

## LEGISLATIVE COUNCIL

Tuesday 25 May 2010

The **PRESIDENT (Hon. R.K. Sneath)** took the chair at 14:17 and read prayers.

### PAPERS

The following papers were laid on the table:

By the Minister for Mineral Resources Development (Hon. P. Holloway)—

Regulations under the following Acts—

Legal Practitioners Act 1981—Fees

Primary Produce (Food Safety Schemes) Act 2004—Food Safety Schemes—Plant Products

Road Traffic Act 1961—

Miscellaneous—Seat Belts

Road Rules—Ancillary and Miscellaneous Provisions

Rules under Acts—

Road Traffic Act 1961—Australian Road Rules Variation Rules 2010

Death of Daniel William Barry O'Keefe—Report on Actions taken following the Coronial Inquiry—April 2010

Death of Marstroianani Sciascia—Report on Actions taken following the Coronial Inquiry—April 2010

By the Minister for State/Local Government Relations (Hon. G.E. Gago)—

Reports, 2009—

Department of Further Education, Employment, Science and Technology

Office of the Training Advocate

Training and Skills Commission

District Council By-Laws—

Mount Barker—

No. 1—Permits and Penalties

No. 2—Moveable Signs

No. 3—Roads

No. 4—Local Government Land

No. 5—Dogs

By the Minister for Consumer Affairs (Hon. G.E. Gago)—

Regulation under the following Act—

Liquor Licensing Act 1997—Dry Areas Long Term—Gawler

### ROYAL ADELAIDE HOSPITAL

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:20):** I table a copy of a ministerial statement in relation to the Royal Adelaide Hospital made today by the Premier.

### POLICE, SHOOTING INCIDENT

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:20):** I table a copy of a ministerial statement in relation to the police incident made today by the Premier.

### ADELAIDE OVAL

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:20):** I table a copy of a ministerial statement relating to the Adelaide Oval redevelopment made today by the Deputy Premier.

### FAIR TRADE CERTIFIED CHOCOLATE

**The Hon. I.K. HUNTER (14:23):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. I.K. HUNTER:** On Wednesday 12 May 2010, in my matter of interest contribution on Fair Trade Fortnight, I claimed that Parliament House was using fair trade certified coffee. I had reason to seek clarification of this statement last week, and I discovered that this is incorrect.

**The Hon. T.J. Stephens:** Resign!

**The Hon. I.K. HUNTER:** If you go with me, Terry. The coffee served in Parliament House is, in actual fact, Rainforest Alliance certified. I can assure the council that, having learnt of this slip, I have undertaken to organise a meeting between Fair Trade Australia and Parliament House catering, and I will seek to correct the record at my earliest opportunity.

### QUESTION TIME

#### MINING SUPER TAX

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24):** I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the resources super profits tax.

Leave granted.

**The Hon. D.W. RIDGWAY:** In the last sitting week, members will recall that I asked the minister a question in relation to the resources super profits tax, in particular, the impact on extractive industries. The minister said:

The honourable member does raise an important matter about what the impact of this tax, if any, will be upon the extractive industries. I have asked my department to investigate this matter.

Later, in a longwinded response we often get from the minister, he went on to say:

In relation to the extractive industry, as well as other sectors of the mining industry, we are seeking an understanding of the impact upon industry, and we will be making whatever representations are necessary to the commonwealth government in relation to that matter.

My department is working on a paper in relation to this issue as we speak and, clearly, we are talking to the industry.

Members would be aware that the extractive industries cover the mining of sand, limestone, gravel and other rock. If we look particularly at some of the construction materials, many come from the extractive industries: cement, concrete (the combination of sand, cement and aggregate), glass made from sand, and roof tiles made from mined clay and other products. Fibre cement sheeting, often used inside houses, is obviously made from cement, which comes from the extractive industries.

The bricks on the outside of a house are made from products from the extractive industries. Steel-framed houses are made with steel from Australian iron ore which, again, is subject to the resources super profits tax. Paving bricks outside a house are made from materials from the extractive industries as are, probably, granite benchtops. If you are a government minister and wealthy enough to afford granite benchtops in your home, they would also be subject to a super profits tax. My questions are:

1. What advice has the minister received from his department in relation to the cost to industry?
2. What impact will it have on housing affordability in South Australia?
3. Will the minister now concede that this ridiculous federal tax will impact on the lives of every young South Australian buying their first home?

**The PRESIDENT:** The honourable minister will disregard the opinion in the question.

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:27):** There would not be much left then, Mr President. The information the government has been seeking from the various elements of the

mining industry is the impact that the resources tax would have on those individual companies. Of course, part of the problem that those companies face in working that out is that there are certain parameters in relation to that tax, such as the pricing point, for example. There is other information about which there is some uncertainty. That is why the commonwealth government is, as I understand it, seeking to have a number of meetings. I think that the Adelaide meeting is the last one, in June, in a couple of weeks' time.

I have certainly made it clear that the commonwealth needs to clarify the details of this resource super profits tax as quickly as possible. As to what impact this tax would have on the extractive industries, we know that under the current proposal it would apply to such industries. That much appears clear but, of course, the impact would really depend on the rate of return, among other things, that exist within that industry.

As I said, the government has had a number of meetings. The Premier has spoken to the Prime Minister, the Treasurer has spoken to his counterpart and I have spoken to minister Ferguson in relation to some of these matters. I think the commonwealth is well aware of some of these issues, including what impact—

**The Hon. D.W. Ridgway:** They're not listening.

**The Hon. P. HOLLOWAY:** Well, I believe the commonwealth will listen but, clearly, it is going through this consultation phase. I expect that it will make some announcement at some point in the not too distant future as to the final form of the tax.

**The Hon. D.W. Ridgway:** This tax is about as well thought out as your Adelaide Oval proposal.

**The Hon. P. HOLLOWAY:** The Adelaide Oval proposal is very well thought out. I would have thought it much more sensible than building a stadium and having a train line underneath it. These are the people who wanted to put the Adelaide Railway Station (a long-distance railway station) underneath it—as if you would have people coming on the Melbourne express to watch the football. Can you imagine it? Presumably they would have a long wait. It was one of the dopyest ideas I have ever heard. Of course, the costing they had on their stadium was absolutely—

*The Hon. D.W. Ridgway interjecting:*

**The Hon. P. HOLLOWAY:** To think they could build a stadium with a cover for the price they were putting was absolutely—

**The Hon. D.W. Ridgway:** The Colosseum had a cover over 2,000 years ago. You are 2,000 years behind the times.

**The Hon. P. HOLLOWAY:** The Colosseum had a cover? You must have seen a different one to the one I have seen.

**The Hon. D.W. Ridgway:** A retractable roof, 2,000 years ago.

**The Hon. P. HOLLOWAY:** A retractable roof?

**The PRESIDENT:** Order!

**The Hon. P. HOLLOWAY:** It must have been a different Colosseum than the one I saw.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. P. HOLLOWAY:** What I do know is that within this country—

*Members interjecting:*

**The PRESIDENT:** Order! I suppose they had to have something to keep the lions in. Have you finished, minister?

**The Hon. P. HOLLOWAY:** I will just return to the question I was asked. The government is listening to the extractive industries and other industries—there was some publicity given to a salt manufacturer. The impact of the tax will depend upon particular financial circumstances. One would expect that the rate of return in some extractive industries will probably be potentially less than in some of the higher risk mining industries. Obviously, if you do not have as high a risk you will not expect so much return.

However, that general comment aside, the government has been collecting information and that is what we are using in our discussions with the commonwealth government. Clearly, it is very hard to know exactly what the impact will be for individual businesses until we know the final form of this tax.

What we are trying to do is to make sure that any structuring of this tax, when it is finalised by the federal government, has minimal impact on the mining industry within the state. The government has made it clear that, in some sectors of the mining industry, there have been massive increases. One only has to look at iron ore prices. Some predict they may well again double for projects that were decided many years ago, and we have already had a number doubling in prices. There is no doubt that in some sectors of the mining industry there are very significant profits.

However, the question for this state is to ensure that any proposals by the commonwealth do not deter some of the very significant projects in this state which, of course, are quite different in nature from some of those where the windfall profits have been made, particularly the coal and iron ore export industries.

**The PRESIDENT:** The first question has taken 10 minutes because of a long explanation and—

**The Hon. D.W. Ridgway:** And a computer that was exploding.

**The PRESIDENT:** —a long answer and too much noise in the chamber.

**The Hon. D.W. Ridgway:** The computer was hardly my fault.

**The PRESIDENT:** Order! The Hon. Mr Ridgway has a supplementary.

#### MINING SUPER TAX

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:33):** Has the minister received any advice from his department (as he indicated in the last sitting week) particularly in relation to housing affordability, given nearly every component of a modern house comes from the extractive industries?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:34):** I cannot really add anything further to what I have said. This state is going to put to the commonwealth government its views in relation to that. I have indicated that there are some sectors of the mining industry which have made what I think all people will agree have been genuine windfall profits over recent years.

*The Hon. D.W. Ridgway interjecting:*

**The Hon. P. HOLLOWAY:** I said there are some sections of the mining industry which have. Whether a tax should apply to all such industries, whether the uplift rate should be increased, whether there should be a refunding system which might help—all those things are matters which the government has been talking to the commonwealth government about, as indeed has the industry in other states, and I think we should all have a Panadol and relax and wait until the decisions are out there. I have just looked up the website, and I notice that it is on Friday 11 June that the resources super profit tax consultation—

*The Hon. D.W. Ridgway interjecting:*

**The PRESIDENT:** Order!

**The Hon. P. HOLLOWAY:** They had some sort of a shade, I am sure, but they did not play cricket inside it. The important thing, as I said, is that this consultation period take place. The final form of that tax has not yet been finalised and the state government will continue to put its view to the commonwealth as to what design features need to be addressed relating to the commonwealth's proposals.

#### LIQUOR LICENSING

**The Hon. J.M.A. LENSINK (14:35):** I seek leave to make an explanation before asking the Minister for Consumer and Business Affairs a question about liquor licensing in the city.

Leave granted.

**The Hon. J.M.A. LENSINK:** I understand that the state government is undertaking a review of liquor licensing in the city. In the publications that have been printed thus far, the commentary has focused on the Hindley Street precinct. I understand also that the Adelaide City Council will be reviewing its own liquor licensing policy later this year.

I have been in contact with two of the precinct associations for Grote Street and Gouger Street traders, who have called publicly for a 3am curfew in their area, given that they believe that it has more of a focus on residential and family markets, with significant residential housing located adjacent. I have also been contacted—as has the new member for Adelaide, Rachel Sanderson—by local residents, who are very greatly concerned with the number of venues seeking to increase their hours of operation to 5am every day of the week.

I have a copy of the *Government Gazette* of 4 March, which has published a notice under the Liquor Licensing Act advising that Lyrics on Gouger (formerly known as the Buddha Bar) has been seeking an increase in its hours of operation. I note that this particular facility backs onto residential properties, located on Market and Coglin streets.

*The Hon. P. Holloway interjecting:*

**The Hon. J.M.A. LENSINK:** It is a different precinct—you should listen. My questions are: has the minister had any representations to her office—

*The Hon. P. Holloway interjecting:*

**The PRESIDENT:** Order! The honourable minister will listen in silence.

**The Hon. J.M.A. LENSINK:** —relating to those two precincts, that is, Gouger and Grote, for the benefit of the Leader of the Government? What is the minister's view on this particular facility seeking to increase its hours of operation, and when will her review be complete and tabled for the local precincts to make comment?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:38):** I thank the honourable member for her important questions. Indeed, the government made an announcement late last year that it was committed to conducting a review involving strategies to address alcohol fuelled violence, in particular, in our entertainment precincts. We said at the time that, No. 1, we would consult and that we would consider a wide range of different strategies.

At the time, we put on the table increasing the powers of police to close venues down in certain serious circumstances and increasing the powers of the liquor commissioner to be able to put liquor licensing conditions in place more quickly than the current system allows for; currently, it is a very cumbersome system. We said that we would look at trading hours and at a wide range of other initiatives, such as the alcohol content of drinks, the number of drinks that can be sold to any one consumer at a particular time, and the rounded-bottom structure of drinking vessels, which means that people are not able to put the drink down and have to keep it in their hand.

*The Hon. J.M.A. Lensink interjecting:*

**The Hon. G.E. GAGO:** I am just saying that we put everything we could think of on the table for consultation. If the honourable member has other suggestions, I certainly encourage her to participate throughout the consultation period. An initial round of discussions has occurred in identifying these types of issues with the police and other major industry stakeholders. We have collected a range of different views that we are now incorporating into a discussion paper. A considerable amount of work has already been completed on that discussion paper. It is currently being finessed and will be released shortly. It will go out for broad public consultation; for instance, we anticipate that it will be made publicly available online so that all members of the public will have ready access to comment on it and put their views forward. As I said, I encourage and invite all honourable members to do that. That review is currently taking place and the discussion paper should be released fairly soon.

In terms of the Adelaide City Council, the Capital Cities Committee has a security committee (a subcommittee of the Capital Cities Committee), which is also focused on looking at security issues within the Adelaide City Council generally. The government, police and other industry stakeholders are also involved in those considerations.

In terms of trading hours, we put that firmly on the table when we announced the review. I remind honourable members that there are a number of licence holders who have 24-hour licences

and do not currently use them. These licences are not used to their full capacity. It is a matter for those licence holders to determine the most suitable hours for them in terms of their businesses operating in the current context.

In relation to any licence holder wanting to change the conditions of their licence in some way—as the honourable member was suggesting in the case she put forward involving an extension to licensing hours—a process is undertaken through the commissioner and/or the Licensing Court to consider that. Stakeholders have an opportunity to have input into that process, and police in particular have an opportunity to put forward their recommendations or point of view. If, for instance, they have concerns about the prospect of that particular licence being extended, they are able to put them forward. I think it is open to the general community but certainly relevant stakeholders are able to do that. This is a process that is in place and is currently the mechanism available to amend licensing hours.

As I said, we have already clearly indicated that we will be reviewing licensing hours. We are keen to listen to and hear from a wide cross-section of stakeholders before landing on a particular prescribed set of hours. We have indicated quite clearly that that is on the table for review and we look forward to seeing that discussion paper released very soon.

### **CORRUPTION, LOCAL GOVERNMENT**

**The Hon. S.G. WADE (14:44):** I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations a question relating to corruption in local government.

Leave granted.

**The Hon. S.G. WADE:** On 11 May 2010, two weeks ago, the New South Wales Independent Commission Against Corruption issued the report Profiling the New South Wales Public Sector II Report 3. The report found that local government faces a greater risk of corruption but is less likely to take steps to prevent it. The research found that:

Fifty-eight per cent of councils had an audit plan compared with 92 per cent of state agencies, 85 per cent of councils had a risk management process compared with 95 per cent of agencies, and 44 per cent of councils had a forward control plan compared with 62 per cent of agencies.

The ICAC report found that councils were almost twice as likely to engage in functions with a high risk of corruption than state agencies, making them much more vulnerable to corruption. The report looked at the situation in New South Wales, a state that has a proactive anticorruption body, one with corruption prevention as a key function. In South Australia an investigation is currently underway and entering its 11<sup>th</sup> month into the Burnside council and there is an Ombudsman's investigation into another council. My questions are:

1. Does the minister consider that local government bodies in South Australia are at significant risk of corruption?
2. Given the absence of a proactive anticorruption body that works to prevent corruption, what steps is the minister taking to ensure that corruption is prevented in local government in South Australia?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:46):** I thank the honourable member for his important questions, and, indeed, I believe that sufficient independent machinery does exist here in this state for dealing with criminal corruption, abuse of public office and similar matters by local government members and also officers. Council members and officers are public officers for the purposes of offences relating to public office set out in the Criminal Law Consolidation Act 1935, including bribery or corruption of public office, abuse of public office, and demanding or acquiring benefit on the basis of public office.

The Anti-Corruption Branch of the South Australia Police investigates complaints of alleged fraud, corruption and abuse of public office relating to local government and can also make investigations based on matters taken on its own initiative. Alleged breaches by individuals of provisions of the Local Government Act that have penalties attached to them, such as conflict of interest provisions for council members, are enforceable in the District Court. They can be made to me and are investigated by the Legislation and Governance Division of the Department of Planning and Local Government, so that is another avenue that is open to them, using the services of the Crown Solicitor and also the Government Investigations Unit.

