

LEGISLATIVE COUNCIL

Thursday 4 May 2006

The **PRESIDENT (Hon. R.K. Sneath)** took the chair at 2.15 p.m. and read prayers.

SENATOR, ELECTION

The PRESIDENT: I lay on the table the minutes of the proceedings of the joint sitting of the two houses held on Thursday 4 May 2006 to choose a person to hold the place in the Senate of the Commonwealth rendered vacant by the resignation of Senator Robert Murray Hill, whereat Mr Corey Bernardi was the person so chosen.

Ordered to be published.

QUESTION TIME

COMMISSIONER CAPPO

The Hon. J.M.A. LENSINK: Will the Minister for Mental Health and Substance Abuse advise the council how many staff will be allocated to support Commissioner Cappo and also the total budget for the proposed office?

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): I thank the honourable member for her question. Commissioner Cappo is a commissioner of the Social Inclusion Board and I believe the management and responsibilities of this board rest with the Premier.

The Hon. R.I. LUCAS (Leader of the Opposition): My question is to the Minister for Mental Health and Substance Abuse. Will the minister advise the council what new or extra powers Commissioner Cappo will have that you, as Minister for Mental Health and Substance Abuse, will not have?

The Hon. G.E. GAGO: I thank the honourable member for his question. During the current reference on mental health the role of the commissioner is to lead the development of advice to myself as Minister for Mental Health and Substance Abuse and, through me, to cabinet on how to transform the mental health system. Of course, it is also to provide advice and support during the implementation of those reforms that cabinet and I decide to put in place. Clearly, I look forward to working with Commissioner Cappo.

Here in South Australia we finally have a government that is really committed to doing something about mental health after many years of neglect. Not only have we a designated minister responsible for mental health (which is me, and I am very proud and pleased to have that position and, in fact, I remind the chamber that South Australia is the only state to have a designated minister responsible for mental health) but we have also established a Social Inclusion Board which has been responsible for many references that are particularly aimed at the disadvantaged and the most vulnerable in our community. We have seen the Social Inclusion Board do wonderful work on homelessness, in particular, and a range of other really important things.

We have seen this important resource put in place for the state, and Monsignor Cappo, who is a person of incredible skill and competence, put in charge. I am honoured to work with such an important man and a man who brings much skill and expertise. Not only has the government done that but it

has also made Monsignor Cappo a commissioner, and that new role gives him the necessary independence he needs to do his job, as well as the resources and clout he needs to continue the really valuable work that he is doing. Of course, one of his main references at the moment is to inquire into mental health and join up the connections, to help move policy across departments. The commissioner will have increased access to the bureaucracy to enable him to better do that work.

I can only reiterate that I am flabbergasted that the opposition would continue to criticise a government which has put in place, for the first time, a wide range of specially allocated resources to do something finally about a policy area that sadly has been neglected. We are finally doing something, and all members opposite can do is whinge and whine and nit-pick about eminent people who have been given important responsibilities to do work for some of the most vulnerable people in our community.

The Hon. R.I. LUCAS: I have a supplementary question. Will the commissioner have the power to direct the chief executive of departments in relation to various activities that the commissioner wants to see occur?

The Hon. G.E. GAGO: I understand that he has an advisory capacity and will work in partnership and cooperation with departments. That is the advice I have.

The Hon. R.I. LUCAS: I have a further supplementary question. So, the minister is confirming that the minister does not have the power of direction in relation to either chief executives or officers within those departments?

The Hon. G.E. GAGO: I have answered that question, Mr President.

The PRESIDENT: The minister has already answered the question.

The Hon. D.W. RIDGWAY: My question is directed to the Minister for Mental Health and Substance Abuse. Did she, or any previous minister responsible for mental health, raise with the Premier the need for extra powers associated with mental health or the need for a commissioner?

The Hon. G.E. GAGO: I thank the honourable member for his question. I certainly have not been engaged in those discussions. It would have been before my time.

The Hon. D.W. RIDGWAY: I have a supplementary question. Is the minister aware whether the previous minister requested from the Premier extra powers or, indeed, raised the need for a commissioner?

The PRESIDENT: That certainly does not derive from the answer.

SOUTH VERDUN

The Hon. B.V. FINNIGAN: I seek leave to make a brief explanation before asking the Minister for Urban Development and Planning a question about measures to reduce pollution risks during flooding in the South Verdun area.

Leave granted.

The Hon. B.V. FINNIGAN: I understand the South Verdun community has expressed concerns about the pollution risks to the Onkaparinga River and the Mount Bold reservoir, especially during times of heavy rain and floods. Can the minister explain what measures the government has taken to reduce this pollution risk?

The Hon. P. HOLLOWAY (Minister for Urban Development and Planning): I thank the honourable member for his question and for his interest in this subject, because there certainly have been a number of flooding events in the Onkaparinga Valley over recent years. Last year we were very fortunate indeed that the high level of rainfall in the area and the higher level of the Onkaparinga River did not flood the service station in that area, but it went perilously close, and, of course, the previous year a number of properties in that area had been flooded. So, to address that question, the Rann government has committed almost \$1.5 million to purchase two pieces of flood prone land at South Verdun in a major step towards resolving the concerns about pollution risks during floods. The government has negotiated contracts to buy a petrol station site and a neighbouring concrete batching plant on Mount Barker Road, near the South Verdun interchange ramp off the freeway. For anyone who knows that area, these properties directly back onto the Onkaparinga River. Both sites are on the Onkaparinga flood plain, near the river. The land will be returned to open space and used to create a gateway park into the Onkaparinga Valley.

The purchases have been made because of concerns about pollution risks to the Onkaparinga River and the Mount Bold reservoir, as mentioned by the honourable member. This action also delivers on a Rann government promise to act on the community's concerns. The government believes it is inappropriate for industrial developments like these to be sited on this land, which is flood prone. The presence of a service station within this flood plain presents a substantial pollution risk to the river and the Mount Bold reservoir, which is situated not that far further downstream. Similarly, the presence of a concrete batching plant in this location is inappropriate. Poor local planning decisions allowed these developments to occur on these sites, and we are intervening to rectify that situation.

We are pleased to say that we have reached agreement with the owner of the petrol station. Following settlement of the purchase of the service station land, the government will be in a position to negotiate with the operator of the service station with regards to the future of the lease, which has some time to run. We will also negotiate the necessity to clean up the property. The government has also reached agreement with Boral Resources Pty Ltd to buy the land next door to the service station, which houses an old concrete batching plant. Boral has agreed to clear existing structures on this land before settlement. The land will be returned to open space and used to create a gateway park into the Onkaparinga Valley.

Both land purchase contracts are subject to environmental checks and undertakings, which are expected to be completed in the near future. The land purchase will be financed from the Planning and Development Fund administered by PIRSA. The exercise of negotiating this purchase contract has been a long and at times complex process, and we are pleased to have reached this outcome. It is expected that final settlement on the two purchases will be completed by July, when planning and design work will commence to develop a gateway park proposal.

TOUGH ON DRUGS INITIATIVE

The Hon. A.M. BRESSINGTON: I seek leave to make a brief explanation before asking the minister, representing

the Premier, a question about the desired outcomes of the government's so-called Tough on Drugs Initiative.

Leave granted.

The Hon. A.M. BRESSINGTON: I have taken the time to read the paper entitled, 'Rann Gets Results 2006' on drugs. There are some worthwhile achievements noted in that paper, such as the intervention and prevention of the construction of a two-storey bikie fortress in Brompton; the abolition of the drunk's defence; and the baby deaths (criminal neglect) legislation that allows the people responsible for providing care to children to be convicted for inflicting serious injury or death. I also note that the Premier states that this government will back law enforcement in the fight against drugs on our streets and that South Australia's strategic plan states that it will focus on improving the well-being and safety of all South Australians.

There are a number of references to increased fines for the use of cannabis. As we know, there is evidence that those who use cannabis are at increased risk of progressing, or regressing—depending on how we view it—by moving on to other drugs causing a poly drug addiction cycle. After working the alcohol and other drugs sector for 11 years, I am acutely aware that the government requires evidence to support the implementation of programs; that, without evidence that is scientifically evaluated, funding is almost impossible to obtain; and that scientific evidence must relate to the reduction of harm, supply and demand. My questions are:

1. Will the Premier provide evidence-based research that proves that fining drug users is more effective than the treatment/rehabilitation of drug users in improving the well-being and safety of all South Australians, including drug users?
2. How much money is outstanding to the state for drug related fines and expiation notices?
3. What are the further costs to the tax paying community to have those moneys recovered?

The Hon. P. HOLLOWAY (Minister for Police): That latter question may have to be directed to the Attorney-General, but I will take the honourable member's questions on notice and obtain a reply from the appropriate minister.

SOCIAL INCLUSION COMMISSIONER

The Hon. T.J. STEPHENS: My question is to the Minister for Mental Health and Substance Abuse. What information will Commissioner Cappo now get access to as Commissioner for Social Inclusion that he could not get access to as a member of the executive cabinet committee or chair of the Social Inclusion Board?

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): I thank the honourable member for his question. I believe I have answered that question. I know with this lot you have to repeat things again and again. I have to say how absolutely outraged I am at the nitpicking of this opposition when the Rann government has dedicated considerable extra resources to address the issues of mental health. Not only are we spending \$35 million a year more than the previous Liberal Government spent when in power—considerably more money—but we have also made considerable structural differences, such as a designated minister for mental health and passing on a reference to the Social Inclusion Board to look at transforming our mental health system. As I have already stated, and I am happy to repeat it for the sake of members who failed to understand the first

time, making Monsignor Cappo a commissioner gave him the necessary independence that he needs to get on and do his job, as well as the resources he needs to do it. It has worked for some of the most dispossessed people in South Australia. The commissioner will have increased access to the bureaucracy that will enable him to do his work better.

The Hon. J.M.A. LENSINK: As a supplementary question, is the minister saying that in his previous role Monsignor Cappo did not have the necessary independence, resources or access to undertake his role?

The Hon. G.E. GAGO: I thank the honourable member for her supplementary question. Members opposite are still failing miserably to grasp something fundamental. This new position enhances those abilities.

PLANT SPECIATION

The Hon. I.K. HUNTER: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation—

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: The Hon. Mr Ridgway will come to order.

The Hon. I.K. HUNTER: I will start again, as it is an important question and members opposite might find it of interest. I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about plant speciation.

Leave granted.

The Hon. I.K. HUNTER: Members may recall from my first speech that I profess a passing interest in and acquaintance with genetics and biology. I have long been fascinated, as I know other members in this chamber have been, about speciation, the variety of flora and fauna species, how they come about and how they are classified, whether it is into populations or separate species. The fights within the scientific community about speciation would probably put fights in this chamber to shame.

Yesterday, the minister informed us about the draft biodiversity strategy, and I was very pleased to hear about the seriousness with which the government is addressing the threat of species loss. Of course, there is another side of biodiversity in which we should all have an interest, and that is understanding how many species exist, what is their place in our ecosystem, and what role they can play in the ecosystem and, indeed, in our economy. Many species are very valuable to our state economy. When biodiversity of conservation is talked about, often the focus is on cuddly animals—

Members interjecting:

The PRESIDENT: Order! I can hear quite a bit of conversation from the other side of the council. I cannot quite hear the question.

The Hon. I.K. HUNTER: Mr President, I will start that paragraph again. Often, when we are talking about conservation, we focus on the bigger species—the cuddly animals or the really large macro fauna. We are all shocked to hear about polar bears, but we may not be shocked—

The Hon. J.M.A. LENSINK: Mr President, I rise on a point of order. Is this a question?

The PRESIDENT: The Hon. Mr Hunter—

The Hon. G.E. GAGO: Mr President, I have lost the train of this explanation. The Hon. Mr Hunter might have to repeat that last paragraph.

The Hon. I.K. HUNTER: We probably do have an interest in cuddly animals, but it is equally important for us to be cognisant of the smaller species, the microbial species that perform a very important role in our agricultural system, particularly in terms of our cereal crops in this state. What I think we do not talk about enough is the state of other species, including the plants and micro fauna on which we all depend.

When European settlers arrived in South Australia, it took them a long time to recognise and appreciate the magnificence of our local flora and fauna, something which our indigenous people did know about.

The Hon. J.M.A. LENSINK: On a point of order, Mr President, there is a lot of opinion in this question, which is something we all get called up on every now and again.

The PRESIDENT: The Hon. Mr Hunter will shortly get to his question, I am sure.

The Hon. I.K. HUNTER: In fact, Mr President, I would have been there by now without the interruptions. Over time, European Australians have come to understand the importance of our local flora and fauna. Will the minister advise what the government is doing to keep track of the variety of plant species in our state?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for his insightful question, and I commend him on his ongoing interest in these matters. Two hundred years after plants were first collected and described by botanists accompanying Matthew Flinders and Nicholas Baudin in their explorations around the coast of Australia, we are still discovering new plant species here in South Australia. Of course, the indigenous people of this country knew an immense amount about the plants, as well as other species we share in this land, and we certainly have a lot to learn from them. But Westerners tend to want to make lists, and we have become better and better at doing this.

Two hundred and seventy native flowering plants, discovered through scientific research undertaken nationally and globally, have been added to the state's flora list in the past 10 years. We have also added 120 naturalised species to the list, that is, species that are not native to South Australia but have become part of our landscape and have been acknowledged as part of our flora. These plants include blackberries, South African Ericas and South African orchids.

The State Herbarium, also known as the Plant Biodiversity Centre, is the principal centre for plant research in South Australia. The Plant Biodiversity Centre is in the Botanic Gardens and is part of the Department for Environment and Heritage. The centre has 900 000 plant collections and botanical staff collaborating with universities and a dedicated army of volunteer scientists, collectors and herbarium helpers—a truly amazing team of very dedicated and committed people.

I am pleased to inform the council that a printed Census of South Australian Vascular Plants has been published. As honourable members would know, I am sure, vascular plants have vascular tissues that enable those plants to evolve to a larger size. Non-vascular plants, such as algae and the like, lack those structures, which tends to restrict them to much smaller sizes.

