hill Pony Club is required to vacate the site on or before 30 June 1995.

I regret that this action—

The Hon. M.J. Atkinson: Strike me pink!

The Hon. J.M. RANKINE: If the member for Croydon could be silent for just a minute. The letter continues:

I regret that this action is necessary and trust that the club can identify alternative options in the interim that will ensure that it continues to operate successfully after 30 June 1995.

Yours faithfully,

The Hon. David Wotton, Minister for Family and Community Services

That letter was dated 7 July 1994.

Let us put a bit of history to this. In May 1984 the then Labor minister for community welfare approved use of part of the land for the Black Hill Pony Club for an initial period of two years, and advised that the lease could be terminated by the minister with three months' notice. The Black Hill Pony Club agreed to this lease term. So, let us be clear about the history. They knew that, by the very nature of their lease, the government would require access to this land at some point in the future.

In July 1994 the Liberal minister for families and communities gave formal notice for the club to vacate the site, as I said, by 30 June 1995, as the Liberal government proposed to sell

portions of the land. Since then the government has, in good faith, supported these arrangements. It is now important that the club abide by its original agreement.

The Black Hill Pony Club has been aware of the government's intention to sell Magill since 2006 due to the need to replace the outdated Magill Training Centre. The department has effectively given 11 months' notice, eight months more than the minimum three months' notice required to terminate the land lease. The Black Hill Pony Club has received generous support since 1984 on the Magill site and has paid no rent during this time (an estimated value of something like half a million dollars).

On 15 January 2010 the government formally advised the Black Hill Pony Club that the lease of the land at Woodforde would terminate on 30 November this year. We understand that the Black Hill Pony Club is a community organisation run by a group of dedicated volunteers and, in respect of this, the department will not require the club to bear the cost of cleaning up the site or of removing any fixtures that the club decides not to remove.

Whoever buys the land will be required to prepare a master plan for the redevelopment of the site. This process will require the purchaser to consult with all relevant parties, such as the Adelaide Hills Council, the City of Campbelltown, Rostrevor College, adjoining owners, the local community and community housing providers. The Development Act provides for up to 12.5 per cent of the site to be public open space. The form that public space takes would be subject to negotiation between the developer and the council.

As the member for Morialta has acknowledged, proceeds from the sale of the land will be used to build a new youth training centre at Cavan. The new centre will provide an environment which gives young offenders and some of our most vulnerable young people the best chance to rehabilitate and turn their lives around. It will incorporate a balance of safety and security for young people, staff and visitors. The design and construction of the new facility will ensure that national and international standards for young children and young people in juvenile justice facilities continues to be met.

As the member for Morialta said, he was vocal in expressing his opinion about the need for this new facility—he cannot have it both ways. The Magill land is a high-value site, and selling this land will be reinvesting in an important infrastructure project, which is the right thing to do for the South Australian community.

Successive governments, Labor and Liberal, have been clear about the terms of tenancy of this land. As far back as 1994, the Liberal government indicated its intention to sell the land. The actions taken by this government mirror that indicated by the former Liberal government. If the government accepted the proposition put by the member for Morialta, no government would ever again allow community groups access to vacant land or facilities that they may need at some time in the future.

Dr McFETRIDGE (Morphett) (11:56): Listening to the minister was an interesting history lesson. Let me just tell you about my history and association with the pony club. I started in pony clubs when I was a young kid living at Salisbury—not exactly a silver spoon area. It was a working-class area, and we worked very hard not only to buy our ponies and gear but also to keep the ponies going. Then, when I was teaching at Port Augusta, I started the Flinders Ranges Pony Club out at Stirling North—not exactly a silver spoon area either. Mainly railway employees lived out there and they worked very hard to buy horses and ponies for the kids.

The bottom line of pony clubs in South Australia is they provide an exceptional training area for young people with horses, but they also teach so much more about responsibility, cooperation and becoming a better person. It is not just about a bunch of little, well-heeled kids on their ponies, with mums and dads in Range Rovers turning up on Sunday to put their kids on show. It is not about that at all, and I sincerely hope there is not one tiny piece of class warfare in this.

I just hope that this government remembers that it has a social inclusion commissioner. It is a government that has tried to abide by the triple bottom line. We have a financial bottom line, so I can see issues with having to provide new facilities and infrastructure, particularly in a desperately needed area like training for young people who are involved in the justice system. If some of those young people had had the opportunity to be involved in the pony club system, they may not have ended up in the justice system.

We do need to spend on new infrastructure, but let us remember that there is also the social bottom line and the environmental bottom line. Maintaining the 12 per cent open space that

the minister talked about is a good thing, sure, but it is not going to be anywhere near the open space that is there now, which may be an unfortunate consequence of having to look at the greater good—in this case, building a new training centre for young people involved in the justice system.

The social bottom line is that the end result will hopefully be a better outcome for the people in the justice system. However, the social bottom line also has to include the kids, their parents and all of the volunteers who have been working so hard at the Black Hill Pony Club for so long. It may be that the endgame is that they do have to be moved, but these are volunteers, and although they may have been on notice for a number of years they are volunteers who cannot afford to go out and buy another piece of property, or find another piece of open space, to run the pony club.

So, what has the government done to assist them to negotiate with other landowners to enable them to use other areas of open space? It is not something that is easily achieved, so it should not be just left up to the volunteers. The government knew this was going to happen; the pony club knew it was going to happen—they did not quite know when. So, there needs to be some negotiation and compassion.

It is not the 'announce and defend' that we have heard about. It should be consultation, working together and protecting the futures not only of the young people involved in the justice system, and hopefully improving them, but also of the young people whose lives, in many cases, revolve completely around their ponies. Certainly the ponies are a very large part of their lives. To miss out on being able to go to the pony club would be a huge, huge hole in their lives.

This is not just about moving a club off its grounds: it is bigger than that. It is about the whole process, including how you handle it and the outcomes. There has to be a win-win here; it does not have to be a win-lose. That can be achieved by the government assisting the Black Hill Pony Club in obtaining an alternative area for conducting its activities, which are so valuable for the future of these kids.

As a student teacher in 1971, I think it was, I was taken to Magill Reformatory, as it was then, and I remember going into the maximum security section—that is 40 years ago—and I was gobsmacked at the archaic conditions that young people were being kept in then. It was the sort of prison that you thought was something out of the early convict days; but, no, this was how we were treating young people at that time. I can still see those kids' faces looking through the bars at me when they had been locked in the recreation area, wondering what the hell I was doing in there looking in their tiny cells.

I have vivid memories of what was there then. I have not been in there recently—I should go and have another look—but I do know that you cannot continue to treat people like that in our justice system. There have to be alternatives, and you may have to make some hard decisions. Perhaps in this case one of those hard decisions—

The Hon. M.J. Atkinson interjecting:

Dr McFETRIDGE: Unlike the member for Croydon, who is happy to sell off the Parks. I have taught at Regency Park Technical High School, so I know what it was like out there. Once again, it is not exactly a luxury area, but the people out there are genuine, decent people and do not deserve to be treated the way they have been by this government. In the same way, we do need to make hard decisions on the future in order to provide the best outcomes for the various people in our society, and in this case those young people involved in the juvenile justice system. They do need better facilities than I saw back in 1971, and they do need better facilities than we know exist out there now.

If the Black Hill Pony Club does have to move—and that may be the unfortunate outcome for it—let us hope that it is not a complete dead end or a complete negative. I know that the Minister for Recreation, Sport and Racing is a really decent fellow. We are not expecting millions of dollars in grants—far from it; we are realists on this side. However, let us hope there can be some resources given by his department to help the people at the Black Hill Pony Club relocate and enable them to continue the work they have been doing over the past 26 years for the young people of South Australia who enjoy horse sports.

I strongly support the motion moved by the member for Morialta and hope—perhaps in vain—that this government does actually remember the triple bottom line they should be looking at: we need the financial outcomes, but in that process, at the same time, let us look at the social and environmental bottom line.

The Hon. M.J. Atkinson interjecting:

Dr McFETRIDGE: It is not just a lose-lose, member for Croydon; there can be decent outcomes all the time.

The Hon. M.J. Atkinson interjecting:

Dr McFETRIDGE: You cannot just print money; we know that on this side. We do not get into what they are doing in England and America where they are printing money (and there is a term they use for that). We know that you cannot do that; we are responsible economic managers. However, at the same time, we want to act responsibly and treat with compassion those who have hard decisions to make and those who are facing big changes in their lives. In this case, the Black Hill Pony Club volunteers need to be given a bit more time and assistance, which I think can achieve a decent outcome.

Mr GARDNER (Morialta) (12:04): I thank the member for Morphett for that contribution. I noted in the minister's contribution the focus of her argument seemed to be, 'Well, in 1995 the Liberal Party wanted to sell off this land and, now that we want to sell it off, we are just doing exactly the same thing, so therefore it is okay.' In 1994, the Liberal government did give the Black Hill Pony Club notice. A government letter to the club, which was in materials sent to me, shows that in July 1994 the club was given notice of 11 months and three weeks to vacate. Later on, though, it was given a year's extension and then it went on. The point is that the previous government listened to the community and found alternative means to proceed without selling off this land.

As I said previously, if the cost of the site is the only consideration and the current value of its use to the community is not to be taken into consideration, then every open piece of land in South Australia particularly close to the city which this government has any claim on should be quivering in its boots. Hopefully, a resolution may be possible, but it will need good faith from the government.

I was disappointed by the way the minister seemed to vilify the volunteers, as if it was all their fault. I was disappointed by the way the member for Croydon continually interjected with ridiculously rude and unsympathetic skin-deep comments that are just completely pointless. It shows this government is arrogant and inane. The government would do better to listen to the community and when it says that it is going to consult with the community and be a listening government to do just that. That would be a good start.

At any rate, that is not what we have. We have the government that we have. I urge the government to negotiate in good faith with the club, to give them an extension on this land if it is intent on selling it and to help them find a new site, rather than just telling them to go off and find something by the end of November.

As I said, I echo the comments of the member for Morphett. I think the good Minister for Recreation, Sport and Racing has an opportunity within the program he just expanded to assist this club to get the relocation expenses that it will need, if that is to be the case. I urge the house to support this motion.

The house divided on the motion:

AYES (16)

| | | |
|---------------------------|-----------------|--------------------------|
| Chapman, V.A. | Evans, I.F. | Gardner, J.A.W. (teller) |
| Goldsworthy, M.R. | Griffiths, S.P. | McFetridge, D. |
| Pederick, A.S. | Pengilly, M. | Pisoni, D.G. |
| Redmond, I.M. | Sanderson, R. | Such, R.B. |
| van Holst Pellekaan, D.C. | Venning, I.H. | Whetstone, T.J. |
| Williams, M.R. | | |

NOES (24)

| | | |
|----------------|----------------|------------------|
| Atkinson, M.J. | Bedford, F.E. | Bignell, L.W. |
| Caica, P. | Conlon, P.F. | Foley, K.O. |
| Fox, C.C. | Geraghty, R.K. | Hill, J.D. |
| Kenyon, T.R. | Key, S.W. | Koutsantonis, A. |

NOES (24)

O'Brien, M.F.
Piccolo, T.
Sibbons, A.L.
Vlahos, L.A.

Odenwalder, L.K.
Rankine, J.M. (teller)
Snelling, J.J.
Weatherill, J.W.

Pegler, D.W.
Rau, J.R.
Thompson, M.G.
Wright, M.J.

PAIRS (4)

Hamilton-Smith, M.L.J.
Marshall, S.S.

Portolesi, G.
Rann, M.D.

Majority of 8 for the noes.

Motion thus negatived.

SOCIAL HISTORY MUSEUM

The Hon. R.B. SUCH (Fisher) (12:13): I move:

That this house urges the state government to create a social history museum in Adelaide to showcase the social, political and economic achievements of South Australians.

Members will be aware that this has been a bit of a hobbyhorse of mine for a while because, sadly, we do not have a comprehensive social history museum in Adelaide to serve not just Adelaide but the whole of South Australia. We have an excellent Migration Museum, but that has a particular focus and there is no reason why that could not be part of a bigger, broader social history museum. Some members would recall that Old Parliament House used to be a constitutional museum. That has since gone. In South Australia we have so many fantastic achievements to be proud of. We also have a lot of artefacts that are currently not on display, including the first printing press used here in Adelaide. That is in storage, and there are a lot of other things.

I will not go through the list of what we have achieved, because I have canvassed some of it before, but I would have thought that the government would be particularly keen to showcase some of the achievements in this state in relation to Australia: the legalisation of trade unions, 1876; the first juvenile court; adult women given the right to vote and to stand as members of parliament, 1894; the establishment of the public housing authority, 1936; the first police force in Australia, 1838; the first state to grant adult male suffrage, including to Aboriginal men, 1856.

On television last night, a new program about public speaking (which I would give a mixed rating) made reference to Aboriginal people getting the vote, and the wrong date of 1965 was given instead of 1967. South Australia actually gave Aboriginal men the right to vote in 1856. That is how progressive we were. The other states would not agree when we had federation. They wanted to continue discriminating. We gave Aboriginal women the right to vote at the same time as we gave non-Aboriginal women the right to vote in 1894. So we were leading Australia, and in many respects leading the world, with a whole range of achievements.

In regard to agriculture, things like the stump jump plough were developed here, and at dear old Woodville the photocopier was developed; that is where it came from. Xerography—that is what xerox took its name from, the photocopier was developed in South Australia. The stripper harvester was developed here by John Ridley; the first metal mine in Australia was opened at Glen Osmond in 1841; the first Lutheran service; the first non-English language newspaper in Australia *Die Deutsche Post für die Australischen Colonien*, 1848; first branch outside London of the YMCA; the first public animal-powered railway in Australia, connecting Goolwa and Port Elliot, 1854.

We developed the secret ballot here. We take that for granted, but that was created here in South Australia and adopted around the world. We introduced, or put a ban on, plural voting in 1856 (although sometimes I think there may be people in the cemetery who are still voting); no property qualification for members of the House of Assembly, that was 1856, and a relatively low property qualification for members of the Legislative Council. We were the first Australian colony to have parliaments elected for three-year terms, and our constitution is considered to be one of the most democratic in the world, ahead of other Australian colonies, the United Kingdom and most European countries.

The Real Property Act was passed in 1858 and developed by R.R. Torrens, who was a member of parliament; the Sisters of St Joseph, the first entirely Australian order of nuns, was founded by Mary MacKillop and Father Julian Tenison Woods at Penola in 1866; first croquet club in Australia, 1867—something I am looking forward to playing one day; it is a bit too vigorous for me at the moment, but I will train and get used to croquet one day—the first chamber of manufactures in Australia, 1869; first Australian capital city to be connected by telegraph; and, as I said before, the first part of the commonwealth, the British Empire as it was, to legalise trade unions; and so the list goes on. The first state secondary school for girls in Australia opened in Adelaide, the Advanced School for Girls; and the University of Adelaide was the first university in Australia to admit women to degrees in 1880.

We have some fantastic things to tell the world, not only for tourists but also for the local community. If you do not acknowledge your history I believe you do not have much of a future, because you can learn from history. We should be developing a knowledge in our citizens, and making tourists aware, of the great achievements—and I could go on and on.

There are so many other things where we led not only Australia but the world. Catherine Helen Spence was the first woman in Australia to participate in an official commission. The first juvenile court was set up in 1890. In 1897, Catherine Helen Spence was Australia's first woman political candidate. It is rather appropriate that we notice that, given the recent convergence of the female governor-general and a female prime minister.

The list goes on and on. The first crematorium in Australia at West Terrace was established in 1903; the first driver's licence was issued in 1906; and the first women police were appointed in 1915, the first in the British Empire to be appointed on an equal basis with men, including equal pay for women police. That was 1915—how's that for a first? As I say, the list goes on and on.

I did mention earlier the development of xerography, using liquid developer. We should mention people who invented it in 1952: Ken Metcalfe and Bob Wright of the Defence Standards Laboratory. I do not think I need to list all of these. If members want the list, they are more than welcome to have one.

I noticed that, looking at the paper back in July, the member for Florey brought back to Adelaide a piece of history—an historic grille from the suffragette museum. As a place that led the world, and certainly Australia, in terms of facilitating female participation, we could certainly find a place for something like that in a comprehensive museum here.

If you travel around the world—and I have done some travelling but not a lot—in New Zealand you will find that Christchurch, which has only half the population of Adelaide, has a social history museum. If you go Wellington, they have a fantastic social history museum. Wherever you go in the world you will find that most modern societies have a comprehensive social history museum.

The one in Wellington is fantastic; if you ever go there have a look. Just up the road is their huge national museum, which includes a focus on natural history and social history. In their specific Wellington Museum every year is documented, and they also acknowledge the contribution of the Maori people to what is now New Zealand.

My dream is to have a museum where we acknowledge not only what has happened since the official settlement here, but also the contribution and the ongoing culture of Aboriginal people. I think it would be fantastic if we had a really large-scale museum which could showcase all of those things. We can acknowledge the contribution of people who have come here as migrants, we can acknowledge the people who were born here, we can acknowledge the people who have invented and developed things, and we can acknowledge the people who have been innovative.

I do not think all South Australians appreciate how progressive our society was—and it was not always realised. Even in the attitude towards and treatment of Aboriginal people the official policy was one of tolerance and acceptance. It was not always practised, we know that. However, I would like to see a social history museum which brings together all those various facets: Aboriginal history stretching back 40,000 to 50,000 years; the involvement of Europeans, as migrants or as those born here but descended from migrants; and so on.

We have a fantastic message to give. When people come here that is what they want to see. They want to have a look at what has made South Australia the place it is today. I think it is time, and I would urge the government—sure, maybe in this budget things are a bit tight—to start

planning for a museum that is reflective of our wonderful heritage, and let's showcase it and show the world what has been achieved here, so that we can all look to the future, so the future can be based on an understanding of what has been achieved here in the past. I commend the motion to the house.

The Hon. S.W. KEY (Ashford) (12:25): I move to amend the motion as follows:

That this house notes the state government is considering better ways of promoting the social, political and economic achievements of South Australians.

The idea of a social history museum has merit, and I have heard the member for Fisher talk about a lot of his ideas in this area. I remember agreeing with him that there needed to be a place, for example, to showcase the fantastic political cartoonists we have not only in South Australia but in Australia, and there needs to be some thought put into that showcasing. I also have great dreams of museums I would like to have seen in the past. I have to confess that I was part of a submission writing team—largely unsuccessful, I might add—that wanted to establish a Labor history museum.

I also share with the member for Florey the idea and also the proposal that we have a suffrage museum to commemorate the fantastic achievements, particularly with regard to women and our indigenous Aboriginal people getting the vote. It would be very good to have such a museum, and I am sure the member for Florey will speak to this herself. It may be that such a museum needs to be a national museum located in South Australia. We all have lots of plans and lots of dreams, but I just wonder where the funding would come from.

I am very proud of our own state museum. Certainly, the current director and her predecessor were very keen to make sure that our state museum—the South Australian Museum—was more accessible and had more flexibility regarding the exhibits and exhibitions held there. I have been very proud (probably infrequently) to be a Friend of the South Australian Museum, as I know a number of other people in this place are. With the progressive leadership we have in the state museum at the moment, this is something we should strive for.

In absolutely agreeing with the member for Fisher's views about social history, particularly our own South Australian social history, being commemorated, it seems to me that we already have venues that can do that and have done that in many instances, but there is always room for improvement. We also have three other excellent museums that come to mind: the Migration Museum, the South Australian Maritime Museum and the National Motor Museum, all managed by History SA, which cares for the state's history collection and interprets them for the public's enjoyment and appreciation.

The Migration Museum at Kintore Avenue, which is very close to my heart, opened in 1986 as a social history museum focused on the preservation, documentation and interpretation of South Australia's diverse cultures. It is a place where people can discover the many identities of the people of South Australia through the stories of individuals and communities and explore why people choose to come to South Australia—who came, how they came, what they brought with them and the effect immigration has had on people who were already living here.

The museum houses a number of permanent exhibitions on immigration and the settlement history of South Australia, and it has a collection that is particularly rich in documents and textiles. Featuring a number of hands-on displays, the main galleries take visitors from pre-European Australia to the present day through a range of personal stories and engaging objects that highlight the many different cultures that comprise our community.

In addition, the museum hosts and develops the changing exhibitions and public programs. The museum is a respected institution in the South Australian community, and it has been a key destination for both overseas and interstate visitors with approximately 159,000 people visiting the museum in the 2008-09 financial year. I think that we really do need to congratulate the Migration Museum.