We know that the Ombudsman has broad powers under the Ombudsman Act 1972 to investigate any administrative act of council, or a council subsidiary, either on receipt of a complaint or on the Ombudsman's own initiative, and we are well aware here in this place that, as minister, I have powers under the Local Government Act 1999 to appoint an investigator if I have reason to believe that a council has contravened or failed to comply with a statutory provision, or failed to discharge a statutory responsibility, or if an irregularity has occurred in the conduct of a council and its affairs in relation to matters arising from legislation.

So, we can see that there is a wide range of different machinery available to deal with corruption and other abuses of power, if and when they occur. We know the state government's position in relation to an ICAC. The Premier is on record as stating that he would support a national ICAC and that is something we are pursuing at a national level. The LGA fairly recently put into place the Local Government Governance Panel to assist councils in dealing with complaints of inappropriate behaviour by council members. These are lesser breaches, but nevertheless it is greater scrutiny of all conduct. That is chaired by Kym Kelly, the former CEO of the Attorney-General's Department.

The panel, as I said, is an important initiative that has been put in place to assist in matters of lesser complaint but, no less, I still think it is an important initiative. A wide range of mechanisms are available to the general public and to members of parliament to ensure that any issues around corruption are dealt with promptly and in a thorough way.

#### MINERAL EXPLORATION

**The Hon. CARMEL ZOLLO (14:50):** I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the quality of geological survey material available in South Australia.

Leave granted.

**The Hon. CARMEL ZOLLO:** The 2009-10 Fraser Institute annual survey of mining companies ranked South Australia's geological database as equal first in the world for the quality and scale of maps and ease of access to information. This database has been a critical part of the success of South Australia's Plan for Accelerating Exploration (PACE) initiative. The Rann government committed to extending this seven year, \$30.9 million program during the recent election campaign. In our third term, this government is to provide an additional \$10.2 million to fund PACE 2020. Will the minister provide advice on how the PACE initiative is enabling the government to support innovative geoscientific programs using an array of data gathering techniques that target frontier areas of the state?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:51):** I thank the honourable member for her important and timely question. Not satisfied with being equal No. 1 in terms of our geological database, South Australia is striving to build on our pre-competitive data and survey material. As part of the world renowned PACE program, the largest airborne electromagnetic survey ever flown in South Australia is now being conducted in partnership with Geoscience Australia. The survey area lies east of the Flinders Ranges, from the northern Murray Basin to north of the Flinders Ranges, covering an area of more than 93,000 square kilometres, which, I am advised, is an area equal to 1½ times the size of Tasmania.

This extensive airborne electromagnetic survey over the Frome embayment aims to collect more than 25,000 line kilometres of new geophysical data—and that is like flying to Los Angeles and back. The Frome embayment, overlaying the Curnamona province of eastern South Australia, is of key interest for the state of South Australia as a setting for world-class sandstone hosted uranium deposits such as Beverley, Honeymoon and Four Mile deposits. This airborne method of surveying captures data that allows for the location of ancient river channels (the so-called palaeochannels), the potential setting for sandstone hosted uranium deposits.

The Frome survey aims to improve the understanding of the geology and mineral potential of the survey area by mapping critical elements, including the conductivities of different geological and hydrogeological units buried beneath regolith. The survey will require a fixed-wing aircraft to fly in straight lines at 100 metres above the ground. Most of the flight lines will be 2.5 kilometres apart, with a few smaller areas flown on lines spaced five kilometres apart. As this is an airborne survey, the geophysical data collected will have no physical impact on the landscape or on pastoral activities.

The Frome airborne electromagnetic survey is a partnership between Geoscience Australia (the commonwealth government's national geological survey agency) and the South Australian government. PIRSA will contribute about 10 per cent of the survey cost, as well as providing scientific, administrative and promotional support.

The data gathered by the survey will assist the state and federal governments to manage the state's mineral, energy and water resources by improving the understanding of our geology. This will be achieved by mapping critical elements of the survey area such as different geological and hydrogeological units buried beneath cover. This survey data will also provide valuable new pre-competitive data for the mineral, geothermal and petroleum exploration community. The data collected by Geoscience Australia and PIRSA will be used by both agencies to produce a variety of products, including geological maps, datasets and three-dimensional models that have direct application to exploration in the area. It is anticipated that upon its release this data will act as a catalyst for exploration efforts attracting new companies and joint venture partners to this area and potentially leading to the discovery of new mineral or energy resources.

### CHILDREN IN STATE CARE

**The Hon. A. BRESSINGTON (14:55):** I seek leave to make a brief explanation before asking the minister representing the Minister for Families and Communities questions in relation to children in state care.

Leave granted.

**The Hon. A. BRESSINGTON:** Earlier this week I met with a distraught mother from the northern suburbs whose son is under the guardianship of the minister. This mother signed a three month voluntary order in 2007 because she was told that this was the only way she could get the help for her son that was needed as he had behavioural issues that had been obvious since he was 18 months old. Since he has been in care, three years now, he has not had an assessment, he has not received counselling and, while in residential care, has had his front teeth knocked out, sported a black eye in his class photo late last year, and has had a chair broken over his back, which left him with extensive and severe bruising. He has frequently been absent from school, his violent behaviour is escalating and late last week he was arrested for home invasion. This child is 12 years old. My questions are:

1. What services and support agencies are at the disposal of Families SA to deal with behavioural problems of children aged between seven and 13 years in residential care, and what are the obligations of the state to provide those services when children are taken into the guardianship of the minister?

2. How many children in the residential care facility known as Cornerways are receiving services and support for behavioural issues, what training in these matters are the workers of Cornerways residential facility required to receive, and what qualifications are mandatory for them to work with troubled young people?

3. When a child in the care of the minister in a residential facility is not attending school, is staying out all night during the week and on weekends and is arrested for criminal activity at the age of 12 years, what guarantee will the minister provide the mother of that child—a caring and loving mother—that the situation will improve, and what oversight will be provided to guarantee the care and protection of that child under these circumstances?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:58):** I thank the honourable member for her important questions. I know that the disabilities resulting in significant behavioural problems in those concerned are often very complex and can be very tragic and difficult to address. I am not too sure what steps this woman has taken in terms of trying to address her own personal circumstances, but I am more than happy to refer these questions to the appropriate minister in another place and bring back a response. I am sure she will be more than willing to look into those matters.

### PRODUCT SAFETY

**The Hon. R.P. WORTLEY (14:58):** I seek leave to make a brief explanation before asking the Minister for Consumer Affairs a question about the national product safety campaign.

Leave granted.



**The Hon. R.P. WORTLEY:** Recently the minister informed the chamber of the development of a new product safety website: [www.productsafety.gov.au](http://www.productsafety.gov.au). Will the minister provide information on current product safety campaigns?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:59):** I thank the honourable member for his important question. I am pleased to inform the chamber that prams, strollers and vehicle trolley jacks are at the heart of a new national product safety campaign. Officers from the Office of Consumer and Business Affairs (OCBA) are joining forces with the Australian Competition and Consumer Commission and other regulators to ensure that retailers and suppliers are meeting national safety standards. The ACCC and the state and territory product safety regulators are working together in a coordinated national surveillance program focusing on high risk consumer products that can cause injury or death.

Eight high risk products that have brought injury or death are being surveyed across Australia to ensure that they meet safety regulations, and I am informed that OCBA will focus on the monitoring of prams, strollers and vehicle trolley jacks.

A mandatory national safety standard for prams and strollers was introduced in July 2008, and that standard was mirrored by the then minister for consumer affairs in the same month. The standard was prompted by tragic incidents involving runaway strollers. Under the standard, all prams and strollers now must have warning labels, and a tether strap should be placed around the wrist to avoid the risk of runaway prams. I am sure we can all remember the tragic incidents that occurred it seems just yesterday; they were very sad indeed.

OCBA product safety officers will visit pram and stroller retailers to ensure that regulations concerning brakes, labelling and safety mechanisms are, in fact, being followed. Of course, parents are also being urged to keep their babies as safe as possible, and they should check prams and strollers to ensure that they have working brakes and a tether strap.

The Minister for Consumer Affairs mirrored a commonwealth standard for portable vehicle ramps, trolley jacks and vehicle jacks in July 2008 to harmonise existing state standards with the commonwealth standard. I am advised that 31 Australians died between 2000 and 2009 from injuries sustained because of incorrect use or collapse of trolley jacks.

I take this opportunity to remind members that consumers must heed the warnings and never get under a vehicle supported only by a trolley jack. Hydraulic jacks are designed only to raise the vehicle and, when working under a vehicle, suitable supports should be used for stability to ensure that the vehicle is completely stable.

If any of the goods tested are found not to comply with the mandatory standards, traders will be asked to immediately remove the items from sale. OCBA may then ask the supplier to recall the product and issue a warning or expiation notice. Penalties of up to \$10,000 can be imposed by a court where goods are found not to comply. Again, I remind members and consumers that they can keep up to date with the current product safety issues by visiting our [productsafety.gov.au](http://productsafety.gov.au) website.

### **DRINK SPIKING**

**The Hon. T.A. JENNINGS (15:03):** I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about drink spiking.

Leave granted.

**The Hon. T.A. JENNINGS:** I draw members' attention to an item in last week's *Advertiser* about a drink spiking incident that had taken place at an inner city pub. In that article, it was stated that the charge of drink spiking was not applied in that case, and this has raised some concerns. Members may be aware that this parliament approved some two years ago drink spiking laws under which food and drink spiking is seen as a crime in its own right. My questions are:

1. What has been done to enforce and police these laws?
2. What regulations have been used to back up the laws we passed? Has the minister considered, for example, employing CCTV in pubs and licensed clubs to monitor not only poker machines but also patrons?

3. Has the minister considered having memorandums of understanding between hospitals, doctors, rape crisis centres and other such places where drink spiking incidents may be better monitored?

4. Does the minister also share concerns that perhaps this law, which is a good law, is not being properly implemented?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:04):** I thank the honourable member for her most important questions. Indeed, I think we are all aware of issues of concern around the practice of drink spiking. This issue has been a concern for some time, and legislative changes were made to ensure that this offence was captured.

In terms of drink spiking, the advice I have received is that the spiking that occurs most often is that involving alcohol—adding additional alcohol to a drink—rather than any other substances, but certainly there is evidence of other substances being introduced as well. From reports from accident and emergency centres, I know that there is, in some cases, some ambiguity around whether an offence has, in fact, occurred or whether a person has used that as a means to explain their overconsumption of alcohol. Nevertheless, even taking into consideration all those matters, we do know that drink spiking is an issue.

In relation to the sorts of activities that are in place around drink spiking, I know that there have been public awareness campaigns from time to time reminding young people of the importance of not leaving drinks unattended and of other such behaviour to reduce the risk of drink spiking. I know that those campaigns have been around from time to time. I know that more licensed venues are putting in place CCTV, particularly outside venues, as a means of crowd control, and my understanding is that, as a general form of security, more CCTV is being used inside.

It is interesting that, under the proposed liquor licensing review I spoke about earlier in question time, one of the things we are looking at is increasing the powers of the commissioner to put conditions in place more quickly on licence holders than is currently available. One of those conditions, for instance, could be introducing CCTV, and it could be a whole range of things, such as increasing the number of security guards. As I have said, there is a wide range of different strategies that can be implemented.

One of the really strong points about improving the commissioner's powers in this way is that it allows the commissioner to adopt a set of conditions on a particular premises or a group of premises that address any particular problem in behaviours or deficits that might be seen to be particularly prevalent on that premises. So, this will enable a greater flexibility, and it will enable us to come down much harder on those establishments that do not do the right thing, do not provide adequate supervision or allow misconduct to occur on their premises.

The honourable member obviously has some very well thought through ideas that I think are quite positive, and I would very much value those being fed in through our consultation process.

#### OPAL FUEL

**The Hon. T.J. STEPHENS (15:08):** I seek leave to make a brief explanation before asking the Leader of the Government on behalf of the Minister for Aboriginal Affairs a question about the latest Opal fuel rollout.

Leave granted.

**The Hon. T.J. STEPHENS:** The federal Minister for Indigenous Health recently announced funding for the further rollout of Opal fuel in a press release on 12 May, entitled 'Rudd government committed to Indigenous health'. This is welcome news for many Indigenous communities dealing with the issue of petrol sniffing but, more than four years after it was promised for the Yalata community on South Australia's West Coast, Opal fuel is still not available in that particular community. Some members may be aware that petrol sniffing has been an ongoing problem in Yalata for over 30 years.

Sources have advised me that the goal was to have Opal fuel available in Yalata by June this year. I am now reliably advised that the time frame will not be met and that it cannot be confirmed when it will take place. My question is: when will the Minister for Aboriginal Affairs meet

urgently with the federal Minister for Indigenous Health to address the fact that Yalata is not being included in this rollout of Opal fuel?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:10):** I thank the honourable member for his most important question and will be happy to refer this matter to the appropriate minister in another place and bring back a response.

#### **SINGAPORE OCCUPATIONAL HEALTH AND SAFETY INSPECTORATE**

**The Hon. I.K. HUNTER (15:10):** My question is to the Minister for Industrial Relations. As South Australia plays an important role in promoting, both locally and internationally, strategies that contribute to safe and healthy workplaces, will the minister please provide the chamber with details of the visit by members of Singapore's Occupational Safety and Health division to our state?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:10):** I thank the honourable member for his question. Today I had the great pleasure of meeting four members of Singapore's Occupational Safety and Health Inspectorate from the Ministry of Manpower. This delegation is currently in Adelaide to gain further insight from SafeWork SA about best practice in workplace safety in a variety of occupational sectors. Workplace safety is a significant community issue not just locally, of course, but globally as well. This visit allows SafeWork SA to demonstrate how it administers occupational health and safety standards in workplaces such as restaurants, hotels, factories, warehouses and entertainment venues.

The delegation of senior workplace officials (led by Mr Silas Sng, who is the director of the inspectorate) will be in Adelaide from 24 May to 2 June. Their busy schedule takes them to sites in Adelaide, in the Hills, the Barossa Valley and Monarto in the company of SafeWork SA inspectors and officials. In addition to the various worksite visits, the Singapore delegation will have the opportunity to hear about the successful compliance and prevention campaigns that have been put in place by SafeWork SA, including the Safety Industry Improvement Program and the annual SafeWork Event.

This important visit, which was funded by Singapore's Ministry of Manpower, provides a unique opportunity for South Australia to strengthen its international networks. It is also in keeping with the vision of the International Association of Labour Inspection for true global involvement and labour inspection through regional cooperation programs, and of genuine collaboration across nations. I should take this opportunity to point out that SafeWork SA's Executive Director (Michele Patterson) is currently president of this international association.

I wish to thank officers from SafeWork SA for the work they have undertaken to showcase in this way South Australia's successful OHS initiatives. I also wish to thank the many South Australian businesses that have volunteered to host the delegation at their premises and demonstrate the high level of their workplace safety management systems. This is the third international delegation hosted by SafeWork SA following previous visits by inspectors from New Zealand and Hong Kong.

Through SafeWork SA, this government is pleased to be contributing to the promotion internationally of strategies to make safe, healthy and decent work a reality around the world. I warmly welcome the delegates from Singapore and wish them well in their endeavours to advance workplace safety.

#### **DRUG PARAPHERNALIA**

**The Hon. D.G.E. HOOD (15:13):** I seek leave to make a brief explanation before asking the minister representing the Minister for Police a question about the continued sale of drug paraphernalia in South Australia.

Leave granted.

**The Hon. D.G.E. HOOD:** In 2008 this parliament, at the instigation of the Hon. Ann Bressington, as I recall, implemented a ban on the sale of bongs and other drug paraphernalia in the Summary Offences (Drug Paraphernalia) Amendment Bill. Members might recall that a store on Hindley Street (called Off Ya Tree) continued to sell bongs after the relevant amendment passed

this place. It became obvious that it had quite simply just relabelled their bongos in the shop as water pourers and then kept them on the shelves and continued to sell them.

According to reports at this time, police visited the store and removed the bongos from the shelves. However, for some unknown reason, I am informed that no charges were laid. Whilst the store has now taken the bongos off the shelves, I am informed, I was surprised to note that this company continues to skirt the law by now simply selling the same bongos online. At their website the company is offering to ship what they openly describe as bongos and water pipes to South Australian addresses.

It also sells a wide range of other nefarious products such as items they describe as 'party pills' at about \$10 per pill, and pro drug documentation including books entitled *Growing Marijuana Made Easy* and *The Manufacture of Cannabis Oil*. Members may have noted stories about this in the media in recent times.