In order to keep track of discoveries, the census will be upgraded, with updates to be made available on the Electronic Flora of South Australia web site. Copies of the census are available on the web site. For those members who will go straight upstairs after question time and log on, the site is

www.flora.sa.gov.au. The census is central to advancing important environmental initiatives, including the Biological Survey of South Australia, the list of proclaimed noxious weeds in this state, and the schedule of species with conservation status.

The census identifies which regions the plants are native to, and this assists local ecological restoration groups to revegetate areas with the right type of plants, which is important. It is no good just going out there and feeling good about planting various shrubs and suchlike when they might be planted in the wrong place. The census not only contributes to our academic understanding of the state's plant life but also offers practical information for restoring our environment.

The Hon. SANDRA KANCK: I have a supplementary question. Given the minister's concern for vulnerable and threatened plant species, what will she do to protect the many square kilometres of native vegetation that will be destroyed during the next stage of the Roxby Downs mine?

The Hon. G.E. GAGO: I am happy to receive advice on that for the honourable member.

SOUTH AUSTRALIAN CERTIFICATE OF EDUCATION

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the minister representing the Minister for Education and Children's Services a question about the new SACE.

Leave granted.

The Hon. A.L. EVANS: In 2004, the state government undertook a review of the current South Australian Certificate of Education. Its aim was to create a more flexible regime to broaden student pathways. The report to the minister on the SACE review, however, has raised a number of concerns due to its similarities to the Western Australian outcomes based education system. This particular regime has received criticism from interest groups who believe it will ultimately result in the dumbing down of future generations. My questions are:

1. What is the minister's response to the widespread criticism that the new SACE will be a dumbed down version of South Australia's current education program?

2. Given that more than 50 per cent of currently enrolled year 12 students aspire to tertiary education, will the minister consider introducing two distinct certificates in South Australia, as has been done in Victoria where there is a certificate of education for tertiary applicants and a certificate of applied learning for vocational students?

3. Will the minister give a guarantee that the new program will not need to be replaced by two such certificates (as in Victoria) within five years of the introduction of the new SACE due to its unworkability?

4. Is the minister aware that the dumbing down of standards in South Australian with the new SACE is putting at risk the overseas secondary student market in this state who seek internationally recognised qualifications?

5. Will the minister advise how long it would be considered reasonable for students to remain at school to complete the new program, given that they have unlimited time to do so under the proposed regime?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I will refer the honourable member's questions to

the Minister for Education and Children's Services in the other place and bring back a response.

NOWINGI TOXIC WASTE DUMP

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about the Nowingi toxic waste dump.

Leave granted.

The Hon. J.S.L. DAWKINS: Most members would be aware that the Victorian government is proposing to establish a toxic waste dump at Nowingi in north-west Victoria. Given that the dump site is only 14 kilometres from the River Murray and is situated between the Hattah-Kulkyne and Murray-Sunset National Parks, will the minister indicate what action, if any, the Department for Environment and Heritage has taken to indicate its opposition to the dump proposal?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I believe that those questions are the responsibility of the Minister for the Murray River (Hon. Karlene Maywald), and I am happy to pass them on to her.

The Hon. J.S.L. DAWKINS: As a supplementary question, and arising from the minister's answer, has the Department for Environment and Heritage indicated its opposition to the dump to the Minister for the River Murray's department?

The Hon. G.E. GAGO: I understand that it is the responsibility of the Minister for the River Murray. I am not aware of the department's involvement in that at this point, but I am happy to gain whatever information there is and bring it back to the honourable member.

INTERNATIONAL FIREFIGHTERS' DAY

The Hon. R.P. WORTLEY: I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about International Firefighters' Day.

Leave granted.

The Hon. R.P. WORTLEY: Today (4 May) is International Firefighters' Day, which acknowledges the work of our salaried and volunteer firefighters, as well as remembering those who have died in the course of their duties. This year is the eighth annual International Firefighters' Day. To date, 13 South Australian volunteer firefighters have died in action while serving the CFS between 1979 and 2006. Around 15 000 volunteers continually place the needs of others ahead of their own. As most people leave a fire, they are running into a fire to protect the homes of those leaving.

We must remember those firefighters who have died while serving our community and those who have dedicated their lives to protect the safety of all. At the same time, we show support and appreciation for firefighters worldwide who continue to protect us today. We can all still visualise those firefighters who were running towards the fire during the Twin Towers catastrophe in which hundreds of firefighters were killed. Sometimes that dedication is in the form of countless hours volunteered over many years, or it may be selfless years working in the industry.

In all cases the risk is the ultimate sacrifice: a firefighter's life. International Firefighters' Day gives communities and fellow workers the opportunity to recognise and honour the sacrifices that firefighters make to ensure that communities

and the environment are as safe as possible. The volunteers of the South Australian Country Fire Service will be among millions of firefighters around the world who will be honoured on 4 May. Will the minister provide the council with details about our firefighting personnel in South Australia?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): On this day each year communities throughout the world recognise and honour the sacrifices made by firefighters in protecting their communities. International Firefighters' Day is also known as St Florian's Day in honour of the patron saint of all firefighters and the first known chief of a firefighting squad in the Roman Empire. This morning I was privileged to join our firefighters at the commemoration of International Firefighters' Day at a service at the Metropolitan Fire Service headquarters.

At stations and brigades throughout the state, firefighters will, in one way or another, take the time to pause and reflect on the price that many of their colleagues throughout the world have paid—the ultimate price of their lives. At any one time South Australia has around 755 full-time and 237 part-time or retained firefighters employed by the Metropolitan Fire Service. Of the full-time MFS firefighters, 751 are men and four are women; and 212 men and 25 women make up the fire service's part-time or retained firefighters. Historically, four members of the Metropolitan Fire Service have died in the line of duty, while two MFS firefighters were killed on active duty during the Second World War.

Some members will remember that I outlined in the chamber last year that the first recorded death of a Metropolitan Fire Service firefighter whilst on duty in South Australia was in 1886, while the last was in May 1977. The South Australian Metropolitan Fire Service is considered to be one of the oldest government-funded fire fighting services in the world, and South Australians hold the service in high regard. Only this week we saw the rapid response of the MFS minimise the impact on the community of a tragic event in the central business district.

Our Country Fire Service has around 15 000 volunteers throughout the state, and the importance of their work in the community was never so obvious than on Black Tuesday last year, when CFS volunteers Trent Murnane from the Cummins brigade and Neil Richardson from the Ungarra brigade lost their lives protecting their communities. Since 1979, 13 volunteer CFS firefighters have lost their lives in the line of duty.

Along with our MFS and CFS firefighters, the Department for Environment and Heritage also has firefighting crews based around the state supporting our crews battling fires. Our CFS volunteers had a particularly busy summer, responding to over 36 major bushfire incidents over the Christmas/New Year period. The risk our volunteer firefighters face was, sadly, brought home to us again by the tragic death of one of their interstate counterparts during the past year.

International Firefighters Day, or St Florian's Day, is celebrated in many countries of the world in recognition of firefighters—indeed, the international brotherhood of firefighters is growing all the time. South Australian governments past and present have expressed the highest level of respect for our volunteer and salaried firefighters and the organisations that represent them—the United Firefighters Union and the South Australian Volunteer Fire Brigade Association. I encourage all members of parliament and all South Australians to take a moment today to reflect on the

vital community role of our firefighters and to remember those who have lost their lives whilst serving their community.

I also invite members and their families to attend the open day at the Adelaide MFS station in Wakefield Street this Sunday, 7 May, between 10 a.m. and 4 p.m. This event, held in conjunction with the Australian Professional Firefighter Charity Foundation and the Country Fire Service, will promote and showcase emergency services and the work of our firefighters within the community. Entry is by gold coin donation with proceeds supporting the Burns Unit and burns prevention. The open day will provide an opportunity for the community to support the work of our firefighters.

GOVERNOR

The Hon. P. HOLLOWAY (Minister for Police): I lay on the table a copy of a ministerial statement relating to Her Excellency the Governor made on Thursday 4 May in another place by the Premier (Hon. M.D. Rann).

ONESTEEL WHYALLA STEELWORKS

The Hon. M.C. PARNELL: I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the OneSteel Whyalla steelworks.

Leave granted.

The Hon. M.C. PARNELL: In September 2004 the Whyalla Red Dust Action Group Incorporated commenced legal proceedings against OneSteel on behalf of residents affected by dust pollution from the Whyalla steelworks. The residents sought court orders to force OneSteel to monitor and reduce its pollution and to compensate those who had suffered loss and damage.

On 21 September last year, during debate on the Broken Hill Proprietary Company's Steel Works Indenture (Environmental Authorisation) Amendment bill, the minister told the council that, in relation to the residents' court action, the bill would have no impact on any remedies sought in that action that were to make restitution for damage already caused by red dust. On 18 April this year the Supreme Court dismissed the residents' court action, citing the new legislation as the reason OneSteel had no case to answer. The court found that the act provided a complete defence to any application for a civil enforcement remedy under section 104 of the Environmental Protection Act so long as OneSteel complied with the conditions of its licence. My questions are:

1. Did the minister mislead the parliament when he said that the legislation would have no impact on the residents' court action, when clearly it did?

2. Will the minister now seek to amend the Whyalla Steel Works Act to ensure that the legal rights of residents are reinstated?

3. What action will the minister now take to ensure restitution or compensation for damage caused by red dust pollution?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development): Unlike the honourable member who asked the question, this government believes in doing something about the dust problem at Whyalla. In fact, as a result of the introduction of the indenture into this parliament OneSteel has invested something like \$355 million into Project Magnet, which will remove the principal cause of the fugitive dust which has been the main problem in Whyalla.

The honourable member's solution seems to be to spend hours in court, go back and forth, tie up the company in court and hope that something will come out of that.

This government believes the far better solution is to get that company to make the investment that is necessary to deal with the problem at its source, and that is the crushing plant which was located many decades ago adjacent to the town. If one was undertaking industrial or mining development now, you would look at towns such as Olympic Dam, for example, where the township of Roxby Downs is located at least 10 kilometres away from the mine and the processing plant, and that is modern practice. Unfortunately, in Whyalla that was not the case and when the steel works were located there the township followed. In relation to the specific question asked by the honourable member, I think he read the finding of the court case, and I think the last qualifying paragraph really provided the answer in the sense that the company had to be in breach of its licence.

If one looks at the work being undertaken by OneSteel at Whyalla, one can see what is happening to address the problem as a result of that indenture. As a matter of fact, I recently received correspondence from the managing director of OneSteel to give me a progress report on what work is being undertaken, and I would like to share some of that information with the chamber. Two significant aspects of Project Magnet have been very visual to the community and are nearing completion, and one is the huge shed that is being constructed that will contain all of the ore used for export.

I am advised that OneSteel has recently taken possession of 48 new rail wagons, which have been put into use, with the final six wagons due in Whyalla over the next two weeks. These new rail wagons will add to the fleet of wagons and will carry the fines (that is, the crushed ore, which has the most potential to create dust), and these will be higher than the previous wagons and have the capacity to contain the dust. I think that contract, from memory, was \$50 million or \$60 million and has provided work for a lot of workers in the workshops at Port Augusta. Not only has it provided that work as a benefit to the state but also, as these wagons come into operation, that source of fugitive dust will be eliminated.

Also, the concentrated slurry pipeline which runs between Iron Duke and Whyalla steelworks is now, I am advised, fully installed and will become fully operational in early 2007 when the other components of the project are completed. I am advised that Project Magnet is running on schedule, with significant activity now happening on both the Whyalla and mine sites. The export storage shed and related facilities, which will enable stockpiles of iron ore to be stored under cover, is over 70 per cent completed, with commissioning expected to commence in approximately three months. Export stockpiles will be stored in there by the middle of 2007 and will almost completely remove one of the three key sources of fugitive dust. The new covered conveyors which will handle the iron ore to and from the export storage shed are 50 per cent complete, with completion due in approximately three months. The covered conveyors, once operational, will reduce dust involved in ship loading, which is another source of fugitive dust.

The tip pocket is on schedule for completion in approximately three months and is currently 30 per cent completed. This new design has a large bag house, which will substantially reduce future dust levels. The export barges are currently being built overseas and are due for launching shortly. Development is on schedule, with the barges expected to be in Whyalla in early 2007. I am advised that the

new ship loader is 15 per cent complete and running on schedule, with completion due in approximately three months. Foundations for the new concentrator and filler flux plants are 30 per cent complete. Both these new facilities are on schedule for completion in the first three months of 2007 and, once completed and in operation, the crushing and screening operations will transfer from the Whyalla site to the mine, again reducing future dust levels. That is what the indenture was all about. It was to provide OneSteel with the certainty to make this massive investment that has now increased to \$355 million to shift the main source that has been plaguing Whyalla for decades out of the area. I am—

The Hon. Sandra Kanck: You're answering a different question.

The Hon. P. HOLLOWAY: What the Hon. Sandra Kanck is implying is that—

The PRESIDENT: What the Hon. Ms Kanck is saying is out of order.

The Hon. P. HOLLOWAY: Not only is it out of order, Mr President, it is also irrelevant to finding a solution to the dust problem. The Rann government is about finding solutions to problems, and that is what we have done: we are finding a solution to the dust problem. The honourable member can do whatever she likes to try to create—

The Hon. Caroline Schaefer: Find the truth.

The Hon. P. HOLLOWAY: Find the truth! If we had people like the Democrats in power, nothing would ever happen. I think the problem with these people is that they actually do not want us to fix up the problems because, if we did, there would be nothing to complain about. That is what we are doing. The thing we need to do, to get to the bottom line of this problem, is make sure the investment is made so that the solution to the dust problem in Whyalla is substantially addressed, and that is essentially what has happened. What happens in some court case really is a matter for the courts. As I said, I have already referred to that matter. Those residents can pursue whatever they like in the courts. This government is about fixing their problems to make their lives better. I will rest very easy at night. I can sleep very easily at night with the action that the Rann government has taken at Whyalla, because I know that, as a result of that, the lives of the people of Whyalla will be so much better. Not only will it be better in an environmental sense, because the main source of fugitive dust will have gone, but also their economic well being will be secured well into the future as a result of this investment.

The Hon. M.C. PARNELL: I have a supplementary question. In relation to the initiatives that the minister has outlined, which form part of Project Magnet, can he advise the council of what evidence, if any, he has in the form of scientific reports, or otherwise, as to exactly how much dust will be reduced by the various measures that form part of Project Magnet?

