

LEGISLATIVE COUNCIL

Friday 29 October 2010

The **PRESIDENT (Hon. R.K. Sneath)** took the chair at 11:04 and read prayers.

STANDING ORDERS SUSPENSION

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) (11:05): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

APPROPRIATION BILL

Adjourned debate on second reading.

(Continued from 28 October 2010.)

The Hon. S.G. WADE (11:05): I rise to speak on the Appropriation Bill and, in doing so, I ask members to reflect: if you picked up the budget papers without knowing which party is currently in government in South Australia, would you be able to work it out from the budget papers alone? If the Treasurer was charged and had to prove that this budget is a Labor budget, would there be any evidence for the prosecution to make a case?

When you see that it contains cuts to business assistance, you would suspect that it is a Labor budget. With taxes set to increase by \$1 billion over the next four years, it looks more and more like a Labor budget. When you see debt increasing to \$7 billion, you would say, 'Yep, it's a Labor budget.' But, then, what would you make of some of the other measures?

When nearly 4,000 public servants get the axe, how can this be a Labor government? When the budget claws back a pension increase in public housing rent, how can this be a Labor budget? When the budget uses the law to override the outcomes of collective bargaining negotiations of unions, how can this be a Labor budget? This budget demonstrates that this government is arrogant and totally disconnected from its constituency and its values base.

Again this week, when the Treasurer was confronted with another problem with workers' entitlements, what was his response?—'Shit happens'. This is the Treasurer of a Labor government who would be a premier in a Labor Party government. So, where was cabinet when this budget went through? Did the Labor cabinet stand up for the workers? Did it stand up for the Labor movement that gave it the opportunity to serve in this place?

The Treasurer told the other place that the decision the government took to extinguish workers' entitlements was an 'absolutely unanimous decision of cabinet. Absolutely'. So, it is fine with minister Gago, formerly of the nurses union. It is fine by minister Caica, formerly of the firefighters union. It was fine with minister Weatherill, the darling of the left. He said this week that he is 100 per cent behind this budget.

I will have no more of these left-wing Labor members self-righteously chest-beating. We now know that their ministers, without exception, supported the decision to legislate away what they could not negotiate away. It was a unanimous decision. The left is no better friend of industrial Labor than the right, and we all know that the right would sell their grandmother to stay in power.

So, where was the caucus? Did the caucus stand up for the workers to protect the Labor movement that put them in this place? No. When the Treasurer gave caucus a briefing on the budget, it gave the Treasurer a standing ovation. When the Treasurer said that he was going to close the Parks Community Centre, Labor MPs applauded. When the Treasurer said that he was going to cut adult education, the champions of the workers applauded. When the Treasurer said that he was going to legislate to undermine collective bargaining, this so-called Labor caucus applauded.

Government MPs have said during this debate, 'So, what would you do?' I remind honourable members that I was elected as a Liberal MP. If my party were to take a budget decision to the detriment of workers, of wage and salary earners, people would say, 'So what? What would

you expect; he's a Liberal?' You would expect that from Liberals, Labor tell us, but this is meant to be a Labor budget. It was written by Labor MPs.

I know that governments have to make hard decisions. I know that parliamentary Labor cannot always do what industrial Labor wants it to do, but it is another thing altogether for this so-called Labor government to act in fundamental contradistinction to its own *raison d'être*. The reason the Labor Party exists is that industrial Labor, at the end of the 19th century, felt that it needed to have a parliamentary group to protect its interests. It needed a parliamentary group to stop laws that may be to the detriment of workers. Today we see that very parliamentary group introducing budget measures which use the law to override union-negotiated collective agreements.

This Rann government will go down in history as the only Labor government to legislate to reduce worker entitlements. The same members who, in this place, repeatedly pontificated self-righteously about the Howard government's WorkChoices, have brought legislation in this place which has done even worse than WorkChoices. Let us remember that WorkChoices put the choice in the hands of employers and employees; this government has chosen to use the law to override union-negotiated workplace entitlements. This Labor Party, in this parliament, has no right to pontificate in the future.