My question is: what action will the minister take to stop the sale of such devices and paraphernalia in South Australia in order to ensure that the provisions of the drug paraphernalia amendment bill are actually enforced?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:15):** I thank the honourable member for his important question and I will pass it on to the Minister for Police in another place so that he can seek a response from SAPOL. If there is any illegal activity taking place, I am sure that the police will take action to address that.

#### REAL ESTATE LAWS

**The Hon. J.S. LEE (15:15):** I seek leave to make a brief explanation before asking the Minister for Consumer Affairs a question about real estate laws.

Leave granted.

**The Hon. J.S. LEE:** The new real estate laws which started on 28 July 2008 were structured to improve safeguards for consumers who are buying or selling a property by making real estate dealings more transparent. In *The Advertiser* of 15 May 2010, it was reported that property buyers are frustrated that real estate agencies are refusing to review price guides.

In the *Sunday Mail* of 16 May 2010, it was reported that price guides for houses are still being advertised using underquoted figures, in some cases by up to 35 per cent, despite new state government laws aimed at stopping the practice. For example, in the *Sunday Mail* of 16 May, it revealed that a home in Semaphore was quoted at \$850,000 and sold for over \$1 million. Similarly, a home in Wayville was quoted at \$460,000 and sold for \$620,000.

The *Sunday Mail* highlighted that the Office of Consumer and Business Affairs has not fined or prosecuted any agent for underquoting since the real estate laws came into practice two years ago. On 30 June 2009, the Minister for Consumer Affairs stated in a press release that outlawed practices such as dummy bidding and underquoting of prices to entice buyers seemed to have ceased. My questions are:

1. Does the minister believe that the statement she made on 30 June 2009 in a press release is still true and correct?
2. In light of the media report presented by the *Sunday Mail*, what amendments will the minister propose to address the concerns within the current legislation?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:17):** I thank the honourable member for her most important questions. Indeed, this government put in place new real estate laws, which commenced in July 2008, to improve protection for home buyers and sellers. The laws sought, generally, to improve transparency throughout the whole real estate process of engaging an agent, marketing a property and the sale of property by auction or through private contract or treaty.

In the main, agents and sales representatives do seem to have complied with the real estate regulatory controls, and I understand that the breaches that have been detected—and considerable monitoring has occurred relating to compliance—have been fairly minor in nature, such as, if I recall from the report, real estate officers not wearing their ID badges and certain

information not necessarily being given out to every single person who is interested in purchasing a property.

In terms of dummy bidding, the reports I have received are that there has been no further detection of that practice occurring since the new legislation has been put in place. To the best of my knowledge, that is what the reports have confirmed to me. We have been very impressed with that. In fact, the industry has been very responsive in relation to these changes and incredibly responsible in the way that it has ensured that the information has been disseminated amongst its staff, and that changes to practices have generally occurred.

They are to be commended for their efforts and I believe that improvements through those legislative changes have definitely been a win-win. They have been a win for consumers who can now be assured in terms of improved transparency and a win for the real estate industry, as well, because it increases people's confidence to participate, particularly in practices like auctioneering, where the practice of dummy bidding was often quite off-putting to ordinary mums and dads.

Overall, I am very pleased. The results I have received from the agency show that the breaches that have occurred are only minor. However, if any member, or any member of the public, is aware of any breaches, I certainly would encourage them to contact the Office of Consumer and Business Affairs and immediately lodge a complaint. Officers there will of course follow that up. I think that just about sums it up.

### **WOMEN IN BUSINESS AND REGIONAL DEVELOPMENT**

**The Hon. CARMEL ZOLLO (15:21):** I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about Women in Business and Regional Development, Limestone Coast.

Leave granted.

**The Hon. CARMEL ZOLLO:** Women in Business and Regional Development, Limestone Coast supports women by providing women in the Limestone Coast area with training, mentoring, networking opportunities, publications and reports, a directory of members' businesses and business forums. I understand that the minister recently provided Women in Business and Regional Development with a grant. Will the minister provide more information to the chamber?

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:22):** I am very pleased to provide the funding to sponsor Women in Business and Regional Development, Limestone Coast. Women in Business and Regional Development is a non-profit community organisation which educates women in ways to start and grow businesses, enhance their careers and develop their leadership potential.

Women in Business and Regional Development supports women across the Limestone Coast region to become leaders in a variety of ways, including by providing training, mentoring and networking opportunities for members. It has created publications and reports for the broader community about regional women, their issues and successes, and maintains a directory of members' businesses and business forums.

The government's sponsorship contributed to Women in Business and Regional Development creating the Influential Women in Business Awards, which were established to highlight the achievements of women in the local business community. These awards will be presented on 4 June in Mount Gambier and will celebrate the success of women of all business backgrounds, from up-and-coming young businesswomen to corporate leaders and those working in the not-for-profit sector. The awards have five categories:

- Best Small Business (for businesses under 10 employees);
- Best Home-Based Business;
- Best Business (with over 10 employees);
- Young Businesswoman of the Year; and
- Businesswoman of the Year.

Prizes for winners include a marketing strategy, an e-business strategy package, a corporate training program and business coaching. These would be very useful for women starting out on a business venture. I understand that Women in Business and Regional Development will also assist

winners to enter further awards such as the Telstra Businesswoman of the Year and the SA Great Regional Awards.

### PARLIAMENTARY COMMITTEES (MEMBERSHIP OF COMMITTEES) AMENDMENT BILL

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:24):** Obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1991. Read a first time.

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:25):** I move:

That this bill be now read a second time.

The bill amends the Parliamentary Committees Act 1991 to increase the number of members of two of the standing committees established by that act. The bill increases the membership of the Social Development Committee from six members to eight. It also increases the number of members of the Natural Resources Committee from seven to nine. The Social Development Committee currently has six members—three from each house. Its functions are to inquire into a range of health, welfare, education, recreation and occupation-related matters referred to it by either house, by the Governor or of its own motion.

The committee has previously reported on a range of matters, including gambling, prostitution, the South Australian Certificate of Education, supported accommodation, fast foods and obesity, bogus health practitioners, surrogacy and rural poverty. The Social Development Committee also has review and inquiry functions under other acts, including the Statutes Amendment (Recidivist Young Offenders and Youth Parole Board) Act 2009 and the Research Involving Human Embryos Act 2003. In respect of the Natural Resources Committee, section 15K(2) of the act currently states:

...four members of the committee must be members of House of the Assembly...and three must be members of the Legislative Council.

The committee is required by section 15L 'to take an interest in and keep under review' matters relating to the protection, use, management, enhancement, development and improvement of the natural resources of the state. It is further charged with a number of functions specifically relating to the River Murray. Other acts impose additional functions on the Natural Resources Committee, the best known being the consideration of levy proposals under the Natural Resources Management Act 2004.

The government thinks that both committees would benefit from an increase in membership. While each appointment to a committee is of course a matter for the appointing house, the government expects that an increase in the number of members will correspondingly increase each committee's diversity and broaden the range of experience the members bring to its inquiries. It is particularly important that these committees be able to ascertain how the matters into which they are inquiring affect all South Australians and to consider the views and needs of a wide range of people and groups. This ability will be enhanced by the committees themselves having a varied membership.

The bill increases the membership of these two committees only for the life of the current parliament. We do not know whether membership of later parliaments will continue to be as diverse as it is now. I commend the bill to the council and seek leave to have the explanation of clauses incorporated into *Hansard* without my reading them.

Leave granted.

#### Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Parliamentary Committees Act 1991*

3—Amendment of section 14—Membership of Committee

The number of members constituting the Social Development Committee is to be altered from 6 members to 8 for the term of the 52<sup>nd</sup> Parliament.

4—Amendment of section 15K—Membership of Committee

The number of members constituting the Natural Resources Committee is to be altered from 7 members to 9 for the term of the 52<sup>nd</sup> Parliament.

5—Amendment of section 24—Procedure at meetings

This is a consequential amendment, and will provide that the quorum of a Committee consisting of 8 or 9 members will be 5 members.

Debate adjourned on motion of Hon. J.M.A. Lensink.

**ADDRESS IN REPLY**

Adjourned debate on motion for adoption.

(Continued from 13 May 2010.)

**The Hon. A. BRESSINGTON (15:28):** I rise to support the motion of Address in Reply. First of all, let me congratulate the Rann government on its re-election and also, you, Mr President, on retaining the role of President of this council. The Governor stated in his speech that his government's overarching aim will be to continue to foster confidence and to help to create jobs, while ensuring that the benefits of the state's growing prosperity are shared by all. It has committed itself to reconnecting and re-engaging with the state through ongoing consultation and by listening to South Australians' concerns and aspirations. This, of course, is similar to what the Premier stated in his speech on the night of the election when it could not be ignored that the electorate had sent a very clear message. Premier Mike Rann said:

I recognise tonight we have suffered some big swings and we have to listen to the message of the people. And we will listen to that message and we will reconnect with the people in an energised and positive way because everything we must do in the future is about them and their families and their children's future. I want us to absolutely commit tonight, win or lose tonight, to go out to the suburbs, to go to the streets, to the rural communities, to the farms and factories, and reconnect in a way we can reinvigorate what we are doing to make sure we have a positive future for this state.

So, this is a good starting point from which we can all look forward because, as we all know in this place, many South Australian citizens are hurting, and hurting in ways that only occur when government ignores the concerns and aspirations of the people it is elected to serve.

At the risk of sounding like a broken record, I remind this government that the lack of essential services and supports for the sick and vulnerable of this state has seen some devastating overflows to the people who, with support and understanding rather than being thrown on the scrapheap of human refuse, could become functional and productive members of our community. So many people who are now at the point of ruin, either financially, psychologically or emotionally—or all three—could make a difference to how the future of this state could unfold if only they were listened to and their aspirations were able to be realised.

It is fair to say that the government took a significant hit at the last election, with almost every minister of this government having a warning shot fired across their bow: an 8.8 per cent swing against the government should not be ignored. There were significant swings away from government ministers—those overseeing important social issues such as disabilities, families and community services, housing, industrial relations, primary industries, education, mental health and substance abuse—not to mention the significant swing against the Premier himself of around 15 per cent. With swings of 12 per cent or more, it is time for the government to take stock of its priorities. I am curious to know just who the Premier intends to reconnect and re-engage with, because we all know that the issues raised in this place that negatively impact on South Australians have varied little, and the government response to those issues has been seen as little more than patronising and condescending, to say the least.

Perhaps we need a representative in here of all disaffected groups in order to be able to get those issues placed squarely on the table for debate and resolution, as with the election of the Hon. Kelly Vincent, here now as an elected representative of the disability sector. I also note that just yesterday it was announced that another political party has been formed to address the issues of families and communities. It seems to be the trend for political parties to form in the hope of reversing the mismanagement of human resource issues, and that says little for the faith the people have in the ministers appointed to do that very job. At least for the disability sector this government, or the minister responsible, will no longer be able to spin the plight of those who live

with a disability in this state, and no longer can we have the arguments of experts override the obvious neglect of this sector because we now have sitting among us our own expert, who I am sure will tell it like it is.

In November last year, when speaking to the report handed down by the Select Committee on Families SA, I warned the government in this place that there was a huge groundswell of discontent, and that I was sure the election would reflect this, and it did. The feedback I was getting was that the people of this state felt that this government and the bureaucracies behind it have literally declared war on its own citizens, and again this was reflected with every minister and the Premier getting a swift kick up the backside from the people of this state at the election, which is the only time that citizens' concerns and aspirations will ever be publicly noted.

In my humble opinion it is time to review the three unspoken rules of politics: to get elected; to get re-elected; and to never have an inquiry unless you know what the outcome will be. It seems that the electorate is slowly but surely waking up to the fact that nothing happens randomly in politics, and that every move is carefully planned. They also believe they are being misled almost on a daily basis, and the discontent is rising even more given the allegations of the dodgy election. People now get that they are being led down the path intended for them rather than being taken to the place to which they aspire, and once the electorate wakes up it is surely time for us to change how we do things in here.

We can only create so many victim groups and ignore their needs before the backlash is felt. As I have said over and over again, we make policies and decisions in this place to protect previous decisions rather than truly review what is not working and fix it, and for that we must all be held to account. Secret courts, laws that now lean toward the presumption of guilt instead of innocence, no recourse for people who believe that injustice has occurred, and families being broken down day by day is not a recipe for a peaceful and productive four years to come.

I suggest three new rules of politics that would ensure that the needs of the people of this state are met. Obviously, the first is to be elected. Secondly, be re-elected by representing the people of this state with all of our might and find the balance that is necessary to create a vibrant and truly progressive state; inquire into everything and not allow manipulation of the truth; and always listen to both sides of every issue because there are always two sides and both have merit.

The Hon. Tammy Jennings, in her inaugural speech, said that she hoped that in time she can help to bring this place into the 21<sup>st</sup> century. I believe there is a way to do that that does not just rely on technology: it relies on honesty, openness, accountability and not promoting party ideology above and beyond what is in the best interests of the people of this state.

I believe that the voters are waking up. They are hearing the stories of their friends and witnessing the stories of their family members. Those who once believed that it was impossible for the state to turn on its own are now seeing this for themselves. People are now taking an interest because they and their loved ones are being caught up in a net that is making villains out of victims and vice versa.

I received a very disturbing email from one citizen, who I believe has forwarded that email to ministers on a state and federal level. This person promises that he 'will take the law into his own hands and subject these ministers to the same violence and abuse that he and his family were subjected to'. He warns that these matters can no longer be ignored and swept under the rug, and he says that the destruction of his family is what motivates him.

How hard is it to put together the result of the election, the discontent that is obvious and now threatening emails and at least consider that sleepy old Adelaide is perhaps now about to be exposed to vigilante conduct by people whose cases have been simply written off as too hard to fix?

We seem to have this mode of operation on many of the social issues raised in this place. No-one can argue that the ongoing and persistent dysfunction of child protection, disabilities, WorkCover, and drugs and alcohol, despite poor outcomes and buckets of money being poured into them, makes any sense to anyone. The prevailing belief that it is all too hard really does not sit well with those whose life has changed forever because of these systems.

Do we in this place really think that people who have nowhere to live give a hoot about whether or not we have a new football stadium or an upgraded Adelaide Oval? Do we really believe that families who are fighting to get their children back or fighting to protect their children care whether the Southern Expressway goes one way or two? Do we truly believe that the victims



of abuse in state care give a hoot about whether we have a new hospital or we make do with the old one? Do we truly believe that an injured worker suffering from depression and anxiety, as well as a workplace injury, and unable to put food on the table, cares about any of the above? Do we believe that a family who has to sit and watch their child with a disability suffer and deteriorate before their very eyes cares about any of the above from day to day?

Do we believe that the families and loved ones of all those people care about any of these things as a priority? Do we believe for one second that whistleblowers who have disclosed poor practice, workplace bullying and harassment care about any of this when their life has been ruined by doing nothing more than telling the truth and trying to make workplaces functional and productive? Do we believe that parents who are seeing their kids addicted to drugs and day by day ruining their life care about any of this, either?

It is common sense that we take care of the basics first. Get that right, look after the sick and vulnerable and then everyone has the time and energy to get involved in those bigger decisions and, of course, enjoy what eventuates from those decisions. Instead, we have a situation where, if anyone complains or expects support or services, they are almost deemed to be an enemy of the state. This happens on a daily basis and, if I really wanted to take up the time of this chamber, I could recite case after case of examples where people have been shafted by the very system supposedly in place to serve them.

It is becoming more and more like the story of 'Come on in, said the spider to the fly': reach out to those systems and you will be trapped in an industry of human misery for many years to come. I cannot grasp how this is economically viable or even why these are desirable circumstances for governments to allow.

I acknowledge that over time many of the victims of these situations become their own worst enemy. As we seem to do in this place, we tend to see the person in front of us now rather than bother to consider how that person came to be so difficult, so headstrong, so anti-establishment and so angry. No, what we do is make a judgment on the snapshot we are looking at and often come to the conclusion that this person probably got what he or she deserved—that because they sometimes come from a low socioeconomic background or are not educated enough to articulate well, they are less deserving of being heard and having their cases investigated. Last year, I sat on numerous inquiries and heard this alluded to on many occasions.

Over the last four years, most of the inquiries established were about hardships faced by various groups in our society. Although we reconcile the negative impact of our decisions with 'there will always be winners and losers', I am unable to reconcile that in my own mind. I am bothered that, once a report is written, we simply move onto the next issue and that nothing is done to help people who have been harmed in numerous ways to re-establish their lives or secure their family situation to some degree.