The Hon. P. HOLLOWAY: I do not have any information on the exact quantities of dust that will be reduced. However, I can say that, if you crush the dust 30 or 40 kilometres away at the mine site and you send the ore by a slurry pipeline into town, it must have a very substantial impact on dust. In a place like Whyalla, it would be foolish to say there will never be any dust, because it is a dusty environment. When the wind blows from the wrong direction, particularly when there is a drought up there, you will get dust in Whyalla, and you always have. Given that the steel

plant is still in the town, there will always be some dust in Whyalla.

We can say with absolute assurance that, if you deal with the three principal sources of dust—the transport, the loading and the crushing plant—and if you eliminate those by physically moving them 30 or 40 kilometres away from the town, it will inevitably substantially reduce the problem.

The Hon. SANDRA KANCK: I have a supplementary question. In the light of the court's ruling last week, did the minister mislead the parliament with the comments that he made when we were dealing with the indenture bill in committee last year?

The Hon. P. HOLLOWAY: I do not believe so. I have not yet had the opportunity to read the court case in detail. In the past few weeks, I have spent most of my time, rather than reading legal cases and going into the minutiae of those little court cases, concentrating on trying to get good outcomes for the people of South Australia. In relation to Whyalla, part of that is actually getting a real solution. The courts will not give us a solution. Presumably what the honourable member and the Red Dust Action Group in Whyalla would want is to shut down the steelworks, which might solve the problem, but it will not do an awful lot—

The Hon. Sandra Kanck interjecting:

The Hon. P. HOLLOWAY: It might do that, but it will not do an awful lot for all the workers in Whyalla, the 20 000-plus people who depend on it for their income. We need a practical solution, which is to shift the source of the red dust problem, which is what Project Magnet and the indenture is all about.

The Hon. NICK XENOPHON: By way of supplementary question, given that it appears that the Whyalla Red Dust Action Group has lost its case because of a lack of legal standing as a direct result of legislative intervention, will the government consider indemnifying the group for any costs it has incurred and any cost orders against it?

The Hon. P. HOLLOWAY: I am not in the business of giving those sort of guarantees—it is really up to the Attorney. The decision read out by the Hon. Mark Parnell referred to whether it had been established that the company was not complying with its conditions. I expect the company to comply with its conditions. There was a situation at the end of last year or earlier this year when there was, in the government's view, during the construction phase some difficulties with dust while the huge shed was being constructed, as there was too much dust in the town. The government wrote to OneSteel and demanded that it take action to deal with that problem. It has done so by increasing the amount of watering it does. It also stopped operating on days when the wind was blowing in the wrong direction or was too strong. It had various parameters.

This government is certainly monitoring the behaviour of OneSteel very carefully, but until that crushing plant is moved out of the town there will always be a problem with dust. We are watching OneSteel very closely, and the EPA will also be watching the company closely to ensure that it minimises the dust problem until the construction and opening of the new crushing plant is completed, at which stage that major source of fugitive dust will go. We will certainly ensure that it takes every step possible to minimise the problem until that stage is reached.

The Hon. SANDRA KANCK: By way of further supplementary question, does the minister believe that the residents of east Whyalla are entitled to any form of restitution for the continuing damage and clean up involved for those people with their properties?

The PRESIDENT: I do not know whether that question results from the original answer. The Hon. Mr Xenophon asked a supplementary also. I do not remember the minister saying anything about compensation in his original answer. The minister can answer it if he sees fit.

The Hon. P. HOLLOWAY: I know that OneSteel is aware of the problems, and I am sure that once the construction of Project Magnet is completed it will address those issues. I know that it has already funded the council on several occasions for the clean up of Hummock Hill and other areas of the town. The crushing plant at Whyalla has been creating dust for many decades. Towns should not be built so close to such a major industrial facility. It should not have happened. They were the standards when Whyalla was built many years ago, and the only way it can be addressed satisfactorily in the long run is not through the courts but to make sure investment is under way to shift the source of the problem.

ADELAIDE GAOL

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about Adelaide Gaol.

Leave granted.

The Hon. R.D. LAWSON: The Adelaide Gaol was constructed in about 1841, and it is a significant tourist attraction. It is presently manned by a group of dedicated volunteers who form the Adelaide Gaol Association. The gaol is open to the public from time to time. The Director of the South Australian History Trust, Margaret Anderson, was quoted in the *City Messenger* of 30 March as saying, '[Adelaide Gaol] could be a vibrant addition to heritage tourism in the city.' She revealed that for three years there has been before the government a proposal from the History Trust to develop the Adelaide Gaol to enable it to reach its full potential as a more significant tourist attraction and a great asset for our city.

The Lord Mayor, Michael Harbison, was also quoted in March as saying that he believed that this could be a more significant tourist attraction and suggesting that its restoration and revitalisation along the lines of Port Arthur would be a great asset. The minister herself was quoted in the *City Messenger* as saying that she had not, at that stage, received a briefing on the subject. My questions are:

1. Will the minister confirm that the government has been sitting on a proposal for the past three years for the redevelopment of the Adelaide Gaol?
2. Does the minister agree with Margaret Anderson that the Adelaide Gaol could be a vibrant addition to heritage tourism in Adelaide?
3. Has the minister received a briefing on this matter, and what action does the government propose to take about it?

The Hon. G.E. GAGO (Minister for Environment and Conservation): The first time I was asked any questions by the media in relation to this matter, I think I had been sworn in for about four days. Adelaide Gaol is a state heritage place, and the site has historical and important heritage values. However, from reports, it would require significant works—and I do stress 'significant works'—and investment for it to

become a viable tourist facility. As members would be aware, the government must take into consideration priorities for funding across a wide range of community needs, and often this is very difficult for us to do. Nevertheless, we are required to weigh up these priorities. The primary aim of heritage places is preservation; they are not necessarily about tourist facilities.

As the honourable member pointed out, in 2003 Ms Margaret Anderson of the History Trust prepared a report on a possible plan for the future of the Adelaide Gaol. Since then, a working group has prepared a proposal for the site, and my advice is that it would cost over \$10 million. When weighed up against many other competing needs for South Australians, this proposal is quite clearly not currently a priority for funding. However, the government will continue to explore options for the future of the Adelaide Gaol site and will continue to explore other options and other interests as well. It is not off the drawing table, but at the moment \$10 million is not considered priority spending for the government at this time.

The Hon. T.J. STEPHENS: I have a supplementary question. Mr President, is this a clever ploy by the government to throw the opposition off by actually answering the question and confusing us?

The PRESIDENT: Order! The Hon. Mr Stephens will take his seat.

TRAFFIC WATCH

The Hon. J. GAZZOLA: Will the Minister for Police advise the council of a new South Australian police initiative known as Traffic Watch?

The Hon. P. HOLLOWAY (Minister for Police): I am pleased to advise the council of this important new initiative, which was announced by Assistant Commissioner Grant Stevens on Tuesday 2 May. This campaign will encourage road users to report dangerous driving and help put reckless drivers on notice, and there will be an enhanced process for the receipt and management of traffic complaints.

Traffic complaints are currently received personally or via telephone at police stations or at the Sapol call centre. I am advised that 80 per cent of these calls are received by Sapol's call centre. Traffic Watch complaints will continue to be received via telephone and mail (including email) and personally at police stations. All complaints will be entered into the traffic online database. Complaints will be assessed to establish the most appropriate course of action, which may include: filing the complaint due to insufficient information provided by the complainant to warrant further action, or it could be the sending of an advisory letter to the registered owner of the vehicle the subject of the complaint where the allegation contained within the complaint is of sufficient detail to warrant contact but not to the degree of supporting a prosecution, or the complainant declines to provide a signed statement of their observations.

Action might also involve application to a local service area traffic section for further investigation in cases where the complainant is prepared to supply a signed statement of their observations and a substantive offence has possibly been committed or if the vehicle concerned has been the subject of more than one complaint in 12 months. The advisory letter will be in the form of a standard letter containing information regarding the Traffic Watch initiative. It will include sufficient detail regarding the alleged driving behaviour and

information identifying the vehicle and the date, time and place relative to the allegation. The letter would be advisory in nature, drawing the attention of the registered owner to the report by a member of the public. If further complaints are received about the same vehicle this may result in follow-up by a police officer.

The top-10 dangerous driving behaviours identified by the police are: drink driving, speeding, inattention, children without a seatbelt, speaking on a mobile phone, erratic driving, dangerous overtaking, very loud music, disobeying traffic lights, and hoon driving. I urge all road users who witness dangerous driving (such as tailgating, running red lights, speeding and burnouts) to report these incidents immediately by calling 131444. Complaints can also be made at a police station.

Besides the identification of bad drivers, part of the aim of Traffic Watch is to enable the community to make our roads safer and encourage the attitude amongst all road users that road safety is everyone's responsibility. I am sure members are aware of the initiative that the Premier has taken in appointing my colleague the Hon. Carmel Zollo as Minister for Road Safety in order to specifically focus attention on this particular subject. I congratulate South Australia Police on this new initiative and their continued commitment to road safety in our state.

The PRESIDENT: Order! For the benefit of new members, supplementary questions must be put without any explanation. Some of the explanations provided when seeking leave have been rather long. I will be fairly tolerant for the first couple of weeks, but I ask members to take this on board.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 3 May. Page 78.)

The Hon. R.I. LUCAS (Leader of the Opposition): I was speaking yesterday afternoon and evening about the importance of the Legislative Council and the various groups that are working at the moment to either abolish or destroy the Legislative Council. In summary, I indicated there were two broad groups, the first of which I have referred to as the Rann/big business leader/*Advertiser*/Rex Jory group, which is advocating the abolition of the Legislative Council because they argue that it impedes economic development, stops the creation of jobs—

The ACTING PRESIDENT (Hon. J.S.L. DAWKINS): Order! Members might like to have their conversations somewhere else in the building.

The Hon. R.I. LUCAS: —and stops growth in South Australia. The second group is represented by Dean Jaensch and others who just oppose the Legislative Council on the basis, put simply, I guess, that, in their view, we are over-governed; they prefer the multi-member proportional representation mess that exists in jurisdictions such as Tasmania. I then moved on to argue the importance of the role of the Legislative Council. I summarised the difference of the Legislative Council in terms of both its voting system and the way in which it is structured and composed, and I will make some further comment on that later in my contribution.

I indicated that, over the years, good governments Labor and Liberal have managed to achieve most of what they wanted. On average, about 98 per cent of governments' legislative programs have passed either completely or amended through the Legislative Council. I highlighted the important role of the Legislative Council being a check and a balance on the excesses of executive arms of government, whether they be Labor or Liberal. In particular, within that role of the Legislative Council, I referred to the important role of an upper house—or the Legislative Council—keeping the executive arm of government accountable.

I concluded my remarks yesterday afternoon by highlighting that, if the Premier was to be successful with the abolition of the Legislative Council, no select or standing committee, judicial inquiry or royal commission would be able to be established no matter how heinous the crime that might have been committed by the government or one of its ministers or officers because there would not be the capacity within the parliament for the Executive arm of government to be called to account.

Along those lines, I will refer briefly to the experience of some of the other states in terms of the importance of having a house of review or a check or a balance. For example, in Queensland, the Fitzgerald Commission on Corruption showed the dangers where a government was able to avoid any effective parliamentary scrutiny. Similarly, in Western Australia the WA Inc. royal commission looked at the scandals associated with the former Labor government, and its report actually recommended the strengthening of the house of review role of its Legislative Council.

The reality is that, as I highlighted earlier, for more than 26 years in South Australia voters have refused to give either major party majority control in the Legislative Council. By conscious choice over those 26 years, South Australian voters have not given either the Labor or Liberal parties the majority in both houses of parliament. In the most recent election we saw one of the more significant examples of that. The government had clearly been elected in the House of Assembly, but nearly two-thirds of voters in the Legislative Council voted against the government party representatives and for either Liberal Party representatives or other minor parties and Independents.

So, 65 or 66 per cent of voters in the Legislative Council deliberately chose to vote against a Premier and a government that had received significant support (although not a majority in terms of primary vote support) in the House of Assembly.

The Hon. Nick Xenophon: Voters are very savvy like that.

The Hon. R.I. LUCAS: They can be on occasions, but it is a deliberate choice. It is not, as I said, against just a Labor government in the lower house. Certainly, equally there was a movement against the former Liberal government in 1997. A significant vote was achieved by the Liberal government in 1997; but, because of a campaign conducted throughout the community about not giving the Liberals the power in both houses, there was a significant reduction in the Liberal Party Legislative Council vote in 1997, similar to the occurrence that we have seen in the 2006 election. So it is a conscious decision that voters take; they want a check and a balance, they want accountability to the executive arm of government, they want a Legislative Council and, if the Legislative Council is maintained, they do not want to see a council that has had its powers or effectiveness gutted through other changes—and I will address those possibilities in a moment.

One of the important roles of a Legislative Council is the detailed breakdown and analysis of legislation. Members who have been here for a while (and I invite new members to monitor this themselves) would have run into members of the House of Assembly who would say, 'The bill that has just passed the House of Assembly is a real dog's breakfast, but we can't achieve anything down there and we are relying on you lot up there to fix it.' Those of us who have been here for a number of years will have any number of examples where both Liberal and Labor members of the lower house (this is not something that is party political) have said that they are relying on the upper house to fix something. This is no criticism; it is just one of the reasons I have always been a passionate advocate of the role of the Legislative Council.

Whilst there will inevitably be some blurring of the role of upper house and lower house members with the involvement of party machines and the media, there is—and there should continue to be—a critical difference, particularly with the increasing number of marginal seats as a result of changes to the Electoral Act and the operations of the Electoral Commission. There are increasing numbers of marginal seats in the lower house, which means that for a significant number of those members the vast majority of their time is appropriately spent servicing the needs of their constituents through their electoral offices. Constituency work is a critical part of the work they undertake, and one of the advantages of the Legislative Council is that generally the first recourse of a constituent is to his or her local member of parliament, whether that be Labor or Liberal. We know that if a constituent is unhappy with their local member or they think they will get better service elsewhere they will, on occasions, go somewhere else—and they may approach a member of the Legislative Council.