So much for rights at work. It reminds me of some comments made recently by ALP Senator Doug Cameron in the *Sydney Morning Herald*. The article read:

The Labor Senator Doug Cameron has ramped up his attack on his own party, suggesting the Prime Minister, Julia Gillard, herself is prolonging rules that stifle public debate and turn government MPs into 'zombies'...Yesterday he described serving in the Labor government as 'a bit like having a political lobotomy. You can't speak your mind. You can't think about some issue because they are all off the agenda.'

In another article he is quoted as saying:

The pledge system and the party system just put a blanket over every different point of view. Everything is focused on the spin and on the take of the day and long-term strategic policy decisions suffer because of that.

I must admit that I was particularly struck by the description of Labor Party MPs as zombies, because that actually resonates with my own experience. They come in here, parrot the questions, parrot the ministers' speeches, blindly follow a Labor budget which is a total betrayal of Labor values, and there is not a squeak. They are zombies. You almost get a vision of Michael Jackson's *Thriller* clip, with the Labor caucus mindlessly wandering across the courtyard.

The Hon. B.V. Finnigan interjecting:

The Hon. S.G. WADE: In fact, Bernard Finnigan is in the front row. This Rann government, as Senator Cameron rightly accused, is in the same stable as the Gillard government. They are a bunch of zombies, totally obsessed with spin and totally in denial of Labor values. However there is hope, there are signs that a few of the zombies are stirring. The Hon. Steph Key, member for Ashford, was willing to publicly say that she does not support cuts to workers' entitlements by legislation. Is that not amazing? One MP in the Labor caucus is willing to say that they do not believe—

An honourable member interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter will cease exciting the honourable member.

The Hon. S.G. WADE: I am sorry that I have more passion for Labor's values than the Hon. Mr Hunter. I look forward to hearing his contribution in defence of why he thinks it is fine for a Labor government to legislate to take away workers' entitlements. Of course, our President is no zombie; he has attended protest meetings and said publicly that if there are enough people really concerned about what is happening here the government might change direction on this as well.

So I am glad to say that there are at least two members of the Labor caucus who are not zombies. However, it is sad that the President does not hold out hope that the Labor caucus itself might rise up and stand up for Labor values. I think all its members care about is their own preferment in their parliamentary careers.

The Rann Labor government has destroyed its own credibility. I suppose, in a sense, it has a right to expend its own political capital, but I remind the council that the decision to pare back workers' entitlements by legislation is not damaging the government alone. I would like to quote from the judgement delivered on Wednesday in the industrial commission by Deputy President Judge H.W. Parsons on behalf of the full bench.

Members interjecting:

The Hon. S.G. WADE: I appreciate that the Hon. Mr Finnigan and the Hon. Mr Wortley do not want to hear what the Industrial Relations Court is saying about the behaviour of its own government, but I intend to put it on the record. Judge Parsons, speaking on behalf of the full bench, said:

...we respectfully voice certain concerns to the Chief Executive about the implications of the Government seeking to override clause 2.2.6 of the Agreement by legislation.

In our view such action may tend to undermine the currently productive industrial relationship between the PSA and the Chief Executive. The PSA entered into the Agreement negotiations in good faith on the basis that the terms of the Agreement would apply for the life of the Agreement and that prior to its expiry date the parties would renegotiate the terms and conditions.

We are concerned about the effectiveness of such future negotiations. A likely consequence of legislation overriding terms negotiated by the parties in good faith is that the Chief Executive's role may be undermined. The question arises: how can a fair and certain negotiated outcome in future bargaining be achieved if the Chief Executive and the PSA know from this experience, that his word is not final but may be overridden by parliament?

Judge Parsons highlights the damage done by this government to its own management team, but that is not all: she goes on to say:

There are also implications for the statutory role of the Commission.

I pause to reflect that the Labor Party in the past used to regard the centralised industrial relations system as one of its great achievements. What Judge Parsons is saying here is that the parliamentary wing of Labor is actually undermining the industrial relations system it established. She goes on to say:

The general objects of the Act require that the Commission promote goodwill in industry and encourage the prevention and settlement of disputes that cannot be resolved by amicable agreement and provide a means of conciliation for that purpose.

Later in the judgement she goes on to say:

The important statutory role of the Commission in implementing those Objectives of the Act by assisting the parties in their negotiations may be rendered far less effective and impact on the Chief Executive's desired outcomes if the parties come to the Commission with a lack of confidence about the binding nature of any compromises reached.