What is the most annoying term is that this person or that person is 'just disgruntled', because that has rarely been the case. To have the view that people who are facing the loss of their business, their family, their right to medical treatment and rehabilitation, their right to earn a living or be compensated for unsafe and poor workplace practices, or their right to equipment that will improve their quality of life, are simply disgruntled minimises what life will be like in the long term and the effect it will have on their families and their children's lives. I again remind members here what Mr Rann said:

And we will listen to that message and we will reconnect with the people in an energised and positive way, because everything we must do in the future is about them and their families and their children's future.

Our Premier, Mr Rann, must also understand that apologies and empty words will not be accepted yet again. It is a case of, 'Fool me once, shame on me; fool me twice, shame on you.' We heard an apology offered to the victims of abuse in state care, and we still see abuse and neglect occurring to our children in state care, and the parents and children are still not believed. The fact is that nothing seems to work anymore, and that cannot be an accident, and it cannot be unnoticed by the government or the ministers of the state.

What most confuses people—and I will admit that it also confuses me—is that we can pass law enforcement legislation in this place that deals with organised crime, and we can give police more and more power for the law and order agenda but, at the end of the day, our citizens feel that they are not afforded the safety and security of systems that are supposed to be in place to serve them. Many people feel as though they have been left to fend for themselves and that all roads just simply must lead to court.

We have numerous bodies set up to deal with grievances, yet time and time again people receive the response that there is nothing to investigate. There is nowhere for people to go when they are aggrieved, and there is nowhere for them to go to receive natural justice, and this is why people are calling more and more for an ICAC. The levels of accountability appear to be in place only to protect the reputation of the government and its bureaucrats.

It was Richard Nixon who said, 'It's not the crime that will do us in, it is the cover-up,' and he should know. What makes this perception even more powerful is the fact that our Premier, Mike Rann, seems to think that a statement about reconnection and re-engagement will be enough. I guarantee that, over the next four years, this will not suffice.

If we can develop legislation to deal with bikies, we can also develop legislation to protect people from abuse of power and from abuse of process. Until the people hear something solid to address the injustices that they have suffered, they will continue to scream 'corruption' and see an ICAC as the only solution.

The word 'corruption' may not mean to governments what it means to the people, and that will all depend on the definition of corruption that we apply. Ordinary people have an expectation of how the law should work, and they have an expectation of how they should be treated by people who are paid with taxpayer dollars to serve them. Right now, no-one seems to be seeing bang for their buck. This is best summed up when, in a letter to William Johnston in 1823, Thomas Jefferson wrote:

Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure.

We can sit here in our chamber of legislative review and say, 'Well, that is just the way it is.' My response is the same as that of Nicole Kidman in the great movie, *Australia*, when she talked about racial prejudice: 'Just because it is doesn't mean it has to be.'

If we have a vision or wish to be remembered for our time in here, I hope that vision encompasses a will of the majority to change what is not working and make it work, not for political gain but for greater good.

How frustrating it is for people who are suffering in this state to hear all the good news in the Governor's speech about what is going on, when they battle day to day to get nothing more than what they need. They are waiting for the re-engagement, for the reconnection, and to have every opportunity afforded to them to voice their concerns and to live out their aspirations. Now we will all just have to wait and see.

Will Housing SA be forced by the minister to expect a standard from its tenants and if those tenants do not meet those standards will they lose the privilege of living in taxpayer-funded housing and be replaced with low-income families who will treasure the opportunity of having a roof over their head? Will Families SA be made to enforce the Child Protection Act and not remove children from families who need support and not separation? Will the head of the minister's department take on the rogue social workers and managers and make them accountable for destroying the lives of children who will never be the same again? Those who abuse power do exist and they take away from the good work of those who follow the rules and who try with all their might to do their job of protecting our children.

Will WorkCover be held to account for its deplorable treatment of injured workers? Will the legislation be simplified so that this corporation cannot dodge and weave away from its responsibility of efficient and adequate management, again, of taxpayer dollars which are meant to provide support for those injured at work through no fault of their own? Will this government dare to take up the task of fixing the structural administrative deficiencies to ensure a fair go for all?

The Hon. Kelly Vincent spoke of every child being entitled to an education and said that those with disabilities are often denied that basic right, as with the case that I raised of the child with PDD-NOS being excluded from services and support she should have been entitled to. When will we get past the beliefs of 100 years ago and accept that children with disabilities could well have something to offer society? Yes, it does take funding to support, assist and develop their skills and areas of expertise, but that is what governments are for and all the monuments, etc. may just have to wait until another day—until a time when those members of our society who are less fortunate than ourselves have been given the opportunity to catch up with the rest of the world.

Will the education department be forced to ensure that our children are educated to an adequate standard, to be efficient in the three Rs? Will it accept its responsibility in loco parentis so that when we send our children to school we can guarantee that they will not be bullied, harassed or tormented to the extreme? I understand that our schoolyards are just a microcosm of what is going on in the broader community but that cannot be an excuse not to solve the problems. It must be seen as a warning of what is and what lies ahead, and all our energy should focus on getting back to some of what used to be. If it is an ideologically driven problem, then weed it out before it goes any further.

It is no secret that the Hon. Dennis Hood, the Hon. Robert Brokenshire, the Hon. John Darley and I have made a decision to join together in this place on matters of importance to us, on matters that must or should be important to all of us. This decision was not made lightly but, after four years of excuses, delays and procrastination, we are now saying collectively, 'Enough is enough.' Enough is enough of the suffering that we hear about every single day. We want to see the government put forward solutions to the problems that people of this state are experiencing, and we want the government to take the initiative on this—but if it will not, then we will. We will see how that works over the next four years.

We want to see this government set a legislative agenda for this state: not a legislative agenda that brings us into line with other states that are slowly taking away the power of the parliament and putting it under the federal government, but a legislative agenda that is for state issues—some small picture legislation for a change.

My dad always used to tell me that the only reason people keep secrets is that they have a guilty conscience, because they know they are doing something that will affect other people in a bad way; and the only reason people want you to keep a secret is that they want you to share in their deception. That has been a most useful thing for me to remember over the years. I believe that state politics has sold out to big business and is doing the bidding of the federal government. I do not think for one minute that it is this government that is setting the legislative agenda for this state. We are being dictated to by those who have no business interfering in the role that we are employed by the people of this state to fulfil. As I said, balance is the key, and it needs to be restored now, because before too long the people will rise up in lawful rebellion, as is their right and their responsibility, to ensure our democracy, as they did at the last election, which was, as I said, a warning shot across the bow.

I truly regret not being able to stand here and share the optimism of the Governor and take pride in the good news contained in his speech to open this session of parliament, because day in and day out, like others here I hear stories of personal tragedy, and it would be a pleasant relief to be able to see, touch and feel something of substance that shows that we here in this place are creating positive change for those who find themselves in situations often for no other reason than because they went to work one day and were injured through no fault of their own, or woke up one day to find their family destroyed through false allegations, or had to bear another day of discomfort and suffering because they did not qualify for a disability pension, or those who have to wake up to face another horror day of their drug-addicted child threatening violence or prostituting themselves or engaging in criminal activity because there is nowhere for them to get help, or children who have to front up to school to face endless bullying, harassment and intimidation, or to be a parent whose child has run away to live the life of total freedom with some pervert who addicts these kids to drugs and uses them as prostitutes or for their own sick pleasure.

I look forward to the day when we can rely on government to respond to the needs of these people and others, and when they can be referred to services and supports that exist in the real world, rather than the imaginary world of paper policy; where we can guarantee that the legal and judicial system will dish out just sentences and be on the side of children, parents and families of this state consistently, and with the conviction that the family is the foundation of our society and must be protected and supported where and when possible at all costs.

The next four years will see the community make sure that this Labor government keeps the commitment premier Mike Rann made on the night of 20 March 2010, to the future wellbeing of families and children of this state.

**The Hon. R.I. LUCAS (15:52):** I rise to support the Address in Reply and in doing so thank the Governor for the speech he made in opening this new session of parliament. I also join with other members in congratulating re-elected members and, in particular, the newly elected members: the Hon. Jing Lee, the Hon. Kelly Vincent and the Hon. Tammy Jennings.

I am particularly delighted to see the Hon. Jing Lee elected to this chamber. As some other members have noted, she is an extraordinarily hard worker in the South Australian community broadly, not just the multicultural community but in the business and trade community. Our professional lives crossed, I cannot remember the exact time but probably 15 years or so ago, and I am delighted that she joins all of us as a colleague to offer her contribution, not just her particular interests and expertise relating to issues concerning the multicultural community but the contribution that I know she will make in many other areas, especially in the areas of business, trade and investment.

I also welcome, as others have, the Hon. Kelly Vincent as the youngest member of the Legislative Council. In doing so, I happily hand over the title that I have held for some time as the youngest ever elected member of the Legislative Council. I was elected in 1982 at the age of 29. I think the record shows that there has been only one other member under the age of 30 elected to the Legislative Council, the former Labor minister the Hon. Barbara Wiese, who was elected at the age of 29.

Indeed, it was not until 1975, when major changes to electoral reforms were introduced in South Australia, that anybody under the age of 30 could be elected to the Legislative Council. You could be young, foolish and inexperienced and be elected to the House of Assembly, but if you were to be elected to the Legislative Council that was not possible: you had to be over 30 to be elected to the Legislative Council. That changed with the reforms in 1975 and, until the most recent election, I understand that only the Hon. Barbara Wiese and I were elected under the age of 30. The Hon. Kelly Vincent is, at the age of 21, by many years far and away the youngest person elected to the Legislative Council in its history.

However, I tenaciously hold onto my record of being the only Catholic Japanese-born legislative councillor in this chamber, and I dare anyone to match my outstanding record as a representative of the Japanese Catholic community in South Australia. As I said in my maiden speech many years ago, I suspect that it is not a significant sized community, as it probably comprises my mother and I, but nevertheless it is important that we are represented in this chamber.

I do not intend to comment on the recent election result in any detailed way at all, as there are more appropriate fora for that analysis and commentary. Nevertheless, I want to refer briefly to one or two things, and one is the issue of electoral reform and reform in relation to political donations.

Donations to political parties is an issue I have raised on a number of previous occasions, and I intend to do so during this coming parliamentary term. As each election goes by—and the recent election is just another example—there is inexorable movement towards costlier and costlier campaigns and greater and greater influence of those who contribute to funding election campaigns.

It will be of great interest to many of us to see the electoral return or the political disclosure returns that have to be returned by all political parties after 30 June. I think there is a period of three or four months after 30 June (so it will be later this year) when all parties, my own party included, will have to disclose from whom donations have been received.

Of course, as is the way of the world, the greatest interest relates to the party which is in government and which has to make the decisions because it is there that the greatest influence is demonstrated and it is there where, potentially, decisions can be influenced. Over the last four years, as the Hon. Mr Parnell, myself and others have said, significant questions can and have been raised about this government's decision-making process and the potential influence of political donations in those areas.

I hasten to say that this is an extraordinarily difficult area for any government. I do not give this government much credit, as you would expect, but let me talk about any hypothetical government of the future, whether it be Labor or Liberal. It is a difficult process when one is in a system where one's party is relying on significant donations just to fund election campaigns.

I know that in some marginal seats during the last three years or so, particularly in the last 12 to 18 months, sums of \$200,000 to \$300,000 have been spent by Labor candidates in marginal seats in terms of the number of direct mail pieces—very costly direct mail pieces—that were being distributed. In one marginal seat I had an association with, two or three direct mail pieces were received by all electors in the last seven to eight day period prior to the election.

The potential impact—real or perceived—of significant donations from individuals, from groups, from unions or from business on any party is very real in itself. There is certainly a real perception of a problem, and there may well be a real problem because, of course, we do not have an ICAC in South Australia where any complaint can be delivered for consideration and investigation. Certainly significant questions have been raised—and I will not repeat them in this particular contribution but we will return to this matter in future debates—in relation to this whole PPP process. We have a situation with a potential \$2 billion contract, where there are now two consortia of bidders bidding for influence, and we know that during the bidding period members of the consortia have been either organising or attending, with ministers, fundraising dinners for the Labor Party through the SA Progressive Business vehicle. That, at the very least, raises significant perception issues.

Whilst I do not give this government much credit at all, I am aware of one or two members of the government who privately acknowledge the significant perception problems that exist with our current position. Sadly, those members obviously do not include the Premier or the Treasurer, who would be the last people in the world to recognise a perception problem in relation to these issues and the process that currently exists in South Australia. However there are one or two people within the government who are privately acknowledging that there are significant perception problems and more strength to their arm. Whether or not they are prepared to do anything about it within the government is the test.

It is a challenge for this parliament to try to address these issues and will necessarily require, as I have outlined previously, significant reforms such as caps on electoral expenditure—not just on electoral donations. This raises significant legal issues and will require—as exists in the federal parliament and in most other state jurisdictions—public funding of elections. There are a number of significant reforms needed.

I give credit to the Hon. Isobel Redmond, the Leader of the Opposition, who has indicated her strong support for significant reform. She is particularly attracted to some of the reforms in the Canadian legislature where there are caps on the donations that can be made to political parties and candidates and also caps on expenditure. These are the sorts of reforms that really need to be addressed.

The only other point I would make in relation to the election wash-up—for me there are more appropriate forums to express any views that I might have—is that there have been a couple of media commentaries that have erroneously referred to me as a right wing boomer boy and a member of the right wing of the Liberal Party. As my colleagues would be well aware, I have never been a member of any faction in the Liberal Party—left, right or other. I am happily the sole member of my own left right out faction and happily sitting wherever that particular—

**The Hon. T.J. Stephens:** And leader of his own faction.

**The Hon. R.I. LUCAS:** Leader, and only member. For the public record, a number of media commentaries in their particular analysis of the election campaign have indicated erroneously that I am a member of a particular group in the party. That is wrong, has been wrong and will forever be wrong in relation to my position.

**The PRESIDENT:** The honourable member might stick to the Governor's speech. I don't remember the Governor ever mentioning you being any member of a faction.

**The Hon. T.J. Stephens:** I think he implied it.

**The Hon. R.I. LUCAS:** Exactly. I don't think you were taking much interest, Mr President. You will need to look much more closely at the Governor's speech.

**The PRESIDENT:** I think you will. Perhaps I'd better give him a call.

**The Hon. R.I. LUCAS:** I want to move now to the issue of Auditor-General reform. I do not think the Governor mentioned Auditor-General reform either, but I am sure he was thinking about it at the time. Again, it is something that I have referred to previously in my contributions to the Legislative Council and I would hope that, over the next four years, this parliament will have a serious look at reform in relation to the operations of the Auditor-General's office in South Australia.

In recent years, there have been significant reforms in other jurisdictions and some of the reforms, such as fixed terms for the appointment of future holders of the position of the Auditor-General in South Australia, I think, are long overdue. Certainly, some sort of oversight committee in relation to the review of the efficiency and effectiveness of the audit office in South Australia is long

overdue. For some time, the Victorian parliament has had a review of the effectiveness of the audit function, I think every three or four years.

Again, there are some sensible reforms in relation to the operations of the Auditor-General's function. Some I have canvassed previously and I would hope that, in the next four years, other members in this chamber might have a similar interest and that we can look at some of the potential reforms and, hopefully, build a consensus for reform in the future in relation to the operations of the audit office. I think that, in doing so, it will be incumbent on those of us who do want to see change to highlight some of the deficiencies in the current operations. I would flag that, at some stage over the next four years, I intend to move a motion which will allow a general discussion about that.

Certainly, as one member, I will indicate from my own personal perspective the concerns I have had over a number of years in relation to the operations of the audit function in South Australia and the areas where I believe it can be improved. I understand that a number of reports from the Auditor-General had been virtually concluded prior to the state election but could not be tabled because the house had been prorogued. I think that is something that we need to look at. That is, if an Auditor-General's Report might be concluded between the date of prorogation of the parliament, which is in early December under this Labor government, and when the parliament returns in May—a period of almost six months—that there would be the capacity for that report to be tabled and published. Certainly, in the past, that has been provided for by way of motion, and I think we need to look at it.

The Auditor-General has been looking at a number of supplementary reports, including one in relation to government advertising and potential abuses by this government of the current guidelines relating to government advertising. If that report had been made public prior to the election, it would have been an issue of some embarrassment to the state government; and so it suits the state government's business for those types of reports which might be embarrassing not to be tabled or published prior to a state election. Again in the area of reform of audit function that is an area that we should look at, and if reports are to be concluded by the Auditor-General, then they should be tabled.