Members of the Legislative Council have a greater amount of time to devote to the consideration of detail in legislation. In my experience, and in the experience of members prior to my time in the parliament, the vast majority of amendments to legislation are achieved through the Legislative Council process—and that is not just because there is the capacity to amend, although I acknowledge that that is an important part. In my experience the brutal reality is that the vast majority of members who detect flaws or problems in legislation are those who have the greatest amount of time to devote to close analysis of the legislation, who have the time to meet with the various groups and organisations that have an interest in it, and who are prepared to sit down with them, listen to their arguments and work with parliamentary counsel on amendments.

Clearly, members in a safe seat in the House of Assembly also have that capacity, and I do not decry the fact that there are a number of examples on both sides where members of the House of Assembly are in a position to do that. However, my experience is that in this chamber we do have the time and should have the capacity, with the expertise that we have available, to provide much greater analysis and a closer forensic investigation of the individual provisions of the legislation that goes through the parliament—it is an important role of this council. In the speech I referred to earlier, the Clerk of the Legislative Council indicated that there were some 2 200 amendments moved in the first term of the Liberal government from 1993 to 1997 (with a Labor and Independent opposition at that stage).

I am not talking just about a Labor government needing to have its legislation scrutinised. A Labor opposition with Independents and minor parties during that period moved

significant amendments to government bills. Not all of those were errors, of course, or unforeseen consequences. In some cases, they were just different policy approaches and the government had to compromise, and I accept that.

With the greatest respect to governments both Liberal and Labor, they are not infallible. The ministerial advisers are certainly not infallible, and their lawyers and parliamentary counsel are perhaps closer to being infallible, but even they are not infallible in terms of their drafting of government bills. Having been on both sides, I know how bills are forced through the party process and so do not always get the consideration that they would otherwise warrant.

A role and responsibility for this chamber is that all members, to the extent that they can, ought to be closely analysing legislation, even if it is your own government's legislation. It is a question, then, of not embarrassing your government in an open forum but quietly highlighting the problem by saying, 'Is this what we really intend in relation to this bill?' In some cases, you would hope that the minister would then file his or her own amendments to the legislation. Of course, if you are in opposition or an Independent member, part of the committee process is to file those amendments and have that debate. That is a critical role of the Legislative Council, so abolition of the Legislative Council or other changes which gut the capacity of this chamber to do that, in my view, will severely weaken our democratic processes in South Australia.

I have touched upon committees and will not go through those again in detail but, again, this council with its composition has the capacity to establish committees and terms of reference which the executive arm of government might not want or would actively oppose, and that again is an important role for the Legislative Council in terms of keeping the executive arm of government accountable. Also, in some respects, it can throw light on important public interest issues. It was this chamber, 20-plus years ago, that established a select committee on random breath testing with former members such as Martin Cameron, the Hon. Legh Davis, and others. That committee investigated the issue of random breath testing and presented the government of the day with a very powerful argument as to why we needed to support and implement random breath testing in South Australia. There have been other Legislative Council committees, both standing and select, which have investigated matters of public interest or public importance and, because of the time that is available to those committees and members, have provided insight in terms of possible policy reforms in those particular areas.

One of the other important advantages of the Legislative Council is the capacity for members and parties (members, in particular, if their party rules allow) to look at particular issues from a whole-of-state perspective and what is in the public interest in relation to a particular legislative proposal. I accept from the Labor Party's viewpoint that that is a very difficult path, although in 20 years we have seen the Hon. Norm Foster, the Hon. Trevor Crothers and the Hon. Terry Cameron make judgments which they believed to be in the public interest in relation to the Roxby Downs mine, electricity privatisation and the reduction of the state's debt and vote according to their conscience, even though it led to their expulsion. However, for Independent and other party members, and certainly for members of the Liberal Party, there is the capacity to vote according to one's conscience on particular issues from a whole-of-state perspective.

I will give one example of what I mean, and that is the debate back in the early 1980s in relation to the establishment of a casino in South Australia. The Hon. Nick Xenophon might close his ears to this discussion and argument. I think that the vast majority of South Australians—I will not say all, in deference to the Hon. Mr Xenophon—would believe that, in the interests of our state's tourism, options for development in terms of job growth—everyone can argue about other aspects of social development—and options for recreational gamblers, it is important to have a casino and the related development here in South Australia.

I know that, within my own party at that particular time, very many members of the lower house actively supported, in accordance with their own conscience, the provision of a casino in South Australia. Because they represented 15 000 to 20 000 electors in a particular area, and their judgment was that the majority of those people would oppose the establishment of the casino, or they were fearful that they might have lost their seat as a result of a casino being established, they voted against their own personal judgment of what was in the public interest—of their own personal conscience—and reflected the views of their particular part of South Australia.

In the Legislative Council, because of the way we are voted to come to this chamber, we have the capacity to look, to a greater extent, at the state's interest. Whether or not you agree with those judgments, we do have the capacity to make a judgment on a whole-of-state basis. In my party, our state councillors are elected from 250 delegates from across South Australia—city and country. Therefore, there is a greater mix in their views on something like a casino, although, again, I suspect a majority at the time probably would have opposed a casino. There is the capacity on those sorts of issues for members of the Liberal Party, Independents and others to make judgments from a whole-of-state perspective in relation to issues such as that. I do not give that as the only example; there are a number of others as well.

I must admit that I had a slight chuckle soon after the casino legislation went through and it was established that many of those members who had voted against the casino beat me in the rush to get across to the casino and were much more regular attendees and consumers of the casino services over subsequent years than I ever was. As I said, it is an advantage, and it shows the importance of the role of the Legislative Council, that we have the capacity to sit back and make judgments about what we believe is for the benefit of the state.

There are a number of other areas in relation to the role of the council, but I will not go through all of them this afternoon. I believe that that half-dozen or so are a summary of the important role of the Legislative Council and the advantages of upper house members being elected in the way that we are and also in the numbers that we have. One of the other arguments about the abolition of the Legislative Council I was interested to read in a speech by a former Labor leader of the government of the Legislative Council and former attorney-general, the Hon. Chris Sumner. Again, he is someone who I am sure would not have supported the abolition of the Legislative Council. In a speech that he gave in 1982 on the role of upper houses today, he looked at the issue of the impact on the House of Assembly if we did get rid of the Legislative Council. He states:

However, assuming the Senate were not abolished and given that Queensland, Northern Territory and ACT have no Upper House the number of politicians abolished would only be 225 out of 778. This assumes that the Lower House members are not increased as is often

suggested in the context of Upper House abolition. However, if Lower House members are not increased, particularly in the small states, then a government could have virtually no backbench. For instance, in South Australia, the House of Assembly has 47 members. If government were won with a bare majority of 24 and there were 13 Ministers, one Speaker, Chairman of Committees, Chairman of each of the Public Accounts Committee, the Public Works Standing Committee, Subordinate Legislation and the Industrial Development Committee, plus a Whip—a total of 20—there would only be four ordinary backbenchers. The problem of too many politicians in Australia is more product of the federal system than the existence of Upper Houses.

Whilst those numbers have clearly changed and the committees have changed, the Hon. Mr Sumner was making the point that, if you abolish the Legislative Council and then have only a House of Assembly (we now have 15 ministers), in essence you would have a situation where the governing party would have precious few, if any, backbenchers to service all the committees and do all the necessary work that backbenchers do in any political party.

So the first attack point has been the abolition of the Legislative Council. Some of the groups have made the judgment that perhaps the people of South Australia will not support the abolition of the Legislative Council. This is where they become more clever and look at a range of policies that will gut the Legislative Council or significantly reduce the effectiveness of it through a range of mechanisms. On behalf of the first group I talked about—Premier Rann, big business leaders, *The Advertiser* and Rex Jory group, who are arguing to abolish the Legislative Council so that we do not stand in the way of economic development and job growth—Mr Rann says that, if we cannot abolish the Legislative Council, plan B is to reduce the number of members of the Legislative Council to 16 and introduce four-year terms.

With regard to 16 members of the Legislative Council, the sort of comments the Hon. Chris Sumner made about the House of Assembly would be even more applicable to a Legislative Council chamber of only 16 members. It would significantly reduce the capacity of this chamber to do the work it needs to do to keep the executive accountable. We would have a situation potentially of the government of the day having possibly six members, the opposition having six members and minor parties and other independents having four members, adding up to a 16-person Legislative Council. One only needs to look through that to see the sort of committees we have established currently, both standing and select, to find that it would be impossible to maintain that level of accountability and oversight of the executive arm of government with such a reduction in numbers in the Legislative Council.

Another point is that we have traditionally had in our forms of government a Legislative Council that has approximately half the number of members that the House of Assembly has, so we have 22 members of the Legislative Council and 47 members of the House of Assembly. If the goal is to reduce the number of members of parliament, whilst it is not one that I would support, the only logic would be that the House of Assembly should be reduced from 47 down to 32 or 35 or something of that order if the Legislative Council were to be reduced to 16 members. Let us hear the squeals from both parties in another place should that ever be suggested! If the argument is that we have too many politicians and it costs too much, let the cuts be applied equally in the House of Assembly and Legislative Council. I suspect that our colleagues in both parties would immediately move on to plan C if that were to be the policy solution.

That is part of Premier Rann's plan B, because he knows that fewer politicians, paying them less and shorter terms is something for which he might get head nod support out there if people do not think through the ramifications and repercussions, as opposed to his real plan to abolish the Legislative Council. If the Premier cannot achieve his plan to abolish the Legislative Council, his next best step is to gut the effectiveness of the Legislative Council through another mechanism.

I will place on record a number of quotes in relation to this issue of eight-year and four-year terms. However, in doing so, I will make a general comment about established parties; that is, whilst it is good fun for the media and other commentators to make fun of major political parties—whether it be Labor, Liberal or, indeed, in recent years, the Australian Democrats—at least one thing one can say about the established parties is that, by and large, you have a reasonable idea—although it is not always accurate—about what they stand for, what is their record and what you are perhaps going to get, within some broad parameters. You are not buying completely a pig in a poke. I think this is important as we move on to the position of potentially looking at four-year terms for the Legislative Council.

With the greatest respect to my very good friend and colleague the Hon. Mr Xenophon—and all credit to the public profile and perception the Hon. Mr Xenophon was able to achieve in relation to his eight-year term—we have seen in the most recent example that, even contrary to the firm promises the Hon. Mr Xenophon gave to his running mates that they need not worry because they would not be elected and, indeed, the commitments he gave to some of us that he was convinced that he himself would not be elected (I must admit that on the second one I did not agree with the Hon. Mr Xenophon's assessment. Nevertheless, I will put that to one side for the moment), it was his genuinely held view that his running mates would not be elected. The position he has adopted since then (and I can certainly understand that position) is that, whilst the Hon. Ann Bressington and the Hon. Nick Xenophon may well have shared views on a couple of critical issues, to all intents and purposes, on other issues they are two separate Independents. I respect that, and I have no criticism of either the Hon. Mr Xenophon or the Hon. Ms Bressington in relation to that point.

The reality is that the people of South Australia voting for the Hon. Mr Xenophon knew very little about his running mates, the Hon. Ann Bressington and John Darley, who was No. 3 on the—

The Hon. Nick Xenophon: They had reasonable profiles.

The Hon. R.I. LUCAS: They had reasonable profiles but, as with the Hon. Mr Xenophon, who guaranteed them that they would not be elected, there was not much discussion in the public arena about either of them being elected. That is one of the challenges if one moves to a system of four-year terms and 22 members being elected at one time. If one looks at the most recent example, the Hon. Mr Xenophon could have elected potentially up to four or five members of the Legislative Council at the most recent election. So, his guarantees not only to his No. 2 and No. 3 that they would not be elected would not be true, and, possibly, that would also be the case in respect of No. 4 and No. 5 on his ticket. At least with the Labor Party, the Liberal Party, the Australian Democrats and, in recent days, the Greens and Family First, one has an idea of what it is they stand for.

However, a collection of Independents, each guaranteed that they would not be elected by the leader of that team and who is personally very popular and garners a considerable

vote at a particular time, means that a number of members of this chamber might be elected with the people liking the leader of that particular team—the Hon. Mr Xenophon in this case. I am using that only as a recent example. It could be anyone else in recent times, although the Hon. Mr Xenophon is obviously the clearest example of an Independent, as opposed to a minor party, garnering such a significant vote.

As I have said, this is no criticism of the Hon. Ann Bressington or, indeed, the almost Hon. John Darley. But, as on a previous occasion, the Hon. Mr Xenophon is probably quite happy that one of his running mates was not elected to the Legislative Council, as a result of subsequent revelations about that. At that time, because no-one probably expected the Hon. Mr Xenophon to be elected in the first instance, let alone a second person on his ticket, the same level of scrutiny was not applied to that particular person. As I said, the Hon. Mr Xenophon has adopted an entirely understandable position by saying, ‘My team is a collection of Independents and we’re not going to be voting en bloc in relation to issues. Perhaps my fellow team mates’ running positions on one or two issues will be similar to mine, but on others the decision will be completely for them.’

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: Well, you might. If we were to move to a position, which I hope we don’t, of four-year terms, then you would need to. Far be it from me to suggest that the Hon. Mr Xenophon’s current level of support is a meteor blitzing across the horizon; it may well be a permanent part of the political landscape, but then again it might not be. There will be occasions when political meteors blaze across the sky brightly and, at a particular point in time, poll significant levels of support. One only has to look back recently to Pauline Hanson and One Nation to know how popular (for a period) Pauline Hanson and her supporters were. If she had been a South Australian, she might have been able to garner that level of support in South Australia. Again, with the greatest respect, I am much more comfortable with the Hon. Mr Xenophon and his fellow travellers such as the Hon. Ann Bressington and John Darley being here than if it had been Pauline Hanson who, all of a sudden, garnered three or four running mates and we had four or five members of One Nation in our Legislative Council.

That is one of the advantages of having longer terms and rotating membership. It means that the passing political meteorites that go across the horizon (such as Pauline Hanson and others) need to demonstrate support in the community for some length of time. So, their views are exposed and they have to answer questions about their policies over a period of time, and we can rely on the good sense of the South Australian voting public, we hope, to ask those questions. However, if the period is shorter, at a particular point in time, as we have seen, Independents or minor parties can garner votes of up to 15 or 20 per cent. Not too long ago, the Australian Democrats were polling 16 or 16-plus per cent in South Australia. The South Australian community said at that time, ‘A pox on both the major parties; we want to vote for something other than Liberal or Labor; we are going to vote for something else’—and they voted for the Australian Democrats.