I have been to a number of fantastic exhibitions just recently: Home is Where the Heart Is; The Migration of Ideas: It's All Greek to Me; and Remember the Holocaust. Some of the permanent exhibitions at the museum include Impact: An Illustrated Aboriginal History; The Memorial Wall; and Immigration and Settlement in South Australia.

In the short time I have left, I would like to talk about the South Australian Maritime Museum, which was also established in 1986. Its purpose was to collect, preserve and promote the state's maritime history. The South Australian Maritime Museum is located close to the sea in the

heart of historic Port Adelaide—an area that I grew up in, so I feel very close to the Maritime Museum.

The museum has a number of different exhibitions. Most recently, minister Gail Gago from the other place, the member for Florey and I had the benefit of going to see the wonderful exhibition by Mark Thomson. I am not sure of his title, but I think that it might be vice-chancellor of the Institute of Backyard Studies. His exhibition looked at the lost tools of that infamous South Australian Henry Hoke. I have been to a number of other exhibitions there, which have included Dolphins: The Port River Pod; Action Stations! The Navy and South Australia; and Wrecked! Tragedy and the Southern Seas. So, the museum has hosted a wide variety of exhibitions. I am told that more than 74,000 visitors went to the Maritime Museum in 2008-09; so, again, a very impressive number of people have used that space.

Also, if people are interested and they do come from a migrant family (as I do), they can look up the ships that have come to South Australia and the passenger lists. I was very pleased to identify members of my family and my husband's family on different ships and to see their names.

There is also the National Motor Museum, which was established in a disused flour mill in 1965 at Birdwood. Many of us have had the opportunity to go there. It was acquired by the South Australian government in 1976 and houses the most important collection of motor transport history in Australia. There is a rumour that the Florey mobile is going to the National Motor Museum, so I think that will be quite exciting for us politicians.

It is also an international centre for collection, research and preservation, education and display of road transport history. Obviously, it is much more than a collection of vehicles; it has a social history about the way we were, the way we are now and perhaps the way we will be in the future. The National Motor Museum is the recognised centre in Australia for research, recording, and the preservation of aspects of Australia's motor road transport history with a collection of almost 400 cars, motorcycles and commercial vehicles—and soon, as I said, the Florey mobile. This is one of the areas I think we should look at. I am told that 67,900 people visited the museum in 2008-09—again, another fantastic use of that venue. People who are interested in our state's history are also invited to check out the History SA website for information about the changing exhibitions and events in our wonderful museums.

Ms BEDFORD (Florey) (12:35): I take this opportunity to add to the debate today. As the member for Ashford alluded to, we are busy looking to establish a museum of suffrage and democracy. We think a national museum is in order and we very much think it should be here in Adelaide. I would like to put on record my thanks both to the Speaker and the Clerk of the House who have been absolutely instrumental in managing to get a portion of the grille from Westminster Palace in London which, as we all know now, was the scene in the Ladies' Gallery in the House of Commons where our own South Australian woman Muriel Matters chained herself.

Muriel Matters became the first woman to speak in the House of Commons and, to have that piece of history here in South Australia, is the beginning or the nucleus of a very important collection that we can establish here in South Australia. It is vital, particularly now that the Australian Electoral Commission has closed its education centres in both Adelaide and Melbourne so there is nowhere you can go now to learn about our system of democracy and voting.

I think a museum of suffrage and democracy lends itself to having a home here in South Australia. Once its home is here, it is vital that there are moving collections going around Australia all the time so that the message of how parliament works and why it is relevant is made known to everybody. The State Library does a marvellous job with lots of history around South Australia, and the National Archives, I think, is a collection that very few people know about and use.

Mentioning the National Maritime Museum, the clipper ship the *City of Adelaide* will be coming home to South Australia, and down at Port Adelaide that is going to be a marvellous new place to visit South Australian history. It may be that our museum of suffrage and democracy can be associated with that—there is not much room left on North Terrace, I guess is my point. We really need a home and 'build it and they will come' I think is the next thing that follows on there. With those remarks, I support the amendment.

Ms CHAPMAN (Bragg) (12:38): I indicate that I do not support the amendment. I will not be calling for a vote on it, but I think that the mover's motion should stand and that the actual creation and getting on with having a history museum is what is required, not just further

consideration. The government has had eight years to consider this matter. While I am heartened by other speakers to consider aspects that they still want to pursue, we need to have some action.

In the event that a social history museum is established, I would commend, as other speakers have, the incorporation of the outstanding achievements in our political history, including women's representation. I simply add that, if that is to be under the consideration of the present government, they should ensure that they include the Hon. Joyce Steele whose very portrait graces our chamber here in the Versace blue—a former member for Burnside and first female member of the House of Assembly in 1959. In addition to that—

Ms Bedford interjecting:

Ms CHAPMAN: Actually I don't think Amanda's blue is quite the same, so I would keep with the Versace blue.

The DEPUTY SPEAKER: I myself would have said it was a sort of a peacock blue.

Ms CHAPMAN: In addition, I suggest consideration be given, with approval, of recognition of the Hon. Jessie Cooper who also in 1959 was elected to the Legislative Council. Both these women represented the Liberal Party (then known as the Liberal and Country League, or LCL), and it has a very proud history. It is very important that they be recognised having, after 65 years since suffrage was achieved in this state, finally achieved office in parliament.

I mention Jessie Cooper particularly because, at the moment, she does not have recognition by having her portrait hanging in this parliament. I think that is a shame. If there is any possibility of that being remedied, I hope that would be considered by the government or, indeed, the President of the Legislative Council. I am not sure of his view on this matter, but I would urge him to consider giving her due recognition—right now, without waiting for the history museum.

The Hon. R.B. SUCH (Fisher) (12:40): I will not quibble over the words. I think the important thing is that the state government, and others, get involved in actively pursuing the creation of a facility, whether it is one or more, to showcase the social, political and economic achievements of South Australians. I think, as a community, we have been too modest in not acknowledging what has been achieved in South Australia.

My particular vision is a comprehensive social history museum where you could have the various elements acknowledging the suffragette movement. I think it is better to have one facility, if possible. I urge members, if they ever go to New Zealand, to visit the social history museum in Wellington. It is funded by the council, and I would hope that the City of Adelaide would come on board in terms of a social history museum. If members visit the Wellington museum they will see that every year is detailed in a brilliant and exciting way so people of all ages can appreciate what has been contributed by the people of New Zealand in general and the people of Wellington in particular.

So, let us see some action on this. Words are fine, but let us showcase what we have and what has been achieved here—the diverse range of achievements and artefacts that we have that are currently not on display. Let us not only enjoy our heritage but also showcase it to the current generation and generations to come, along with those who come to visit. I commend the motion to the house.

Amendment carried; motion as amended carried.

SOUTHERN EXPRESSWAY

The Hon. R.B. SUCH (Fisher) (12:43): I move:

That this house welcomes the announced duplication of the Southern Expressway and urges the state government to improve access and egress for residents of Reynella, Happy Valley, Woodcroft and surrounding areas, as well as the evaluation of light rail, O-Bahn bus lanes and other bus options, including trolley buses.

As the motion indicates, this is a positive recognition of the recently announced duplication of the Southern Expressway. We all know why it was not done initially—there was not enough money. It is a pity that was the case because, as I understand it (and, for part of that time, I would have been in cabinet), the cost then would have been 30 per cent more to duplicate it. Now it would be well over double the cost because, as I understand it, all the bridges have to be removed and replaced.

Simply, what I am seeking with this motion (and I have already written to the minister and I am sure he will take on board these suggestions) is to highlight that, whilst the access for travelling north exists on the expressway as people come in near Happy Valley, the access for people

wanting to travel south, and points such as that, does not readily exist. All I suggest is we need some lateral innovative thinking in relation to the duplication and, where possible, allow, for example, high speed buses or light rail, or whatever can be put down there. Those high speed transport options will be able to come off at points that can serve that wider southern area, there could be potential linkages with the rail line to the west and, hopefully, even a light rail option which could serve areas such as Woodcroft, Reynella East and so on.

As we have seen in Western Australia, when they have built freeways in recent times they have put a railway down the centre. I am not saying that needs to happen here. It would be great if it could, but I think the planning—and I know it is at a concept stage now—needs to go beyond just simply duplicating the road. I would urge the government to think outside the square, literally, in terms of looking at the options. You do not have to replicate the O-Bahn in terms of concrete infrastructure and so on; you can have dedicated bus lanes that are simply on bitumen.

What we need is to look at all the options and ensure that this time, with added resources, the infrastructure that is created is appropriate and will serve the community for many years to come, including when, possibly, the price of oil starts to hurt the people who live in the southern region. So, I am urging the government to look at a whole range of options and particularly to ensure that people can access the Southern Expressway if they are heading south, as well as those who wish to head north. I refer, in particular, to the people who live in the Happy Valley, Reynella East area. I commend the motion to the house.

Mr BIGNELL (Mawson) (12:47): I move to amend the motion as follows:

Delete the words 'urges the state government to improve' and replace with 'the improved'; and

Delete the words 'as well as the evaluation of light rail, O-Bahn bus lanes and other bus options, including trolley buses' and replace with, 'and also notes the massive investment the state government is making to improve public transport services in the south.'

In February of this year, the state government announced the duplication of the Southern Expressway and the building of a new interchange at Darlington. Almost 15 years after the Liberals delivered a half-hearted effort that has drawn ridicule ever since and made us a national laughing stock, the Rann Labor government has moved decisively to address the issue the way it should have been done in the first place.

The Liberals did not properly plan or fund the project, and it is estimated that the duplication will now cost us \$445 million. The difference, however, is that, unlike the Liberals, the Rann Labor government will deliver a Southern Expressway that will not only meet the needs of South Australians today but well into the future. The Rann Labor government's duplication of the Southern Expressway is being driven not by short-term expediency but by long-term vision, underpinned by solid planning.

The planning is being done as we have the scoping studies to work out the best way to have on-ramps and off-ramps and other parts of the infrastructure built, because it is very complicated to undo the dog's breakfast that was put there in the first place by the Liberal government. We have traffic merging into fast flowing traffic from the wrong side of the road, just as one example.

We need to look at the Panalatinga entrance and exits at Woodcroft, which is going to be a very big job. I was out there the other day with three members of the Department for Transport, Energy and Infrastructure and a local constituent who was concerned about pedestrian movements to and from the park-and-ride car park at the top of Panalatinga Road over to the bus stop. It is a very dangerous intersection where people have to cross many lanes to get to the bus stop, and then back again in the evening. It is going to be a very big job just to get the scoping and the planning right in this study.

We are increasing bus services in the south to Old Reynella, Reynella, Woodcroft, Willunga and Sellicks. The buses that use the expressway have a fairly free-flowing movement. The traffic moves along at 100 km/h for most of the distance along the expressway and I see that as continuing, so I am not sure that it is necessary to run an O-Bahn or light rail alongside that corridor when you already have fairly fast-flowing movement.

Those sorts of light rail and O-Bahn developments actually work better where you do not have something like the Southern Expressway and they are much more needed there. That is something that we are looking to do in the long-term planning around Darlington as we try to devise a transport solution for that area, which is one of the busiest parts of South Australia. All the traffic

comes together from the expressway—South Road, Flagstaff Road—and then you have Sturt Road coming on to it. It all funnels in together and then it goes out again into Ayliffes Road and South Road. It is a real bottleneck at the moment.

We are looking at not only improving the traffic flow for cars but also the possibility of extending the Tonsley line to the Flinders University and Flinders Medical Centre precinct. That would be a huge boon. Of course, you would then provide park-and-ride facilities so that people from Woodcroft, Happy Valley and those suburbs could drive down the hill on the expressway, park at the park-and-ride, get on a train and be quickly into town without all the bottlenecks that we usually face every morning and evening along Goodwood Road and South Road.

In March this year, the government finalised the 30-Year Plan for Greater Adelaide after extensive public consultation and has delivered a document that will inform the way Greater Adelaide is shaped over the next three decades. The plan envisages a southern Adelaide with 6,075 net additional dwellings and 43,000 net additional jobs, highlighting the necessity of duplicating the Southern Expressway to support this growth.

There will be duplication of approximately 18.5 kilometres of expressway, including the duplication of the existing road and footbridges. Again, it just shows the shortsightedness of the Liberals not to blast out the rock face wide enough to allow for the duplication one day or to erect bridges that were wide enough so that you could simply run the extra lanes that we will be adding to the Southern Expressway under those bridges.

As it stands, we are going to have to replace all but one of the bridges along the expressway which is a great waste of time and money. It is like anything: if you are building a house, you get the foundations right and the rest will be better in the long run. In this case, the Liberal government showed a great lack of foresight. As I said, we will get on and we will finish the job properly.

It is going to be a great project in delivering jobs for the south. This morning we had our latest meeting of the Southern Expressway task force, which I chair, to ensure that we have all the stakeholders in the local area and at government level talking about how we can ensure that 50 per cent of all the jobs that will come through the duplication of the Southern Expressway go to people in the southern suburbs.

This is going to be a huge project, as is the extension of the Noarlunga line to Seaford. It will create jobs in the short term but it will provide alternatives for people in the long term. Whether they live at Victor Harbor or McLaren Vale, Willunga or Aldinga, people will be able to drive to the park-and-rides at Seaford, get on the train and, within 35 or 40 minutes on an express train, be in the centre of the city; or, in fact, just catch the train to Noarlunga Centre or Brighton to visit the good seat of Bright and some of the cafes and restaurants near the jetty which, Madam Deputy Speaker, I know you frequent and promote all the time.

We have made huge investments in public transport and infrastructure, and that has been continued just the week before last with the delivery of the state budget—a budget committed to delivering for people in the south. We are also spending money on an overpass at the corner of Main Road, McLaren Vale, and Victor Harbor Road. It is important that we make these sort of funding commitments to help people to not only get to and from where they have to go a lot quicker but also to make the roads a lot safer.

Part of the member for Fisher's motion calls for the evaluation of light rail, O-Bahn bus lanes and other bus options, including trolleybuses. An amount of \$2 billion is being invested over 10 years to deliver initiatives to transform Adelaide's network into a vibrant state-of-the-art system, providing faster, more frequent and efficient services for train, tram and bus commuters. This unprecedented investment in public transport underpins and confirms this state government's determination to provide a cleaner, more sustainable public transport system that makes Adelaide one of the best cities in Australia to live, work and do business.

In the 2009-10 federal budget, the federal Labor government announced a \$646 million investment in the building of South Australia's road and rail infrastructure, which will build on a massive \$2 billion over 10 years already committed by the Rann Labor government. I was very happy to see the Gillard government returned, because I think this government has forged great relationships with our counterparts in Canberra, making sure that South Australia gets more than its fair share of funding. We are seeing money coming out of Canberra for projects that have never before been paid for by federal governments.

I want to pay tribute to our Minister for Transport, Energy and Infrastructure for the work he has done in consulting with his colleagues in Canberra. He really has leveraged a lot of money out of Canberra, the likes of which we have never seen before, and we are building the infrastructure for South Australia to enjoy, not only now but well into the future. It is a pity that, when the Liberals were in government, they did not have the same sort of vision and capacity to put together a proper plan and proper infrastructure.

Mr GRIFFITHS (Goyder) (12:57): Madam Deputy Speaker, we have just heard 15 minutes of gobbledygook from the member for Mawson.

The DEPUTY SPEAKER: I would actually like to correct you there. Just for the record, I think it was 10 minutes.

Mr GRIFFITHS: Well, it was a long time, anyway. I was certainly sick of it after about three minutes.

The Hon. A. KOUTSANTONIS: Point of order, Madam Deputy Speaker. Personal reflections on members are not allowed. Surely the former deputy leader might have some honour and actually talk about the motion rather than the person.

The DEPUTY SPEAKER: I assume, minister, that you are referring to standing order 127.

The Hon. A. KOUTSANTONIS: Yes, ma'am.

The DEPUTY SPEAKER: I think that would be a reflection on the member, but you were really talking about what he was saying and not him as a person, were you not?

Mr GRIFFITHS: I was, Madam Deputy Speaker; true.

The DEPUTY SPEAKER: I do not uphold the point of order, but I understand the point the minister is trying to make. Let us not leave him to the gutter with our rage, let us be statesmanlike.

Mr GRIFFITHS: If the minister and the member for Mawson are offended by the use of the word 'gobbledygook,' they are a lot softer than I thought.

The DEPUTY SPEAKER: I am sure that they will live to fight another day.

Mr BIGNELL: Can I just point out that I take no offence at all at the member for Goyder's comments.

The DEPUTY SPEAKER: That is lovely. Okay, so everybody is happy. It is kumbaya, it is love in the room, it is a new paradigm in politics. Member for Goyder.

Mr GRIFFITHS: It is interesting that this is the second time today that I have heard the word 'kumbaya,' so I congratulate you on that.

The DEPUTY SPEAKER: Have you been talking to Christopher Pyne?

Mr GRIFFITHS: No, I have not. It is interesting how history has changed. I respect the fact that the member for Mawson, as parliamentary secretary to the minister, is heavily involved in the Southern Expressway duplication. I know that it services his community and I know he is passionate about it, but he has reinvented history to some level by just reflecting upon supposedly poor decisions by the Liberal Party when in government from 1993 to 2002. Surely he also has to reflect upon the financial position of this state at the time and the desperate situation that we found ourselves in. Hard decisions had to be made, but investment in infrastructure still had to occur, and the best that could be done was done at the time with the available funds.

It is appropriate now that governments of all persuasions invest in infrastructure. It is the key to the growth of our economy; there is no doubt about that. That is why both sides are committed to this project: because they see merit in it. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

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

ONKAPARINGA, BUFFER ZONES

Mr BIGNELL (Mawson): Presented a petition signed by 945 residents of South Australia requesting the house to urge the government and the City of Onkaparinga to ensure there is an

adequate buffer zone of land and vegetation along the Victor Harbor and South roads to screen the proposed new development at Seaford Heights and that no approval be given to the project until pedestrian and vehicular traffic issues have been further considered.

AUDITOR-GENERAL'S REPORT

The SPEAKER (14:01): I lay on the table the 2009-10 Annual Report of the Auditor-General, including Part A: Audit Overview; Part B: Agency Audit Reports—Volumes I, II, III, IV and V.

Report ordered to be published.

PAPERS

The following papers were laid on the table:

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

SA Ambulance Service—Annual Report 2008-09

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

Guardian for Children and Young People—Annual Report 2009-10

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

WorkCover Corporation of South Australia—Annual Report 2009-10

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

Phylloxera and Grape Industry Board of South Australia—
Annual Report 2009-10
Financial Report 2009-10

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

Director of Public Prosecutions—Annual Report 2009-10

MURRAY-DARLING BASIN

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P. CAICA: We are about to embark on the next significant step in reforming the management of the Murray-Darling Basin with the release of the guide to the proposed plan on 8 October 2010. Over many years, the South Australian government has taken a strong and principled approach to achieving reform of the Murray-Darling Basin, and we will continue to do so.

We have sought and supported strong commonwealth leadership. This has been demonstrated through the establishment of the independent Murray-Darling Basin Authority and the development of the basin plan. We seek to demonstrate exemplary behaviour at home in managing the water resources of the River Murray. There are many longstanding examples of this leadership, including:

- our early actions to 'cap' water use in 1969;
- our continuous improvement in irrigation efficiency; and
- our leadership and commitment to the Living Murray Program, as the first state to meet our water recovery target.

Strong working relationships between partner governments continue to be vital to ensuring the best outcomes for the basin and its communities. Getting the balance right in the basin plan will be a fundamental challenge for the Murray-Darling Basin Authority, as this will require rebalancing environmental, economic and social needs.

As we seek to better understand this complex ecological system, the potential impacts of climate change and the cultural, social and economic impacts of change, we must be prepared to learn by doing—to be collaborative, transparent and adaptable. Throughout the basin, we must

work together for success in creating a functioning, healthy river system that restores environmental values and provides for viable and productive industries and communities into the future. This is a once-in-a-lifetime opportunity to provide a legacy for our children and future generations.

Following the release of the guide, the Murray-Darling Basin Authority will meet with people throughout the basin, including South Australians. To inform this government's response to the guide, I will also be talking and listening to South Australians about what it means for our environment, our people and our economy. While we strongly encourage individuals and organisations to make their own submissions to the Murray-Darling Basin Authority, we will be preparing a whole-of-government response to the guide, and later to the proposed Basin Plan. The government's responses will be informed by the discussions we have with South Australians over the coming months.