I think it does highlight another area where I believe other audit offices have demonstrated a capacity to produce more useful pieces of work to members of parliament than our audit office in South Australia. When one looks at Victoria and New South Wales, a number of supplementary reports are being produced by the audit offices in those states looking at issues such as the efficiency and effectiveness of governments in terms of the expenditure of taxpayers' money and highlighting any concerns that the audit office might have, rather than just the one report at the end of the financial year. You cannot tell me that any parliament and any government, particularly this government, would not be well served by an audit office producing and publishing reports on a regular basis throughout the financial year, rather than just relying on the annual report being produced in and around October of every year.

In talking about the audit function, in the last week we have seen publicity concerning the commonwealth Auditor-General taking on the commonwealth government. We had a select committee of this Legislative Council looking at controls on government advertising and we supported some of the changes that had occurred in the federal parliament where the commonwealth Auditor-General had a role in looking at whether or not certain government advertising was of a political nature. The select committee of this council in South Australia supported those changes and recommended similar changes in South Australia.

Sadly, in the period leading up to the federal election, the Prime Minister, Mr Rudd, and the commonwealth government have unilaterally changed that whole process and have now removed the Auditor-General from that process, but, pleasingly, the Auditor-General has got up on his hind legs and said, 'Well, I'm not happy with that,' and has indicated that he will use his broader powers to do regular reviews of government advertising and report publicly on it.

That is an important part of the role of audit officers; that where governments exceed their bounds, where the audit office can identify a lack of efficiency and effectiveness in government expenditure, it identifies that and regularly highlights it. Sadly, as I have said previously, the problems we saw with shared services blowouts, with millions being wasted on dead rent in city offices, on claims in relation to savings not being met, initially it was only through the work of the Budget and Finance Committee of this Legislative Council that we led the way on that and, pleasingly, the audit office ultimately reviewed it and reported on that issue.

There are many other issues: the claimed savings from the Future ICT contract—again the Budget and Finance Committee has looked at this and it is an absolute con. It is a nonsense the claims that were and continue to be made by the government about the savings from the Future ICT contract. There has been precious little detailed analysis and commentary from the audit office in relation to the claims from the government about savings from Future ICT contracts. It is the responsibility of an audit office to look at these sort of big expenditure items, to go through them in some detail and to report on whether or not they are achieving the government's aims.

There has been some commentary from the audit office on this issue, but certainly nothing by way of a detailed analysis, certainly not the sort of analysis we have seen in other state jurisdictions from audit officers on similar types of projects from their governments, wherein audit officers have provided a quite detailed and critical analysis of those projects and programs.

The priority issue for me in my Address in Reply is to look at the Adelaide Oval debacle, scandal, fiasco—use whatever words you wish. It was opportune that today we had the first in a series of embarrassing backdowns, backflips and concessions by this government that what they said prior to the election was untrue. Members will be aware that this has been an issue of significant controversy for a good period of time, in particular since late last year when the state government gave a desperate, knee-jerk, ill-prepared response to the popularity of the position that had been put by the Leader of the Opposition, Isobel Redmond, and prior to that by the previous leader, to the people of South Australia for a covered stadium on a greenfields site in the CBD of Adelaide.

In relation to *The Advertiser* story of Thursday 3 December, we all remember the big announcement at Adelaide Oval in early December (it might have been Wednesday 2 December), where everyone from football and cricket was in attendance. The football people had been dragged kicking and screaming to Adelaide Oval. It has been subsequently revealed that they were all instructed that they had to smile for the cameras and told how they were meant to behave.

It was an extraordinary level of control from Mr Demetriou and the AFL, together with their friends in the Rann Labor government, for them to be telling senior football people in South Australia that they had to attend this function and that they had to smile for the cameras because they were all very happy about this solution—the \$450 million solution—for Adelaide Oval.

Going back to those statements in December, it is quite clear that it involved obviously a major upgrade—a 50,000 seat redevelopment of Adelaide Oval. The costs were to include a footbridge across the Torrens from the Festival Centre, which at that stage was estimated to cost \$20 million. The development was to cover the existing Memorial Drive court complex to provide extra capacity. The possible use by football clubs for after-match functions was also part of the development, and also extensive car parking was to be provided in the Parklands. This all comes from the statements reported by *The Advertiser* and other journalists in the first week of December last year.

The \$450 million in total costs were supposedly to come from \$100 million which had originally been earmarked for the redevelopment of AAMI Stadium. Of course, that was already included in the budget, put aside—but nevertheless put that to the side—as the \$100 million the government said was going towards it. The government also said there would be a further \$200 million by deferring the proposed tramline to West Lakes for two years. So, that is \$300 million out of the \$450 million.

In the questions that have been answered by the government and the other proponents, the breakdown provided in *The Advertiser* on 3 December stated that the \$450 million will be financed through a \$100 million to \$150 million contribution being sought from the federal government, \$200 million by deferral of the proposed tramline, and the \$100 million already earmarked for the AAMI Stadium.

So, the original proposal was that the state government taxpayer-funded contribution would be capped at \$300 million to \$350 million because \$100 million to \$150 million would be contributed by the federal government. I will come to this issue later, but I will quickly turn to one aspect of today's embarrassing statement from the government.

Today, the government is saying that the state government contribution is \$535 million, plus it has hidden the cost of the footbridge or bridge in the costs of the Convention Centre redevelopment. That originally was estimated at \$20 million, but I am told by people closely associated with the design of the current proposals that the current bridge is a much bigger and more expensive bridge than that originally proposed.

So, the original proposition was \$20 million. I am not sure what the most recent estimate for the new footbridge is, but certainly I imagine that it is likely to be at least another \$10 million. What we are actually seeing is that there is a \$535 million acknowledged cost, plus potentially another \$30 million or so for the footbridge or bridge now being hidden in another government project. That is \$565 million.

So, the state contribution has increased from \$300 million to \$350 million in December last year to at least \$565 million, and that is an increase in the state government contribution of somewhere between \$210 million and \$250 million or \$260 million. That is just the state government contribution without looking at the federal government contribution. However, I will return to today's statement later on.

During the election period, the stadium and its costings was an issue of public controversy, and it was raised on a number of occasions. Just prior to the election, on 8 March I issued a statement headed '\$100 million blowout on Adelaide Oval costings', in which I said:

It can be revealed today that the cost of Premier Rann's proposed Adelaide Oval redevelopment had blown out by about \$100 million. Information provided to the Liberal opposition—by sources with an intimate knowledge of the detailed workings of this new Stadium Management Authority and its two working parties—have revealed confidential information which Mr Rann and Mr Foley are desperate to keep secret until after the state election. Whilst final estimates are yet to be submitted, the latest estimates—

these are the latest estimates in March—

are that the total cost has blown out by \$90 million—from \$450 million to about \$540 million. In addition to this figure, the cost of the current redevelopment of the western grandstand has blown out by \$15 million to \$20 million.

In a typically understated way, I went on to be somewhat critical of the Rann government in its deception prior to the state election. So, on 8 March there was an accusation by me that there had been a \$100 million blowout in the costs of the Adelaide Oval redevelopment. What was the government's response at the time? *The Advertiser* of 9 March stated:

Treasurer Kevin Foley said the claims were untrue and evidence the Liberals were 'rattled' less than two weeks before voters go to the polls.

The government has received no advice from the Stadium Management Authority that the cost of the redevelopment has blown out,' he said. 'The government's contribution is capped at \$450 million and this has been made clear from the start. There has not been one scrap of advice from the Stadium Management Authority that this is not sufficient to meet the cost.'

On 9 March, in *The Australian*, Gavin Lower wrote a story, which stated:

A spokesman for Treasurer Kevin Foley dismissed Mr Lucas's claims and said he was 'making this up'.

The following comment was then made:

I promise on the soul of my grandmother we have not received any advice to say the \$450 million is not enough.

On the soul of his grandmother, he had not received any advice to say that the \$450 million was not enough. There were many other statements made by the Treasurer in response to that particular press release when the media followed it up with him. In and around about that time, there had been a raging debate, and I want to refer to an interview that the Treasurer did with the Saturday morning sports show, on 6 March—again, just before the election—with Chris Dittmar, Michelangelo Rucci and Matthew Clarke in relation to the cost of the redevelopment. He made an error there, which we picked up. The Treasurer said:

So, what we are comparing is a project for a new stadium costing \$1.3 billion to \$1.5 billion—

I interpose that that was just a made-up figure from the Treasurer—

versus an upgrade of Adelaide Oval for \$500 million.

Chris Dittmar then picked him up on that and said:

Where did \$500 million come from?...It was \$450 million in December, now you're saying \$500 million.

The Treasurer said:

Guys, it was \$450 million and I've just given a ballpark figure. It's \$450 million, there's no escalation in the costs.

So, clearly, the Treasurer had been advised already that there had been a blowout in the costs. He let it slip in that interview with Chris Dittmar—a good Port Adelaide man, I might note—that he had a figure of \$500 million. Chris Dittmar picked him up in the interview and, when he realised he had



been picked up, the Treasurer went back into denial mode and said, 'There's no escalation in the costs.' Rucci then said to him:

Do you actually have genuine order to costings for Adelaide Oval's redevelopment?

Not an unreasonable question. Mr Foley said:

We have documentation that goes way beyond my opponents'.

I want to refer to that later and in subsequent debates in the coming weeks because, of course, Mr Foley's position has changed significantly. There he is saying that he has documentation that goes way beyond his opponents'. We had an architect-prepared drawing with costing experts for a stand-alone stadium. If the Treasurer is indicating there that he had documentation beyond that, he therefore must have had architect-prepared drawings and a signed-off costing analysis done by a costing expert at that date, which was 6 March. Rucci then went on to say:

But that's the point...so, we don't know what the cost of Adelaide Oval's redevelopment will be then?

Mr Foley said:

What I've said is it'll be \$450 million.

Further on, Rucci says:

If there's going to be a blowout on this one, who covers that?

Mr Foley:

Who said there'll be a blowout? You just can't make those things up.

This was quite an aggressive interview. The transcript does not do it justice, because I happened to listen to this particular one. The Treasurer was doing his nana, as is his wont, and he was getting quite stropky with Michelangelo Rucci, another good Port Adelaide man, I might indicate, Mr President, as, indeed, you are, but not always financially accurate I guess is the problem with some Port Adelaide people, if I can just point that out. That is the point: we do not know what the cost of the Adelaide Oval redevelopment will be. Rucci then goes on to say:

I'm not making them up but if you're saying there isn't a defined costing and you're saying \$450 million is your commitment, there could be a blowout, couldn't there?

Not an unreasonable question from Rucci. Foley then says in an angry manner:

Michael, there is no blowout—

and he then goes on to further attack the Liberal Party proposal. I have referred to only three or four examples during that period when Kevin Foley, on behalf of the government, swore on his grandmother's soul—or promised on his grandmother's soul, and everything else—that there had been no blowout and that he had received no advice at all in relation to these issues.

This will be the subject of further analysis and debate, but I know for a fact that the Treasurer was advised prior to the election of a blowout in the cost of the Adelaide Oval redevelopment. Therefore, all that the Treasurer said was untrue.

**The Hon. J.S.L. Dawkins:** And he knew that when we was swearing on his grandmother's grave.

**The Hon. R.I. LUCAS:** Yes, he was swearing on his grandmother's soul, and all those things were untrue, and he knew them to be untrue. Many people were aware that the government's guru in relation to infrastructure matters, Mr Rod Hook, working with the people concerned on this particular project, had indicated to his colleagues that there was no way that they could do the project for the \$450 million that the government said it could be done for, and that was including the payment of the SACA debt of \$85 million or so—the footbridge and the roof on the Memorial Drive tennis courts. So, there was no way that it could be done. As I said in the press release during the election campaign, no-one who was aware of the detail of what was going on believed the Treasurer's statement that it could be done for the \$450 million. Certainly Mr Rod Hook had indicated to a number of his work colleagues that it could not be done for \$450 million. As I said, I know that the Treasurer was told that it could not be done for \$450 million.

It was quite clear that the Treasurer did not want any formal document from the Stadium Management Authority which indicated that prior to the election. I am not suggesting that there was a formal document from the Stadium Management Authority prior to the election in relation to what was a controversial issue during the election campaign. However, I know for a fact that, prior to the

election, the Treasurer was advised that there had been a blowout in the cost and that it could not be done for the \$450 million that he said it could be done for.

During that whole debate there was a huge controversy about whether or not the opposition had produced detailed costings for various projects, etc. One of the things we established (and we will be looking at this in greater detail during the coming four-year period) was that this government had evidently not done any costing, detailed or otherwise, of its \$450 million commitment; that is, whilst it was standing there bald-faced and criticising the opposition for the quality of the costings it had done on its major infrastructure projects, the government evidently had signed up to a \$450 million commitment without undertaking any costing, detailed or otherwise, of its own.

The Treasurer's response subsequently (when attacked on this issue) was to say, 'This was a costing done by SACA and the South Australian National Football League. These two independent bodies came to us and said that it could be done for \$450 million and we happily signed up.' What way is that to be running the state's finances? If you ran a business that way you would be bankrupt by the end of the week.

If someone comes to you with a proposition and says, 'This is \$450 million, will you please sign up to it?' and you look at it and say, 'This is very good politically, yes, you can have the \$450 million,' do you not get your Treasury people to go through in a detailed fashion and say, 'Okay, does this \$450 million stack up?' Doesn't anyone in your transport and infrastructure or major projects divisions go through the \$450 million and say, 'Okay, this stacks up?' Why did it not do that—two reasons: one, as I said earlier, it was a knee-jerk, ill-considered and ill-prepared response to what was a popular policy promise from the opposition, in particular—

**The Hon. J.M. GAZZOLA:** On a point of order: the honourable member says that he will be pursuing these matters in other fora, I imagine in budget speeches and the committee that he is setting up.

**The PRESIDENT:** Where it would be more appropriate, are you saying?

**The Hon. J.M. GAZZOLA:** Where it would be more appropriate. I am just wondering where it sits with the Governor's speech.

*An honourable member interjecting:*

**The PRESIDENT:** Order! I remind the Hon. Mr Lucas that he should stick to the Governor's speech. The rambling is getting a bit boring and consistent.

**The Hon. R.I. LUCAS:** Mr President, it is disappointing to hear that partisan response from you, in the chair that you hold, particularly in relation to an issue as important to members as—

*The Hon. G.E. Gago interjecting:*

**The Hon. R.I. LUCAS:** No, not challenging; just a statement of fact.

*The Hon. G.E. Gago interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** If it is a point of order, stand up and take it.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Lucas might be winding up, if we all let him continue.

**The Hon. R.I. LUCAS:** Just don't get on the same website as Russell was getting on.

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The Hon. R.I. LUCAS:** Ask Russell to give you the website addresses.

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** The \$450 million is a major issue in relation to this government's management of the state's budget. As I have said—

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

**The Hon. R.I. LUCAS:** If the Hon. Mr Gazzola wants to take another point of order, he should take a point of order. If this is too sensitive to the Hon. Mr Gazzola and it is pricking his conscience—

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

**The Hon. R.I. LUCAS:** This is the first occasion I have ever heard of anyone taking a point of order on an Address in Reply speech. I can never recall that. It is an extraordinary breach of convention by the bovver boys from the government. The arrogance of the government. This is a fair indication that the next four years are going to be exactly the same and that the rights of the hardworking ordinary members of the Legislative Council are consistently trying to be diminished by this government—standover merchants; bovver boys and bovver girls—

**The Hon. J.M. Gazzola:** Don't forget arrogant.

**The Hon. R.I. LUCAS:** And arrogant, thank you, the Hon. Mr Gazzola. Let's put that on the record.

**An honourable member:** And Port supporters.

**The PRESIDENT:** The Hon. Mr Gazzola is now out of order!

**The Hon. R.I. LUCAS:** He says 'Don't forget arrogant' and he accurately portrays both himself and this government.

**The PRESIDENT:** The Hon. Mr Hunter has a point of order. The Hon. Mr Lucas will sit down.

**The Hon. I.K. HUNTER:** I am pretty sure it is unparliamentary to call Port supporters arrogant.

**The PRESIDENT:** Very unparliamentary, I must say. I think the Hon. Mr Lucas is trying to point out to us that the West Adelaide supporters want a roof because they are getting a bit soft. The Hon. Mr Lucas.

**The Hon. R.I. LUCAS:** I did not realise the Hon. Mr Hunter was a Port Adelaide supporter as well. Going back to this important matter of \$450 million, there are issues there in relation to what the Treasurer and the government knew prior to the election and what they said they knew. My strong contention is that they did not tell the truth (prior to the election) to the people of South Australia in relation to the cost of the stadium redevelopment. The statement today is the first of a number of statements which indicate that the cost is blowing out, and blowing out significantly.