The advantage of the rotational basis of the Legislative Council, of not having everyone in and everyone out at the same time, is that it gives the people of South Australia time to make a judgment. Even though the Democrats have been wiped out on this occasion because the non-major party vote

was absorbed by the Hon. Mr Xenophon and the Greens, they (and Family First) are still represented in this chamber—

The Hon. P. Holloway: Even though the people don’t want them. What sort of an argument is that?

The Hon. R.I. LUCAS: Well, at the time of the election of the Hon. Sandra Kanck just over four years ago, they supported the Australian Democrats. If, come 2010, the Australian Democrats still poll 1 or 2 per cent of the vote, they will disappear; over a period of time they will be removed from the political horizon.

The Greens, particularly in relation to environmental issues, have had a member elected this time; and if the Democrats continue to poll poorly it may well be that the Greens fill that void in the political horizon. However, what it has meant in terms of rotational basis is that there is the capacity on both sides of that argument to ensure that, over a period, parties and individuals need to demonstrate the worth of what it is they have to offer to the people of South Australia. Again, I think that is something that, as we look at plan B from Premier Rann to gut the Legislative Council and its effectiveness, members need to have a close look at.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: Well, as I said, it is the first time that we have ever had a Leader of the Government pledge to abolish the Legislative Council. It is a shame and a blot on the personal CV of the Hon. Mr Holloway that he is the first Leader of the Government to pledge the abolition of the Legislative Council. That is his policy, he is an advocate of it and it is a shame and a blot on his personal political CV. In relation to the rotation of senators, I want to put on the record a number of quotes. First, I refer to page 17 of Odgers’ *Australian Senate Practice*, which states:

The six year fixed term of senators derives in part from the Senate’s character as a continuing house. It stems also from the view that an effective parliament reflects the state of electoral opinion at different stages of its development rather than at a particular date. It is also a feature of the Senate’s character contributing to its role as a house of review and reflection. The six-year term and the principal of rotation were based on comparable provisions in the Constitution of the United States concerning the United States’ Senate. The objectives of those provisions as expounded by *The Federalist* were to counteract the dangers of instability which would arise if all places in the Congress were contested at biennial intervals, and to create conditions enabling some members of Congress to become expert in legislation and ‘the affairs and the comprehensive interests of their country’.

The second quote is from Harry Evans, Clerk of the Australian Senate. The chapter is headed ‘The Rotation of Senators, Republican Remedies and the Australian Constitution’ in a book entitled *The Constitutional Commission and the 1988 Referendums*. I will not quote it all, but one particular section states:

In a fairly long speech at the Philadelphia Constitutional Convention on 26 June 1787, Madison expounded, with his usual combination of robust reasoning and keen appreciation of the work is a practical institutional arrangements, the importance of the tenure of the Senate. The Senate was intended to combine scrutiny of the executive government and review of legislation. The central problem of republican government reappears in relation to the Senate in this form: how can such a legislative body be given continuity and a measure of independence from the other organs of the state, while maintaining its dependence on the people? Considerable importance was attached to continuity as a desirable characteristic of a watchdog of the executive. The rotation of its membership was the answer to the problem: a long term of office but with a portion of the membership being renewed at short periods.

Harry Evans went on to argue the importance in terms of the argument for the rotation of senators.

The Hon. P. Holloway: Yes, but none of them had eight years. In the US it is four and in the Senate it is six.

The Hon. R.I. LUCAS: Is the leader going to suggest two year terms in the House of Assembly?

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No, I'll bet you don't. I want to put a third quote on the record with the arguments for and against the 1988 referenda. One section states:

How does the proposal affect the Senate?

Drastically, it will become a mere echo of the House of Representatives through a change to its basic structure—abolition of both its present fixed six-year term—and the staggering of senators' terms so that half of them face election every three years.

This structure is fundamental to the Senate's role as a house of review and as the voice of the states. The stability of the six-year term enables senators to serve over a period long enough for important issues to be given the full attention they deserve, and not rushed through prematurely without proper consideration. Australians have always recognised the dangers of such a change, proven by their rejection of the same idea in referendums in 1974, 1977 and 1984. Each time, Australians have recognised that such a change would reduce the Senate to a rubber stamp for the government of the day.

Finally, I want to quote from a debate in the House of Assembly on 9 March last year, which reads as follows:

I now turn to the Constitution (Terms of Members of the Legislative Council) Amendment Bill. The bill seeks to amend the principal act so that the term of members of the Legislative Council will expire on the dissolution or expiry of the House of Assembly. The government does not support this proposal. It believes that the current system is preferable. Currently, members of the other place generally serve the equivalent of two terms of the House of Assembly. That is eight years.

The terms of members of the council (the other place) have always been staggered so that, usually, only one half of the membership is elected at any one election. The amendments proposed in this bill would mean that all 22 councillors would be elected at the same election, meaning a reduction in the quota from 8.3 per cent of the formal vote to 4.3 per cent, or thereabouts. The importance of the other place and equivalent chambers is explained in *Odgers'* text as follows:

The requirement for the consent of two differently constituted assemblies improves the quality of laws. It is also a safeguard against misuse of the law-making power and, in particular, against the control of any one body by a political faction not properly representative of the whole community.

The government believes that the current system is consistent with the role of the other place as a house of review. It has been common for upper houses to be constituted in this way. For example, the Senate maintains a staggered system of appointment. Staggered terms allow members of the other place to be more removed from immediate electoral pressure. It offers stability and balance, as a strong populist vote in the house would not necessarily result in a majority of members in the other place. I believe that this is a safeguard. It has the advantage of ensuring continuity of experience in at least one house of parliament.

Mr President, I invite members to speculate as to who made those comments in the House of Assembly on 9 March 2005, voting against a proposal for four year terms for the Legislative Council—

The Hon. Nick Xenophon: Is there a prize for guessing?

The Hon. R.I. LUCAS: Indeed, there could be a prize, Mr Xenophon; free pokie chips over at the casino! Mr President, the quote I have just read out was given by the Attorney-General of South Australia, the Hon. Michael Atkinson, just last year when voting against a proposal for four year terms in the Legislative Council. The arguments used by the Hon. Michael Atkinson, which were supported by all members of the government at the time, are exactly the arguments I have just put to this council in relation to the dangers that are inherent in four year terms for the Legislative Council. So, in 2005 the Hons Atkinson and Rann, as well as

other members of this government in the House of Assembly, voted against four year terms for those reasons.

The Hon. Nick Xenophon: So that was the government's position?

The Hon. R.I. LUCAS: That was the government's position, and all government members supported that position. It was not a personal position, and I use the quote 'the government' used advisedly by the Attorney-General. That is why I said, yesterday afternoon, that the reason we are having this debate is that in November last year the Premier of South Australia wanted a diversion from issues that were going to be raised in relation to one of the committees of the Legislative Council, which was going to call him and his executive arm of government to account. We now have the situation where the arrogance of the Premier and his government means they are now proposing a course of action which they all voted against in the House of Assembly just on 12 months ago, for the reasons I have just outlined.

I invite the Leader of the Government in this chamber to have the courage to stand up and defend his position and say why he believes this council ought to be abolished or why he believes that the effectiveness of this chamber ought to be gutted, and why the Attorney-General of this state was wrong in March of last year in the quote I have just put on public record.

I want to refer to an analysis that parliamentary library staff member Jenni Newton has conducted of the composition of the Legislative Council should there have been four year terms. I am not aware of the mechanism Jenni used to compile this, and I have not been through the detail of how she has done the calculations, but I can report that she certainly has expertise in this area, which is acknowledged and used by all members of parliament. I want to place on record that Jenni Newton has been through the recent elections and looked at what the results in this chamber would have been if we had had four year instead of eight year terms—that is, 22 members being elected each time rather than 11 members.

Going back to the 1989 election, the Labor Party had 10 members in the Legislative Council. According to this analysis, under a four year term it would have had one less member in the council—that is, it would have had nine. The Liberal Party and the Democrats would have remained the same, and there would have been a Call to Australia or an Independent candidate. In the following election in 1993 the Labor Party had nine members on the floor of the chamber. So, if I can rephrase that, after the 1989 election there were 10 Labor members and, if there had been an election in 1989 for all 22 members, there would have been only nine, a reduction of one, and that one would have gone across to a Call to Australia candidate.

Similarly, after the 1993 election, there were nine Labor members. If the four year in and out formula had been used, there would have been only six Labor members in the Legislative Council, a reduction of three members for the Australian Labor Party. There is another model where it might have been only two, but the worst position for the Labor Party would have been a reduction of three. The Liberal Party would have picked up one additional one, the Democrats would have stayed the same and the Independents and other parties would have picked up two additional members. So, the Labor Party would have lost one member after 1989 and would have been three members fewer after 1993.

After the 1997 election, the Labor Party would have lost one member. Instead of having eight members, it would have ended up with seven members. The Liberal Party would have lost two members in 1997, the Democrats would have picked up one, and other Independents would have picked up two. So, if you include the Democrats in other than the major parties, there would have been an increase of three in the other parties. After the 2002 election, in only one out of the four elections that I have referred to would the Labor Party have picked up one member. Instead of having seven members they would have had eight. The Liberal Party would have remained the same, and the Democrats would have been one fewer on that occasion.

I am not aware of the analysis having been done yet for the 2006 election by Jenni Newton, and perhaps she is in the process of doing it. I know there is at least one hard head within the Labor caucus who has looked at these numbers also (and this person does not happen to be a supporter of the abolition of the Legislative Council) and who is bemused by this bold initiative of the Premier and the Labor Party to propose this plan B of four year terms which would effectively mean a reduction in the numbers, on three out of the four occasions, anyway, of Labor members in the Legislative Council. As I said, there is at least one hard head within the Labor caucus who has had a look at those numbers and is wondering at its value for the Labor Party. Admittedly, this particular member is not looking at other issues of the importance of the Legislative Council, etc., but in terms of the hard currency of the number of backsides on seats this person is wondering about the value of four year terms if all it means is that there are fewer members such as yourself, Mr President, actually getting elected to the Legislative Council and more Independent members and other parties being elected.

I put that analysis on the table because I want to go back to the original group—the Premier Rann, big business leaders, *The Advertiser* and Rex Jory view of the world and why we should abolish the Legislative Council, that is, because it holds up progress of the government's legislative program and holds up economic development and jobs. Whilst one can see that that is the viewpoint of business leaders—Business SA and others, and *The Advertiser*—if one moves from the abolition (if that was achieved and they saw a government implementing its program, if that is what they want) to plan B, which is where Premier Rann and the others now want to go, in essence the business leaders and *The Advertiser* and those people who have been currently going along with Premier Rann would be achieving a situation of no difference at all in relation to the ability of the government of the day in the lower house to jam its program unmolested through parliament.

That is because, on a four-year analysis, clearly, the capacity of minor parties and Independents to get people elected is stronger. The quota is just over 4 per cent instead of just over 8 per cent. The Hon. Mr Xenophon, eight years ago, was elected on 2.7 per cent of the vote. If the quota is only 4.3 per cent, it is possible that the Hon. Nick Xenophon, or an Independent, could in certain circumstances be elected on much less than 2.7 per cent. Perhaps 1.5 per cent of the vote may well, with appropriate preference deals, mean election to the Legislative Council.

So, those people who have been freewheeling on the back of Premier Rann's promise to abolish the Legislative Council to allow governments to jam their legislative program through the parliament I do not believe have thought through the

ramifications of what plan B will actually mean when Premier Rann moves to it. It means that what they were seeking to achieve will not be achieved at all: it will be, in essence, the antithesis of what they have been seeking to achieve. It will mean a strengthening of the minor parties and Independents to an even greater degree than we see under the current arrangements. That is what I meant at the outset when I said that a number of these people have not thought through the implications of Premier Rann's plan B, which is the four year terms and perhaps a reduction in the number of members of the Legislative Council.

The final area in terms of gutting the Legislative Council that I want to refer to is the one which is almost as dangerous—I guess it cannot be as dangerous as the abolition, but almost as dangerous again—and that is the view being proffered by people such as Dean Jaensch and the member for Fisher (Bob Such) that the Legislative Council should have its powers gutted in relation to legislation. That is, the Legislative Council would not be able to amend or insist on amendments to any legislation that comes through the house. You would have the capacity to defer a bill for up to three months but, if it had not passed within three months, the government could implement whatever bill in whatever shape or form it wished. Again, with the greatest of respect to Dean Jaensch, I do not believe he and others who support that have thought through its implications. All that means is that the government of the day can set out Legislative Council opposition to any piece of legislation. The government can introduce its bill, wait for three months and say, 'Too bad; we're going to implement the program.' It is tantamount to the abolition of the Legislative Council, anyway.

The Hon. D.G.E. Hood: There could be a worse model.

The Hon. R.I. LUCAS: Well, abolition would be the worst model, I suspect. It is almost as bad as abolition. That is, you would have a Legislative Council—

The Hon. D.G.E. Hood: It's not even an elected body.

The Hon. R.I. LUCAS: Well, the House of Lords, of course, is not constituted democratically as this chamber is—it is elected by the people of South Australia democratically across the state. That situation is being supported by prominent people, including, as I said, a former speaker, prominent political scientist and commentator, Dean Jaensch, and others, who suggest that we ought to be gutting the powers of the Legislative Council in relation to legislation. There are a number of other models, including plans, c, d, e and f. There is a very clever group out there led by the Premier, the Leader of the Government, and, sadly, supported by yourself and others, Mr President, who want to abolish the Legislative Council, or to destroy its effectiveness.

Members in this chamber need to be eternally vigilant in relation to some of these proposals. As I said, some of them are superficially attractive. To go out into the community and say, 'We're going to have fewer members of parliament,' is attractive; to go out and say, 'We're going to pay them less,' is very attractive; to go out and say, 'We're going to cut their superannuation, or we're going to remove their benefits' is attractive to the people of South Australia. To reduce the length of the term of members of parliament would be attractive as well.