Labor members seem to be deaf to the pleas of the community and deaf to the response of union leaders from around Australia—not just in South Australia. Union leaders from around Australia are expressing their dismay that a government that claims to be a Labor government is acting in such a way. Now we have an industrial relations judge expressing concern about not just the impact on the management of the Public Service but also the viability of the industrial relations system going forward.

This was a budget where Labor said that it was going to reconnect with the community. Instead, it used the law to pare back workers' entitlements. This so-called Labor government has undermined itself, it has undermined the management of the public sector, and it has undermined the industrial relations framework that it committed to defending.

I would now like to address some matters in the Attorney-General's portfolio. The budget confirms the crisis in our justice system. When the Attorney-General was appointed earlier this year he acknowledged the crisis in our justice system. In that context I will quote from the *Sunday Mail* of 2 May. This part is comment by the journalist:

Recognising that increasing court delays are a pressing problem confronting the government, Mr Rau pledged to work with the courts and the legal profession, among others, 'to see if there are ways that problem can be improved'.

The article further states:

...he acknowledged there was a backlog of cases, particularly in the criminal jurisdiction, and 'that is not good. Obviously, the longer a person has their criminal matter outstanding the longer they are in limbo. If that individual is guilty it means the victims are denied the opportunity of involvement in the process and some resolution. On the other hand, if that person is not guilty and they may have been held in remand there is a clear injustice if they are eventually acquitted or the charges withdrawn.'

At the conclusion of the article it states:

...Mr Rau said his only ambition was to 'leave this office with the justice system in better shape than it was when I found it'.

So, earlier this year, the Attorney-General acknowledged that he had inherited a justice system in crisis. Labor's failure to resource the courts is demonstrated in the budget papers which show that the Supreme Court's backlog of criminal cases is up by 5 per cent to 13 per cent in the past year and the Magistrates Court backlog is now 32 per cent. That increases the trauma for victims and justice delayed is, so often, justice denied. In appearing before the estimates committee in another place, Chief Justice Doyle highlighted that backlogs are getting worse under this government. He said:

I do not know how bad it will get. The projections are that, if we do not get on top of the problem somehow or another, in 10 to 15 years' time we will have an absolutely mammoth backlog of cases, the sort of thing everyone would agree you cannot possibly have. You would be waiting for four or five years for trial. I will not worry about precise figures, but all I can say is that in 10 to 15 years, if present trends continue the situation will be awful. So, we cannot let it get there...I do think that, with the best will in the world, we will need some more criminal trial courts. Basically, we have 12 for the District Court at the moment, and two additional judges last year.'

The Chief Justice also highlighted the problems with facilities:

The reality is that the Supreme Court building is pretty hopeless...The courtrooms themselves are not inefficient—they are all right—it is just that the facilities for the staff and the public are hopeless because we are cramming too many people in there.

I have already advised the house of cases of victims and defendants needing to use the same conveniences because the facilities are so poor.

The Attorney-General acknowledges that there is a problem with the justice system, and the Chief Justice has reiterated that, so what does the budget do to fix it? Courts' funding increases by a mere \$6 million in 2010-11, whereas court related fees revenue increases by \$9 million per year. It is one thing to say that you have not got the money, but then to raise the money and not dedicate it to the industry from which the users are paying is a peculiar decision. The government is clearly going to focus on 'efficiency measures' (the words it gives to them), such as giving early guilty plea offenders a discount on their sentence.

The Liberal Party continues to believe that the South Australian community needs an independent commission against corruption. We are disappointed there is no hint of funding for an ICAC in this budget—in fact, the reverse: the government is actually taking money out of accountability bodies. The Ombudsman loses \$97,000, which is a 5.4 per cent reduction, and the Police Complaints Authority loses \$125,000, which is a 9 per cent reduction.

The Premier recently reiterated the government's lack of interest in accountability by again indicating that it is not moving towards an ICAC. Worse than that, it is actually taking out resources for bodies that address corruption. We saw a similar lack of regard for the need to maintain public sector probity in the government's laid-back approach to the problems in the Burnside council.