The total cost of this project is not \$535 million; you have to add the cost of the footbridge and the cost of car parking. The current proposal is for a car park at the north-eastern corner of the intersection of War Memorial Drive and Montefiore Road. It is a multi-level car park, both under and above ground in that particular area. The cost of that will need to be incorporated into the total redevelopment.

As I said in a press statement earlier this week, the latest information provided to me is that the estimates being given to the government for this total project, including the car parking, the bridge, the roof on the tennis centre and the redevelopment is now heading towards \$700 million, not the \$450 million that was being talked about.

**The Hon. D.W. Ridgway:** It would be cheaper to build a new one.

**The Hon. R.I. LUCAS:** The Hon. Mr Ridgway says, quite helpfully, that it is cheaper to build a new one. Let's remember that the South Australian National Football League went to the Premier last year and said, 'We want to build on a greenfields site, possibly behind Adelaide High School, a new stadium, controlled by football,' and they produced their own costings, completely separate from the Liberal Party, at \$643 million for a stand-alone stadium. So, put aside the Liberal Party proposal, which was properly costed by world-class costing experts at \$800 million, including car parking.

**The Hon. T.J. Stephens:** And a roof.

**The Hon. R.I. LUCAS:** And with a roof, as my colleague the Hon. Mr Stephens very helpfully assists me in my contribution. If you are going to be spending \$700 million plus on destroying Adelaide Oval, which is the government's proposal, why on earth would you not look at—certainly they are not going to be prepared to look at the Liberal Party proposal—the proposal from the South Australian National Football League or others for a stand-alone stadium that can be controlled by football?

The other key issue that needs to be considered, relating to the potential for this development to get off the ground, is that it is not just the taxpayers forking out the hundreds of millions of dollars extra to try to save the egos of the Premier and the Treasurer because, if that is what it costs for the egos of the Premier and the Treasurer to be saved, then they will spend the hundreds of millions of dollars extra on this project. There has to be an agreement between football and cricket in relation to this issue.

Last year, football sent to SACA and the government a comprehensive list of non-negotiable conditions. These were conditions where football said, 'If they are not met, we are not coming from AAMI Stadium into your redeveloped Adelaide Oval project.' One of those conditions is that football and cricket have to control not just the Adelaide Oval footprint but the whole precinct bounded by Montefiore Road, War Memorial Drive, King William Road and Pennington Terrace and that all the planning and heritage issues in that precinct have to be controlled and managed by the government.

What football said to the government last year was that, if there was to be controversy with green groups, conservation groups, Parklands society groups or North Adelaide residents groups about a multi-level car park in the Parklands, or a similar controversy with the same groups about moving the Victor Richardson Gates eastwards into the Parklands (because the new grandstand will not fit the current footprint of Adelaide Oval) and knocking down a number of significant trees in those Parklands—as my colleague the Hon. Mr Ridgway and others highlighted during the election campaign—"We are not going to be the ones responsible for negotiating those controversies through the process. You, the government, are going to have to do major project status legislation or whatever other planning tricks you need to do to rush through and guarantee the knocking down of significant trees, the moving of the Victor Richardson Gates, the building of the multi-level car park in the Parklands and any other project that is deemed necessary for this particular project,' within that whole precinct that I have so described. That is a non-negotiable condition from football.

The government has been running away from media inquiries on this at 100 mph. Last week, when the media went to the Treasurer's office for comment, they said, 'We are not handling this. Go to the Premier.' That would have to be the first time ever that the Treasurer's office has run away from handling the media on an issue. But guess what happened when the media went to the Premier's office? The Premier's office said, 'Don't come to us for a comment on this issue. It is being handled by SACA and football. Go to the Stadium Management Authority for comment.'

What sort of an issue is it when both the Treasurer and the Premier are running away at 100 mph from media seeking commentary on it? It has to be an issue of major embarrassment to the government if that is the case. Yesterday, when the issues were put to the Treasurer about whether the costs had blown out to \$700 million and whether there was a multi-level car park, he refused to go on camera, and he refused to do interviews. He just issued a brief statement on the issue, attacking the Liberal Party, and me in particular, but not responding to the key issues and trying to dress it up as a more ambitious project than the one now being looked at.

It is not more ambitious. It is still a footbridge. It is still a roof on the Memorial Drive tennis courts. It is still car parking for the Adelaide Oval precinct. The only more ambitious stuff is potentially south of the Torrens, and that relates to the Convention Centre and the Festival Centre, which are completely separate and distinct from the Adelaide Oval redevelopment.

Whilst my contribution has been delayed somewhat by the intemperate, ill-considered and irrational interjections of the Labor members of this chamber—

**The Hon. J.S.L. Dawkins:** And vicious.

**The Hon. R.I. LUCAS:** —vicious interjections on occasions—and, as I said, breaching all conventions by taking points of order on a member's Address in Reply contribution, I apologise for the slight delay in my contribution.

There are many other issues on which I would like to contribute relating to the Adelaide Oval debate, but I conclude by saying that this project was a con when it was announced in

December, it was a con when the Treasurer replied during the election campaign, and it remains a con in relation to the \$450 million project. The only way it can go ahead is if this government, to save their egos, is prepared to contribute hundreds of millions of dollars extra of taxpayers' money to ensure that their egos are saved in relation to what it announced late last year.

**The Hon. J.M. GAZZOLA (16:44):** I also rise to support the motion and to thank the Governor for his address in opening the 52<sup>nd</sup> parliament.

**The Hon. R.I. Lucas:** Point of order, Mr President!

**The Hon. J.M. GAZZOLA:** Oh, you were only joking. That was hilarious. I acknowledge that we are on Kaurua land and note the responsibility that we have as members to the wellbeing and development of our Indigenous community. I also take this opportunity to welcome and congratulate new members, the Hons Jing Lee, Tammy Jennings and Kelly Vincent. I wish them well in their roles. I note the contribution of past members the Hons David Winderlich, Robert Lawson and Carolyn Schaefer, as well as wishing the Hons Robert Lawson and Caroline Schaefer all the best in their retirement.

**The Hon. R.I. Lucas:** Was that in the Governor's speech?

**The PRESIDENT:** Order! The President showed a lot of tolerance when the Hon. Mr Lucas was speaking and I will show the same tolerance to the Hon. Mr Gazzola.

**The Hon. J.M. GAZZOLA:** It would be remiss of me not also to congratulate you, sir, on again assuming the presidency of this council.

**The Hon. R.I. Lucas:** That wasn't in there either.

**The Hon. J.M. GAZZOLA:** Well, take a point of order. Either shut up or take a point of order. Sir, I know that you will guide this chamber with a fair, firm and, at times, humorous hand. I will not dwell too much on the Governor's speech in outlining the government platform—

*Members interjecting:*

**The Hon. J.M. GAZZOLA:** —as comprehensively covered by the Hons Ian Hunter and Russell Wortley. There are, however, several issues that have been raised in the other place and here that deserve some attention.

The opposition has continually levelled accusations of spin and arrogance at the Rann Labor government, from day one, to the point where they have become industry clichés. I think the government can take some comfort from the fact that this says more about the opposition than it does about the government. They have been something of a mantra for the opposition, certainly an easy convenience, since the government was elected in 2002. As a persistent tactic, it has blinded the opposition to its own failings and lack of thoughtful policy.

The election result is in, and I wonder, though, whether the opposition has what it takes to go that little bit further. The government has been put on notice and, while opposition unity still remains a problem, a competitive opposition welded to what is starting to sound like moral outrage, appropriately finessed at the next election, will create a genuine political contest. As I said, that is the message some are putting over at the moment. I wonder, though, while acknowledging the real issues the government faces, and which all responsible governments face, how much longer the opposition patch-up will last. Not long, one would think, given the 40 years of barely concealed warring, though reason should dictate otherwise, according to one commentator.

The issue of alleged voting fraud sensibly requires balance in context, not posturing. I am not dismissing voters' concerns. I am concerned by the standards we as members and individuals set. We on this side are listening, but it should not be expected that we buy platitudes and convenient history. We do not have to go back that far—to the 1997 election, in fact—to dampen piety. Then, we had the Annie Seaman mystery and the allegedly misleading advertisement, both in the seat of Davenport, the latter resulting in an appeal to the Court of Disputed Returns. We also note the opposition's use in the 2006 election of a how-to-vote ticket bearing a strong similarity to Family First's voting ticket, as raised in the other place during debate on the amendment bill. Other examples of questionable election day behaviour by the opposition in previous elections and by-elections have been discussed in the media recently.

*The Hon. J.S.L. Dawkins interjecting:*

**The Hon. J.M. GAZZOLA:** You'll get your chance in a minute, thank you. I also point out that the opposition voted against the prohibition of allegedly bogus how-to-vote cards in the

amendment bill, an act which the Hon. Stephen Wade did not allude to in his radio interview about his request for a parliamentary inquiry—arrogance, as the Hon. Robert Lucas is always saying. We need to note the singular attitude by Family First to protect its own political interests when it refused to support government intentions to protect parties from misrepresentation as noted by the media.

Memories also seem to be absent on the daddy of all unfair electoral plays, the Playmander, which began in 1936 and ended in 1968—the mother of disunity which has plagued the opposition since. Now, in the face of government intentions to redress the issue of allegedly bogus how-to-vote cards, we have Family First intending to set up a select committee. We on this side hope that the terms of this possible, but unnecessary, inquiry look beyond the scope of the recent election.

I congratulate the government on its victory in what was a demanding and distracting campaign. The party unity that the Labor government has shown, however, over the last eight years is a most persuasive factor in the government's return, a consideration highlighted in the public's minds with the opposition's continuing leadership fallout both pre and post-election.

Looking back at my first Address in Reply in 2002, in regard to public trust in politicians, I unfortunately note that little has changed. Public confidence in politics and politicians still needs a big tick from the public. This is a fundamental responsibility for individual members, members of parties and government. The government recognises its responsibility here.

I briefly return to some of the issues raised in the other place and here—firstly, the state of the economy. It is clear that the opposition is still preoccupied with the view that the economic health of the state rests in the shadow of Damocles' sword. The government is committed to maintaining its AAA status and responsibly managing its debt as it builds the state, an approach approvingly discussed by Nathan Paine, the Executive Director of the Property Council of Australia, in his review of the 2009 state budget, and in stark contrast to the view of the opposition—again the press reports, according to Access Economics, PricewaterhouseCoopers, that our state is building momentum and is set to hold its own.

Another issue is the Royal Adelaide Hospital/Adelaide Oval debate. The opposition hospital policy, according to an *Advertiser* editorial, is a policy mess. Three different possibilities were offered by the opposition, with the editorial saying in conclusion that the Liberals have not developed a clear and concise plan to highlight their policy differences with Labor. Let me give another example of policy and leadership mess: the Adelaide stadium plan. A 66 page report, the Baker Steinhardt report, took over 12 months to produce and became policy under the then opposition leader. That was in April last year.

In July, one then opposition leadership aspirant said that, despite the previous opposition leader's launch of the stadium as a bold centrepiece, the opposition really had no plan at all to build a new stadium. Stephen Baker and Adam Steinhardt must have been chuffed after hearing that—over 12 months of work and a 66 page concept plan. A further example was the opposition's botched radio announcement of the duplication of the Southern Expressway during the election campaign, and the Leader of the Opposition in the council talks about the government's alleged ad hoc approach.

Another contentious issue, with supposedly grave consequences for the state, is the federal government's proposed new resources tax. Once the dust settles, we will discover that our precious resources will still be in demand. Again, this is another argument generating more heat than light. While the wiggle room is still being negotiated, the views (on the proposed mining tax) of analysts like a former head of the Minerals Council, David Buckingham, investment bank Goldman Sachs, JB Were, RBA Deputy Governor Ric Battelino, and the federal Treasurer suggest that the tax will not be punitive and that the federal budget will remain strong and continue to underpin federal recovery and state economic stability.

To conclude, I will take a strong interest in the government's balance between fair social initiatives and the review of WorkCover. There is much to be excited about over the coming four years under the Rann Labor government in regard to infrastructure and especially federal assistance for health, as well as the new Royal Adelaide Hospital, to name but a few of the initiatives announced by the Governor and further elaborated upon by my colleagues the Hon. Russell Wortley and the Hon. Ian Hunter. I thank the Governor for his address.

**The Hon. J.S.L. DAWKINS (16:53):** I rise to support the adoption of the Address in Reply and to thank His Excellency the Governor for his speech to open the 52<sup>nd</sup> parliament. Interestingly, the night before the Governor delivered his speech he was guest speaker at the Gawler Combined

Service Clubs dinner hosted by the Lions Club of Gawler. At that type of function the presidents of the various clubs make a brief presentation about the work they have done in the past 12 months. When the Governor spoke, he made the point that he and Mrs Scarce are either patrons of so many of the organisations that these club presidents had spoken about—many statewide organisations and charities that are well known to many of us here—or have some other strong connections with them. I think that emphasises the role that the Governor plays in the community and the regard in which he is held as a patron and a supporter of many groups.

This is particularly relevant in the northern suburbs where the Governor has his background and plays a particular role in a number of organisations in that area. He is, of course, a passionate supporter of the Central District Football Club and also supports other important groups in that area, including the Northern Advanced Manufacturing Industry Group. I commend him for that role.

In relation to the northern suburbs, the Governor was present at the much heralded Northern Community Summit almost two years ago on 1 August 2008. The work that evolved from that was the establishment of the Minister for the Northern Suburbs and a Northern Connections Office.

I am concerned that the Northern Connections Office—for the more than \$600,000 it costs a year—has done little in the area of the issues that are important to many people in that part of Adelaide including: the high rate of teenage pregnancies, the need for renewal of the large tracts of housing trust property throughout that area but particularly in the City of Playford, and the fact that both this state government and its federal counterpart have ignored the initiative of the Playford city council to renew much of those areas and to provide more urban infill so that we do not have to keep pushing the city limits further to the north and south.

The Northern Connections Office has also ignored calls for the Salisbury Police Station to have a 24-hour commitment. It seems ludicrous that the second largest local government area in South Australia does not have a 24-hour service. There are a number of areas in which the Liberal Party in the previous election campaign made commitments. They are areas that are important to us but have been ignored by the Labor government, the previous Minister for the Northern Suburbs and this Northern Connections Office. I have not seen much in the way of comment about the northern suburbs from the new minister, who of course is well known as representing Smithfield but living in Springfield.

In the Governor's speech on behalf of the government there was mention of the Northern Expressway. Recently we have had the leader of the government in this place talking about the great achievements in getting the Northern Expressway up and running. It sounds like it is all just the sole work of this state government. One needs to remember that it would never have occurred if not for the commitment of the then Howard federal coalition government and the then member for Wakefield, David Fawcett, who pushed that project very hard. Initially the Howard government had to make further funds available to that project because the initial estimate undertaken by Transport SA was way out of whack with what was needed for that project to be taken up. It is a bit rich for this state government to claim the Northern Expressway as its wonderful project. It would not have happened without the Howard government's commitment—and this current federal government has followed on, but it had little choice because the project was well underway—and so I get a irritated when we keep hearing about how that is one of the great achievements of the state Labor government.

The Governor's speech also made mention of mental health and the establishment in the life of this government of a commissioner for social inclusion. That made me think of a couple of aspects of the work that I have done over the years in relation to suicide prevention and perhaps more appropriately suicide intervention. Indeed, I am now on the third minister for mental health since I have been dealing with that issue and I am still trying to get this government to recognise the fact that the Community Response to Eliminating Suicide program is one that works and works very well. I think the first minister was in this house and refused to listen to me.

When former minister Lomax-Smith was appointed to that area, I went to see her. At her suggestion, I also went to see the Commissioner for Social Inclusion, Monsignor Cappo, and both promised me that the Community Response to Eliminating Suicide program would be well regarded in their review of mental health processes in this state. We waited and waited, and it was over 12 months when I received an apology from the minister's office stating that 'we have not responded to you; we do not know what we are doing in this area'. Of course, the answer was they were not doing anything.

I am pleased that the new Minister for Mental Health (Hon. Mr Hill) has agreed to meet me next week. I will keep trying because the Labor government may not think that suicide prevention or intervention is an important issue but many people in the community do, and I believe that we should look at every possible program that is available. The people of Eyre Peninsula also agree. The Eyre Peninsula Local Government Association, with support from the Eyre Peninsula Division of General Practice and the commonwealth Department of Health and Ageing, has put significant amounts of local and federal money into that program, and they say that the community of Eyre Peninsula has responded very well to the program.