The principal aim of the basin plan must be to ensure a long-term environmentally sustainable future for the Murray-Darling Basin. It is clearly in the interest of all users of the river system that this is achieved. That is why I call on all members in this place to work with the government in a bipartisan way to ensure we get the best outcomes for the Murray-Darling Basin.

Only a healthy river system can sustain the livelihoods of those who depend on it. That is why our Premier fought for the establishment of the independent Murray-Darling Basin Authority that would take a whole-of-basin, no-borders approach to manage the system, based on the best scientific knowledge available. That is why the South Australian government welcomes the imminent release of the guide to the proposed plan. It is indeed our once-in-a-lifetime opportunity to re-balance the system, address overallocation and prioritise the health of the river for the future, for the benefit of all Australians.

VOCATIONAL EDUCATION AND TRAINING

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) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: I am pleased to report to the house that I have received the McCann report on the 'Regulation of vocational education and training services for overseas students in South Australia'. In May of this year, I asked Mr Warren McCann, Commissioner for Public Sector Employment, to examine the regulatory system governing the provision of vocational education and training (VET) services to overseas students studying in South Australia. I initiated this review because I wanted South Australia to have the best practice standards in this sector and, in a large part, owing to my concern about the welfare of international students arising from the cancellation of the registration of the Adelaide Pacific International College.

A swift response was needed to maintain the quality of the VET sector, ensure the integrity of the regulatory environment, and inspire the full confidence of all interested parties. The sector impacts greatly on our productivity and is an important export industry. I remind the house that the industry generates around \$990 million per annum in income and supports around 7,000 jobs, as well as supporting critical skills and workforce needs in the state's economy.

I must emphasise that, though international students were the focus of the immediate concerns that gave rise to the review, the report and its recommendations cover the entire private VET sector and reflect on broader matters about domestic students. I asked Mr McCann to advise on whether our current regulatory system was sufficiently robust to maintain the integrity of quality education and training and to explore early intervention options that would prevent providers from becoming critically noncompliant with national standards. The report makes 31 recommendations, including:

- developing a stronger compliance regime supported by appropriate civil and criminal sanctions;
- harsher penalties for breaches of the act by increasing the current maximum fine 20-fold, from \$5,000 to \$100,000 for registered organisations and \$20,000 for individual operators;
- improving risk management through better market intelligence and analysis capability;
- lifting barriers to entry to prevent substandard providers ever being registered; and

- improving the audit process and capability to enforce compliance.

The McCann report also recommends extra powers to the regulator through changes to the Training and Skills Development Act 2008, including:

- strong powers given to the regulator to act in urgent circumstances in 24 hours, rather than the current 28 days;
- powers to suspend registration of a provider if the regulator is no longer satisfied that the provider is fit and proper;
- authority to the regulator and training advocate to make public statements about training providers;
- power to require registered providers maintain better records; and
- powers to cancel qualification or statement of attainment if the regulator believes qualifications were issued fraudulently or if the training has not been delivered in accordance with the standards required under the Australian Quality Training Framework.

The McCann report also recommends an improvement of existing offences and new offences are also proposed including:

- a new offence for a person providing false or misleading information to students or prospective students about, or in connection with, a training course; and
- a proposed offence if registered providers do not report certain matters to the regulator.

Importantly, there will be no increased regulatory impact on businesses complying with the legislation and standards; that is, red tape will not increase on most operations because of these changes. The proposals will, however, increase sanctions and regulatory impact on business operations that are defined as high risk.

The commonwealth, in consultation with states and territories, is currently drafting legislation and supporting regulatory instruments to establish a National VET Regulator. Many of the recommendations of the McCann report are of direct relevance to the development of the National VET Regulator, and I will refer all relevant recommendations from the McCann report to the interim commissioner of the National VET Regulator. This will make sure that South Australia will continue to have a strong regulatory framework into the future.

I intend to introduce a bill to amend the Training and Skills Development Act 2008 later this year. In coming weeks, I will release the proposed legislation for consultation with industry and interested parties.

We have an obligation to ensure that both international and domestic students are ensured a quality education, and I am confident that this approach will protect the state's excellent reputation as a provider of high quality education services.

I am pleased to tell the house that the government has accepted all of Mr McCann's report recommendations, and I commend him and his staff for the excellent and thorough work which has been produced. The report builds on the good work in recent years already achieved in this industry by both government and the private sector. South Australia's reputation as a provider of high quality education and training services will be enhanced by adopting the McCann recommendations, and are aimed at reducing risk to the reputation of South Australia as an international education destination and build more protection for all students, both international and domestic, studying VET in South Australia. I now table the report.

VISITORS

The SPEAKER: I understand we have some guests here from the Lutheran Village Para Vista and the Modbury Church of Latter Day Saints, who are guests of the member for Florey. So, welcome, and I hope you enjoy question time.

QUESTION TIME

The SPEAKER: We had a much better question time yesterday but it still was not to my total satisfaction. You are still on warning that somebody may leave today before closing time. I hope, when we have guests here, you behave accordingly—and that's not a promise you can go home early!

ADELAIDE OVAL

The Hon. I.F. EVANS (Davenport) (14:13): My question is to the Minister for Infrastructure. What is the latest cost estimate of the Adelaide Oval upgrade, and has the cost estimate blown out to between \$50 million and \$200 million above the \$535 million government contribution, as suggested by Steven Trigg in the media this morning?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:14): The opposition are determined that this will not proceed, whatever they can do this should not proceed. The circumstance is that the taxpayer is exposed for \$535 million—up to \$535 million.

The current construction budget is \$450 million, with \$85 million going towards SACA as compensation for their assets with a done deal. The current western side of the oval, with 14,000 seats (I think it is) is costing \$116 million, which is about \$8,500 a seat. The \$450 million for the remaining 34,000 seats, by our rough arithmetic, allows for about \$12,500 a seat. We believe that is a very reasonable and realistic budget. There are people out there who believe it may cost more, and there may be, as we have said before (it is completely on the record), some issues about contingencies and escalation. That is the reason why, when I answered yesterday, I told the member for Davenport that we were—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: —rolling out more funds because we want to land the project in 2014, and we want to get the earliest possible contractor involvement, because that is how we will contain the cost. The figure of \$200 million more than the \$450 million is, in my view, a complete nonsense. You would have to understand what—

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: He's good isn't he? When they don't like an answer they simply won't listen. What has been happening here with the opposition and the question about who pays for the interest and where it comes from is not about any protection of government finances, because \$535 million is the absolute ceiling. What it has been about is the member for Davenport trying to provoke a fight between football and cricket—and that is exactly what he is trying to do, and he knows it. What we have sought to do is bring football and cricket back together after 40-odd years of fighting, and what the member for Davenport wants to do is keep them fighting. Well, that is their ambition; it is not ours.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Have we finished our debate across the floor?

Members interjecting:

The SPEAKER: The Treasurer and the Minister for Transport will be quiet! The member for Mitchell.

LOW EMISSION VEHICLES

Mr SIBBONS (Mitchell) (14:17): Thank you, Madam Speaker.

Members interjecting:

Mr SIBBONS: I will try to get through the interjections.

The SPEAKER: Order!

Mr SIBBONS: Can the Premier please advise the house of the state government's plans for low emission vehicles?

The SPEAKER: The Premier.

Mr Pisoni interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:17): Tell us about your business—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —and why it's not going.

The SPEAKER: Order!

The Hon. M.D. RANN: I want to thank the honourable member for this question. I am pleased to inform the house that the government—

Members interjecting:

The SPEAKER: Order! We will have some order so that we can hear the Premier's answer. The Premier.

The Hon. M.D. RANN: Thank you. I want to thank the honourable member for this question. He has a very long and distinguished history in the car industry in this state; in fact, that is where I met him. I know that he has the car industry's interests at heart, and he is going to be very pleased with some news in the near future.

I am pleased to inform the house that the government remains committed to meeting our greenhouse gas targets and will continue to seek new ways of moving our state towards a lower carbon economy. Transport is a significant contributor to carbon emissions both in our state and worldwide. It is therefore a sector that we are targeting as part of our effort to transition South Australia to a lower carbon economy.

The South Australian government is responding to the policy imperatives of climate change, urban air quality and energy security in a number of ways, including through an overhaul of public transport and urban planning. We are also looking at opportunities in regard to low emissions vehicles.

The Premier's Climate Change Council recently provided the government with recommendations in relation to low emissions vehicles. The council's advice highlighted technological advances that are transforming the global automotive industry and potential benefits to South Australia of preparing for and accelerating the uptake of low emission vehicles.

The government's response to that advice, which was tabled in parliament on 15 September, includes a plan to develop a low emissions vehicle strategy and to ensure the involvement of industry experts through the establishment of an industry reference group. The strategy is being developed by a cross-agency working group.

It will outline the roles and future actions of government and will complement work that is already underway. When we released Tackling Climate Change—South Australia's Greenhouse Strategy in 2007, we set ourselves the target of converting 50 per cent of state government cars (that is, the state government vehicle fleet) to lower fuel emissions by 2010.

I am pleased to announce to the house that we reached that target earlier this year, and we are now working to develop a new emissions reduction target for the government fleet. As announced on 11 September, the government plans to replace more than 1,000 six-cylinder vehicles with four cylinder cars. This will not only reduce our carbon output by about 1,000 tonnes of carbon emissions per year but it will also service our local economy. We plan to source the majority of our purchases from Holden's Elizabeth plant when its Cruze model rolls off the production line.

In addition, the government has recently concluded a voluntary sector agreement with the Royal Automobile Association (RAA) under the Climate Change and Greenhouse Emissions Reduction Act. This agreement will focus on addressing climate change challenges relating to the automotive sector, including vehicle emissions.

We are also involved internationally. The South Australian government is a member of the climate group's EV20 initiative—a global initiative that aims to accelerate the deployment worldwide of plug-in electric vehicles. EV20 involves: local, state and national governments, automotive manufacturers, fleet owners, financiers and electric vehicle supply chain players. I attended the inaugural EV20 working group roundtable in Copenhagen in December last year, and the initiative

has since been launched in Australia through a series of roundtables in Adelaide, Brisbane and Sydney.

The Deutsche Bank estimates that there will be 51 models of plug-in electric vehicles in production globally by 2012. South Australia can benefit from being part of this next generation transport future, not just in trialling vehicles but also in preparing their more mainstream use. For example, the government has been working with the Adelaide City Council to install electric vehicle recharging points at the Adelaide Central Market. These will be in addition to the two recharging points already installed by the council at its Grote Street U-park and the recharging point for the council's electric bus, Tindo. The government is also taking part in trialling the first electric vehicles to enter the state—the Mitsubishi Innovative Electric Vehicle (iMiEV). Mitsubishi is officially the first volume production manufacturer to release electric vehicle technology in Australia.

The South Australian government will be joining the Adelaide City Council, the City of Marion, ETSA Utilities and the RAA in testing these new electric vehicles. Our focus will be on determining their overall effectiveness as fleet vehicles. The government has also committed \$700,000 in seven years in conjunction with the Automotive CRC towards electric vehicle research, including: planning for electric vehicles, development of a household-level smart recharger and consumer views and behaviours.

In 2009 the government also organised the Global Green Challenge to encourage and demonstrate the development of new low emission vehicle technologies. Sixteen low emission production vehicles, 30 solar vehicles and one motorcycle competed in the journey from Darwin to Adelaide; and I am pleased to inform members that the event will be held again in 2011 and called the World Solar Challenge.

ADELAIDE OVAL

The Hon. I.F. EVANS (Davenport) (14:23): My question, again, is to the Minister for Infrastructure. Is the government aware whether the SANFL has written to SACA indicating that it does not agree with the Stadium Management Authority borrowing money to fund any part of the Adelaide Oval upgrade?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:23): We have been for some time. I am struggling to understand what point you make.

STORMWATER HARVESTING

Ms FOX (Bright) (14:23): My question is to the Minister for Water. How is the government progressing with the management of stormwater in Greater Adelaide?

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (14:24): I thank the honourable member for her question; and she, probably more than anyone in the house, would understand the impact of stormwater on her very beautiful electorate.

As stated in Water for Good—our state's plan to ensure our water future to 2050—South Australia is a national leader in stormwater recycling. I am advised that the scale of stormwater harvesting initiatives in South Australia exceeds that of other states and territories in Australia.

Members will also be aware that Water for Good includes a number of actions and targets relating to stormwater. One of those targets is the harvesting of 20 gegalitres of stormwater per annum for non-drinking purposes in Greater Adelaide by 2013. I am advised that, once all committed schemes are complete, the estimated harvest capability of stormwater is expected to exceed the target of 20 gegalitres by 2013. However, our longer term targets are much more ambitious than this. Our target for 2050 is the provision of up to 60 gegalitres per annum of recycled stormwater for non-drinking purposes in Greater Adelaide. That is why action 16 in Water for Good requires the development of a master plan to effectively manage stormwater in Adelaide.

I am therefore pleased to announce that I have established a high-level stormwater task force to provide a collaborative approach to improving stormwater management. The task force will provide input into the development of the government's stormwater strategy to help ensure that we make good on our stormwater harvesting and recycling targets. The strategy will address key matters such as roles and responsibilities for stormwater management and flood management, as well as providing a foundation for the development of a stormwater master plan which is due for completion by 2012 as outlined in Water for Good.

The strategy will be a government policy document which will prioritise the challenges that need to be addressed to achieve our targets for stormwater. The task force met for the first time on 28 September. It includes representatives from the Goyder Institute, the Local Government Association, the Department for Water, SA Water, natural resources management boards and the Stormwater Management Authority. It is also the case that action 84 in Water for Good provides that the government will work with the Local Government Association to review and update the governance of the Stormwater Management Authority.

Since the Authority was set up in 2007, our changing climate has seen stormwater become an increasingly important source of water for South Australia. That is why Water for Good emphasises that the review should ensure that the governance arrangements of the authority put the right emphasis on stormwater harvesting and reuse. The review which has been completed will inform an update of the stormwater management act and the Stormwater Management Agreement between the state government and the Local Government Association.

The recommendations from the review, which was jointly commissioned by the government and the Local Government Association, have been provided to the government and the LGA and will be addressed through a targeted consultation process. The stormwater task force will also be asked to provide input into this process.

The creation of this task force and the development of a stormwater master plan are the next key steps that will build on the excellent work already done by the government and local councils in stormwater harvesting and reuse. These initiatives will ensure that we maintain our reputation as leading the nation in stormwater recycling and that we achieve the stated targets.

I will continue to update the house with future announcements and achievements as we develop a comprehensive strategy for the future management of stormwater in South Australia.

ROYAL ADELAIDE HOSPITAL

The Hon. I.F. EVANS (Davenport) (14:28): My question is to the Treasurer. Treasurer, why did your government mislead the people of South Australia for the whole of the election campaign by claiming the cost of the Royal Adelaide Hospital project was proposed to be \$1.7 billion, when the Auditor-General Report reveals that cabinet signed off on the indicative capital cost of \$1.8 billion in November 2009?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:28): Let's just wait and see—

Members interjecting:

The SPEAKER: Order! The Treasurer.

The Hon. K.O. FOLEY: Madam Speaker, let's just wait and see what the final cost of the hospital is in—

Members interjecting:

The SPEAKER: Order! The Treasurer is answering the question, not the opposition.

The Hon. K.O. FOLEY: Let's just wait and see what the price of the hospital is when it comes in, and then we will see.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: We misrepresented nothing.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order! The member for Davenport will restrain himself.

The Hon. K.O. FOLEY: Anyone would know that, with a project of that magnitude, the very best we can do is put out an indicative price.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I do recall, and I am happy to find the words, when the Leader of the Opposition was questioned, I think over their costings on the stadium, she used—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I am very bored, Madam Speaker, very bored.

The SPEAKER: We all are.

Members interjecting:

The SPEAKER: Order! Will you listen to the Treasurer, or he can sit down and we will disband question time.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Isobel, that's really unfair.

The SPEAKER: The Treasurer will refrain from calling people by name.

The Hon. K.O. FOLEY: Madam Speaker, as you know, I have had my wisdom teeth out. One of them is not healing well and it gives me a headache, and their yelling is making my headache worse.

Members interjecting:

The Hon. K.O. FOLEY: I am on a few things, don't worry about that, but it is still hurting. I just thought I would share that with the house.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: That wasn't even funny. With the drugs I am on, I should be the one laughing and I can tell you that wasn't funny. But, back to the main game, as the Leader of the Opposition said during the campaign: the best you can ever do is have approximate numbers—1.7, 1.8. The point is this—

Members interjecting:

The SPEAKER: Order! Member for Norwood, be quiet.

The Hon. K.O. FOLEY: The reality is that you can—

Members interjecting:

The Hon. K.O. FOLEY: I am very bored and I am happy to sit down if members opposite do not want to hear me.

The SPEAKER: Treasurer, I suggest you conclude your remarks quickly and sit down because we are getting bored too.

The Hon. K.O. FOLEY: We will wait and see what the price is when it comes in, and then there will be one of two things: either you will be entitled to attack us or, indeed, we might be entitled to attack you when you see the price.

ILLEGAL FISHING

Mrs GERAGHTY (Torrens) (14:32): My question is to the Minister for Agriculture, Food and Fisheries. Can he advise the house of what action is being taken to protect South Australia's aquatic environment from illegal fishing?

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) (14:33): I thank the member for Torrens for this question.

Mr Pengilly interjecting:

The SPEAKER: Order! Member for Finniss, that's a long way from your electorate.

The Hon. M.F. O'BRIEN: Yes, I will get there, but I will be talking about the Western Australians. We have a number of competing demands on our fishing resources between the commercial and recreational sectors in terms of conservation requirements which have instigated the move to create marine parks in our state waters. The manner in which this balance is maintained and fishing stocks are conserved, as far as recreational fishers are concerned—and

there are around 236,000 in South Australia, a very large number—is through bag limits, minimum sizing and seasonal closures.

With the onset of spring and favourable fishing conditions, PIRSA Fisheries officers will be ensuring that our fisheries are protected through thorough monitoring of fishing activity around our state. Fisheries officers are extremely good at their job. In the last financial year alone, Fisheries officers across the state's waterways issued a total of 392 expiations and 535 written cautions—written cautions were significantly up on the previous year.

During the 2009-10 financial year, PIRSA Fisheries recorded 10 successful court outcomes and more than 25 other issues are currently pending. One of the successful prosecutions from 2009-10 was the result of a 12-month investigation which resulted in two men being arrested at Whyalla for allegedly killing great white sharks and selling their teeth and jaws for profit. Last year, officers aboard PIRSA Fisheries' main patrol vessel, *Southern Ranger*, also successfully intercepted a Western Australian rock lobster vessel found fishing within South Australian waters. Officers seized 77 rock lobster pots and 119 rock lobsters, valued at \$5,000—

The Hon. J.J. Snelling: Who got the lobsters?

The Hon. M.F. O'BRIEN: Yes, I didn't. Moving from the coast, on our inland waterways recently, two Victorian men—we are getting the Victorians—were fined more than \$33,000 combined after pleading guilty to five charges relating to illegal fishing in South Australia's Cooper Creek section of Lake Eyre basin. Potential fishing offenders should be aware of the consequences of fisheries offences and the high likelihood of detection.

Later this year, the government will be launching a new fisheries vessel to support surveillance operations in the South-East. Not only is it our fishery officers who police our waterways but the government also appreciates the extensive information we receive from the community through calls to the Fishwatch number (and I will not give it). In the first six months of this year alone, Fishwatch received 7,699 calls—and that is only in the first six months—which shows what a significant tool this is in terms of the community assisting the officers of PIRSA Fisheries in doing this splendid work.

EDUCATION, ADULT RE-ENTRY

Mr PISONI (Unley) (14:36): My question is for the Minister for Education. Will TAFE be an option for students over the age of 21 to complete their South Australian Certificate of Education?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:37): I remember that we have the member for Unley, the shadow minister for education, running around spreading misinformation about the savings initiative concerning adult re-entry. One of them is the one he is seeking to perpetuate now: that somehow we are suggesting that TAFE is the answer for these students who are seeking to re-enter to complete their high school. It has never been said and it is not the case that we are seeking to direct all of the students who may be seeking to find alternatives to the adult re-entry campuses into the TAFE system. That has never been said at any stage.