I assure the council that, if the vote was put to reduce the term of the House of Assembly to three years as opposed to four years and to have more frequent elections, we would have a considerable body of people—and I am not sure whether it would be as big a majority as would support a reduction to four years for the Legislative Council—who

would support a reduction in the term of members of parliament. Certainly, there would be very strong support for reducing the number of members of the Legislative Council.

In relation to the Legislative Council, I will briefly touch on what I think are some options in terms of strengthening the Legislative Council and its role, and I will expand on those on another occasion. I will be testing the numbers in this chamber for the establishment of an estimates committee of the Legislative Council. As I flagged during the last parliament, I did not move for such a committee to be established then because the previous Liberal government did not have an estimates committee of the Legislative Council, and I believed that it was unfair to potentially impose that on a Labor government in its first four years. However, we have now had four years of a Labor government.

I do not see an estimates committee of the Legislative Council replicating the Appropriation Bill debate of the House of Assembly in the form of its estimates committees, but I do see it picking up the role of the Senate estimates committees in terms of the ongoing monitoring of government budgets and accountability throughout the financial year. The proposed model is that, at the time of the budget, there would be the House of Assembly estimates committees in the traditional way, and we would process the bill in the normal way. Our estimates committees would not be involved in delaying the Appropriation Bill on that occasion, but throughout the year they would have the capacity on their own motion, or the motion of the council, to bring in chief executives and ministers, as the Senate committees do, and hold them accountable in terms of budget monitoring and control within those particular departments and agencies.

It has worked for many years in the Senate, and I believe it could be an important improvement in terms of accountability of the executive arm of government to parliament and in respect of the Legislative Council's work. Further, I think that we need to seriously look at the capacity within the parliament for independent advice on revenue and financial and taxation matters. I indicated in the last parliament that a number of the states in America have independent fiscal officers associated with the parliament, and in our model it may well be that, attached to, or part of our library service, there might be significant, high-powered revenue and fiscal advice available to members who might seek to amend either tax bills or such issues in terms of getting advice on budgets and budget matters, which are very difficult for members to understand given the budget papers and other information we have, and also the refusal of this government to even answer the most basic of questions in relation to budgets.

There are other issues that I will flag on another occasion in relation to what I think are future options for improving the operations of the Legislative Council. I flagged those two briefly to indicate that I do not believe that this chamber is perfect in terms of its operations, or, indeed, that this parliament is perfect in terms of its operations. We should always look at potential options for improving our operations but, in my very strong submission, we should do so within the construct of improving the accountability of the executive arm of government to the parliament and improving the capacity of this chamber to act as a check and balance against the excesses of any government, whether it be Labor or Liberal.

There are two or three other issues other than the Legislative Council that I want to touch upon in my Address In Reply. One of them has been quite topical in the past 48 hours or so, and that is the role of Monsignor Cappelletti

within the government. As members know, he is now Commissioner Cappelletti with supposedly improved powers, access and resources. The minister is strangely ignorant of what additional powers Commissioner Cappelletti has, over and above the fact that, if one goes back to his most recent appointment, along with Mr Champion de Crespigny, to the very powerful EXCOM (an executive committee of cabinet), we were told on that occasion that he was going to have significant powers in terms of demanding cooperation from public servants and executives to achieve the government's goals in relation to the Social Inclusion Board.

I want to highlight my concerns. I do not want to get into the theoretical debate about the separation of church and state, which a number of people have gotten into—a position that the Premier was trying to defend in another place today. As a Catholic I have taken objection for some time to the role Monsignor Cappelletti has accepted within the various forums of this government. I will highlight some of the concerns some of us have in relation to these issues and I will give some examples.

In the early days there were clear examples on radio where, rather than the minister coming on to defend the government's performance in various social inclusion policy areas, the opposition was confronted with a situation of having to debate not the minister in a political context but Monsignor Aitken putting the position on behalf of the government. As a Catholic I strongly resent that. As I have put to a number of people within the Catholic hierarchy, I believe it to be unfair for that debate to be conducted between a monsignor within the Catholic Church and the opposition when it should be between the political wing of the government—the minister or his adviser—and the opposition in terms of the public debate.

There were occasions in those early days where the opposition decided to go in and was seen to be attacking or opposing a monsignor of the Catholic Church, which was not the appropriate approach to be adopted by the Liberal Party and the opposition. It is a clever strategy by the Premier. To have a monsignor out there, he knows the opposition will find it difficult to publicly disagree with a senior representative of the Catholic Church, particularly as Rob Kerin, I and a number of other then senior members of the opposition are Catholics or have a Catholic background.

I do not want to enter this debate of the separation of the church and state, although it is inextricably linked, but I am talking about the practical reality of political debate in South Australia when you have a senior person like Monsignor Cappelletti going in to bat for the government of the day and the opposition not being able to debate the government minister.

In more recent times, to give another example relating to Monsignor Cappelletti, I refer to the homeless issue. Premier Rann made a popular promise at the last election that he would halve the homeless numbers in South Australia within four years. He indicated in his social inclusion policy prior to the 2002 election that about 7 000 people were homeless and that he would halve that number within four years. After the election the Premier was keen to extricate himself from that commitment and developed a plan which used Monsignor Cappelletti and other strategies to get himself out of it.

The government then redefined its promise. Suddenly the promise was not to halve the number of homeless, the 7 000, but to halve the number of people sleeping rough, which was variously estimated to be around 700 or 900—about 10 per cent of the total number of homeless. We had a promise

redefined and, instead of the term being four years it became eight years—2010 instead of 2006. I do not know whether or not Monsignor Cappelletti was part of that original decision, but once the decision was taken Monsignor Cappelletti in his various positions was part of the public face of explaining the changed position on behalf of the Rann government.

I attended a briefing at around the two-year mark of this government where the Premier, Mr Champion de Crespigny and Monsignor Cappelletti reported on the two years work on the strategic plan, and they talked about the wonderful progress they were making in implementing the government's promises to halve the number of people sleeping rough. That is a perfect example of the point I am making on behalf of the opposition, that is, that the Catholic Church should have been in the position—it did not have to do it publicly—if the government promised to halve the number of people who are homeless, of either saying nothing or pointing out to the government that it was redefining the whole promise, getting out of what it originally said and now saying that it only relates to the number of people sleeping rough, and that instead of four years it will now be eight years.

We now have not only the Premier but also Monsignor Cappelletti in particular as the public face talking about the great progress being made in relation to the government's commitment on homelessness. It was not only in those forums but in other forums in the public sector, with non-government agencies, with members of the media and others where similar views were being put by Monsignor Cappelletti.

The opposition, in terms of attacking that, was then left with the decision of having to attack Monsignor Cappelletti because the government was using him in the media and elsewhere as the public face of social inclusion and therefore as a cover for broken promises in these areas.

Another aspect we have seen in recent days is Monsignor Cappelletti saying that he has not been frightened to speak out fearlessly and that he will continue to do so. Having looked at the statements made by Monsignor Cappelletti, I note that the criticisms he has made have been of unnamed public sector bureaucrats, agencies and departments and about how frustrated he was and how pleased he was at getting assistance from the Premier, in essence, to bang heads together and to achieve his aims on behalf of the government. There has been no direct criticism of Premier Rann, the Rann government or any of its ministers.

It is for those reasons that I reject and resent the clever use by Premier Rann of Monsignor Cappelletti. I make no personal criticism of Monsignor Cappelletti's genuine and heartfelt views in these areas and his wanting to achieve things in a way he sees as being the most appropriate. I do not know Monsignor Cappelletti well and personally. I have met him to say 'G'day' at various Catholic occasions or other occasions. I do not doubt that he has made a judgment that what he is doing is in the best interests of his community and his parish. However, I make my point not only to Monsignor Cappelletti but also to the hierarchy of the Catholic Church, now that we have moved to a position where he is supposedly a commissioner—whatever that means; even the minister in this chamber does not know what it means. One suspects that the minister reads in the newspaper what the Commissioner is going to do, or hears it from the Premier, rather than knowing anything first hand herself. I think that has been evident with her inability to answer any questions about the issue today in this chamber. The position is that the hierarchy of the Catholic Church, from the Archbishop down (and they have clearly made a decision to support this), need to be aware that no

longer will prominent Catholics within the political environment be silent, as I and others have been.

I do not intend to make criticisms about Monsignor Cappelletti personal and vindictive in nature. But, certainly in relation to the political environment of what is occurring, I am going to continue to highlight the concerns we have about the difficulties it makes in being critical of this government in not achieving various things. Monsignor Cappelletti is now being involved in the mental health area and all these areas across the board. One can see, over the next four years, Monsignor Cappelletti being the public face of the government and, when members want to be critical of what the government wants to do or is doing, on a number of occasions (although not on all occasions, I am sure), it will be Monsignor Cappelletti out there as the public face of the government. I guess the reality is that, as has been demonstrated in the past few days, if that is going to be the case, sadly for the Catholic Church, Monsignor Cappelletti will have to answer questions in relation to what are his powers and what he is and is not doing because, clearly, the Minister for Mental Health is being bypassed in relation to all of these issues.

There are two other issues I want to address. One of my colleagues highlighted to me some comments made by the member for West Torrens in another place. Someone said to me, 'I think he has an unhealthy obsession with you.' I have not said anything at all about the honourable member during this parliament. However, having looked at his contribution once it had been drawn to my attention, I noted that I featured at both the start and at the conclusion of his address. I know the member for West Torrens has been somewhat embarrassed by me over the past four years. For the benefit of new members, he is the only member of parliament who has refused to pay up on a bet he had with me, a \$50 bet. The fourth anniversary is coming up of a \$50 wager in the parliament which he has welched on. I think I have a witness for the bet, that is, the Hon. Mr Lawson, who is someone of great repute. I think that it is almost un-Australian, Mr Acting President. I know of no-one else who, having made a bet and shaken hands, has not coughed up. I even paid up \$10 to the Attorney-General when I lost an election wager, and other members have always paid up. I think this particular member is the only member in the history of the parliament ever to have welched on a bet in the forum of the parliament.

The member again highlighted in his contribution some information he had given to Christopher Pearson, who writes for *The Australian*. The member for West Torrens obviously provided some information to Christopher Pearson, who wrote on 25 March a number of things that were inaccurate about Senator Minchin and I in relation to a purported deal for preferences in the 2002 election. Without going into all the detail of what he told Christopher Pearson, Christopher Pearson subsequently wrote that in some way Rob Kerin had left deals in relation to Nick Minchin and I and that he had not been involved and that Nick Minchin and I had rejected a proposed deal in relation to preferences that involved seats for Ralph Clarke and Peter Lewis. On 27 March, Nick Minchin and I co-signed a letter to *The Australian*, which states:

Saturday's article by Christopher Pearson contains a significant error evidently based on information primarily provided by Labor backbencher Tom Koutsantonis. Mr Koutsantonis's claim apparently was that we rejected a proposed preference deal from the Labor Party in 2002 involving the electorates of Hammond and Enfield.

That claim is untrue. In fact, ALP State Secretary Ian Hunter put the deal in a telephone call to then Liberal Party State Director Graham Jaeschke. Ian Hunter had no discussions at all with either

of us. Mr Jaeschke then put Labor's proposed deal to the Liberal Party's Campaign Committee that, with the full knowledge and agreement of Liberal Leader Rob Kerin, rejected the proposed deal.

It has been our experience in the past that journalists would be well advised not to accept at face value claims made by Mr Koutsantonis about the operations of the Liberal Party. The fact that Mr Koutsantonis has once again been overlooked for higher office after the election is a fair indicator that he is also not highly regarded by his own Party.

The Hon. Carmel Zollo interjecting:

The Hon. R.I. LUCAS: I'm only responding to the claims made inaccurately in another place by the member for West Torrens. Again in the Address in Reply the member for West Torrens inaccurately referred to decisions taken by the Liberal Party state executive as well as a number of other aspects of the deal. He is now claiming that Graham Jaeschke rang Ian Hunter. I can assure members that was not the case; in fact, Mr Hunter was the one who made the calls. That is the clear recollection of Graham Jaeschke and all the others who were involved in the discussions on the campaign committee, not the Liberal Party state executive. I caution the member for West Torrens that, if he wants to continue talking about preference deals, I am aware of information with respect to his involvement in preference discussions more recently. Regarding ongoing relationships with some of his cabinet colleagues, he would be well advised to keep his head down lest everything be revealed.

The final issue I want to raise is one which was raised by the Hon. Ann Bressington in her contribution to the Address in Reply. As I said at the outset of my remarks, I want to congratulate all the new members but, in particular, the Hon. Ann Bressington for her contribution. I indicated then and I do so now that in the four or eight years that the Hon. Ann Bressington will be in this chamber I hope all members can work with her and others to achieve some of her aims. I suspect that we all have different policy routes that we may want to follow, but I am sure that, with goodwill, there is the capacity for common ground to be carved out. I think the challenge for us is to find how we can do that as a chamber. Whether it be through the committee process or other fora, I am not sure.

There are various options. The Hon. Ian Gilfillan, in relation to his passion for correctional services and prison reform, used to convene meetings of like-minded members. There have been other models in the federal arena where like-minded members across the political spectrum have met and considered together options in terms of policy changes. Whilst there will inevitably be an element of politics played in relation to the bigger issues, on this issue I hope there is the capacity for goodwill to be demonstrated by all members in working with the Hon. Ann Bressington and others to achieve some of the goals that she outlined in her Address in Reply speech.

The Hon. Ann Bressington's personal experiences are at the far end of the continuum, and we hope that we will never have to confront the sorts of personal circumstances that have led the Hon. Ann Bressington to this chamber, but I am sure that she would know that many other families and young people in crisis are working together to try to confront the dangers and evils of substance or drug abuse. Many of us have constituents and acquaintances who have put heartfelt stories to us about the problems they have confronted working with agencies (both government and non-government) and the gaps in the services that exist in relation to helping families.

The federal government, with the best of intentions, has produced advertising programs and information kits for parents. We have all seen the TV commercials where mums and dads try to answer their sons' and daughters' questions about drugs. I do not know whether those commercials have proven to be successful, but one of the issues over the years that has been put to me by people struggling with young people who are experiencing these problems and by the practitioners who have become involved through trying to help them is that, sadly, at the other end of the continuum, it might be the start of an inevitable slide.