I also note that, in recent times, the CORES program has developed a couple of new facets. A specific program is based around the workplace, and that is very relevant because a number of the programs interstate have been initiated largely at the response of employers who have been concerned about the number of valuable employees and apprentices who, it would seem, have inexplicably taken their own life. This has happened largely in smaller rural communities. That has prompted a number of the CORES schemes to be established in northern Queensland and in the Mallee of Victoria (to give a couple of examples). There is also a new CORES program dedicated to youth, because I think the general scheme deals with people right across the age spectrum. It is very good that the CORES program (based in Tasmania) now has the resources to put towards these new programs.

I should also mention that, last week in this house, I asked the Leader of the Government in his role as Minister for Industrial Relations a question about whether he would look at investigating a CORES workplace program. I am not sure that the answer was a definitive yes, but he did not reject me outright. I will follow that up with the minister.

It is a pity that there was no mention in the Governor's speech (which is drafted for him by the government) of regional development. In fact, very little about anything regional at all. There was also no mention in the ALP policy about regional development. There was also a stony silence in relation to the Liberal Party's plan to invest 25 per cent of mining royalties in the regional development infrastructure fund, which is a fund that has been very successful with a very small amount of money. It only has a budget of \$3 million.

I do not understand the fact that, under this government, in recent years, that has been underspent consistently, because my work around the state would indicate that many projects would love to receive some of that money to assist local communities, local government and industries to develop infrastructure around this state. It just seems that they ask the wrong questions. The criteria are all wrong to allow people to be involved. Certainly, the result of work I undertook—assisted by a number of my colleagues—identified a large number of projects, particularly road projects, where local government, the communities they serve and industry would put some money into upgrading roads and other infrastructure if only they had some money from the state government. Any of us who drive around this state as regularly as I do know that the condition of many of the bitumen roads is terrible because they are undulating, the underscore beneath the bitumen is outdated and needs to be upgraded and this work cannot be done without state government involvement. A large number of roads are the property of local government, which needs assistance to do that.

I am also concerned about the manner in which the amalgamations of regional development boards into Regional Development Australia programs have been handled. I am very concerned that under the new regime there seems to be little definition of what the federal government expects for a relatively small amount of money. There seems to be a significant threat to the autonomy of those boards. Previously they have had a significant amount of independence because of their funding from local government, as well as from the state government, and they were not seen to be an arm of any government. If I, or any other member of parliament, wanted to visit one of those boards we did not have to ask a minister for permission. However, it would seem that that will be the case in future—something which these boards object to, and certainly, as a member of parliament who is as interested in what they do as I am, that is something I object to.

The mismanagement in regional areas and in the regional development sector is emphasised by the fact that this government in its eight years has appointed seven different ministers. None have stayed there long enough to get used to the role that those boards play and the way in which they work with communities. Unfortunately, that is foreign to many members on the opposite side of the house. Ministers have not been left there long enough to understand how that sector is a self-help sector and if government assists them, but gets out of the way, they will



get on and achieve great things. Unfortunately, many members in this and the other place do not understand that.

I wish to spend some time indicating my pleasure at the involvement in this parliament of a number of new members, and I welcome all new members to the parliament. I particularly wish to welcome my new colleague the Hon. Jing Lee and I am delighted that she has joined us. She is playing a role as assistant whip in our party structure, and I will have to talk to the Hon. Mr Gazzola to see whether we can organise for her to become part of the whips' union.

**The Hon. R.I. Lucas:** As long as she gets 50 per cent of your salary.

**The Hon. J.S.L. DAWKINS:** Yes. I recognise the comments made by the Hon. Mr Lucas earlier about our new colleague. The Hon. Ms Lee's contribution to the state over a long period of time in the areas of tourism and economic development, as well as her work in the multicultural sectors, needs to be well recognised and will assist her very well in her service in this place to the whole of South Australia. I also know that she is very keen to work right around the state, including its extremities, which is valuable as a member of the Legislative Council. I also welcome the Hons Tammy Jennings and Kelly Vincent as new members of this place, and I note what others have said, namely, that it is unique that for the first time all new members in this place are ladies, and we are delighted to have them with us.

I also recognise, as have others, the circumstances in which the Hon. Kelly Vincent has been elected. It was very sad that Dr Paul Collier passed away, but I congratulate the Hon. Ms Vincent on the way in which she has handled being, as she said, the quintessential accidental politician. I look forward to working with her and my other new colleagues.

In the House of Assembly we have a number of new members on our side and as much as I welcome all of them I was particularly thrilled to welcome and listen to the maiden speech of the new member for Chaffey, Mr Tim Whetstone.

**The Hon. R.I. Lucas:** He made a huge contribution to this state just by defeating her.

**The Hon. J.S.L. DAWKINS:** Yes. Mr Whetstone has had a terrific victory in the seat of Chaffey. Chaffey is a very valuable part of this state, one that has been under-represented in recent times. There was a significant mood for change in the seat of Chaffey and I recognised that over a long period. I went around in the couple of days before polling day and visited some very small mobile polling booths in centres such as Taplan, Paruna, Paisley, Mantung, Wunker and Alawoona, which I am sure are familiar to most members of this chamber. The President has probably shorn at some of those places.

**The PRESIDENT:** They didn't have enough sheep in those places to keep me going for a day!

**The Hon. J.S.L. DAWKINS:** Well, once upon a time there would have been, but not now. In those tiny communities, as well as the larger centres in the Riverland, there was a significant mood for change. That resulted in an overwhelming victory to Mr Whetstone, and I welcome his presence in the House of Assembly. I noted in Mr Whetstone's speech (and I will not quote him directly) that one of the motivations for his standing for state parliament was along the lines of, when he was the chairman of the South Australian Murray Irrigators, the Premier, the Hon. Mr Rann, asked him why he would he bother helping the Riverland because they were never going to vote for him—and that is why Riverlanders have not seen the Premier up there for years. That is a damning indictment of the attitude of the current incumbent of the premiership of this state.

*The Hon. R.P. Wortley interjecting:*

**The Hon. J.S.L. DAWKINS:** No, not at all.

**The PRESIDENT:** Order! The Hon. Mr Dawkins will stick to the Governor's speech.

**The Hon. J.S.L. DAWKINS:** The less the Hon. Mr Wortley says about Chaffey and Mr Whetstone the better, I think; he has been a bit inaccurate in the past. I also welcome other new Liberal members in the lower house; that is, Mr Peter Treloar, Mr Daniel van Holst Pellekaan, Ms Rachel Sanderson, Mr Steven Marshall and Mr John Gardner. I congratulate them on their successful campaigns, and I look forward to working with them in the future.

I also will mention some of the people I worked with who were not successful. When we go out to campaign with candidates, we all like to think that everybody is going to be successful, and

we know that cannot be the case. However, our democratic process is strengthened when we get good people who are prepared to put themselves up, even in a seat that has a 25 per cent plus margin for the other side.

I worked with a range of other people, who had a variety of margins facing them. I put on the record my thanks to Mr Cosie Costa in Light; Trish Draper in Newland, who I have worked with on many other occasions; Mrs Kerry Faggotter in the seat of Playford; Ms Tina Celeste in the seat of Wright; Mr Patrick Trainor in Florey; and Mr Franz Knoll in Little Para. They were people I particularly had a lot of commitment to and responsibility for.

I also put on the record the names of three other people who put in an excellent effort in very hard northern suburbs seats. Like many of the others, they had very good swings and attracted some modest but promising support. Those candidates were Mr Brenton Chomel in the seat of Napier, councillor David Balaza in the seat of Ramsay, and Ms Cassandra Ludwig, a former trainee of mine, who had a terrific swing in the seat of Taylor.

In conclusion, I would like to mention one or two other things which are important to me and which generally were not mentioned in the Governor's speech. It is apparent that this government shows no interest in them, and I refer to the lack of any interest in the primary industry sector, particularly agriculture.

The Leader of the Government prides himself on his efforts in the mining sector, but he sits around while the federal government kicks the hell out of that sector. The impact of that is being seen in the fact that I understand Pivot is now not going to go ahead with mining for superphosphate in Queensland because of this tax. That will probably affect the ability of Australia to produce its own superphosphate, and farmers will feel an impact from that. That is something that has not been raised a lot. I am not sure whether the minister is aware of that fact, but that will have an impact on the general shortage of phosphate for farmers.

I am concerned about the very strong rumours and messages coming out of the public sector. I think there are friends of members opposite who would tell them that PIRSA, which has been cut to the bone many times in recent years, is about to be cut a bit harder. We have now been told that PIRSA is going to go to full cost recovery. Someone should remind this government—and I will do it now, and I will do it again and again—that agriculture is a huge driver of the economy in this state. If we have a major downturn in farming and we do not get the research and development the agriculture sector deserves without it having to pay for it directly, it will have a significant impact in this city.

It concerns me that this attitude of, 'Oh, well, we'll just go out there and belt the hell out of the farmers and the body that is there to serve their development,' will not have any impact, and that is an irritant to anybody who has ever been involved in agriculture.

The Loxton Research Centre is an issue I have raised in this chamber before. The cuts to that centre—the reduction in the ability to employ scientists who know the horticultural industry—have been laughable. In fact, just before the election, the former minister for agriculture talked about making Loxton a centre of excellence. How do you do that when all the experts have been lost to the private sector? All the people with any expertise in the horticultural industry in the Riverland and other parts of the state have been lost because of the lack of funding for that centre. It is a bit late to start talking about the centre of excellence.

The other area of concern in the agricultural sector—and, I suppose, important for the regions of this state—is the issue of locusts. This afternoon, I spent a bit of time in a briefing conducted by the current Minister for Agriculture, Food and Fisheries, the Hon. Mr O'Brien, on the locust plague issue in 2010. I commend any work that is done in relation to the locust problem, which can be debilitating for many communities. I think that some of us remember 1974, when locusts went right down into the western districts of Victoria and into the South-East of South Australia and, in a few minutes, made beautiful green ovals brown. We do not want that to happen again.

I commend the briefing that was given today, and I hope that the work is being done to make sure that this spring will not be devastating for our communities, I remember that the previous Liberal government, under the then minister, Rob Kerin, acted decisively and in cooperation with farmers on the ground to ensure that that locust plague, about a decade ago, was significantly blunted. I hope that our current minister has the same level of commitment.

I had some doubts about that when I drove to the Riverland about three weeks ago. My car was absolutely covered with locusts when I got there. I spent the day up there. You can imagine my surprise when I heard that the minister had been in the region on the same day. He was interviewed on the local commercial television that night and asked his reaction to the locust plague. He said, 'What locust plague? No-one has told me about it.'

Perhaps the minister flew up to the Riverland that day because that is the only way he would have avoided the locusts. I thought it extraordinary that he was not aware of that. Even if he had driven from the Renmark Airport into Renmark, he should have been aware of the locusts. I hope that is not an indication of his attitude towards this issue.

I commend the minister for having the briefing today, but it may have been at the urging of the shadow minister for agriculture and after questions asked in the other house. I will not delay the council any further. I once again thank the Governor for the way in which he plays his role in this state and beyond its borders. I commend the motion to the council.

**The Hon. T.J. STEPHENS (17:26):** I begin by thanking the Governor for his address and also for the way he continues to carry out his duties in our community along with Mrs Scarce. His Excellency is a marvellous contributor to South Australia. I do not usually commend the Rann government on too many appointments, but it certainly got it right on this occasion, because I think the Governor and Mrs Scarce are both exceptional.

The Governor spoke about the Rann government's commitment to reconnect and re-engage with the state. A lot of my colleagues have already raised how this government has lost connection and failed to engage with the state. I will not go into the myriad ways in which the Rann government has failed to connect. As the shadow minister for sport—and given that it is a topical issue at this point in time—I wish to spend some time discussing the Rann government's stadium disaster: the planned Adelaide Oval redevelopment, which the Governor touched on briefly in his speech.

Prior to the last election, our party announced a well-received plan to establish a world-class stadium with a cultural and entertainment precinct in City West, instead of this government's unpopular \$1.7 billion rail yards hospital plan. The Premier and the Treasurer identified that the Redmond Liberals' plan was an exciting vision for the state and, regrettably, came up with a half-baked and rushed solution to attempt to neutralise our vision. As Greg Kelton wrote in *The Advertiser* recently:

A cynic could be excused for agreeing with opposition leader Isobel Redmond that the announcement was nothing more than an attempt to hose down the Liberals' plan for a covered city stadium, which has struck a chord among many punters.

I have been described by one senior ALP figure as a cynic because I have expressed concerns about the future of the project.

This is a hypocritical government and one that demonstrated during the last election that it will stoop to any level to hold onto power. It is simply a government that cannot be trusted. Let's not forget that, in the recent past, government members criticised us for calling for an inner city stadium. It was not needed, they told us. How they have back-flipped! I refer back to a press release in August 2002, when sports minister Michael Wright said:

This government's priorities are in the areas of health and education, and I cannot justify taxpayers' funds being spent on grandstands. We have already said no to the South Australian Cricket Association's request for money to redevelop the Adelaide Oval.

He was joined in his attack on funding for SACA at the time by treasurer Foley, who went further by withdrawing an \$11 million grant. In *The Advertiser* of 6 July 2002, Mr Foley said:

If they want a grandstand, they can build one themselves. I think we have had enough taxpayer funded grandstands in the city.

As I said, how times change and what a difference public opinion and an election can make. As it stands, and as more information leaks out about the process, it is clear that the government's stadium plan is in trouble—deep trouble. The Premier, of course, knows that the huge swing against Labor in the seat of Adelaide was, in part, due to that particular electorate refusing to accept this half-baked Adelaide Oval redevelopment. During the state election campaign, the state Liberals identified that this project was shrouded in secrecy and was in crisis. The crisis continues, and today it was announced that another \$85 million is being tipped into the project. This comes

after the Premier recently said that it would be \$450 million only from this government and not a dollar more. What a farce and an absolute joke!

On Monday, Liberal finance spokesman (the Hon. Rob Lucas) detailed our concerns about blowouts and other issues, concerns which cannot just be swept under the carpet as they are valid and disturbing. As the Hon. Rob Lucas said in his press release:

The cost of the Adelaide Oval project has now blown out from \$450 million to almost \$700 million. Information on the \$250 million blowout has been provided to the Liberal Party by sources with an intimate knowledge of the detailed workings of the new Stadium Management Authority and its two working parties.

The project costs include the cost of the roof on the Memorial Drive Tennis Centre, the bridge across the Torrens and a new multi-level car parking facility, which is required to meet some of the car parking needs of the project. The proposed above and below ground car parks are on the north-eastern corner of the Montefiore Road and War Memorial Drive intersection and would have an obvious impact on some of the tennis court facilities on the site.

It has also been revealed there is a massive further blowout in the costs of SACA's current redevelopment project of the western grandstands. SACA doesn't have a fixed-price contract for the project and the costs have blown out from \$85 million to approximately \$115 million.

He then went on to detail some of football's concerns, as follows:

The SANFL told the Rann government last year that one of their 'non-negotiable' conditions to even consider the Adelaide Oval project was that they would not contribute one dollar to any blowout in the claim costs of the \$450 million project. Given that SACA is actually in debt, it has no prospect of paying for any blowout. Therefore, if the project proceeds, taxpayers will have to pay the bill for any \$250 million blowout.

These figures make it clear why many football figures are increasingly concerned that football is being used by the Rann government to bail out the financial problems of SACA and cricket. It is also why football figures like Bill Sanders, John Reid and Mark Ricciuto have raised concerns about the Rann government's project not being in the best interests of SANFL and the Adelaide Crows in particular.

Given this massive blowout in the cost to almost \$700 million and the increasing opposition to Labor's policy, Mr Rann and Mr Foley need to justify why they will not consider a new stand-alone covered stadium in Adelaide's CBD. It should be noted the SANFL approached the government last year with their proposal for a \$643 million stadium and the Liberal Party released its policy for an \$800 million stadium in the city, the difference being a roof and undercover car parking.

Some of the other non-negotiable conditions laid down by the SANFL last year should also be remembered—they include:

- Rann government must ensure SANFL and SACA have total control of not just Adelaide Oval but the whole precinct bordered by King William Road, War Memorial Drive, Montefiore Road and Pennington Terrace, including resolution of any planning or heritage issues involved with any required development in the process;
- SANFL must receive increased revenue flows of \$8 million per annum (indexed) from the move;
- Benefits and rights of AAMI Stadium, Adelaide Crows and Port Power members should be equal or better than current arrangements.