I must say, it is a little rich for those opposite to be feigning interest in how our adults get another chance at high school when they were responsible, when they were in government, for a school retention rate of 67.2 per cent—falling to its lowest ebb in 15 years. Here they are feigning interest in people completing their high school—

The Hon. P.F. Conlon interjecting:

The Hon. J.W. WEATHERILL: Exactly; feigning interest in people completing high school, yet they presided over some of the lowest school retention rates we have seen for 15 years. They are now up to a 15-year high of 79.5 per cent, giving young people the best possible chance of getting their high school completion by—

Mr WILLIAMS: Madam Speaker, I rise on a point of order. Not only is the minister debating his answer but he is not answering the question which was about whether late-entry students or students completing their SACE can do it at TAFE.

The SPEAKER: I will listen very carefully to the minister's answer, but he can answer in the way he chooses, and I am sure he is getting to the point.

The Hon. J.W. WEATHERILL: Thank you, Madam Speaker, I am. What we have is a number of adults, those under 21, who will continue to be able to complete their SACE in the adult

re-entry campuses. We also have another category of young adults, those who are over 21 years of age and who fall into the category of having some disadvantage, so categories of refugees, people with disabilities, single mothers or others, who, for some particular reason, were unable to complete their schooling. There will be arrangements made for those young adults to complete—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: If they are under the age of 21, they get there as a right; over the age of 21, for those who fall into those categories, they will still have access to complete their high schooling.

An honourable member: Where?

The Hon. J.W. WEATHERILL: At adult re-entry campuses. There is another category of young adults: those who are seeking to upgrade their skills in the areas that are covered by the 100,000 new training positions over six years that the state government has announced—an extra \$194 million. If those young people can find a particular skill that fits within those priority skills that have been announced by the government, then they will have access to support from the government to get that training.

We are asking in these arrangements, for those people who perhaps have left school without completing their high school and who, after having perhaps been in employment, are wanting to upgrade their skills, to make a contribution and fund that themselves. There are a range of registered training providers that can provide that, but they will be asked to make a contribution to that. Further, there are a group of people who presently use our adult re-entry system as a form of further adult education, such as University of the Third Age.

Mr Pisoni interjecting:

The Hon. J.W. WEATHERILL: Well, the honourable member opposite calls it basket weaving. I mean, there are a range of programs which are worthy. They are things which are of the nature of WEA courses, or University of the Third Age courses, which are undertaken at adult re-entry campuses by people who are wanting to do something which may benefit them.

We say that that is not the province of our education system. We should prioritise our education system on those young people who are completing their education, or those young adults who have missed out and want a second chance. So, that is what we are ensuring that our education system is for—those young people seeking to complete their education, or those young adults who are seeking a second chance. It is not meant to be a system that provides for a University of the Third Age, or indeed a WEA campus. We are focusing on our priorities. There are other options for those people. We are not leaving those people behind; there are other options for them.

Members interjecting:

The SPEAKER: Order!

PRISONER HOME DETENTION

Mr BIGNELL (Mawson) (14:42): My question is to the Minister for Correctional Services.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition and the minister will please refrain from arguing across the floor.

Mr BIGNELL: Can the minister inform the house about the protocols and processes around home detention?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services, Minister for Gambling) (14:43): I thank the member for Mawson for his question and his keen interest in public safety. Yesterday, the Leader of the Opposition asked if prisoners are being placed on home detention before the end of their nonparole period.

Home detention has proved to be a valuable alternative to prison in South Australia since its introduction in 1986. The program was conceived to support the graduated release of prisoners back into the community, and it is one of the department's most intensive and successful

community-based programs. The success of the program can be directly attributed to the strict eligibility criteria that has been developed and legislated. This is reflected by a high success completion rate, which in 2009-10 was 92 per cent, as compared to 82.25 per cent in 2001-02.

All applications are critically assessed and the Parole Board is consulted prior to home detention been granted. If the prisoner—

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Patience. If the prisoner was deemed unsuitable for parole, this determination would be made prior to the prisoner being granted home detention and home detention would not be granted. The Rann government actually toughened the home detention scheme significantly in 2005, making the criteria stricter for prisoners applying to complete their sentence this way. To be eligible for home detention there are strict requirements. These include:

- the prisoner must have, or soon be eligible for, a low-security rating;
- they cannot be serving a sentence for an indeterminate duration;
- they must have served at least half of the nonparole period or, if no nonparole period was fixed, must have served at least half of the total sentence;
- they cannot be released earlier than one year prior to the end of the nonparole period if the prisoner has a set nonparole period, or one year prior to the end of sentence if no nonparole period has been set;
- they must not be serving a sentence for homicide, sex offences or terrorist offences;
- they must not be serving a sentence for breach of bail or parole that is related to homicide, sex offences or terrorist offences; and
- prisoners must be able to nominate an appropriate address.

In addition, the department considers the following:

- any positive urinalysis result in the last three months;
- incidents and behaviour whilst in prison;
- court sentencing remarks;
- risk to the community; and
- any other relevant matters.

Prisoners released to home detention are not allowed to leave their place of residence without the approval of their home detention officer. They are also required to comply with a number of conditions that are rigorously monitored and applied. These conditions may include electronic monitoring, random phone calls throughout the day and night, and abstinence from alcohol and drugs. Breaches of any home detention condition will likely result in the immediate return to prison and subsequent imprisonment.

Home detainees have a structured day. That means they must have a job to go to or a course of education or training. Where a prisoner or an offender is otherwise considered to be suitable for home detention but cannot meet this requirement, voluntary community service can be ordered to provide them with the opportunity to make restitution and gain vocational skills that may lead to employment.

Prisoners on home detention who are coming up to the end of their nonparole period and are not eligible for automatic parole must receive Parole Board approval for their release to parole.

Mr Marshall interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Sorry?

The SPEAKER: Order! The minister will not respond to questions across the floor at this stage.

The Hon. A. KOUTSANTONIS: It was Norwood.

The SPEAKER: You are already answering one question.

The Hon. A. KOUTSANTONIS: You can notice him by the feathers.

The SPEAKER: The member for Norwood is being very naughty and he will hear about it afterwards.

The Hon. A. KOUTSANTONIS: The Chief Executive of the Department for Correctional Services can revoke home detention and return a prisoner to prison for breaching conditions of home detention. If at the end of home detention parole is not granted, the offender will be returned to prison.

The second part of the Leader of the Opposition's question yesterday was about the opposition being informed about the government overturning a longstanding practice that prisoners should not be placed on home detention until after the end of their nonparole period. The last Leader of the Opposition, having been informed about practices in prison, the issue was raised by the member for Unley. The member for Unley asked a question about a group called CRIMINON, and that went incredibly bad for them as well.

To set the leader straight, I have been advised that there has been no change to DCS protocols with regard to when a prisoner with a set nonparole period can be released to home detention. The legislation clearly sets out the eligibility criteria for home detention and parole, and I can assure all members of the house that the strict program criteria for home detention and the stringent monitoring procedures will continue under my watch. The safety of the community will remain paramount.

EDUCATION, ADULT RE-ENTRY

Mr PISONI (Unley) (14:48): My question is for the Minister for Education. Did the minister obtain crown law advice regarding whether or not there was a breach of the Equal Opportunity Act 1984 before announcing the government's policy to restrict public education to adults less than 21 years of age?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:49): I thank the honourable member for his question—the Rumpole from Unley.

The Hon. P.F. Conlon: What about the fact that young people can't get the old-age pension?

The Hon. J.W. WEATHERILL: That's right, yes; it's a bit confusing. We do not generally ask for legal advice concerning questions where we are fairly certain about the answer. The truth is that our education system is set up for young people to complete their education to year 12. For those people who have missed out, we do give them another chance. What has happened with the adult re-entry system is that it has become used for something else, and in the days when it was set up there was only one pathway to university, for instance. Now there are many pathways to university: through TAFE—

The Hon. P.F. Conlon interjecting:

The Hon. J.W. WEATHERILL: That's right. The member for Elder is a fine example of re-entry through a system other than through SACE into university. In fact, what a fine example he is of a successful—

The Hon. P.F. Conlon interjecting:

The Hon. J.W. WEATHERILL: Stow Prize, indeed, for law—and a fine example of somebody who re-entered the further education system without actually having to complete year 12. This is the option that is available for people if they want to re-enter. The member for Elder financed his own further education when he went back into it, but the pathway into further education was not year 12, which seems to be the misconception from which your questions proceed.

Year 12 (or matriculation or whatever you remember was the system) is not the only entry into further education. There are many other pathways into further education. We have a special

tertiary admissions test coordinated by the South Australian Tertiary Admissions Centre. Several times a year people can take that test and move into university or further education through that pathway or they can move into university through the TAFE pathway. These are all options that are available to people.

However, we have to make economies, and we are saying that this system should be reserved for those adults who are seeking to complete year 12 and who have, for some reason, been unable to complete it when it is ordinarily done at school. That is the system that is in place, I must say, across Australia.

Importantly, what we are doing now is modernising it so that we have a system of TAFE entry, a system of further education which is offering an extraordinary investment: \$194 million creating 100,000 places. That is a fantastic opportunity over the next six years for those people who are seeking to upgrade their skills and move into satisfying jobs that also meet the needs of our economy.

EDUCATION, ADULT RE-ENTRY

Mr PISONI (Unley) (14:52): My question is to the Premier. What advice did the Commissioner for Social Inclusion (Monsignor David Cappo) give the Premier about the Sustainable Budget Commission's recommendation to save \$20.3 million by discontinuing funding for DECS re-entry programs for the approximately 4,000 students over the age of 21?

Members interjecting:

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:53): Of course, some of us did not finish high school—

The SPEAKER: Order! I cannot hear the Treasurer.

The Hon. K.O. FOLEY: —or go to university. Some of us were just born brilliant.

Members interjecting:

The SPEAKER: Order! Will the Treasurer answer the question.

The Hon. K.O. FOLEY: They are rocket scientists over that side. David Cappo was on the Sustainable Budget Commission and signed off on the recommendations.

Members interjecting:

The SPEAKER: Order! Member for Unley, if your side will be quiet we can listen to your question.

SCHOOL AMALGAMATIONS

Mr PISONI (Unley) (14:54): My question is to the Minister for Education. Given that under section 14A of the Education Act the minister is required to consult with schools on amalgamations, why are schools being told over the phone (not in writing) that they will be amalgamated without any consultation taking place?

If I may explain: on 4 December 1997, when introducing the Education (Government School Closures) Amendment Bill, Labor's then education spokesperson (Trish White) told parliament:

This bill is necessary. It will establish a process of review for schools that are to be closed against the wishes of the community.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:55): I thank the honourable member for his question. The member for Unley seeks to portray this particular savings initiative as something about school closures; it is not about school closures at all. Not one school will close under this initiative and not—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Well, I get to answer your questions. You don't get to have another go when they don't work out.

Mr PISONI: Point of order: the question was about amalgamations, not closures, Speaker.

The SPEAKER: The minister can answer it as he chooses, and I am sure that he will get your point eventually.

The Hon. J.W. WEATHERILL: Can I just say that the member for Unley has had some short-term memory loss. He mentioned closures in his explanation. So does he suggest that I should disregard this explanation, which clearly must then be used to somehow occlude the question rather than explain it. It is very difficult to follow.

Mr WILLIAMS: On a point of order: by way of explanation, the member for Unley talked about a bill which put section 14A in the act, and it was called the School Closures Bill.

The SPEAKER: There was no point of order in that; that was just debate. Minister.

The Hon. J.W. WEATHERILL: It is an important question to clarify, because the member for Unley has been content—

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Transport, be quiet!

The Hon. J.W. WEATHERILL: —to leave the impression that schools will be closed through this initiative. He is content to leave the impression that either amalgamation or closure will occur as a consequence of this initiative, and what he knows is that these schools are sitting next to one another on the same school site. So, not one school will close through this proposition, not one piece of government land will be sold as a consequence of this decision.

Of course we know that over a period of time junior primary schools have been, across the state, choosing to amalgamate with their primary school sister schools sitting right next door, and many of them have done so. There are very few junior primary schools left that are co-located with their primary schools. Many of the school councils have amalgamated their operations so that they operate as one school council. What we are now saying is that, with \$27 million of capital funding, we will assist them to amalgamate.

We are seeking to reach an agreement with those schools in the first instance, but we are also saying that we want to achieve this savings initiative and, ultimately, if we have to go down the path of requiring the schools to be amalgamated—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —we will use the processes that are available under the legislation. We made that clear. We made that clear on the day of the budget to a meeting of all the relevant parties that we will take that step.

I think that those opposite need to just pause for a moment and understand the context in which all of these savings are being made—an overall \$203 million increase in the education budget. That is something that we are proud of, that in this difficult financial environment we have managed to find an extra \$203 million of investment. Sure, we are attempting to make sensible economies, and we have received support from a range of schools for this initiative, because it does not make sense that some schools have two separate schools on the one site and other schools are working under the same structure.

STRADBROKE SCHOOLS AMALGAMATION

Mr GARDNER (Morialta) (14:59): My question is also for the Minister for Education. Given that the Stradbroke Primary School and the Stradbroke Junior Primary School communities have formally rejected amalgamation proposals on three separate occasions and remain opposed to amalgamation, what consideration is being given to the wishes of those communities?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:59): I thank the honourable member for his question. If they are two of the schools that fit within the schools that are to be co-located, they will have access to a share of the \$27 million of capital funding, which is available to support the amalgamation of those schools that exist side-by-side on the same site.

We will discuss that proposition again with them. In the event that those consultations are unable to seek the agreement of the school, we will invoke the provisions that exist under section 14 of the act. The provisions of the act do provide, in the ultimate, for the government to make this decision after undertaking a period of consultation. However, in the first instance we will seek to

reach agreement with these schools, and we are confident that we will reach agreement with a number of these schools.

ROBERTS, MS R.

Mrs REDMOND (Heysen—Leader of the Opposition) (15:00): My question is for the Premier. Can the Premier confirm that his former economics adviser received a 16-week payout following the election, with the position subsequently being advertised but not filled, and will the Premier now rule out reappointing his former adviser Rowan Roberts to the same position; and, if he does reappoint Ms Roberts, will he require her to repay the 16-week termination payout?

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) (15:01): I understand that Ms Roberts is in Germany. She is in the Black Forest region of Germany. We have with us today a very distinguished citizen. Mein Freund, guten Abend. Hagen Stehr is here today. He advises me on German linguistics and philosophy.

Mrs REDMOND: Point of order.

The SPEAKER: Order! There is a point of order. The Leader of the Opposition.

Mrs REDMOND: The question was very specifically about whether that person received a payout of 16 weeks' pay, and whether the position was then advertised but not filled and whether the Premier plans to re-employ that person.

The SPEAKER: I will listen very carefully to the Premier.

The Hon. M.D. RANN: I will get a report for the honourable member, but I understand, as I say, that the person concerned, who I believe had a substantive position in the Public Service, is currently in the Black Forest—not Black Forest in South Australia, not Black Forest cake—

Mrs Redmond interjecting:

The Hon. M.D. RANN: Well, that is just what I have told you. I understand that a number of the people who have been hired by the opposition—some of whom the state is funding in legal matters against the state—get the same payouts in your office. I know that the leader has made an application for a substantial increase in funding for the Leader of the Opposition's office. That is why I believe that the member for Waite will come back, because he knows how to get—

Mr PENGILLY: Point of order!

The SPEAKER: Order! There is a point of order.

Mr PENGILLY: I believe the Premier is debating the issue and not answering the question.

The SPEAKER: I do uphold that point of order. I think that the Premier has gone too far.

An honourable member interjecting:

The Hon. M.D. RANN: Put someone in a headlock, do a garrotte, parachute to safety—all those things. I will get a report for the honourable member; but, given that she has not applied for a position on my staff and given that she has married a German economist and is now living in the Black Forest, it does seem a somewhat nebulous question, but I understand the leader's own sensitivity. I want to know, too, because I understand that recently—

Mr VAN HOLST PELLEKAAN: Point of order!

The SPEAKER: Order! There is a point of order; the member for Stuart.

Mr PISONI: Point of order!

The SPEAKER: We have already got one. The member for Stuart.

Mr VAN HOLST PELLEKAAN: I do not think it is appropriate for the Premier to be asking questions.

The SPEAKER: I am not sure whether that was a point of order. Premier, have you finished?

The Hon. M.D. RANN: I have finished.

The SPEAKER: The member for Little Para.

LYELL McEWIN HOSPITAL

Mr ODENWALDER (Little Para) (15:03): My question is to the Minister for Health. How does the minister respond to claims about current workloads at the Lyell McEwin Hospital?

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:03): I thank the member for Little Para for his question about the pressures at the Lyell McEwin Hospital; they have been the subject of some commentary in the media in the last few days. It is important that the house understands this. There has been considerable growth in demand at the Lyell McEwin Hospital over the past six years. In fact, there has been—

Mr Venning interjecting:

The SPEAKER: Order! The member for Schubert will be quiet.

The Hon. J.D. HILL: —an increase of 37 per cent in presentations to the emergency department over that time, and 46 per cent more separations from the hospital. This compares to the rest of the metropolitan area, which stands currently at 20 per cent for emergency department growth and 21 per cent growth in separations.

The Lyell McEwin is undergoing huge growth, and that is driven by a range of factors. First, the overall ageing of our population is driving growth across all our hospitals. There is big population growth in the northern suburbs, as people would be aware. Thirdly, of course, by putting extra services into the hospital, we are also driving growth by providing more: so, as a result of having more services, more people go there to get access to those services. I understand that the member for Morphett said on 891 radio this morning, and I quote him:

Definite time lines for outcomes for delivering increased capacity—that's more doctors, more nurses. More importantly, though, it's more beds in hospitals, it's getting people out of hospitals, stopping the bed block, having plans to put people back to their communities and not having hospitals so jammed up that doctors and nurses are forced to put people in corridors.

Let me say that I absolutely agree with the member for Morphett. That is why this government has invested so heavily in the Lyell McEwin Hospital. We have provided, since we have been in government, 200 additional beds across the metropolitan area, including over 50 at the Lyell McEwin Hospital so far, and that is why we are planning for and will provide another 250 beds, including over 100 more beds at the Lyell McEwin Hospital.

Since coming to government, we have employed 126 (108 full-time equivalents, that is, 93 per cent) more doctors at the Lyell McEwin; 617 (498 full-time equivalents, that is, 128 per cent) more nurses at the Lyell McEwin; and 74 (59 full-time equivalents, that is, 107 per cent) more allied health workers at the Lyell McEwin Hospital. It is a huge investment in staffing at that hospital. I am pleased to say a further four junior doctors will commence at the hospital early next year as part of the 50 additional medical training officers announced by the government during this year's state election. They are training places.

We, as a government, are transforming the Lyell McEwin Hospital through a \$339 million redevelopment. That is virtually doubling the size of the hospital. The first two stages have been completed. They include: new and upgraded inpatient wards; a new emergency department, including an extended emergency care unit; medical imaging; intensive care unit; high dependency unit; coronary care unit, state-of-the-art operating units; new women's health centre; extension of pathology and pharmacy services; enhanced day surgery services; enhanced oncology facilities; and administrative and research space. That is what we have done so far. We have put those extra services into that hospital.

Stage C, which is the largest stage at \$202 million, has commenced and will be completed in 2015-16. Stage C will provide an additional 96 inpatient medical surgical beds; 15 more intensive care beds—

An honourable member interjecting:

The Hon. J.D. HILL: Is somebody over there saying something? I can't hear. Stage C will provide an additional 96 inpatient medical surgical beds; 15 more intensive care beds; expanded neonatal service—

Members interjecting:

The Hon. J.D. HILL: Madam Speaker, I keep hearing something from over there but I have no idea what is being said. It is just a noise.

Mr Marshall interjecting:

The SPEAKER: Order! The member for Norwood will be quiet! The member for Bragg will be quiet also. She is making a lot of noise.

The Hon. J.D. HILL: There is new car parking at the Lyell McEwin, incidentally. There will be 15 more intensive care beds; expanded neonatal services; commissioning of three theatres (one has already opened); a new paediatric ward; modernisation of existing inpatient ward areas; enhanced allied and outpatient departmental areas; and an enhanced range of back-of-house support functions to support the increased size and complexity of the Lyell McEwin Hospital. So, I agree with the member for Morphett: there needs to be more expansion and more services need to be placed there, and that is precisely what the government is doing.

In addition, members will be excited to know that, earlier this year, 18 inpatient palliative care and older person beds were transferred from the Lyell McEwin to Modbury as part of the Modbury's highly praised palliative care unit. Of course, that has freed up 18 beds at the Lyell McEwin Hospital, which enables faster admissions to ward beds through the emergency department.