I think that is one of the messages that the Hon. Ann Bressington was putting about young people struggling with marijuana or the newer range of substances such as ecstasy and other concoctions that are used at rave parties. I have previously made the point that, on any night of the week, particularly on the weekend, you can go to almost any nightclub in Adelaide and be confronted with the same issues as you can at rave parties in relation to drug abuse.

I mention the families trying to work with a young person in those early stages, and the lengths that some have gone to because they have had the financial capacity to send a young person aged 15, 16 or 17 either interstate or overseas to live in clinics. These are not young people who have reached the stage of being full-on heroin addicts—perhaps for some of them that will come later, but this is at the early stages. The critical aspect of much of this is that the young person must have a commitment to want to do something about what they see as the early stages of addiction to marijuana or some other substance.

The family and the family environment know that they cannot provide the professional assistance and advice. What is required is a live-in environment for a period of time, whether you call that detox, a drying out or just full-on psychological or psychiatric assistance with mental health workers and nurses, but you need some degree of education in terms of the impacts. You need training in terms of what they need to do with their lives and trying to tackle the inevitable issues of depression which, in many cases, are related to their substance abuse issues, and there are any number of examples of that.

Some practitioners have said to me that services used to exist in South Australia that did at least a little in relation to that. What we need at that end of the continuum are services and facilities available to families who might want to work with their young person and who are wanting to be actively engaged. In some cases it might be that the young person says, 'No, I don't want mum and dad involved; I want to take a friend or someone I trust if I am prepared to go into a clinic or something.' There are any number of circumstances of which many of us would be aware in relation to these issues.

Not one model, I am sure, will be the solution. That is why I was pleased, as part of our policy development, to see the initiative formally announced by Rob Brokenshire (with Dean Brown in the background) with respect to looking at the experience of the Western Australian model. I know the original arguments that we had in our party about that related to naltrexone and a variety of other things at the more serious end of the continuum. We committed to putting some money aside for a specialist stand-alone clinic, the exact details of which we would have wrestled with had we been elected to government.

I indicated my personal preferences to Dean Brown and Rob Brokenshire that it should not just be the people at the most dangerous end of the continuum. Whether or not you

have them together, I do not know, but we need to provide facilities for those families and young ones who are at the very start of this slippery slope but nevertheless still quite serious in terms of the problems they are experiencing. I am sure that all members of parliament, through their experience either as parliamentarians or prior to that, will be aware of acquaintances, friends, constituents or others who have been in those sorts of circumstances.

Again, I say to the Hon. Ann Bressington that I am delighted to see her in this chamber. Certainly, I individually pledge a willingness to listen and learn. It is not an area in which I ever profess to be an expert but, certainly as an individual member, I pledge a willingness to listen and learn; and, hopefully, if there are enough of us like-minded in this chamber and right across the political spectrum, we might achieve something modest in terms of changing policies of both governments and opposition, and maybe legislation if that is required.

Probably in this case I am talking more about facilities, services and resources, and things that need to be provided to families and, in particular, young ones in those families who might be struggling with the early stages and more serious stages of drug abuse. Again, I thank all members for their contribution in relation to the Address in Reply. I have not had the opportunity to hear the Hon. Mr Finnigan or the Hon. Mr Wade. I wish them well in their maiden speeches and their contributions next week.

The Hon. D.W. RIDGWAY: I support the Address in Reply and, like all members in this chamber, I thank the Governor for her hard work, diligence and service to this state. Also, I pass on my condolences to the families and friends of former members of this chamber and the parliament who have passed away since we last gathered: the Hon. Jamie Irwin, the Hon. Ted Chapman, the Hon. David McKee, the Hon. Gabe Bywaters and, of course, from this chamber the Hon. Terry Roberts. I take the opportunity also to pay tribute to the four members of this chamber who have retired since the election, some voluntarily and some not voluntarily.

I particularly mention the Hon. Kate Reynolds. I worked with her for a very short period of time but, from a personal point of view, I was disappointed to see the Hon. Kate Reynolds disappear from this chamber. I thought that she brought some new energy and passion on a range of fronts, although I suspect that the Hon. Ann Bressington will take up the challenge. The Hon. Ian Gilfillan—who, of course, came from a farming background (I think that his family still owns a farm on Kangaroo Island)—made a great contribution over many years to the State of South Australia, and, in particular, this place.

My colleague made mention of the contribution made by the Hon. Terry Cameron, particularly his support of the privatisation of electricity assets, which went some way towards paying off the state's debt. I thank the Hon. Terry Cameron. Coming into this place as a new Liberal member, I found it rather strange that a former member of the Labor Party was happy to give me advice. I thank him for that advice and at times interesting counsel. He spoke quite openly about a number of members opposite, and I was always interested to hear his stories; and, in particular, some of the stories he had to tell us about the Hon. Ian Hunter I found extremely amusing.

All the same, I look forward to the contributions of the Hon. Ian Hunter over the next few years. I am saddened that

the Hon. Angus Redford is no longer in the political arena in South Australia. He made a great contribution in this place. I am sure that all members who were here with Angus miss his witty interjections, his robust debate and the way in which he carried out his performance. Angus was also a personal friend of mine; I did not know him prior to coming into this place, but in the four years I was here with him we developed quite a good friendship and, as many members will know, took to calling each other 'comrade'. This was not because we saw each other as comrades from the Liberal Party but because Angus said, 'Let's use that term, Ridgie; it will annoy the other mob.' And at times some of the other mob were quite surprised that we called each other comrade.

Angus and I developed quite a long friendship, one that I am sure will last for many years to come. I am not sure what Angus is going to do in his future life—whether he returns to legal practice or follows some other pursuit—but I wish he and Fina, Ridho and the other members of his family all the very best in whatever pursuits they follow.

I know that the Hons Stephen Wade and Bernard Finnigan have yet to make their contributions, and I would also like welcome the Hons. Ann Bressington, Dennis Hood, Ian Hunter, Mark Parnell and Russell Wortley to this place. I was interested in the Hon. Ian Hunter's maiden speech and the comment that his grandfather made to him. He said:

He told me that Labor stood for the working people and that the Liberals stood for the rich, and that was all I needed to know. . .

As honourable members will know, I was not here on Tuesday; I was at the funeral of an uncle of mine. At that funeral a collection of photographs were shown on a screen in the church so that we could reflect upon them and take back memories of my uncle. A range of photographs were shown and, as he is my father's brother, they brought back a number of memories that my father had told me about his and his father's early life. The honourable member said that the Liberals stand for the rich, but those memories made it clear that nothing could be further from the truth.

I had a couple of interesting memories from that day. There were a number of photographs of my grandfather, and it reminded me that during the depression he actually dug the garden at night by hurricane lantern to grow vegetables to put food on the family table, and my grandparents would have liked to send my father to school in Adelaide for a longer period but they could manage only one year at Norwood High School, an intermediate year. They had no money to pay for him to board here in the city so they negotiated an arrangement for him to board with an old family friend of my grandmothers. To help pay for the board, my father would trap rabbits in the Adelaide Parklands to put on the dining room table one or two nights a week.

My father left school, came home to the family farm and grew pigs and some chickens. At the age of 18 (and the Hon. John Gazzola is muttering), he then volunteered for service with the RAAF in World War II. I once remarked to him that at the age of 23 I was too young to do a particular job within the Rural Youth organisation and, while he did not very often speak about the war, he said, 'Don't be stupid. I went to war and was home by the time I was your age.'

So, that young man left at the age of 18 and, by the time he was 22, he had come home having been awarded the Distinguished Flying Cross for bravery. He was seconded to the RAF and flew Beau fighters, which are twin-engined aircraft. He lost one engine but flew some 2 000 kilometres from somewhere behind Norway back to his base in England

and managed to land and save the lives of all his crew. He came home and was demobbed. I still have today the carpenter's square, the carpenter's plane, the saw and the pair of tin snips he was given for his service to his country. That is all he got after 4½ years of service to his country at the age of 22—a handful of hand tools—when he was sent back home to the family farm at Bordertown.

As to some of the comments made by the Hon. Ian Hunter when he talked about the workers, the name of the last advocate this place saw for the workers just eludes me for the moment. I can remember a number of occasions when he spoke at length, and he always went to quench his thirst with Rockford Basket Press shiraz—hardly a worker's drink I would have thought. I have also just learnt that recently a former prime minister, a chap who was born in Bordertown (and, incidentally, baby-sat by my mother and my aunt, although my mother was not a lot older than Bob Hawke), recently charged \$300 000, so I am informed, for an hour's consultation in a mediation process. So, I would really like to know who does the Labor Party support—the workers or the rich?

The Hon. R.D. Lawson: Neither.

The Hon. D.W. RIDGWAY: That is probably the case. I would like to move onto a number of deficiencies and inconsistencies within the Governor's speech which, of course, we know was all written by the government. In the past four years, this government has demonstrated that it is a hypocritical government that says one thing and does another. I asked the Parliamentary Library whether any gods in mythology were responsible for saying one thing and doing another. The library has done some research for me and came up with one that most likely fits the category (and this is for the Premier, of course): Janus, the Roman god of gates and doors, beginnings and endings and thus represented with a double-faced head looking in opposite directions. The article states:

While Janus himself is usually revered for his positive attitudes, his two-faced characteristics later attracted the connotation of hypocrisy. . . In the political context, the term 'Janus-faced' is sometimes used to describe policies which are ambiguous and contradictory.

I think that nothing could be closer to the truth. It may just be a coincidence, but I believe that the Premier's birthday is in January, and the month of January is named after Janus. I am not sure of the collective noun for a group of people who support Janus, but maybe it would be something like Janusians. I am not sure.

I know that my colleague the Hon. Rob Lucas has dealt at length with the abolition of this place, but I would also like to make some comments. The composition of this council is proof that South Australians do not want one party to have unchecked power. One of the examples that is often touted as a reason to abolish the Legislative Council is Queensland, which has existed without a house of review since 1922. However, during the Bjelke-Peterson era, Queensland was at the mercy of the government, and legislation was forced through the lower house and not considered or amended. The government was subsequently shown to be rife with corruption.

I know that members opposite will jump up and say, 'Of course, that was a conservative government, what would you expect?', but we have seen in the past four years what can happen with Labor governments and, due to the intervention of this council, the government has been held to account for various scandals, two of which come to mind—the

Ashbourne-Atkinson affair and the stashed cash affair. We would not have learnt that the Attorney-General reads the form guide during briefings with the Chief Justice if we had not had such committees as the stashed cash committee. I know my colleague the Hon. Rob Lucas has delved into this in much greater detail, and such committees expose the government. I know they are fearful of these committees being re-established, so what do they have to hide? If they are as pure as they say they are, they would have nothing to hide and would welcome every bit of scrutiny.

The abolition of the Legislative Council is one of the most ill-conceived policies the Rann government has ever released. The Legislative Council has been an instrument that allows policy to be formulated into workable legislation. This is a typical union ambit claim, 'We want to abolish the Legislative Council.' In fact, they do not want to do that. They want to be able to reward their long-serving members on the backbench and they want to be able to reward them with some front bench positions. They do not want to abolish it, Mr President. As I said, they are putting up an ambit claim, 'We want to abolish it,' but their secret agenda is a reduction to four years. Earlier we heard the leader say, by way of interjection to the Hon. Rob Lucas, that he would like to see our terms reduced to four years and our numbers reduced. So, the abolition is just a furphy, it is just an ambit claim, and it is just there to create a media frenzy so that the Labor Party's agenda gets greater coverage.

It was Terry Cameron and Trevor Crothers in this place who were prepared to put their principles and this state's interests before party political allegiances. They had the intestinal fortitude to stand up and say, 'This is right for our state, and I am prepared to jettison decades of involvement with a political party to do the right thing.' Norm Foster also did it in relation to Roxby Downs. Let us not forget that we would not have Roxby Downs and Olympic Dam mine today if it were not for Norm Foster. What did the Labor Party do with him? They kicked him out and expelled him. It is hypocritical of members opposite to say that they want to abolish this place.

The Premier's own record and hypocrisy concerning the Olympic Dam mine has been downright baffling, but telling the mining industry just recently that he wanted to remove the bottlenecks impeding progress in the mining industry and blaming the Legislative Council for it—

The Hon. P. Holloway: You are not repeating that rubbish too, are you?

The Hon. D.W. RIDGWAY: It was on the radio. It was provided by the government.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): The minister is out of order. The honourable member ought to ignore the interjections.

The Hon. D.W. RIDGWAY: Thank you for your protection. Did you ask him to withdraw it?

The ACTING PRESIDENT: I did not ask him. I did not hear anything that I thought needed to be withdrawn. I asked you to ignore his comment.

The Hon. D.W. RIDGWAY: The Premier's hypocrisy is illustrated by his actions some 30 years ago. He was leading a demonstration against the opening of the mine. He even wrote a book about it. Now he is out there championing the great benefits that this mine can bring to South Australia. He demonstrated then, and does today, that he stands for whatever it takes to get elected. He shifts from one position to another. This government will stand for whatever it takes to get elected.

The Labor Party today is overwhelmingly happy to gloss over the past, and these former members who have crossed the floor have been proven right. Premier Mike Rann is rejoicing in the rewards that were only made possible by Liberal governments making tough decisions and people being prepared to put the state first—such as taking a gamble on an exciting new venture and pulling the state out of debt by selling ETSA. I remember one Labor member saying to me in the corridors that if Trevor Crothers did not cross the floor they would have burst in here and picked him up and carried him over to the other side. In her speech, the Governor stated:

My government believes the private sector remains the engine room for economic growth in South Australia, so my government will do all it can to free up business by eliminating 25 per cent of red tape by 2008.

It was interesting that during the election campaign I received a copy of a letter and a survey sent out by the Minister for Small Business (Hon. Karlene Maywald). She says a number of things in the opening paragraph. In the third paragraph she says:

I am keen to learn from you what aspects of regulation cause you the most difficulty, both in time and frustration. This vital information will help me to identify improvements and methods of streamlining processes. I hope this survey will assist you in clarifying the level of regulation required across all spheres of government.