It is clear that some of these 'non-negotiables' from football are not achievable from the latest proposition. So even if Mr Rann's ego leads him to commit taxpayers to whatever it costs (so far \$700 million plus) the project will not proceed unless the SANFL's 'non-negotiable' conditions are met.

This project is now a major embarrassment to Mr Rann and Mr Foley and demonstrates their financial incompetence in managing large projects and taxpayers' money. It always was an ego-driven, knee-jerk, ill-prepared response to the Liberal Party's policy of a covered CBD Stadium and the recent evidence is just confirming that fact.

If Mr Rann and Mr Foley are now going to spend \$700 million on this project, why not admit they are wrong and build a new covered stadium based in Adelaide's CBD and controlled by football?

Why not, indeed! I reiterate that the terrible result for Labor in the seat of Adelaide was, in part, due to the electorate rejecting Labor's plan to further redevelop the iconic Adelaide Oval. It was also a brilliant campaign by Rachel Sanderson, of course, who deservedly now takes her place in the parliament. As the local member, I know she will continue to argue against the \$1.7 billion rail yards hospital that we will be paying off for generations to come, and against the government's half-baked stadium plan.

We, on this side, know that the majority of voters wanted the Royal Adelaide Hospital rebuilt on its current site and the land at City West saved for a new covered multi-purpose stadium as part of an entertainment precinct. I say to the Premier and the Treasurer that it is not too late. The electorate is used to this government performing backflips and to nicking Liberal policies. This government has done so before with desalination, police tasers and land tax reform to name just a few. This government has copied our general idea of a city stadium capable of hosting major

events such as the World Cup but we are now just asking the government to get it right, abandon this project and build a brand new covered stadium. Besides calling for the Rann government to admit that it has failed on its stadium plan, I will be closely following several government ministers over the next four years.

The Governor outlined some of the government's big plans in a whole range of areas and I will be tracking how it goes in portfolio areas that I have responsibility for, including three new areas in addition to sport, recreation and racing, and tourism. Having sat on the Aboriginal Lands Standing Committee for some time, I have long had an interest in Aboriginal affairs and am delighted to take on this portfolio. I applaud the member for Morphett in the other place who has done a great job with this portfolio and who is a terrific advocate for our Indigenous communities. I have met Indigenous representatives who hold him in high regard.

I look forward to assisting Indigenous South Australians through my work in this portfolio and have already highlighted my concerns with how federal Labor's great big new mining tax will affect job opportunities for Indigenous South Australians in places such as Prominent Hill, which I know has an excellent employment program for local Indigenous people.

Corrections is another challenging portfolio I have taken on and I look forward to what the government will do to ensure that this area is appropriately resourced now that the new prison plan is off the table. I have already embarked on a whirlwind tour with my staff and I thank the minister, his staff and departmental staff for organising these visits which are very much appreciated.

I will speak again in more detail about this area but I can say I have already gained a huge amount of respect and appreciation for the first-class job our corrections officers do with the limited resources with which they are provided. I hope and trust that the Treasurer's razor gang goes nowhere near any of these people, and I call on him to guarantee that it will not.

I have also taken on responsibility for the gambling portfolio and it is an area of great interest to me. I have met with industry representatives in this area as well as members from the concerned sector (people such as Mark Henley from UnitingCare Wesley) specifically regarding electronic gaming machines.

While the industry and the concerned sector oppose each other on many matters relating to gaming machines, I know that, along with me, harm minimisation is high on their agenda. Clearly, we have problem gamblers in our community and they need and deserve our assistance as there are no winners when it comes to problem gambling. As the shadow minister I want to ensure that legislation to address gambling-related harm is focused on problem gamblers and potential problem gamblers and should not unnecessarily inconvenience the vast majority of recreational gamblers.

I do not play poker machines—rarely have—but I understand that there are many people in our community who enjoy them in their recreational time. It is when it becomes an addiction that people need help and I will be doing my best to ensure that problem gamblers receive the help that they need.

I also recognise that there needs to be a reduction in the number of gaming machines in South Australia, but what I will not do is talk tough like the Premier whilst delivering no real results. The Premier's 2004 plan to slash 3,000 gaming machines from pubs and clubs has failed. If that plan had worked we would now have 11,884 machines in operation—we do not. We currently have 12,713 electronic gaming machines in operation as at March 2010, 829 above Mr Rann's target.

I look forward to all of my parliamentary and portfolio work over the next four years and to holding this government to account. Lastly, and most importantly, I would like to welcome all new members to this place: my new colleague the Hon. Jing Lee, who I know will be an outstanding contributor; also the Hon. Kelly Vincent and the Hon. Tammy Jennings. I have already been impressed by these new members' magnificent contributions. I look forward to working productively with you all.

I also welcome the new members who have won seats in the other place, but especially the Liberal members for Adelaide, Norwood, Morialta, Chaffey, Stuart and Flinders. I shall follow their careers with much interest and anticipation. I commend the motion.

Debate adjourned on motion of Hon. J.A. Darley.

**ADELAIDE PACIFIC INTERNATIONAL COLLEGE**

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (17:39):** I table a copy of a ministerial statement relating to Adelaide Pacific International College made earlier today in another place by my colleague the Hon. Jack Snelling.

**CREDIT (TRANSITIONAL ARRANGEMENTS) BILL**

Adjourned debate on second reading.

(Continued from 11 May 2010.)

**The Hon. J.M.A. LENSINK (17:40):** I rise to indicate Liberal support for these bills, which represent phase 1 of further nationalisation of consumer credit laws as recommended by the Productivity Commission in May 2008 and Treasury in June 2008. The rationale for nationalisation beyond merely harmonising laws is that, in the interests of consumer protection and enforcement, it is easier for one national law to keep pace with new products, particularly with the resources of the Australian Securities and Investment Commission (ASIC) to enforce them.

COAG agreed to a package of reforms in July 2008 and an intergovernmental agreement between the commonwealth, states and territories, the National Credit Law Agreement 2009, has been signed off. I note that the commonwealth parliament passed the National Consumer Credit Protection Act 2009 and the National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009, and the effect of the bills before us in this parliament is to refer South Australia's credit laws to those commonwealth acts.

By way of background, I point out that the states and territories agreed to nationally uniform consumer credit laws in 1993 through the Uniform Consumer Credit Code, which in South Australia was enacted through the Consumer Credit (South Australia) Act 1995. This act refers our state's consumer credit powers to the Consumer Credit (Queensland) Act 1994, which is to be repealed. The new bills will replace this referral in favour of the commonwealth National Consumer Credit Protection Act and the National Consumer Credit Protection (Transitional and Consequential Provisions) Act. The existing regulatory role of OCBA and other state and territory based fair trade offices will transfer to ASIC, which already has a significant role in consumer credit regulation.

The national agreement between commonwealth, states and territories requires the commonwealth to consult prior to amending those acts as referred to. Since the signing of the agreement the parties have also agreed on exemptions, or what is being called 'carve outs', from the amendment reference, and these stipulate that the commonwealth cannot override state legislative authority in respect of state taxes, the recording of a state's interest in land, the priority of interests in real property and state laws regarding statutory rights.

It was originally expected that phase 1 of these reforms would be completed by mid-2009; however, delays have occurred. In some of the publications that were provided by the commonwealth, such as the National Consumer Credit Protection Bill 2009, the dates are not up to date because of those delays. I understand that phase 2 will include matters such as fringe lending, interest rate caps and small business credit.

In relation to the two specific acts, and I state that I am speaking to both of these cognate bills simultaneously, the Credit (Transitional Arrangements) Bill sets out definitions and powers which refer to the national legislation and codes, etc., and provides for linkages between the Commissioner for Consumer Affairs and ASIC, and repeals redundant references to consumer credit provisions within our South Australian statutes. The Credit (Commonwealth Powers) Bill adopts the national credit legislation and includes the exclusions, as I have referred to.

The new commonwealth regime largely mirrors the existing regime, as set out in the Queensland act. The new provisions are that there will be national licensing of all credit providers, which will impose a fitness and propriety test in order for them to become Australian credit licence holders. It will also become mandatory for providers to be members of an external dispute resolution scheme, the rationale of which is to provide a lower cost alternative to legal remedies through the court system. There are also new responsible lending requirements, which impose that those who provide credit are to assess the suitability of their clients to repay loans.

I had some correspondence in relation to the mortgage brokering industry—and it was the subject of questions in this parliament in, I think, April last year—and it had considerable concerns

with the legislation as it was to be introduced into the New South Wales parliament. I have sought the views of the Mortgage and Finance Association of Australia, and they have written to let me know that the concerns they held with this bill at that time have been dealt with through consultation. I have also had email correspondence from the National Financial Services Federation, which fully supports the bills in their current form and which asks for parliament to pass them posthaste.

I have a few questions for the committee stage, but one I will place on the record to which the minister may be able to obtain a response is in regard to claims which were made in the *Sunday Mail*, and which I understand relate to the bill that was passed in the federal parliament. The *Sunday Mail* of 25 April this year outlines a number of personal matters and privacy breaches that it claims may take place as a result of these acts coming into operation. It states:

The new National Consumer Credit Protection Act laws will apply to all forms of credit—mortgages, personal loans and credit cards. Some banks are already...insisting on more bank statements with credit applications and quizzing customers about large cash withdrawals.

The article is making the point that making large cash withdrawals, betting or being pregnant may lead to people being refused credit. It also quotes a spokesperson from Aussie Home Loans, who says:

...the increased level of prying into consumer spending was "terrible". If a broker meets a couple and the woman looks large, it is now down to the broker to ask: 'Are you pregnant or are you just fat?'

I think we would agree that, if these claims are part of what is going to be in place as of 1 July, it would be quite disturbing, so I ask the minister to provide some evidence that that is not the case. I confess that I have not read the federal legislation but, given that through consultation various organisations have expressed their support for the bill, I will be supporting it, but I will have some questions at the committee stage.

**The Hon. T.A. JENNINGS (17:48):** The Greens rise today to support the Credit (Transitional Arrangements) Bill 2010 and as a corollary, the following bill, the Credit (Commonwealth Powers) Bill 2010.

The global financial crisis has shown us the danger of uncontrolled and unbridled credit provisions. Our society is one of 'buy now, pay later'. Before the global financial crisis, increasing amounts of credit were being sold by: banks, non-bank lenders, credit cards, in-store retail credit providers and so-called fringe lenders, such as payday loan providers. In fact, the Reserve Bank of Australia says that in the last decade we have become such a nation of debtors that there has been an increase in mortgages from around \$20 billion in 2000 to just over \$1 trillion in debt today.

Personal debt has almost doubled, from around \$70 billion to just over \$134 billion today, including about \$35 billion in credit card debt. A well-functioning credit market is, of course, a welcome thing, and people need credit to buy houses and to ensure that our society continues to tick over. While the Greens are cautious about consumerism, we understand that credit is a necessary part of our economy.

However, we have some concerns, and we welcome these bills today because we think that there have been increasingly exploitative behaviours by credit providers. When people fall upon bad times and hard times, unexpectedly lose their job or fall ill, our credit society puts them in a very precarious position that need not happen if we had a better managed system.

As the Hon. Michelle Lensink and the minister mentioned, the recommendations have come about as a result of a recommendation by the Productivity Commission in 2008. We support that recommendation and, in particular, the recommendation to transfer the responsibility for the regulation of consumer credit to the commonwealth government, and we particularly welcome the role of the regulator of the Australian Securities and Investment Commission in this new legislation.

The recommendation to overcome shortcomings in the state-based uniform consumer credit codes is again welcomed by the Greens. As we know, the national credit regime is due to start soon, but, unfortunately, with the lack of sitting days in this place, we are in a position where we are not necessarily able to give the bill as much scrutiny as we would like. However, at this stage, the Greens are happy to support the bill. We will take on notice the concerns raised by the Hon. Michelle Lensink and, indeed, if situations arise as reported by the *Sunday Mail* where pregnancy and other matters such as that will be matters for lenders to raise with people, we would have concerns, too, and so we look forward to the committee stage.

The Greens have raised the issue of improving access to financial legal advice and also comprehensive remedy in the Senate. We welcome the role of the tribunals here and the improvements to consumer credit protection, particularly the reduction in the need to resort to expensive legal remedies. We would like to see better legal assistance across the board, of course, and access to recourse in relation to financial matters is something for which we will continue to push.

To sum up, the Greens welcome these long overdue reforms and we look forward to credit consumers being better informed in the future. This reform is just one part of what we expect to be greater progress in the near future and we look forward to supporting those as well.

**The Hon. A. BRESSINGTON (17:52):** I rise briefly to speak to the Credit (Commonwealth Powers) Bill 2010 and, in doing so, I speak to the Credit (Transitional Arrangements) Bill 2010, as it is complementary. I begin by indicating my support for the increased consumer protection provisions; namely, the responsible lending conduct and disclosure regimes, and I sincerely hope they will be as effective as is promised. I also recognise that there are significant benefits for lenders in terms of reducing red tape and national consistency. However, I make the point that I remain unconvinced that these benefits could not have been derived from cooperation between the states and the commonwealth, rather than further whittling away this parliament's legislative jurisdiction by referring it to the commonwealth.

I do not deny that problems exist within the Uniform Consumer Credit Code regime—and I quote the minister when introducing this bill—namely, the legislative gaps and jurisdictional variations, and some difficulty in efficiently responding to changes in financial service industry practice. These were initially identified by the Productivity Commission in April 2008, and it is on the basis of the Productivity Commission's recommendation that this bill is before us today.

However, I make the point that, if each state has been able to agree to refer the relevant legislative powers to the commonwealth, could not each state have agreed to address these identified shortfalls instead? Could the commonwealth not have been involved and agreements made between the state regulators and the Australian Securities and Investment Commission so that greater efficiency, consistency and expertise could result? Could our state regulator not have had its funding increased so that it could effectively discharge its responsibilities and true cooperation between the state regulators and the involvement of ASIC would reduce any delay in responding to changes in lending practices?

It has long been a concern of mine that it is seemingly becoming the preferred solution to difficult problems for the states to refer and consolidate their power in the commonwealth rather than invest in their own institutions and take responsibility for addressing any failings. I have come to suspect that there is perhaps an agenda running to erode these parliamentary statutory powers. From my reading on this topic, it would seem that I am not alone in coming to that conclusion. However, in saying that, I support the second reading of the bill and look forward to the committee stage.

**The Hon. R.L. BROKENSHIRE (17:56):** I support the second reading of this bill and record gratitude to the minister's office for liaising on this bill and for answering our questions. This reform has been slow, but it needs to progress. The process started under minister Rankine's tenure as consumer affairs minister, and I am pleased to see the minister getting the matter through to a conclusion. There are concerns that also arise in the national health practitioner regulation bill before us: it is the way we are legislating without tabling the legislation in this parliament. There are issues about state sovereignty, suffering death by a thousand cuts, and deals set up at ministerial council level and jammed down the throats of all other jurisdictions, and I have concerns about that. I have a couple of points that I want to put on the record on clause 1, so I will raise them then.

**The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (17:57):** There being no other speakers, I wish to make a few brief concluding remarks in relation to the second reading of this bill. This legislation involves two bills that have the cumulative effect of repealing existing South Australian consumer credit laws and implementing a new national consumer credit regime in their place. The new regime was developed by COAG and agreed in July 2008, and the responsibility for the regulation of consumer credit would be transferred to the commonwealth. It includes a range of provisions around a national licensing regime, enhancing powers of ASIC to be the national regulator, requiring licensees to observe a number of general conduct requirements, and requiring mandatory



membership of an external disputes resolution body. We believe these provisions improve and enhance protections for consumers while bringing greater clarity to the industry generally.

A considerable level of consultation has occurred. In relation to these bills, ASIC hosted a national credit roadshow to help credit providers and businesses to assist consumers to obtain a better understanding of their requirements in relation to the proposed act. The roadshow visited every state and territory capital and 24 regional centres from 15 February through to the beginning of April 2010, so considerable effort has gone into informing the industry of these proposed changes.

I thank members for their contributions to the second reading stage and for their indicated support thus far. I will attempt to provide answers in committee to those questions asked during the second reading debate. I appreciate most sincerely the level of cooperation by all members around this bill, which members have worked very hard to expedite.

The national regime is planned to commence on 1 July, and the changes will mean that, if South Australia has not put this legislation through by that time, we could be left without consumer protection relating to credit and, obviously, we would not like to see that. The commonwealth's time frame has been extremely tight, and that has helped to contribute to the very tight frame we now face. I appreciate the cooperation of members. I commend the bill to them, and I look forward to the committee stage.

Bill read a second time.

At 18:02 the council adjourned until Wednesday 26 May 2010 at 14:15.