An important part of South Australia's Health Care Plan, of course, is a commitment to operate our health system as a whole, as opposed to individual units which are effectively in competition with each other. The Lyell McEwin Hospital will be the major tertiary trauma hospital for the northern area. It will work in partnership with Modbury Hospital, which will provide a 24-hour emergency department and services catering to that local community.

At the most recent election, I am pleased to say that the government also committed to a \$46 million redevelopment of the Modbury Hospital which will provide 36 new single rooms and a substantial \$10 million redevelopment of the emergency department, which will include 25 treatment cubicles at that hospital. So, there are huge additional resources being placed in the northern suburbs in the acute sector, both at the Modbury Hospital and the Lyell McEwin Hospital. It is needed because of that growth in demand.

In terms of broader avoidance hospital policies, as the member for Morphett referred to, the new GP Plus healthcare centre at Elizabeth is nearing completion and will play an important part in helping to keep people in the northern suburbs healthy and out of hospital, including the Lyell McEwin Hospital as well as the new GP Plus super clinic at Modbury that will be opened as well.

I take this opportunity to thank all of the very hard working staff, not only at the Lyell McEwin Hospital but all of our hospitals. The emergency departments of all of our metropolitan hospitals have been incredibly busy over the last few months, especially as a result of the normal illnesses associated with winter and over the last few weeks we have seen a huge upsurge in influenza, and that always puts pressure on our hospitals. Our government's commitment to upgrading our facilities and employing more staff will continue while the demand is there.

SPOONER, MR NEIL

Mr GOLDSWORTHY (Kavel) (15:11): My question is to the Minister for Road Safety. Why has the Registrar of Motor Vehicles not used his powers under section 80 of the Motor Vehicles Act to review and cancel the driving licence of Mr Neil Spooner, as requested by the Commissioner for Police? On 1 June 2006, Daniel Raphael was killed in an accident involving Mr Neil Spooner. In spite of a request from the Commissioner for Police, Mr Spooner's licence has not been reviewed. The opposition has been informed that since this fatal accident Mr Spooner has been involved in two further traffic incidents.

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) (15:12): I have a few things to say in response to that. Firstly, the Registrar of Motor Vehicles, with regard to what he does regarding licensing, quite appropriately, does not operate under my direction. He holds an independent statutory office, so it would be entirely inappropriate for me to attempt to direct the registrar in any way with regard to—

Mr Goldsworthy interjecting:

The Hon. J.J. SNELLING: The question was: why has the Registrar of Motor Vehicles not undertaken a particular action? I am simply explaining that the Registrar of Motor Vehicles, with regard to licensing matters, does not operate under my direction.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: If the member for Kavel was listening to my ministerial statement yesterday, we have—

Mr Goldsworthy interjecting:

The Hon. J.J. SNELLING: No, it is not different. As of today, I think, changes have been gazetted, changes with regard to the fitness to drive standards for commercial vehicle drivers.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: The Easter Island statue opposite from me has come to life during question time today and it is wonderful to see, but if he listens he might learn something. We have made changes to the fitness to drive standards as they apply to commercial drivers and this, I think, will give increased powers to the Registrar of Motor Vehicles to take action with regard to matters like Mr Spooner's.

GRIEVANCE DEBATE

DINGOES

Mr VAN HOLST PELLEKAAN (Stuart) (15:14): I rise today to speak about a very important issue affecting many people in the electorate of Stuart, but also in your own electorate of Giles, Madam Speaker, and a few other places, and that is the very serious issue of dingoes in pastoral country below the dingo fence. So, quite specifically, I am talking about dingoes below the dingo fence, not above it. It is already the case that dingoes are a prescribed pest in South Australia below the dog fence. We have a great problem with their numbers growing all the time in that area and, naturally enough, they are causing extraordinary difficulty in the pastoral industry and particularly the sheep industry.

I have been approached by many pastoralists on this issue. Over the last few years, it has arisen many times in conversation, but specifically over the last six months as a member of parliament. I will give two specific examples because I do not have that much time. Certainly, Mr Brian Treloar of Mooleulooloo station in the north-east claims that he has suffered a loss of 7,000 lambs over two years, an extraordinary loss, due to dingoes, wild dogs. Mr Geoff Mengerson from Depot Springs also gives another equally disturbing example; that is, from his own personal effort, essentially night and day for 13 weeks, he has shot 13 dingoes.

Anyone who knows anything about the pastoral industry or about dingoes knows how hard it is to find them and to get the opportunity to shoot them. Thirteen dingoes in 13 weeks—on the one hand, it attests to his skill and ability, but far more importantly and far more tragically, it attests to the number of dingoes that are in his area. I can certainly attest to the fact that, many times when I have been camping, I have heard dingoes calling in the middle of the night well below the dog fence.

This is a very serious issue for the industry and also communities in the northern areas of Stuart and Giles. There are two main reasons why this problem exists. One is because of non-pastoral use of pastoral leases in the pastoral zone. I am not denigrating those non-pastoral uses. There are many very good other uses of the land such as putting it aside for mining or using it for water, conservation, cultural pursuits, educational pursuits or recreational pursuits, but the problem is, if you are not working in the sheep industry, you have very little interest in keeping dingo numbers down and then that is of great detriment to your neighbours who are in this industry and who are working hard to control the problem. They may well be working on their own station, but if the neighbouring stations are not doing the same thing, it does not really help.

The other thing that is a major contributor to this problem is the fact that dingoes are now breeding up below the fence. The fence is in reasonably good condition. The government puts money towards the maintenance of that fence. It is not perfect, but it is reasonably good. However,

it is a two-way barrier. The dingoes breeding up below the fence are increasing their numbers all the time. It is not an issue of dingoes coming in from the north really.

Last year in South Australia, 200 dogs were known to be shot, trapped or baited. Last year in Victoria, 1,200 dogs and, in Queensland, approximately 800 per shire. We are surrounded by this problem and it is growing. We are very lucky to be in a better position in South Australia at the moment than our neighbouring states. We do not want to get to the situation that Queensland is in at the moment where their sheep industry in the pastoral zone has just about been eradicated. They nearly do not have a sheep industry any longer because of dingoes.

We cannot afford to get to that situation in South Australia. The key issue is the fact that, aside from the dog fence, the South Australian government puts no money at all into dingo eradication below the fence. There are people working very hard and doing a good job but they are completely under resourced. The money that goes into that comes from the sheep industry fund and the natural resource management boards. There is no other funding going into this. They have to apply for their money year by year for these programs. This is a program that everyone would understand would take years to achieve results, yet they have to look for new money every single year. I urge the government to take this issue very seriously and consider funding dingo eradication below the dog fence.

SMALL BUSINESS

Mr SIBBONS (Mitchell) (15:19): The member for Schubert spoke earlier in the week of a significant day in his life—his wedding anniversary. Today, I would like to share with the house that this is my significant day. Today is my 21st wedding anniversary, and I would like to acknowledge my lovely wife, Michelle, in the gallery. Thank you for putting up with me; happy anniversary.

I rise today to acknowledge some of the quiet achievers of our electorates—those who own, run and work in small businesses across our great state. Often staffed by family members or locals, our small businesses help to make our communities tick through their hard work in the provision of essential goods and services. From our butchers and bakers to our hairdressers, florists, newsagents, pubs, real estate agents, restaurants, chemists, cleaners, cafes and car yards, small businesses account for 96 per cent of all private sector businesses in South Australia.

As defined by the Australian Bureau of Statistics, small businesses are those with fewer than 20 employees. There are approximately 1.93 million active small businesses in Australia, which as of June 2009, provide employment for almost 4.8 million people, or about 48 per cent of the private sector employment.

Tomorrow, Friday 1 October, marks the start of Small Business Month. The launch tomorrow, at the Adelaide Central Market—one of the greatest gatherings of small businesses in our city—will kickstart four weeks of events to celebrate and support SA's small-business sector. I believe my colleague, minister Koutsantonis, will be speaking at the launch in his role as the state government's Minister for Small Business.

The workshops, seminars and networking functions of Small Business Month, will be designed to enable small business operators to learn more about the sector and better equip themselves, including sharing information with others. According to their website, Small Business Month:

- promotes local products and services that may help business operators;
- encourages networking and collaboration that benefits the businesses and their employees;
- fosters growth to support the state economy;
- helps South Australia's small business owners improve their knowledge, share experiences and develop the skills necessary for success; and
- acknowledges the contributions of small businesses to the state and our communities.

As I said earlier, I would like to acknowledge the efforts of small business owners, particularly in my electorate of Mitchell. While I thank them all today, I will highlight just five: Gallerie Mode, a fashion boutique in Reynella; craft haven Charlotte's Web Stamping & Papercrafts at Marion; arts and cultural centre Casa de Flamenco, Seaview Downs; and auto dealers Reynella Mazda and Southgate Holden, both of Reynella.

Apart from being small businesses, the one thing these five have in common is that they were finalists in the most recent Messenger Community News Local Business Awards for the southern region. While they did not go on to win the awards (which are in their 18th year) the owners, operators and staff of these five businesses, along with many, many others, deserve our thanks and patronage for what they bring to our society.

Messenger has been promoting small business awards since 1993, with its stated aim being to recognise and reward small businesses across Adelaide, to acknowledge and celebrate their success and to encourage economic growth and development in our communities. Messenger Community News also deserves our congratulations for the role it plays.

While these businesses may be small in numbers, they often provide such a big service to our community. So, from us, I would like to thank them for their contribution to, certainly South Australia, and my electorate of Mitchell. I would also like to thank the major sponsors of that particular event, which were the Flinders University and also SafeWork SA. I would also like to thank Messenger Newspapers, for their efforts in that—thank you.

COUNTRY SHOWS

Mr TRELOAR (Flinders) (15:24): May I congratulate the member for Mitchell on his 21st wedding anniversary. I can say to the member for Mitchell that, in just two weeks, my wife and I will be celebrating the same occasion. We are about halfway to where the member for Schubert is at the moment, I think. Looking at the weather outside, it seems that spring is in the air and a young man's thoughts turn to love, no doubt.

Members interjecting:

The SPEAKER: Order!

Mr TRELOAR: With spring in the air, it also is the time for the country shows around South Australia to celebrate the produce of the agricultural areas. Just a few weeks ago we had the Adelaide Show here in Adelaide, which proved to be most successful, mainly due to the extensive rain that was received across the state at that time. Upcoming in the electorate of Flinders this weekend we have the Lipson Show on Saturday and the Yallunda Flat Show on Monday. The Port Lincoln Show was held a couple of weeks ago.

The Wudinna Show was last weekend, and they celebrated an excellent show where for the first time they held the Australian national shearing competition, which proved quite an attraction and drew a major crowd. In fact, they had prize money in excess of \$20,000, so certainly a great competition and a real coup for Wudinna. The Cummins Show is coming up next weekend, and there are other shows around the state. The member for Stuart has shows in his electorate.

Mr van Holst Pellekaan interjecting:

Mr TRELOAR: Jamestown Show, Burra, Eudunda.

Mr Piccolo interjecting:

Mr TRELOAR: Gawler Show, no doubt. It really is a celebration of the produce of this state, as I said. I particularly want to talk about the Lipson Show today, which is coming up, as I said, this Saturday, because it has actually been in recess for a number of years. Due to the good efforts and hard work of some locals, they have resurrected the Lipson Show and they will be holding the 105th annual Lipson Show this Saturday, so congratulations to them. It will be my very great honour to open that particular show this weekend. As it happens, I will also be opening the Yallunda Flat Show on Monday. It is my great honour to do that as the local member and I am thrilled to be able to support the local shows.

Also, this weekend is the Oysterfest up at Ceduna. The agricultural and horticultural shows celebrate the agricultural produce of the regions; the Oysterfest, and the Tunarama in Port Lincoln on the January long weekend, celebrate the seafood industries on our wonderful West Coast. We are talking about milestones as far as the Oysterfest and Tunarama go, because the Oysterfest this year is the 20th annual two-day event in Ceduna. I am looking forward to attending that as well, briefly. In January 2011, it will be the 50th Tunarama in Port Lincoln, which, of course, was built around the celebration of the tuna industry and has evolved into a major event on the Eyre Peninsula, still celebrating the tuna industry but also the ancillary seafood industries that are based around our coastline.

At the Lipson show this weekend we have such things as horse events, hacking, show jumping, harness and breeds—

Ms Bedford interjecting:

Mr TRELOAR: We have a pony club, no doubt. We have the giant, strange and unusual fruit and vegetable competition, which will no doubt be a highlight. We have the Lipson showperson awards, the Country Women's scone mix competition, the Aussie letterbox competition, the Lipson Show footy comp, the rich fruitcake competition and, my very favourite, the Genoa cake competition. I am very much looking forward to being at that show.

Mr Pederick: My wife has won that at the Coonalpyn Show.

Mr TRELOAR: The member for Hammond's wife is obviously a good cook and has won that very event at the Coonalpyn Show. This really is a congratulatory grievance, Madam Speaker, on a lot of good work. Best wishes and success to all of those that are involved in putting on the country shows, not only in Flinders but right around the state this coming spring.

The SPEAKER: Thank you, member for Flinders. I look forward to hearing the results from some of those events and who won.

HALLETT COVE DEVELOPMENT

Ms FOX (Bright) (15:29): Before I begin, I would like to congratulate the member for Flinders on being one of the first Liberal members I have ever heard in this place to quote Alfred Lord Tennyson—admirable!

I rise today to speak on behalf of some constituents from Hallett Cove who are extremely worried about a development occurring in the north-western corner of Hallett Cove. For those who have not had the opportunity to visit that particular suburb, it is an outstandingly beautiful coastal suburb on the edge of a conservation park.

The Hallett Cove Conservation Park was established in 1976. It includes some significant Aboriginal artefacts used by Kaurana people and, of course, some very important geological sites. In 1877, Professor Ralph Tate discovered glacial scratchings across the cliff tops there, and those markings were made by an ice sheet which covered the Southern Hemisphere supercontinent 270 million years ago.

It is useful to understand the type of area we are discussing. It is a very quiet foreshore overlooking the gulf, with a conservation park immediately to the north. There is not one shop or commercial outlet along here or, indeed, anywhere near here. It is, as I have said, a beautiful and tranquil residential area. Residents have spent significant amounts of money buying along this foreshore so that they can have a certain kind of very quiet lifestyle.

Recently, the Hallett Cove Surf Lifesaving Club (which is no longer in operation) was leased by the Marion council as a cafe, and it has been very popular as a cafe for locals and visitors alike. There is nothing better than going along there of an afternoon, having a cup of coffee and sitting and watching the extraordinary landscape around you.

Recently, however, a liquor licence has been proposed for the Boatshed Cafe, and I would like to state from the outset that many of my objections are based on the wishes of some residents as they have approached me and, indeed, not all residents. I am sure there are some who are in favour of this licence. I have some very grave doubts on two fronts: one is for the amenity and the other is for the traffic management.

With increased night-time functions and the accompanying noise in what is a natural amphitheatre of sound, the comfort and convenience of residents may well be disturbed. The council has conditions: no loudspeakers, no garbage, no refuse noise, appropriate signage, etc. However, I cannot believe that 295 people partying at 10 o'clock on a Saturday night are not going to make noise in this area. I cannot believe that there are not going to be problems along the foreshore. I cannot believe that taxpayers' money is not going to be expended in policing the activities of these people.

For many residents this is a very disturbing thing. It is a very quiet residential area and it is going to affect their way of life, and it is going to affect the value of their real estate. On a practical level, it is a widely acknowledged fact that parking at this particular area is already pretty tight. It is available but the parks are generally in front of or very close to people's homes. At the moment, the

car park has 26 car parks, but they are going to license this place for 295 people. Where are they going to park?

With increased night-time activity, traffic inevitably grows, and the noise and crowding associated with larger events will not be well managed by existing infrastructure. I really do not see how this problem can be resolved. I know that the Marion council, the proprietor of the cafe and the residents are trying to get together to negotiate an outcome. However, I would, in this place, very publicly like to voice the concerns of many residents of Hallett Cove, of many residents of Heron Way, of the foreshore along there, of Grand Central Avenue, who are deeply concerned that a very quiet, very tranquil and very beautiful area is going to possibly change overnight.

HINDLEY STREET POST OFFICE

Ms SANDERSON (Adelaide) (15:33): I rise today to speak on behalf of my constituents regarding the impending closure of the Hindley Street post office. This post office is used by a lot of the businesses around this area and many members of parliament. This post office is closing on 15 October. For eight years I had a business on North Terrace and used this post office regularly, as do many of the businesses on Hindley Street. As we are trying to promote daytime trade in Hindley Street, I think it is imperative that we keep services such as a post office available.

In particular, there are two bookstores on Hindley Street that have regular deliveries. Every day they post out books. I was told today that, near Christmas, there are up to 10 cartons a day which have to be carried or wheeled over to send to people around the world.

It is also the closest post office to the four or five major international hotels in this area, so it is very convenient for our tourists. However, there are also a lot of residents living in the city who use this post office. Apparently, for the past three years there have been declining profits and that has led to the impending closure. However, I believe there might be a couple of reasons for that happening over the last few years. There have also been building works for two years on the corner of Bank Street and North Terrace, which has taken away most of the car parking along the area, which would be the most accessible entry to the post office. That looks like it will be finishing soon; so I am hoping that the post office will reconsider. Today's *City Messenger* states:

City councillors unanimously voted at this week's meeting to send a formal request to Australia Post, calling for it to reserve its decision to shut the Station Arcade branch on October 15.

I ask the Premier to do the same, to write to them, especially considering a former member of this house, the Hon. Trish White, has now been appointed to the board. Perhaps she will look upon us favourably. I note also that it is part of the capital city plan and the city council's plan to have 1,300 new residents move into the city each year until 2012. Whilst it might not be good economic times now for the post office, I think they need to think about the future when there will be more people living in the city. This is a vital service that should not be removed.

In the new year, the new residential building will open, and there will be lots of international students living there. I would ask that they at least wait six months to get through the very busy Christmas period, see they how they are affected by all the new residents who will be moving into this area and parking is freed up on Bank Street. I ask the government to do whatever it can to help them.

To reiterate, this is a vital service. It is always busy at lunchtime, so it is well used. If it is not viable perhaps they could look at different lines they are holding and different ways to help it. Certainly, as a business owner myself, I would not suggest that a business stay open when it is losing money. However, I think that they should stay open for at least six months and reassess, because there are more people coming and business is picking up. It has been a tough few years for most people in business. Hopefully, the government will do something to help.

GENETICALLY MODIFIED CROPS

Ms BEDFORD (Florey) (15:37): I would like to continue my remarks on genetically modified foods and talk about food labelling, which can clearly indicate products that may contain ingredients derived from genetic engineering processes and techniques or that employ nanotechnology in their production or packaging. Consistent with the government's moratorium on the commercial production of genetically modified crops, I suggest an immediate end to field trials of genetically modified crops. I believe such a measure is essential to protect farming and food industries from contamination.

The recently released Australian Organic Market Report, released by Biological Farmers of Australia (BFA), clearly shows their growth is due to the big food retailers pushing more volume through; so it is becoming more mainstream. In fact, 91 per cent of Australians say natural chemical-free food is important to them. There are now over 500 different organic lines in fresh and grocery categories in major retailers, with the largest organic sector being fresh fruit and vegetables. I understand the organic industry employs an estimated 25,000 people and, interestingly enough, that organic farmers tend to be younger than non-organic farmers; although I am not sure why that is. We all know also the pressures on suppliers working with the big food chains and that local fresh is definitely the best.

Our state has the capacity to lead Australia in innovative alternative food production and the promotion of a greater appreciation of healthy food. Friends of the Earth and the Bob Hawke Prime Ministerial Centre presented a free public forum in Adelaide earlier this year called From Plains to Plate. The event brought together over 700 farmers, health, community and government workers, academics, gardeners, permaculturists, students, environmentalists, educators, the odd politician and citizens to discuss the issue of strengthening South Australia's food systems. It provided the opportunity to examine food and agriculture through a number of streams, including urban planning and growth, agriculture and the environment, public health and food access, education and sustainability, and economics and policy.

I support the call for government partnership in South Australia to increase the potential of urban food production to cultivate healthy, nutritious food close to the communities where it is to be consumed, and more particularly so following my visit to the Aboriginal lands with that committee. It is very important those gardens again become productive, growing bush tucker as well as mainstream or ordinary vegetables, as we know them.