In actual fact, it is not about trying to get rid of red tape: it is about trying to explain what red tape is all about. By my calculation, this is a survey of some 155 questions, some of which have eight multiple choice opportunities. There are 1 147 questions in this survey which the minister has asked small businesses to complete. I doubt whether any small business has the time to complete a survey of some 1 147 questions. I think the government knows where the red tape is: it should just get on and remove it instead of conducting surveys. I would like to know the responses and what this survey has cost, and maybe I will endeavour to find out through a series of questions on notice.

In the Governor's speech the government is touting the Sturt Road underpass under South Road to be 'the next stage of a plan to build a north-south export corridor spanning the city'. I and many in the transport industry would like to know what has happened to the alleged 'plan'. We have never seen it. Where is this plan? If the government is referring to the state infrastructure plan, it is simply inadequate.

All members and lobby groups across the transport sector—and I know there will be an interjection because the member for Port Adelaide has been referring to the RAA as a Liberal Party lobby group, an outrageous statement about one of the peak industry groups in South Australia—have been looking for a transport plan. Two or three sentences are not nearly enough to satisfy the people who want a say in the development or any decent information about the details. All we have seen so far is a sign at the intersection of South Road and Anzac Highway. It has been vandalised with sentiment asking the government to take away its bulldozers. Perhaps if this government was more open and accountable (as it claims to be) people would not be so reluctant to accept its developments.

My understanding of the plan so far for this road is for the tunnel under Port Road, the railway line to Outer Harbor and Grange Road to be four lanes wide (two each way). The tunnel on the South Eastern Freeway is three lanes wide. Transport SA's own documents say that traffic flow will increase by 6 per cent annually. I assume that this piece of

infrastructure is being built to last 50 years. If we have a 6 per cent increase in traffic flow annually, it will have quadrupled in 50 years. Surely there needs to be more foresight. Will we see another four-lane tunnel under Sturt Road? This government has no plan. Businesses and home owners have no certainty about whether they should be investing along South Road.

I know of a business owner who has spent seven years building up his business. As it is on a leasehold property, the landlord will be compensated for his loss of asset when it is compulsorily acquired. The business owner wants to find a site in the city where approximately a quarter of a million vehicles pass his front door each week. Where will he find that? Transport SA say that they will relocate him. They cannot guarantee him another site only minutes from the city with that sort of public access. The businesses and the community—

The Hon. P. Holloway: Do you want the tunnel?

The Hon. D.W. RIDGWAY: We need a plan. That's what we want. The community and the business community needs a plan, a north-south plan, not a higgledy-piggledy cobbled together group of projects. We all know that the underpass under Anzac Highway and the Port Road-Grange Road underpass were included in the state infrastructure plan at the last minute to try to appease some complaints.

The Hon. P. Holloway: Yes, but are you for it or against it?

The Hon. D.W. RIDGWAY: Of course we are for a plan, a consistent plan for a north-south corridor to take this state forward. We need a plan. Not even industry is sure that what the government is proposing is the right thing. That is why we proposed a transport council in our policies so that we could bring industry, the department and local councils together to decide on the route, because there is still much debate in the community about exactly what route we should take. As I said, it demonstrates that this government is prepared to say one thing and do another. The Premier's maiden speech reveals his tendency (which we have seen time and again) to borrow achievements from other governments: notably, in that contribution, Technology Park and the defence research establishment at Salisbury.

These days he is taking credit for the air warfare destroyer—of course awarded by the federal government—and Adelaide Airport—a venture completed by Adelaide Airport Limited, a private company—for which this government put in only \$13 million. It is now close to a \$300 million investment but, nevertheless, the Premier is claiming it all as though it was his idea and he built it with his own hands. The relocation of the 3rd Battalion from Sydney to Adelaide is, again, a decision of the federal Liberal government, and, possibly, the most cheeky example is the Premier attempting to associate himself with the proposed expansion of Olympic Dam, when in the past he was one of the most vehement detractors of this project.

In relation to the air warfare destroyer contract, my federal colleague Senator Nick Minchin stated that the 'ASC won the bid despite Mr Rann and certainly not because of him.' It is interesting that he claims all the good news for himself, even when opening the IKEA store recently. We know about the traffic congestion that has caused but, when there is a problem, who answers it? It is the leader opposite. The Premier is a classic performer at taking all the good news. He gets so excited when he sees a TV camera he is jumping around almost like a sock full of bullfrogs, but when there is a bad news story he leaves people such as the Hons Paul

Holloway, Carmel Zollo and Gail Gago to carry the can. It is typical of this Premier; he says one thing and does another.

In the Governor's speech the government said that it aims to improve the state's export performance by assisting producers. The government has already had four years in which to improve the state's export performance, and it has failed time and again. Despite the favourable economic climate provided by the federal Liberal government, South Australia has regularly gone backwards. Currently, ABS figures show that under Labor South Australian exports have fallen by 9.5 per cent, from an annual figure of \$9.1 billion in March 2002 to \$8.3 billion in February 2006. This is compared with a national increase of 16.2 per cent. The Rann government's promise to work closely with producers is not to be trusted, given that minister McEwen refused to even meet with the egg producers until threatened with demonstrations.

It is interesting that in 2004 we had a lovely, warm, fuzzy media event in Rundle Mall where the Premier and the South Australian Farmers Federation announced a task force, which would report back within 12 months about a way forward for South Australian agriculture. Well, it was announced this week—some two years later—that the task force has been put together. Mr President, you have often said that we should be sticking up for the bush. I have read the Governor's speech a number of times. The bush, in terms of any rural initiatives other than some things at Roxby Downs and some general regional stuff, has been totally forgotten. Mr President, if you are a true advocate for the bush (as you have told us for four years), you should be ashamed of the fact that there is no mention of the bush in that speech.

The government has stated that it intends to conduct a series of meetings across the state as part of a thorough reassessment of the State Strategic Plan. This means that the \$25 billion goal for exports, again, is one of those ambit claims to attract media attention and to get a good, warm, fuzzy story. It was never going to be realistic. I would bet my bottom dollar that all the targets in the State Strategic Plan will be reassessed and reassigned. I suspect it will still be \$25 billion, but it will not be by 2013 but, rather, more like 2020 or 2025. Again, it is an example of this government and this Premier saying one thing and doing another. The Governor said:

My government believes that the private sector remains the engine room for economic growth in South Australia.

This was not reflected in the government's first term as the fair work bill, in its original form, would have made it nearly impossible to run a business in this state. It included proposals such as locking business owners into old enterprise bargaining arrangements; allowing unions a right to apply to the commission to force the disclosure of the employer's financial records; allowing unions unrestricted access to any business (including home workplaces); and aiming to include students and volunteers as employees. It was only due to this Legislative Council making sensible amendments that this ideology-driven bill did not have any adverse effects on the South Australian community. Again, the fair work bill was nothing more than one of the Premier's ambit claims, or a ploy by the Premier to appease union buddies, secure in the full knowledge that the ridiculous and worthless bill would be amended by this Legislative Council. Again, it is another demonstration of this premier saying one thing and hoping and getting another.

Another bill that the government knew would not pass unamended is the sustainable development bill. Hence, the government broke up that bill into small, workable pieces. It is interesting to see that it was not prepared to cut up the fair work bill into different pieces just in case it ended up with something that it did not really want. The government stated that it will embark on a fresh reform agenda of the public sector. Well, that means job cuts in any other language. When the Liberal government proposed to cut Public Service waste, it was vilified by the Premier, who has performed a stunning about face—

The Hon. P. Holloway: It wasn't about waste.

The Hon. D.W. RIDGWAY: The Leader of the Government interjects and says that it was not about waste. We had some 7 000 more public servants than the government had budgeted for. Treasurer Kevin Foley's own budget figures, we hear, have blown out by some 7 000. So, if that is not waste, I do not know what is. If you go out to the shops to spend \$50 on groceries and instead spend \$500, you have spent \$450 more than you budgeted for—that is waste. The Premier has done a stunning about face.

In a letter to the Public Service Association he said, 'There will, of course, as occurred in our first term, be some movement of jobs to areas of high priority.' I would have thought that, in the Rann government's first term, it would have considered overseas trade offices for its export slumps as a high priority. But, no, apparently not; they were closed, leaving South Australians with no state point of contact for their businesses.

The Premier introduced a series of warm and fuzzy things, the latest being the Premier's Being Active Challenge. I am sure that honourable members agree that South Australia needs to combat obesity rates, not only for the impact it will have on our already stuffed political hospital system (according to the former minister, the Hon. Lea Stevens) but also for our personal satisfaction and health. I hope it is administered better than the Premier's Reading Challenge, which is a similar program designed to combat illiteracy. Or have they just been designed to ingratiate the Premier's face to a new generation of voters?

I recently spoke to a young boy, and I was quite surprised at the comment he made to me about the Premier's Reading Challenge. He had done all of his reading but he did not receive a medal, and he said, 'Mike Rann stinks.' So, with little children saying he stinks, I hope that he does not adopt the same approach with his Be Active Challenge.

The Bordertown Primary School—the school that my children attended for a time—had a fitness program where, every lunch time, they had to run and take physical exercise and, if they did not, they had to provide a note from their parents. The kids were not compelled to do it, and they issued certificates after children completed 10, 20, 40 or 50 kilometres. It was a real sense of pride that those children felt when they were awarded a certificate by the headmaster during school assembly. So, maybe, there could be a Premier's certificate if he is having a Premier's running or fitness challenge. It is interesting to note a survey of all schools in South Australia (somewhere close to the end of the former Liberal government) where the Bordertown Primary School was the fittest or healthiest school, in a physical fitness sense, in the whole of the state. It is an indication that simple little things will work.

Due to community concern, the government has paid a lot of lip service to the issue of mental health. The Liberal Party's policy stated that we would devote money and energy

to mental health by combating such drugs as ice and cannabis, which have a devastating effect on mental health. The government has promised to make Glenside a hub of mental health and related health services in South Australia. Again, this is a case of saying one thing and doing another. This is in stark contrast to the government's former policy. It threw its hands in the air and declared that the system was stuffed. In 2005, the former minister, Lea Stevens, said that Glenside was outdated and that we just do not need it any more.

With rising rates of mental illness, self-harm and suicide there has never been a greater need for a centralised mental health facility. Tania Plibersek, federal member for Sydney, said in *The Sydney Morning Herald* that we need to stop putting people out into the community; we need centralised facilities. The appointment of Monsignor David Cappo as the Commissioner for Social Inclusion shows a serious lack of faith in the abilities of the Minister for Mental Health. Will the government now appoint a commissioner for environment and conservation? Or, perhaps, will George Vanco be a commissioner for planning, or perhaps in other areas where we have seen some deficiencies? We probably do need a commissioner for justice rather than the Attorney-General.

In her speech the Governor promised that more South Australians would be eligible for electricity concessions. This, again, is at odds with the 2002 election promise of cheaper electricity. The Premier's own pledge card clearly promised cheaper electricity, not concessions. Again, this is evidence of saying one thing and doing another, saying what it will take to get elected without ever any intention of delivering. The Labor Party has used excuse after excuse as to why the cost of electricity has increased, not least the former government's prudent sale of ETSA. The time for excuses has passed. In a second term government, this government must explain why it has failed to deliver on its electricity promises. Wind power has been canvassed as a solution but the truth is that it is too expensive and, given the variability and unreliability of wind, unfortunately it puts an uncertainty in the market, as we have all heard before, and drives the price of baseload generation up.

The government has neglected environmental matters and has continued with its standard policy of allowing the public little or no consultation. As I raised in a question the other day, the change of classifications of our parks is one such example. The government buried the consultation process in March this year, which was probably the busiest month that this state has ever seen, with all of the activities that went on: WomAdelaide, the Festival, the Adelaide Cup, the Magic Millions, Clipsal 500, etc., as well as the state election. In his maiden speech, the Premier stated that he supported the second generation parklands study, particularly parks within his electorate of Salisbury. I wonder whether the Premier can explain why this program, set up under the former Liberal government, and to be completed by 2020, now under his government the completion date has been pushed out to 2036, some 16 years further. Again, an example of a Premier and a government that says one thing and does another.

The Liberal Party has argued for the need for closed bridges over the Port River to reduce the cost and expediate development, and to save some \$100 million. The Treasurer and member for Port Adelaide has argued for opening bridges, but it is interesting when you read his maiden speech, which he made in another place, which states:

There has been an argument that, should the bridge be constructed over the Port River, it would eliminate the opportunity for vessels to come into Inner Harbor, thus depriving Inner Harbor of regular visits of naval vessels to provide a much needed tourist attraction.

That is one of the reasons why he is arguing it should be opened today. His speech continues:

In any proposal like this, there have to be trade-offs, and it would simply mean that visitors and tourists would have a little further to drive to visit the naval ships.

This is quite an about-face. So, again, it is no wonder that the Treasurer is so sensitive to the issue of bridges over the Port River, another example of this government saying one thing and doing another, and spending another \$100 million, and wasting another \$100 million of taxpayers' money.

Another aspect of this government—and I think we all know that if you continually pick on something and bag something, and the Premier has done that by attacking the legal system in South Australia, and if you keep at it long enough eventually people start to believe you, and you undermine the confidence, the absolute confidence, of everybody in South Australia. Comments such as: 'I am not interested in what some mullet-headed lawyer has to say,' or 'I want people's law not lawyers' law,' may appeal to some South Australians, but you have to seriously ask yourself whether or not it would do anything to reduce crime rates in this state and, in the longer term, would it achieve Mr Rann's goal, a popular goal, of building a better South Australia? I doubt it. If you keep attacking something long enough you undermine the public confidence in it, and it will take years and years to recover from it. I suspect that is why he is attacking the Legislative Council. He will continue to do so in an attempt to undermine us enough that the public believe him.

I would like to state, once again, that I support the Address in Reply, and sincerely hope the government decides to honour its promises in its second term, instead of being a government that says one thing and does another. It is clear that this government stands for whatever it takes to get elected. It stands for everything and it stands for nothing. These people are like political leeches: they attach themselves to any issue, they suck the political life out of it and then discard it and move on. You can fool some of the people some of the time but you will not fool enough of them next time.

The Hon. B.V. FINNIGAN secured the adjournment of the debate.

ADJOURNMENT

At 5.25 p.m. the council adjourned until Monday 8 May at 2.15 p.m.