It is also important to reduce carbon emissions and oil dependency while increasing local food security. I have grave concerns about maintaining the segregation between GM and non-GM product, and fear that, in the future, our choice to buy non-genetically modified food and organic food will be severely restricted and will eventually disappear.

I also support the work of local community groups, such as the South Australian Genetic Foods Information Network (SAGFIN), for keeping this issue in the public forum. SAGFIN is a not-for-profit, state-based organisation established in 1998 dedicated to protecting people and the environment from potentially dangerous genetically-engineered foods and crops.

In pursuance of these aims, members of SAGFIN gather to distribute information, host public events, circulate petitions, liaise with the media and make submissions to government at all levels. They work collaboratively with other bodies having similar aims, especially those operating at a national level. They also have a particular focus on genetically-engineered foods and crops, acting as an advocate for community concerns and food and environmental safety.

I have been a member of SAGFIN since 2001—from my first visit with Mr Hans Penning, a local resident, and Dr Kate Clinch-Jones who, coincidentally, will be giving a workshop on exploring the safety aspects of GM food as part of SAGFIN's AGM in Adelaide on Saturday 16 October at the Box Factory, Regent Street, city.

As it happens, 16 October is the United Nation's World Food Day. SAGFIN contends that biotechnology will not solve Third World hunger and that the issues of multinational corporations controlling world food and seed resources may in fact exacerbate it.

Members of SAGFIN have proposed and circulated fact sheets, which talk about genetically-engineered food crops currently approved in Australia, which include soya bean, which appears in soy milk, tofu, soy protein, soy flour, oils, proteins, lecithin and various other food additives. Also corn or maize—cornflower, cornstarch, corn oil, corn protein and syrup, glucose syrup, dextrose and modified starches; cotton—cottonseed oil, vegetable oil, margarine; canola oil (as we mentioned earlier); sugar beet—sugar and MSG; bacterial starter cultures and enzymes; potato and lucerne.

Time expired.

WORKCOVER CORPORATION

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:38): I table a copy of a ministerial statement relating to the WorkCover Corporation made earlier today in another place by my colleague the Hon. Paul Holloway.

APPROPRIATION BILL

The Legislative Council gave leave to the Minister for Mineral Resources Development (Hon. P. Holloway) and the Minister for State/Local Government Relations (Hon. G.E. Gago) to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

STATUTES AMENDMENT (BUDGET 2010) BILL

Adjourned debate on second reading.

(Continued from 16 September 2010.)

The Hon. I.F. EVANS (Davenport) (15:39): I indicate that I am the lead speaker on this bill. Although there will not be many speakers from the opposition, I know that some of my rural colleagues want to make some contribution in relation to the impact of this bill on their electorate and other issues.

The opposition does not intend to defeat any measure in this bill. We come from the principal position that, although we do not agree with everything in this bill, it underpins around \$200 million worth of budget measures, and we are of the view the government deserves its budget. We will ask a series of questions and there may end up being some technical amendments in another place subject to answers here and further advice but, on the broad principles of the issues concerned, the Treasurer will ultimately get his bill, which has been a longstanding tradition.

This bill, the Statutes Amendment (Budget 2010) Bill, essentially sets out seven sets of principles into a number of acts that underpin the government's budget measures. These changes were all outlined in the Treasurer's budget speech to this house and have been subject to much comment and debate in the Appropriation Bill which has just been sent off to the estimates committees, a process we are looking forward to with great enthusiasm. So, I will not go through in detail all of the matters in this bill because the reality is they have been subject to a lot of debate in the Appropriation Bill.

For the sake of the record, this bill deals with all the Public Service changes to long service leave and recreation leave as outlined in the Treasurer's speech. There are changes to the Education Act, the Public Sector Act, and the Technical and Further Education Act in relation to those matters.

It also deals with the changes to the abolition of the fuel subsidy for regional South Australia. I have to say that, of all the measures that the government has introduced, I think it is this one that this side of the house recognises will cause considerable pain to regional South Australia and will flow onto all sorts of costs of living as a result of increased fuel costs. So I know other members will make contributions about that particular issue and the impact on their electorates. I assume the government did a regional impact statement on this decision, because this government has a policy commitment that every cabinet decision that impacts on regional South Australia would have a regional impact statement and, ultimately, we will seek the release of that impact statement by the government to show that this will not have negative impacts on regional South Australia, as some might claim.

The government has also chosen to restrict further the first home owners grant scheme by two changes which are outlined in the Treasurer's speech. It is seeking to save moneys by restricting it in one area to a cap of around \$535,000, from memory; and, in other areas, restricting it to new homes or substantially renovated homes according to the bill itself, and there will be some savings to the government as a result of that particular measure.

The impact of that measure, of course, will be that people buying their first home will essentially be pushed more to the extremities of the city because most of the new homes are built north and south of the city at its extremities. So that means there will be different pressures on government services in the extremes of the city as a result of younger families moving there to get their \$8,000, I think the figure is, and that ultimately has an impact on child care, kindergartens and schools in those areas. So, the middle of the city will miss out, largely. There are not too many houses under the cap in the centre of the city that fit into the definition the government is proposing, so what this bill really does is restrict the assistance to those people who will end up living more at the extremes of the city.

Also, there will be changes to the Motor Vehicles Act, including the abolition of the registration sticker. I know that members have some questions about that particular matter. I notice

also there are some changes to the Motor Vehicles Act in relation to expiation notices. I have some questions on that—as, I know, will the member for Fisher—about the burden of proof and how this is going to work exactly, but we will come to those in committee. I do not intend to hold the house on that issue, other than to say that it will inconvenience some people to go from three months to 12 months registration and not have the six and nine months options. Unfortunately, some people do have financial issues and want the six and nine months options, but the government has decided, for cost-saving purposes, to abolish those.

There are changes to the Passenger Transport Act and the Private Parking Areas Act that relate to the previous measures. There are also new charges in relation to the Radiation Protection and Control Act and the Environment Protection Act. I want to ask some questions on the Environment Protection Act measures. As a former environment minister, I am interested in this concept of a sustainability licence and exactly how it is going to work.

Ultimately, the government adopted the principle of the opposition's payroll tax policy in relation to the rebate of payroll tax for apprentices and trainees. The member for Goyder reminds me that our policy was to exempt the value of the wages of apprentices and trainees from the calculation. The government's announced policy was that, rather than exempt them, they would calculate the salary in and then rebate it back, and we have some questions on that particular matter.

The opposition does not agree with everything in this bill. As I say, we are not going to defeat the bill. It is the government's budget and the government will publicly wear the applause and the opposition to its budget, and there has been plenty of opposition this week with protests from the Public Service Association, the Parks Community Centre and the people involved in adult education. There have been a series of examples of human cost that this particular budget will impose on the South Australian community.

I am aware that a number of members have other commitments that they need to get to tonight. I am not going to give a long speech. I think that more information will come as a result of questioning during the committee stage. I am aware that other members wish to speak before they go to other commitments, so with those few comments, the opposition is not going to defeat the bill, but we do have some questions in committee.

The Hon. R.B. SUCH (Fisher) (15:52): I will be brief, and I appreciate the member for Davenport being very concise. I want to focus on one particular aspect within this bill, and that is the amendment of the Motor Vehicles Act 1959. I am not debating the merits or otherwise of having a sticker or not on your car, what I am concerned about is the evidentiary provision in schedule 1—Evidence obtained by photographic detection device. I do not claim to be an expert, I am not a lawyer, but what we have here is a continuation of the reverse onus of proof. I note from my own costly experience that all that is required by the police, as it states under part 4—Evidentiary, is:

- (b) a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or any other police officer of or above the rank of inspector, and purporting to certify—
 - (i) that a specified device used at a specified location during a specified period was a photographic detection device; and
 - (ii) that the requirements of the Road Traffic Act 1961 as to the operation and testing of photographic detection devices were complied with in connection with the use of that device during that period,

will be accepted as proof, in the absence of proof to the contrary, of the facts so certified...

In other words, that is a reverse onus of proof. If a citizen wants to challenge a photograph taken of their car with the registration, they will have to prove that that instrument was inaccurate at the time it was being used. That is virtually impossible for someone to do. As I said, I know from my own court case that what hung me was the fact that—

The Hon. K.O. Foley: The fact you were speeding.

The Hon. R.B. SUCH: No, I was not speeding. Honestly, I was not speeding.

Mr Piccolo: You are in denial.

The Hon. R.B. SUCH: No, I am not. I was not speeding. I do not lie; I have never lied—I was not speeding. I have never had a traffic offence in my life. What hung me was what they did 2½ years after the alleged offence. They did it three times to get it right: once before the trial and

twice during the trial. They changed it. A certificate said that that laser, in my case, was accurate on 2 January 2008.

That was produced in court in May 2010. The magistrate said, 'That's all they have to do.' The judge—and I agree with his ruling—His Honour Tim Anderson said, 'That's all they have to do. You're gone; you're done.' What we are seeing here is a continuation of that process. There is no way a citizen can defend themselves, because you will get a notice, presumably in the post, saying, 'Your car was photographed on 5 Ash Drive on the 2nd,' and you have to prove that it was not.

It might sound fair in theory, but it is not, because what the police did in my case was threaten to bring someone from the UK to verify that the laser is accurate at a cost of \$21,000 to put on my court costs if I lost. They will bring someone out to say that laser is accurate. Under the current rules, you cannot have an independent expert tester because you are not allowed to get your hands on the instrument. So, you cannot defend yourself. In my case, we asked for the University of Adelaide to test the laser. The police said, 'No, you can't have it for commercial reasons, and we will not supply any technical material.' So, you cannot defend yourself.

What they will do in this case, and what they have been doing recently with people who want to challenge a police camera, is threaten to bring the manufacturers of speed cameras from Germany to Adelaide at a cost in excess of \$20,000. People are saying to me, 'I just have to plead guilty because there is no way I can win.' What I am saying to the government is that you need to look at this provision. We do not want people coming forward with mickey mouse, frivolous claims, but there must be a mechanism which is fair and reasonable, not this reverse onus of proof, which means the ordinary citizen cannot defend themselves.

I am not in favour of people driving unregistered or avoiding their legal requirements, but you must have a system that is fair and reasonable. I give a warning to people in here, you or a member of your family might get caught out on one of these things down the track like I have where you cannot defend yourself. I make this plea to the Treasurer. I am not commenting on the rest of the budget, but I am dismayed that we are seeing a repetition of this provision which means that the ordinary citizen has their basic fundamental rights taken away from them. There is a presumption which is against the citizen and which is a denial of your basic rights under our system.

Mr PISONI (Unley) (15:58): I would like to use the opportunity in speaking to this bill to raise some issues of concern in the area of education. Yesterday it was interesting to hear an interview on ABC radio with the education minister on general education issues, but in particular to hear his comments about SACE and re-entry for adults over the age of 21. It was interesting that, in that interview, he commented that he was not expecting TAFE to provide SACE. Matriculation (as it was back then) was provided by TAFE prior to the introduction of the adult re-entry colleges, but he said he did not expect that to happen this time round once these colleges were defunded (or virtually closed) for anyone over the age of 21.

We tested that in parliament today. We heard the minister confirm—and it is in *Hansard*—that, no, TAFE will not be taking on that role, that there are other avenues. One then needs to ask the question: why on earth then in Budget Paper 6, page 115, under the heading 'Adult re-entry program in public schools—discontinued', do we see a clarifying statement saying:

This initiative will save \$20.3 million over three years. Access to re-entry education will continue to be provided to adults up to the age of 21. Adults above the age of 21 will have limited access to schools and will need to access their education needs primarily through the TAFE system or from alternative providers.

It is interesting that I have been inundated with calls from many people in the community who have either benefited directly from these colleges or have a professional involvement with them. I would just like to repeat some of the comments that people from these categories made to me or asked me to pass along.

When the education minister said that we are not expecting TAFE to teach SACE (that is, the secondary South Australian Certificate of Education), the professional comment is:

It's actually SACE that many of our students want, not a TAFE qualification. Others enrol at an adult re-entry school in order to learn how to learn: to gain confidence and study skills that will enable them to tackle such things as TAFE or university.

It is an interesting distinction, and I think it gives you some indication that, despite the minister's claims that 'he has been everywhere, man' when it comes to visiting schools since he has taken over the education portfolio, I am not sure whether the adult re-entry schools have been on his

visiting agenda. I will leave it for him to clarify that, but it appears as though he does not have an understanding of what actually goes on in those schools. This is an interesting comment made by one of the participants at the school:

[Mr Weatherill's] handling of the issue convinces me that he has no idea what re-entry education is about. He's been told one or two things about some clientele, and decided that such examples tell the whole story. To some extent, it is the fault of successive governments and of those of us who have worked in this field. We have not publicly celebrated the benefits of this unique branch of education, so we now face the possibility of losing it, without most South Australians realising what they had.

It is a very emotional response to the closure of this college, and there are some real live stories out there. This afternoon I met a very young woman who is 41 years of age and a grandmother. Her name is Lavinia Collis, and she wrote to me and said:

My name is Lavinia Collis and I am currently a 4th year undergraduate student of UniSA and studying a Bachelor of Education - Primary and Middle school. I am writing to you regarding the closure of Para West Adult re-entry Campus (PWAC), Davoren Park. I have chosen the word closure carefully as despite the fact that PWAC will remain operational for students between the ages of 16-21; these changes will close the doors on mature aged students who choose to better themselves and their education via the facilities that PWAC currently offers.

She has an amazing story to tell. This was a girl who grew up in Whyalla, finished her education at Davoren Park and left school as a 15 year old because she was pregnant with her first child. She then went on to have a second child as a single mother and then met a man who had two of his own children but who later died from complications of disease of the liver due to his drinking habit.

This was a woman who felt at this stage of her life that she did not even want to get out of bed in the morning—she could not drive herself—and that even the love of her children was not enough for her to get motivated for the day. She was introduced to the Para West college and to what the minister would describe as a 'basket weaving course' (he was very harsh on those courses today), where she learnt that she could actually do and achieve things. From that, she went on to do SACE, and she did so well with her SACE results that she won a scholarship to study to be a teacher at the University of South Australia.

I am very pleased to tell the house that, on 1 April next year she will graduate as a teacher with a Bachelor of Education—all that from what the education minister would describe as a WEA college or somewhere you go to. What was the language that he used in his interview? 'People aren't actually looking, in many cases, to complete their year 12.' This is what he told ABC radio: 'They're coming back just to do some subjects as a matter of interest'—a matter of interest! It is interesting, isn't it, that the interest that Lavinia had was for her self-esteem, for her standard of living, for the fact that she wanted to get back into the workforce and actually contribute.

She said to me today, 'You know, David, after all these years I've been on welfare; I'll be paying tax, I'll be giving back. I'll be giving back what I was given when I started my education five years ago, as an adult'—aged 36, right out of the scope, according to the education minister, for this re-education program. There are hundreds and hundreds of stories. I know one lecturer alone—although I prefer to call them teachers, because they do teach these adults how to learn. I know, Deputy Speaker, being a teacher in a past life, that you would understand there is a difference between teaching and lecturing. When you go to TAFE or university you are lectured. Before you go to TAFE or university you need to learn how to learn, and that is what a teacher does. That is what these 4,000 adult students who attend these adult colleges learn at these adult colleges.

The education minister dismissed this, saying, 'This is the only state that has this system.' We used to lead in education in South Australia. We used to be innovators on many things, but, unfortunately, just as the education minister was happy to be fourth place in the NAPLAN scores, he is happy to throw away one of the very things that this state needs. He used as an excuse for the poor NAPLAN results here in South Australia that we have a high proportion of lower socioeconomic people living in South Australia. I would have thought this is the perfect program for them; the perfect program to break that cycle.

It is a sad day for education when we see a premier stand up in this chamber and say, 'We're tough. You don't know what it is like to be tough, and a Treasurer saying that he is tougher than we were. It is not tough to kick people when they are down, Treasurer, and that is exactly what this policy is doing. The very people who want to contribute, who need a helping hand, just enough so they can be independent and move forward of their own ability, are being told, 'You're not worth the effort.' That is the message that this budget measure sends to South Australians.

It is none of my business why they need a second chance. We do not choose what families or circumstances we are born into. I think we need to remember that it is programs like this that give some hope and get some results for those who really need it, and we see a measure like this in a budget where the Premier says that he is proud of this budget, it is a Labor budget. I would certainly be very embarrassed if I was a Labor member of parliament. I am embarrassed as a member of parliament full stop. This program, which escaped the cuts that we needed to bring in when we were in power back in 1993 because of the bankruptcy of this state caused by the State Bank, survived because we understood its value. We do believe in the individual and empowering the individual, and this type of program is the very first step in doing that.

I am speaking on this bill with some pity and shame that a program such as this has been cut and that those people in our most socially disadvantaged suburbs, who want to give something back but do not know how, those people who want to be masters of their own domain want to but do not know how, have had that opportunity taken away from them.

Mr GRIFFITHS (Goyder) (16:10): There have been millions of words said about the budget since it came out on 16 September and even the day before when the Sustainable Budget Commission preliminary report came out. Many of those were quite emotional, certainly because of the frustration that some people feel. Some might easily accuse the member for Unley, for instance, because of the example he quoted of the 41-year-old lady with four children, of putting the emotional argument before us. However, I think it is an inspirational one, too, and I hope it is repeated thousands of times over. If people want to improve themselves and recognise the need to educate themselves to achieve that and they manage to get there, that will be great for our economy.

There are quite a few issues in this bill that I could choose to talk about, but there is only one, in particular, that I wish to discuss and that relates to the Petroleum Products Regulation Act and the amendments to it, which are in part 8, clauses 43 to 56. There is no opportunity to propose any amendments to this, and I recognise that, but I wanted to take this opportunity for a few brief moments to put on the record the level of frustration in the community that I represent—which has been impacted upon by this decision on fuel—and, no doubt, all of regional South Australia, too.

I know that budgets are about hard decisions and priorities being determined with, seemingly, an increasing amount of quantum and dollars available, with an enormous amount of new initiatives being required and infrastructure development, so it is a challenge—there is no doubt about that. However, it is also fair to say that people across our great state need some level of support.

Yes, investment is occurring and it is divided up according to the priorities that the Labor Party discern by virtue of their right of being in government. However, it is with a lot of frustration that this decision has been made to remove the subsidy. It has existed since 1997 for people who live in regional areas. It is on a scale, admittedly—depending on how far out people are from the GPO—but the loss of the subsidy is going to be felt in every possible way.

One could argue that 0.66 of a cent per litre (if you reside within zone 2, which is for those people within 50 to 100 kilometres from the GPO) and up to 3.33¢ per litre (for those people who are beyond that) is not, in isolation, a large amount of money. However, it is the quantum and the fact that people who live in regional areas are required to travel that will impact upon them in some way.

The second reading contribution talks about the fact that this initiative will reduce state costs by a fraction over \$50 million over four years after it comes into force from 1 January this year. However, what is it, indeed, going to do to the people who live in the regions? As I have said many times in this place, that is some 300,000 people.

The tyranny of distance is something that those of us who live in the regions manage to live with. In my case I would probably do three or four trips to Adelaide and back to the peninsula per week, so I am driving 60,000 kilometres per year. There are many other people who also do a vast number of kilometres, be it for their jobs, their social lives, their sporting opportunities, their health needs, for the educational needs of themselves or their children. This decision really concerns me because it will impact upon the ability of these families and individuals to undertake this level of transport.

That is not even considering that tourism within South Australia (from within our own community and travelling to other parts of our state) is an enormous driver of the economy, as well. There were programs in the past where, in the period of very high fuel prices, for instance, some

tourism marketing areas were giving \$20 or \$50 rebates off fuel if you went to a certain place. That demonstrates to me, more than anything, that fuel costs actually do impact on people's lives.

We want to try to encourage people to live in the regions. The State Strategic Plan talks about the retention of 18 per cent of our population when it is two million people, so still 360,000 people living in the regions with fuel costs impacting upon them. Whatever I say is not going to change the position. I know there is a vast number of members on this side of the house who are very concerned about this. Certainly, when we discussed this bill within our joint party structure, there was some considerable debate about it. It is important to put out the message that it might seem a relatively small cost to the individual, but the cumulative effect, over the course of the year and from 1 January going forward, is going to be a negative one.

It is going to make it more difficult and more expensive for our farmers to move their product. It will impact upon the economic development that we hope will occur through mining opportunities and the fuel usage for the unleaded fuel that is being used as part of those operations. Again, it comes down to the impact that it will have on families and individuals, and that is what really worries me.

I know the debate can be had. The Treasurer is fixed on this, he has made a decision on it, and he has put it through his cabinet and caucus. However, we on this side of the chamber just want to ensure, as much as we can, that an honourable fight takes place on this. I know that a division does not prove anything or help the cause, but there are enough people who are upset about it that we must stand up and express our thoughts and try not to be emotional, because it comes back to that, and consider the economic impact. That is the message that we are trying to deliver.

The Treasurer is good enough to listen to this, and I appreciate that. I know he is forced into making difficult decisions. I listened to his speech yesterday when he talked about the impact of future costs and the ability of any state government to deliver services and infrastructure. I have some level of appreciation of that; but there are some basic principles that I hold true to. One principle is the fact that people living in the regions have enough challenges in their lives as it is already with the provision of services and infrastructure. The creation of an additional cost regime for this most basic of rights—the ability to travel from their community and within their community for whatever reason—is further impacted by this decision of the government.

It is important that we stand and make the Treasurer aware of what the real physical impact of this will be. No doubt, he has been considering for some time the recommendation of the Sustainable Budget Commission. It might be seen as an easy target. I know the second reading contribution refers to the fact that other states have removed the subsidy that has been in place. In Queensland, it was on the larger end of the scale—it was something like 8¢ per litre—and I note also that Western Australia has not done it. The easy argument is that they have a surplus budget, that financially they doing quite well and that there is pressure—

Mr Pisoni: It's a Liberal government.

Mr GRIFFITHS: It is a Liberal government—from the Nationals too. It is a commitment from that level of government in Western Australia to support people living in the regions, but sadly it is not evident in what we have seen here today.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (16:18): If I speak I wind up the debate, I assume.

The DEPUTY SPEAKER: You do; you pre-empt me.

The Hon. K.O. FOLEY: I will not speak for long, but I appreciate the flagging of the questions. I might just quickly try to answer a few of them, starting with the shadow finance minister. Motor registration first raised its head in a government drive to do away with, where we can, unnecessary red tape. I assume people will like getting rid of the sticker. I do not know how many people have trouble scraping their sticker off and getting a new one on; it is all a bit easier today than it used to be. I accept the shadow treasurer's point that there are people, and I have been one of them, who have taken advantage of the various payment options for motor registrations but, for efficiency reasons and savings, we have decided to give only two options: three months and 12 months.

I could say this to the Minister for Education about adult re-entry: other states are not doing it, and it is the same thing with the petrol subsidy—most states are not doing it. It comes down to

simple choices. I do not like doing it. I would like to have delivered a budget where I did not have to do anything that was difficult, but we just do not have the financial strength. The point I was trying to make yesterday in my contribution is that this problem will only magnify in years.

If you win the next election, trust me, in terms of the position you take today, which is critical of the government's cuts, you will be faced with the same dilemma; it is the reality of state government in a modern age. We do not have enough money to deliver the services that the community demands. We are getting to the very difficult period where we have just got to make these choices, and we have done that. We accept that they are not popular and that they will cause discomfort and pain to some people.

In terms of the petrol rebate, I do not think that governments should be in the business of subsidising petrol, because petrol is pretty volatile as it is. One minute it is \$1.10 and the next minute it is \$1.40—it jumps all over the place. People do have marketing incentives from the likes of Coles and Woolworths; you get 3¢ or 4¢ a litre for shopping with them. There is enough private incentive in the market to get cheaper petrol. I do not believe that the government needs to be in that space. As I said, in the scheme of things from which we have to choose, we simply cannot afford it.

However, I am happy to take questions from the shadow treasurer and other members in committee. The member for Goyder is now flagging that he will divide on the petrol—

Mr Griffiths: I didn't say that.

The Hon. K.O. FOLEY: That is what I assumed you said. All right. I am happy to go into committee and take questions from members opposite.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr PISONI: My question is on the changes to the Education Act, which I believe relate to long service leave entitlements. The Treasurer will probably have to bring this figure back to the chamber, but I would like to know the specific impact on the budget over the forward estimates of that change.

The Hon. K.O. FOLEY: We had printed the aggregate number for all of government.

Mr Pisoni: Specifically for the education budget.

The Hon. K.O. FOLEY: I guess that it is proportionate. I will have a look at it and see whether it is an answer that I can give. I have given it across government.

Clause passed.

Clause 5 passed.

Clause 6.

The Hon. I.F. EVANS: Treasurer, I will just make some comments before I ask the question; that will probably speed the process up for everyone. If you are happy for that informal approach, it might help out everyone. I am just a bit intrigued about how this sustainability licence is going to work—this is the sustainability licence for the Environment Protection Authority.

It seems to me that the government is introducing a brand new system of environmental licensing called 'the sustainability licence'. It will be renewed annually on the basis that the business, the corporation that is being licensed, commits to certain sustainability outcomes and an open public consultation process.

I am a bit intrigued: are you looking at licensing activities that are currently not licensed, or are you looking at taking businesses that are currently licensed and transferring them onto a sustainability licence; and, if so, why will the outcome be any different, because they are already licensed by the EPA? Also, will the sustainability licence be dearer or cheaper than the current licence? If the sustainability licence is cheaper, will the new licence regime then be put up in future years as a revenue measure, because I assume they are the less polluting industries? I assume it

is the most polluting industries that will go onto the sustainability licence. I am really intrigued as to why there is a need for this and how it will work.

The Hon. K.O. FOLEY: I am advised that this is a voluntary licence and they will keep their normal licensing schedule but there is demand, I am told, in the marketplace for this type of licence because it improves their brand. I guess it is like companies that get various standards in terms of best practice, etc. They actually use it as a measure to demonstrate that they are making improvements to their quality, I think. It is voluntary, they say there is demand in the market for it, and it should raise about \$200,000 a year.

The Hon. I.F. EVANS: So this is the environmental equivalent of the Heart Foundation tick, essentially, so we are setting up a system for companies to market themselves. But, what better environmental outcome will result through having this licence that will not already be achieved under the existing licence?

The Hon. K.O. FOLEY: I am advised that, like the Heart Foundation tick when you have to actually deliver on low fat and low sugar, etc., these companies will be required under a schedule to use less water and less electricity and dump waste. There is a set of benchmarks for industry and we are putting the bar higher. If they want to achieve this higher recognition they have a number of criteria they have to meet. That helps them position their company better and they pay us for it. So it is a win-win situation.

The Hon. I.F. EVANS: If it is possible to licence them for less power and less water and control their waste dumping and all those sorts of things, why not do that under the existing licensing regime? Why do we need a new fee and a new licence? Surely, all of that can be achieved under the current licence.

The Hon. K.O. FOLEY: I am advised the EPA is only licensed to monitor pollution and waste. It has no role in electricity use or water use. The EPA does not have a role in that, I am advised. That criteria has been put in the sustainability certificate and it is at a higher benchmark. I must say that the member obviously has a passion for this. Were you the minister who set up the EPA?

The Hon. I.F. Evans: No, I inherited it.

The Hon. K.O. FOLEY: I am sure that in the estimates committee you might be in a much better position to ask these types of questions.

The Hon. I.F. EVANS: This is the last question on this and then we can worry about it in another place or during estimates. I am intrigued, if it is a voluntary licence, as to why we have set it up on an annual basis and why there is a court process. It seems to me that if it is a voluntary thing, just as the business could withdraw at any stage, if they are not abiding to their licence, the government can just walk away from it. It is not binding on anyone. It does not mean anything. It is just a marketing exercise. It seems to me that it does not have the same status in the system as a licence that is enforced rather than voluntary.

The Hon. K.O. FOLEY: I am told that it is voluntary to enter the scheme but once in you are entrapped and then you must deliver or we will use the full power of the laws under the EPA act to ensure that compliance is delivered. One of the conditions, I guess, is that they agree, when they go in voluntarily, that if they do not deliver then they will be subject to action under the act and penalties, and they have the right of appeal, of course, or challenge. Is that a reasonable summation? I love it when I get to talk on the environment.

Clause passed.

Clauses 7 to 10 passed.

Clause 11.

The Hon. I.F. EVANS: Clause 11 deals with the first home owners grant. I had to re-read these sections of the act a couple of times to actually understand the changes that were being proposed, and I think I now have my head around it. With your permission, Madam Chair, to make it simpler for the committee, I will talk about clauses 11 through to 17 inclusive, which is all to do with the first home owners grant. I will talk about that principle; it will be easier for the Treasurer to knock off all those clauses at once.

I notice that, in relation to the \$575,000 cap under clause 12, which deals with section 7—Entitlement to grant, it talks about 'if another amount is prescribed by regulation for the purposes of

this subsection'. Is it the intention to CPI this figure? This is the cap that is meant to be controlled, I think, by a federal agreement at 1.4 times. Is it the intention to prescribe in the regulations the 1.4 times so that it automatically moves with the median price? Is that the intention of that clause? If it is not the intention, I cannot see any need for the clause.

The Hon. K.O. FOLEY: I am advised that it is 1.4 times the median value of house prices and it is the decision of the government of the day as to whether it updates it annually, every two years, or every five years. It is not an automatic update. It would be something that you would look at, I guess, in the normal budget cycle, and whether there has been a movement in house prices, which you would assume there would be. I would certainly do it every year, as a treasurer, but that does not mean that future treasurers have to do it every year, but it would seem fair and equitable that you do it each year.

The Hon. I.F. EVANS: Clause 15, which deals with section 18 and, in particular, 18BB—Market value of homes, is on page 12 of the bill that I am dealing with. Subparagraph (ii), at the top of that page, deals with what value the commissioner will place on the property in relation to an eligible transaction. This is where the commissioner has some discretion to dispute, if you like, the market value of a home. It is whether they are eligible for the first homeowners grant. I am a simpleton in these matters, Treasurer, but I cannot work out what subparagraph (ii) means. It states:

if the Commissioner considers that the consideration for the eligible transaction may be less than market value—the market value of the property on which the home is situated...

'The property on which the home' seems to indicate to me the land. It says 'the market value of the property on which the home is situated'. It seems to me the commissioner is restricted to the value of the property, which is the land, because 'home' has a definition under the act.

It seems to me that the market value should be of 'the home and land' or 'the home', but not 'the property on which the home'. Parliamentary counsel is very good at drafting these things, but it reads 'the value of the property on which the home is situated'. The home cannot be the property because the home cannot be on the home. The only thing the home can be on is the land. The only fair interpretation of that paragraph is that the word 'property' means land, because otherwise it makes no sense.

If you use the expression 'the market value of the house on which the house is situated,' it makes no sense. If the word 'property' is to mean 'house', it makes no sense. The only interpretation of the paragraph is: 'the market value of the land on which the house is situated', and if that is the interpretation, that is wrong. In my view, the paragraph should read 'the market value of the home', because the home includes the land by definition of the act. I think this piece of legislation has an error.

I will leave it for the Treasurer to look at it between the houses to see whether there needs to be a correction, but I do not think the commissioner can make a judgment on that paragraph because, firstly, the market value we talk about is the market value of the whole purchase. We are restricting it to new homes. New homes cannot be on a house: new homes can only be on land, and therefore potentially I think that is a problem. I will leave you with that one. That is my only comment on that one.

The Hon. K.O. FOLEY: That paragraph is replicated from the existing act. I will come to the wording in a moment. It is here to deal with any related party transaction or someone selling a house in a related party transaction below what the market value of the house is. So, the commissioner can rely on the Valuer-General's valuation for that house and property, if he or she is concerned that it has been sold for whatever reason under its true market value. In respect of your interpretation of that paragraph, I am told that it is in the existing act and, to date, the commissioner has been using that act—and it is house and land. I am more than happy to raise the matter with parliamentary counsel between the houses and see whether or not that is as tight a definition as we need. We will do that between the houses.

Mr GRIFFITHS: I am aware of instances where ownership of the land is via some form of lease but homes can be put on that land. I know that, within my own electorate, I have structures in place where there is an overriding ownership by one party but there are long-term leases in place for individual allotments on which houses are sometimes built and transfers do occur. I am not sure whether that relates to this issue.

The CHAIR: There is actually an issue here also between the use of the word 'house' and 'home', because they indicate different things; is that correct?

The Hon. K.O. FOLEY: I am advised that parliamentary counsel, and I assume, my people, interpret that to mean the land and the home. I do not disagree with the shadow treasurer. I had to read it a few times to get my head around it. On the issue of what the shadow finance minister said, I will take that on board as well.

Clause passed.

Clauses 12 to 17 passed.

Clause 18.

Mr GRIFFITHS: I ask again, first just in general terms, about this part of the bill, which relates to clauses 18 through to 40. It refers to the issue about motor registration discs and labels no longer being required to be put on cars. I am aware of the fact that this actually occurs in Western Australia. I would be interested to hear from the Treasurer, examples of—I do not know how long it has been in Western Australia for. I know in the preliminary check I did, I was advised that there is a telephone number that people can ring and a website that people can contact to determine indeed if a vehicle is registered, if there is some uncertainty about it. I would be interested to hear how long it has been the case like that in Western Australia, and instances overseas where this practice might be in place.

In late June, early July of this year—it is only a fresh issue, it is not that old—there was concern raised by constituents to me, and, I know, across a wider area on some talkback radio stations, about where renewal notices for registrations have not been issued to people. The comment I recollect hearing on radio, while doing an interview from a departmental officer within motor registration, was that renewal notices are actually provided, I think the word used was as a 'courtesy'.

So, my concern would be, that if there are not to be any registration labels upon cars—which have traditionally formed the best opportunity for someone to remember, 'Crikey, I have got to register my car soon because my month is about to expire'—is there going to be a guarantee of a process to ensure that all vehicle owners receive a renewal notice, in a reasonable period of time before their renewal expires, to prompt them?

The Hon. K.O. FOLEY: There will be a local call number; there will be a call centre. It will be online and there will be a website. So, garages and motor repair shops will be able to look online to ensure that car is registered.

I recall the discussion I had, and others, with the police commissioner. I do not want to speak out of turn in terms of what he said, but my recollection of the advice from the police commissioner was that they can deal with it, because technology is improving in the police car, in its ability to check—I assume through technology and through voice—someone's registration quite quickly.

As I said, this initiative initially came up through our red tape reduction scheme, as just one way we could reduce red tape in terms of the consumer. So, it was not initially a budget savings measure, but when we realised it could save some money it had double the appeal. Sorry, what was the second bit?

Mr Griffiths: The renewal notices.

The Hon. K.O. FOLEY: Yes. I had never really concentrated on this, but, interestingly, we send a notice six weeks prior to your due date, but it is only a courtesy. The obligation is on the driver to ensure that they get the car registered. So, if the postman drops your letter in the gutter, or if the dog pulls it out of the letterbox and eats it, or you change your address and do not contact the transport department, the obligation is on you. You cannot, as a defence, say, 'But I never got a reminder.' I am told that the vast majority of registrations go quite comfortably, but there will always be the problems. We send you another reminder, seven to 14 days after the expiry date. So we do not believe that we should then have to chase the person down. So, we will show minimum tolerance.

Mr GRIFFITHS: I appreciate the answer from the Treasurer, and certainly the member for Reynell corrected me: it is not when you receive it, it is when it is sent, and there is no guarantee of receipt. However, for the absolute majority of people Australia Post does deliver—there is no doubt about that—but there will be circumstances that arise. My real concern is to ensure that the

process of these courtesy notices, some six weeks before and some two weeks after the fact, are still going to be in place. It is a great fear for me because there is also the third-party comprehensive insurance issue attached to the registration. I am sure none of us would like to see an accident occur and insurance not being in place, so I just want to ensure that those guarantees are there.

The Hon. K.O. FOLEY: Yes.

Mr TRELOAR: I have a number of questions for the Treasurer on behalf of the Motor Trade Association, and they are all to do with motor registration. The first question is: can the Treasurer outline what protections have been put in place to protect motor vehicle dealers, repairers and their staff from being fined or charged unfairly if they are detected driving a customer's vehicle which is unregistered?

The Hon. K.O. FOLEY: They themselves?

Mr TRELOAR: Yes, they themselves?

The Hon. K.O. FOLEY: I am advised that we would expect most dealers to tick a box on the form that you fill out when you put your car in for a service to say, 'Is your car registered? Tick yes.' We would also encourage people to check online. I am told there is a part of the amendment that says that, if the motor tradesperson has reasonably attempted to verify the registration, there is a defence for that. If you have asked the person whether the car is registered and then you take it out, you would be safe because you have ticked the box.

We would be assuming that the motor trades will also go through and just check, as standard procedure probably, before the account is paid or something, the website. The website will be very easily accessible to MTA members. If they have a concern that maybe the person is not telling the truth, they can quickly check. If the person has said it is their car and it is registered, the onus of proof falls back on the person involved, not the motor trades dealer. That is what I am advised.

Mr GRIFFITHS: I have a question on that, and it concerns privacy issues. I understand we are trying to ensure that things are registered, too, but it may be an arrangement where you are asked, 'Is it your car and is it registered?' and you say yes, but it has been lent or loaned to you by someone else you might not want others to know about and all of a sudden somebody checks on the website and says, 'Well, that's not registered to you but to someone else.' Is that a privacy concern?

The Hon. K.O. FOLEY: The key issue is that the vehicle is legally registered; it is not under whose name it is registered. If my kids are taking my car in to be serviced or, for whatever reason, your next-door neighbour is dropping it off for you, when the neighbour goes to tick the box he would just want to be sure that it is registered, so he would ask you. Before he ticks the box, he will probably get on his mobile phone to check with you that it is registered. Again, provided that the dealer takes reasonable action to find out by putting a notice on the form A—it is a bit like going through customs, you just tick it, and that is all we are asking.

Mr GRIFFITHS: Sorry to be pedantic about this, but I presume that, at the moment, the current situation is that the police can do a registration check—and probably motor registration staff can do a registration check—but, as I understand it, a website is now available where a person can key in data for any numberplate. Do they find out who owns it or only the fact that it is registered? Does a name link to the advice that comes up?

The Hon. K.O. FOLEY: It confirms whether it is registered or not; it does not give any other detail for privacy reasons. However, I remind South Australians that red light cameras on many intersections are already capable and have the technology so that, if you go through one now, and your car is not registered—bang, it picks you up. There is a lot of inbuilt capacity within our system to check whether you are driving around the city in an unregistered car.

Mr TRELOAR: Can the Treasurer provide an assurance that the online computer checking system proposed by DTEI to allow motorists, including dealers and repairers, to check their registration expiry date by keying in their registration number will be speedy and free of charge?

The Hon. K.O. FOLEY: I have just been advised to give a yes and yes answer. As I have experienced a near-death experience in this parliament by giving such a definitive answer, I have no intention of following the advice of my adviser.

As it relates to speed, I am not prepared to give you a guarantee that it will always be quick. Even though my erstwhile officials are telling me yes, I do not want to have a Bob Such incident in a few years' time, where someone like the member for Fisher goes back to the *Hansard* of this debate and relies on my words for ambiguity. Every effort will be made to ensure that it is fast and speedy, but I cannot guarantee that that will always be the case—one would hope. As for charging, the government at this point in time has no intention of charging for that service.

The Hon. I.F. EVANS: I want to tease out the issue raised by the members for Flinders on behalf of the Motor Trade Association. You have given an unequivocal answer to the house in relation to the level of proof required by motor trader groups in relation to their clients' cars—that is, the only obligation on them will be to ask: 'Is your car registered?' If they get a yes they are at liberty to rely on that answer, and there is no other obligation on them to meet the test in the bill.

The test in the bill can be interpreted broadly. The reason I am raising this specifically is to get an unequivocal answer to make sure we are absolutely crystal clear, because in the bill it states that 'he or she did not know and could not reasonably be expected to have known.'

Let me put my bush lawyer's hat on for a minute (which I know will make parliamentary counsel laugh). If I was a lawyer prosecuting a motor trader official for driving an unregistered car, I would simply ask him: 'Did you know you could click on a website to check whether the car was registered?' Answer: 'Yes.' 'Did you do that?' 'No.' 'Well, you could have reasonably known, if you had taken that step. Why didn't you take that step?' So, I am not convinced that your guarantee to the house will hold.

If it is the intention of the government that the only requirement is that they ask the owner or the person dropping off the car (it may not be the owner) why not make the legislation say that? Having received an assurance from the driver of the vehicle that it is insured, the motor trader has no further obligation.

I think the phrase 'could not reasonably be expected to have known' is so broad that a lawyer and a court could find that, because this website is going to be advertised widely, and the motor traders are dealing with vehicles every day, an argument could be mounted by a lawyer more clever than me that they should have known because all they had to do is click on the publicised website or ring the toll-free number. Why didn't they do that? I accept the government's position is right. I think that motor traders should be able to rely on the driver of the vehicle saying, 'It is registered,' full stop. That should be the end of their obligation.

I will not move an amendment now; it can be dealt with between the houses. The other point I make is this: because the motor traders are now setting up this website and everyone knows that the vehicle is not registered, will there be any responsibility or liability on the motor trader for not advising the owner of the vehicle that it is not registered?

The Hon. K.O. Foley interjecting:

The Hon. I.F. EVANS: If he does not tell the owner and then the owner has a crash, and they are not insured, etc., are they going to come back against the motor trader and say, 'Hang on a minute, you knew this was unregistered and you didn't tell me. You had an obligation to tell me.' We do not need the answer tonight, but we need to get it absolutely crystal clear, because there will be issues at stake down the track, and that is the purpose for the member for Flinders' questions in relation to that.

[Sitting extended beyond 17:00 on motion of Hon. K.O. Foley]

The Hon. K.O. FOLEY: I think that is a very good question: why are we not more specific? Legal advice (and, I assume, with the concurrence of parliamentary counsel) is that the wording is correct. In terms of the things that are reasonable, it would be reasonable to check the vehicle's registration online, or by phone or to ask the owner before driving the vehicle. The question I would then ask is: why do you have a website or a call centre if all you have to do is ask the person? Convenience, I am advised.

I will ask my officers whether they could, perhaps, check with crown law and again with parliamentary counsel as to whether or not that needs to be further refined. The other issue was whether or not there is an obligation on the dealer, having discovered that the vehicle is not registered, to advise the owner or the driver accordingly.

My advice is that the onus of proof rests with the person responsible for the car. It is up to the driver or the owner of the vehicle to be aware as to whether or not the vehicle is registered. However, we will take that question on notice and we will give a more detailed answer in another place. I am worried now; you have got another act.

The Hon. I.F. EVANS: No, I had the wrong act. I was onto the next one.

The Hon. K.O. Foley: You didn't make a mistake, did you?

The Hon. I.F. EVANS: I did. I have seven acts, trying to follow all this. This question relates to clause 18(3), which deals with section 9(3) of the act, where we are inserting the words 'driven/or'. Section 9 (3) of the act states:

If an unregistered motor vehicle is found standing on a road, the owner of the vehicle is guilty of an offence.

The Treasurer is adding 'or driven', so that if an unregistered motor vehicle is driven on the road or found standing on the road, the owner of the vehicle is guilty of an offence. What is the defence for the owner if someone takes the car without permission?

The Hon. K.O. FOLEY: What, stolen or—

The Hon. I.F. EVANS: My kid takes it. Dad's at work, and the kid takes the car, as sometimes happens. I assume that mum and dad have a defence, do they? Does the owner become liable?

The Hon. K.O. FOLEY: No, you are okay. It is a defence to a charge of an offence against subsection (3). It is not illegal to have an unregistered car; it is illegal to take it out on a road. If you did not do it, that is a defence, provided the defendant had taken reasonable steps to ensure that any person lawfully entitled to use the motor vehicle would have been aware that the vehicle is unregistered.

There is an onus on you to tell your son at some point, 'Don't forget, the old man's car is not registered, so don't take it for a burn.' If he is dumb enough to take it, he gets the fine, does he? Whether or not you choose to pay it is a matter internally in the Evans' household.

The Hon. I.F. EVANS: The answer to that would be no. Clause 18 deals with section 9(7), the last subclause of this clause. You are inserting, 'but does not include a person who takes the vehicle on hire'. That is an addition to the definition of 'owner'. What about loan cars? When I crash my car and I go to Caddle's Crash Repairs, I do not pay a hire fee. It is just given to me for nothing, so I am technically not hiring it. I assume we are covered there?

The Hon. K.O. FOLEY: Again, it comes back to the owner of the loan car. It is his or her responsibility, or the corporation's responsibility, to ensure it is registered. If you get pinged and it is not registered, that would be your defence.

The Hon. I.F. EVANS: That is what I thought, so why do we need a special provision for hire cars because, when you are hiring it, by definition, you do not own it? If that is the provision in the bill, you do not need to specify hire cars.

The Hon. K.O. FOLEY: The rationale for that is that, under the current act the definition of 'owner' for the administration of the existing act is the owner or a person who hires the car who is responsible. Because it will not be readily identifiable for you that it is registered, we are turning that around so it goes back to the owner. Under the current act I am treated as the owner. So that is probably a lesson for all of us—check the windscreen if you are in another state that still has stickers. That is why we are reversing the onus of responsibility back onto the owner of the hire car business.

Clause passed.

Clauses 19 to 32 passed.

Clause 33.

The Hon. I.F. EVANS: This deals with a change to the obligation on the owner of a vehicle that has been unregistered and is in an accident. On behalf of those owners, I want to get the same commitment for them as we did for the motor traders, because I think the same principle applies. This provision deals with section 116(7c)(b) of the bill. Subsection (7c)(b) talks about a defence to an action under subsection (7b) if the defendant proves that 'the defendant did not know and had no reason to believe that the vehicle was [uninsured]'. That is the current provision—they had no reason to believe. The government is changing it to a harder defence, or a defence that, in my

view, will put the owner more at risk. The government is changing that defence to be: the owner could not reasonably have been expected to have known.

So this comes back to the same question as for the motor traders. If the only obligation on the motor traders is to ask, then what obligation is on these people to have known? I guess the question is: why is there a change in the defence? If it is not making it harder, why is there a change in the defence?

The Hon. K.O. FOLEY: What we are doing there, shadow minister, is we are making it consistent with what we have done, as you said earlier, for the motor trader: the same defence would apply. If I borrowed your car and I said, 'Iain, is your car registered?' and you said, 'Yes,' if I go out and have an accident and it is not then you are in trouble, not me.

The Hon. I.F. EVANS: That's fine, Treasurer. What I want on the record is that you have no obligation to go and check the website or make a phone call, because you are dealing with lack of insurance here. This happened to my sister. She borrowed the then boyfriend's car. It was uninsured. She was a teacher with four primary school kids going on a school excursion. The police pulled her over. She did not know that it was uninsured. Had she had an accident she was in more trouble than Ned Kelly. It is a huge issue for people if they have an accident in an uninsured vehicle. She went to the court, thanked the police officer for pulling her over, the court fined her \$50 and that was it, because she was so courteous about it. She was very lucky.

So, I am very nervous about this issue of the change in wording because I think the wording is way open to interpretation in the court. If we are going to say to the motor traders that their only obligation is to ask, which is what we have said earlier in this debate, then it follows, in my view, that the same obligation should follow in these circumstances, and we should put that in the legislation so that it is crystal clear, because down the track some poor sod is going to ask his mate, there is going to be an accident, someone is going to get injured, there is going to be a huge claim against them because they are uninsured, they are going to come back to the *Hansard* and there is going to be an argument about what we meant. If we mean that you only have to ask, then put it in that you only have to ask. Make it an absolute obligation and nothing more, otherwise it is open to interpretation.

The Hon. K.O. FOLEY: I think that is a very reasonable point. We will take that into consideration and have a response for the upper house. I must say though that I am getting very anxious that in years to come my comments in this legislation will be used by lawyers and judges alike to determine what we actually meant.

The Hon. I.F. Evans interjecting:

The Hon. K.O. FOLEY: Some guide!

Clause passed.

Clauses 34 to 37 passed.

Clause 38.

The Hon. I.F. EVANS: This deals with photographic evidence, so it is the issue that the member for Fisher raised. I know that we cannot fix it here today, and I am not going to hold the house, but I bring to the Treasurer's notice my view that the member for Fisher is absolutely right in his argument. If you look at what the legislation does, it puts the driver in an absolute no-win situation against the government agency, because all through this legislation it says that the photograph will be accepted as proof in absence of proof to the contrary. When you go to the police and say, 'We want to get the equipment tested,' as the member for Fisher put in *Hansard*, they will say, 'Well, we will bring the expert out from Germany. It will only cost you \$21,000 to contest this \$200 speeding fine. Do you want to go ahead?'

Of course, no-one is going to go down that path. So, we are building in a system that is impossible for the ordinary citizen to contest—it is absolutely impossible. The practical effect of it is it is impossible to contest. I had a circumstance with a constituent where we got two documents from the police that had the camera at two different locations at the same time for the same offence. The police acknowledged that, but would not withdraw the expiation notice. They said, 'Take your luck and go to court if you want.' This guy was a subcontract transport courier driver, a day off for him was worth \$800. It was a \$200 fine, so he is not contesting it. That is 200 bucks in the pocket. We have all had speeding fines, but the system—

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: I was not going to comment on the member for Croydon, but I will. The member for Croydon was photographed on TV the other day riding a bike without a helmet.

The Hon. M.J. Atkinson: A tricycle.

The Hon. I.F. EVANS: A tricycle on the road; Channel 7 news. That is a traffic offence and you are very lucky, member for Croydon, that you have not been issued with an expiation notice because then you could contest it under this system. All I say to the Treasurer and the Minister for Road Safety (who is in the chamber) is: have a look at the system and ask yourselves how can the ordinary citizen contest the fine? I accept the fact that, if people speed, they should be fined; no argument about that.

Occasionally there are disputes and there is no fair process to resolve the disputes. I had a constituent who got fined going through a red-light camera. The camera takes a photograph one second apart. You could tell by the first photo that his wheels were on the white line of the crossing as he was going across and he had not reached the other side of the crossing, according to the second photo. We measured from the white line to the other side of the crossing, and had he been going fast enough to get to the other side, the quickest he could have been doing was 63 km/h. He was booked at 68.

We invited the police down there to measure it with us. They refused and they flatly refused to withdraw the fine. Again he was a small business person; he is not going to take a day off work for a \$200 fine. I totally agree with the member for Fisher. The process is simply unfair against the ordinary citizen who has a fair complaint.

The Hon. M.J. Atkinson: Did you say this when you were a minister?

The Hon. I.F. EVANS: Member for Croydon, I just point out, we are debating amendments that your government is introducing now. That is the point I am making.

Clause passed.

Clauses 39 and 40 passed.

Clause 41.

The Hon. I.F. EVANS: I only have one question for the Treasurer on this clause. I have to make some comment on clause 41. This was the provision where the government contacted the Commissioner of Taxation and said, 'The parliament is so busy that we haven't got time to put through the legislation to do with the payroll tax rebates.' We were flat out, according to the government. You can all remember that, straight after the election, there was virtually no legislation before the house, as is always the case.

This piece of legislation deals with the rebate for payroll tax. I understand the government has gone to a system of exemption so that businesses do not even have to calculate the wage going in, so there is no rebate back, which means there is less paperwork. This was our policy and the government has adopted it, which is fine and we welcome it. Did the Treasurer tell the Commissioner of Taxation that the parliament was too busy to deal with this particular piece of legislation until 1 January 2011, as reported?

The Hon. K.O. FOLEY: All I can say is that my good friend the member for Davenport is always the cynic.

The Hon. I.F. EVANS: Treasurer, if not you, who? Did your office tell the commissioner that the parliament was too busy, because that was the reason put out on the schedule to businesses? I just want to know who told the commissioner. In fairness to the commissioner, he would not have made it up, so someone from within government told the commissioner we were too busy.

The Hon. K.O. FOLEY: I will take that question on board and get back to the member sine die.

Clause passed.

Clauses 42 to 61 passed.

Clause 62.

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

Page 28, after line 10—insert:

- (2) The Governor may, by proclamation, declare that a specified provision of an enterprise agreement that relates to a particular class of public sector employees and provides for an entitlement to long service leave or payment in lieu of long service leave that is inconsistent with the standards set by subclause (1) of clause 7 of Schedule 1 of the Public Sector Act 2009 (as enacted by this Act) no longer applies from 1 July 2011.
- (3) A proclamation under subsection (2)—
 - (a) may make transitional or ancillary provisions that may be necessary or expedient in the circumstances; and
 - (b) will have effect according to its terms.

I am advised that there was an error between crown law and parliamentary counsel. We are not necessarily apportioning blame—these things happen. We left a certain category of employee out, and they probably would have liked to have been left out, but then that would have been inconsistent and unfair. I am told we missed out the ambulance employees, even though this amendment does not mention them by name. This amendment ensures that all public servants are captured in the bill.

The Hon. I.F. EVANS: The opposition has been briefed on the amendment. We accept the fact that the amendment simply inserts the intention in the government's budget speech, so we are not going to defeat the amendment.

Amendment carried; clause as amended passed.

Clauses 63 to 84 passed.

Clause 85.

The Hon. I.F. EVANS: I am just interested, on behalf of the member for Fisher, in the prescribing requirements as to the operation and testing of such a device. I assume there is already regulation that goes to the testing of photographic devices for road traffic offences. I am just wondering what is different about this particular clause? There would already be a provision in the regulation about the testing of photographic devices, so what changes with this clause?

The Hon. K.O. FOLEY: I am told that it allows us to use apparatuses for the Motor Vehicles Act. Does that answer your question?

The Hon. I.F. EVANS: No. There are already photographic devices out there. One assumes there is already a provision for them to be approved, subject to a certain testing regime. So, why do we need a new clause that says, 'Approve apparatus for photographic detection, and prescribe requirements for testing'? Surely that is already in the act, or are we saying it is not currently in the act? Why do we need this new provision?

The Hon. K.O. FOLEY: I am told that the key words in that paragraph are the words that say 'any other act' at the very end of that paragraph, and that is to ensure that this picks up other acts where regulations need to be put in place.

The Hon. I.F. EVANS: Example?

The Hon. K.O. FOLEY: When we take a snap of you going through a red light and it is an unregistered vehicle, so we want to take action; at present it is under the Road Traffic Act. We are now needing it to be under the Motor Vehicles Act. So, it allows us to make regulations under the Motor Vehicles Act.

The Hon. I.F. EVANS: Since you have raised it, I will just clarify it for the record: there is nothing in this bill that reverses the onus of proof? The onus of proof does not change under this bill, since you raised it in the immediate previous answer? All the onuses of proof still remain the same for this bill?

The Hon. K.O. FOLEY: No, the onus of proof is not changing. I might just reflect on that. In my years in parliament, there are two types of politicians. I am not putting you in this camp, but I think you probably have a foot in it.

The Hon. I.F. Evans interjecting:

The Hon. K.O. FOLEY: I think you would be in the camp of slightly conspiratorial, of the view that you cannot quite trust the state or the bureaucracy to always to get it right, or you are a politician like me who just goes with the flow.

The CHAIR: Because you are so easygoing.

The Hon. K.O. FOLEY: Exactly. If you get pinched speeding, fair chances are you have sped. If by some miracle of chance the machine was faulty, just think of all the times you have sped when you have not been caught. There is a bit of karma in it. Just pay it and get on with your life. I cannot understand for the life of me why our good friend the member for Fisher would have expended such a large amount of money and time on a speeding fine—just pay it.

Mr Piccolo interjecting:

The Hon. K.O. FOLEY: Why would Marcus Einfeld find himself in gaol for a stupid speeding fine? People do some—

The Hon. I.F. Evans: Why would Paul Keating go to court over a speeding fine?

The Hon. K.O. FOLEY: Very good question.

The Hon. I.F. Evans: And he won!

The Hon. K.O. FOLEY: And he won. Paul Keating is a great man, but I think he falls into your category: conspiratorial. I just go with the flow.

Clause passed.

Remaining clauses (86 and 87) and title passed.

Bill reported with amendment.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (17:30): I move:

That this bill be now read a third time.

I speak now and I forever close the debate. We are acting with sheer haste here, but we can do it because it is in the budget papers and I am not going to make a point of that for the shadow education minister. However, DECS make up some 28 to 30 per cent of the annual savings of the adjustments to the long service leave provisions which, I guess, is proportionate to their workforce, and teachers are probably a little older than the average public servant. I want to thank members opposite for their constructive approach to this debate.

Bill read a third time and passed.

CONTROLLED SUBSTANCES (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 5, page 2, line 20 [clause 5(1), inserted subsection (2a)]—

Delete '(other than cannabis, cannabis resin or cannabis oil)'

Consideration in committee.

The Hon. J.R. RAU: I move:

That the Legislative Council's amendment be agreed to.

At some point I will say a few words while the gentlemen over there chat amongst themselves. I want to say a few words about this matter which might be of assistance to those opposite. As members might recall, this was the legislation that was introduced some weeks ago regarding the people who attend licensed premises with trafficable quantities of drugs on their person. Honourable members might recall that the original version of the bill, which was introduced into the chamber some weeks ago, excluded cannabis from the range of drugs to which this offence would apply. It said that it is an offence of an aggravated type to turn up in a licensed premise with trafficable quantities of drugs, excluding cannabis.

Honourable members opposite might recall that every single member opposite directed all of their comments to, in particular, that exclusion of cannabis. I particularly remember the member for Bragg spending some time on it, but others did too. I think a number of members opposite spoke on the matter and everybody basically said the same thing, 'Look, we don't have a problem with you making it a more serious offence for people wandering around nightclubs with drugs, particularly in trafficable quantities, but we do think it's a bit odd that you have cut cannabis out of the loop. Why have you done it?'

So, I thought, having listened carefully to honourable members opposite, that they made a reasonable point. I went away and I thought about it and, indeed, indicated, I think during the last week that the parliament was sitting, that I had taken the matter up with my colleagues and we accepted that the point made by honourable members opposite in the debate here was a sensible point. On that basis, I understand that honourable members opposite and, I think, the Hon. Ann Bressington, moved an amendment to that effect, or least foreshadowed an amendment to that effect in the other place. The government also indicated that it would move an amendment to its own legislation to that effect in the other place.

What has happened is that the collective view now of the government, the opposition and the Hon. Ann Bressington is that this amendment be agreed to. That, in fact, was the position that was accepted in the upper house. The upper house has now referred the amended legislation back here. So, the only difference between the bill, which has now returned to his house from the other place, is that the words 'excluding cannabis' have been removed, which, as I recall, is entirely in keeping with the remarks made by honourable members opposite during the course of that debate. That is what has happened.

I would just like to say that, for my part, hopefully, it demonstrates to members opposite that I do actually listen to what is said in the course of debates in this place. I cannot say that I will always agree to every amendment that is put up, but if there is some good logic in what is being put up I think you will find, for my part anyway, that I am perfectly prepared to listen to it, and if we can do better that is good. That does not necessarily mean that we will always be able to do better, it does not mean that we will always agree, but in this particular instance we have.

I would like to thank honourable members opposite for having drawn that particular matter to my attention in the course of the debate when it was last here. I am pleased that the two houses now appear to be in accord in relation to this matter. It is a win-win situation. Everybody is happy, wisdom has prevailed, and I can see rays of sunshine beaming through the clouds.

The Hon. I.F. EVANS: Yes; it's win, win, win and wisdom. How can we argue with that? The opposition agrees.

Motion carried.

STATUTES AMENDMENT (DRIVING OFFENCES) BILL

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 6, page 4, line 38 [clause 6, inserted section 19AD(2)(a)]—

Delete 'is present in a motor vehicle whilst it is driven' and substitute:

drives a motor vehicle

No.2. Clause 6, page 5, lines 6 to 11 [clause 6, inserted section 19AD(4)]—

Delete subsection (4)

Consideration in committee.

The Hon. J.J. SNELLING: I move:

That the Legislative Council's amendments be agreed to.

The amendments have been made in the other place. The amendments have the effect of limiting the new offence of street racing to drivers of motor vehicles rather than extending it to passengers, as the original provision was originally drafted.

The government went to the election with a policy that a new street racing offence would extend to anyone who promotes, assists or is a passenger in a street race. The government notes the position taken by the other place and the concerns expressed by some members and commentators regarding the application of the offence to passengers. To ensure that the other initiatives contained in the bill are not further delayed, the government has reluctantly agreed to the amendments.

This bill as amended still reflects the government's commitment to pursue tough initiatives to better protect South Australians from the irresponsible and dangerous actions of street racing.

The Hon. I.F. EVANS: It is win, win, win and wisdom, Madam Chair. The opposition agrees.

Motion carried.

PROFESSIONAL STANDARDS (MUTUAL RECOGNITION) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

At 17:42 the house adjourned until Thursday 14 October 2010 at 10:30.