In relation to offending, I am also concerned that the government is increasingly failing to effectively manage programs in the rehabilitation area. For example, the budget papers indicate that participation in diversion courts has fallen in the last year. In the Drug Court, it has fallen from 68 to 56; in mental impairment, it has fallen from 236 to 217. So, we need to make sure that if we are putting money into diversion programs—and the opposition believes strongly that we need to help offenders deal with their offending behaviours—we also need to make sure that we are spending that money effectively.

I am hoping—and I will be exploring this further—that this reduction in participation is not a reflection of the fact that the government is not willing to increase funding and is, if you like, cutting the programs by stealth. The completion rates are also a concern. The Drug Court completion rate, for example, is down from 35 per cent to 27 per cent. We need to make sure that we have got the places for people to address their offending behaviours and we also need to make sure that they are properly supported to complete.

The Attorney-General is clearly trying to distance himself from his predecessor in the tone of his management of the office, but he needs to do more than just stop defaming judicial officers. He needs to manage the justice system so that we maximise the impacts on offenders in addressing their offending behaviours, because after all, that is fundamental to reducing the number of future victims.

In conclusion, I stress that this is not a Labor budget. It lets down ordinary South Australians and, in particular, it lets down the labour movement that this government is meant to represent, and it fails to address the crisis in our justice system.

The Hon. T.A. FRANKS (11:24): I rise to speak today on the Appropriation Bill. I note that I have already addressed many of the issues in the budget bill, so I will not go over too many of those again.

The Greens do not welcome these budget measures which come from a so-called Sustainable Budget Commission. We find that there is no true sustainability in this budget. It fails to address the long-term viability of our natural environment and our social fabric. This so-called Sustainable Budget Commission is a misnomer. In reality, it is nothing more than a razor gang tasked with making deep cuts to services and jobs which will hurt the community most.

I think the Greens would have liked to have seen a Sustainable Budget Commission actually focusing on increasing the sustainability of government programs and services and developing and supporting programs and projects that meet the needs of the present without compromising the ability of future generations to meet their own needs. Early intervention is true sustainability. The Greens strongly believe that some of the suggestions put forward by the commission are positive and can enhance long-term environmental and social capital.

We would have liked to have seen a raising of the royalties to 5 per cent in line with most other states. Claims from the mining industry that this would imperil the Roxy Downs expansion are self-serving and alarmist. The proposal to impose a car parking levy in the CBD is also supported by the Greens, as long as it would be counterbalanced by increased spending on public transport to give commuters the opportunity to get to work without contributing to the rush hour gridlock. Raising the fees associated with liquor and gambling licensing is also supported, and alone would probably come close to covering the funding of the drug education in schools program and the healthy foods guidelines that have been targeted in this budget.

If the government was serious about saving \$1.5 billion over the next three years, rather than slashing jobs and services across the board in ways that will seriously impact across the entire community, the Greens propose instead cancelling two major projects that actively reduce sustainability. That is, the \$812 million 2.8 kilometre elevated superway—aka, the 'superwaste'; the road to nowhere. It is expensive, wasteful and a white elephant, and it costs \$290 million per kilometre.

Redirecting a fraction of this funding into public transport or redirecting freight from road to rail would have done more to free up traffic than the creation of a new road that, ultimately, must rejoin the existing road networks at some point, with the inevitable bottlenecks. Also, cancelling the duplication of the Southern Expressway would save an additional \$445 million. This would ensure that the government could afford to provide services such as schools, hospitals and police, and the many services that we have heard about that are being cut in this budget.

Some other measures that the Greens fully support being cut include the Clipsal state hospitality events. We would love to see the state dinner of 750 guests cut. That was something recommended by the Sustainable Budget Commission that we welcomed. We would like to see the Premier's Strategic Communications Unit cut by 5 per cent in this coming financial year, 12.5 per cent in the next and a further 50 per cent by 2013-14. Surely the Premier is doing such a great job he does not necessarily need the resources of this unit. If he does a good job, the good news will sell itself. There are other Premier's office savings that could have been made in this budget that have not been.

I note that the defence department remains relatively untouched, despite several recommendations in the Sustainable Budget Commission, which would not minimise the output of that department but would just make them be a little more frugal, a little wiser with their travel and not necessarily indulging in such great amounts of self-promotion. We would have liked to have seen this be a truly sustainable budget. We would have liked to have seen our priorities in this state gotten right. Early intervention and getting things right before they turn into major health or social issues is what sustainability should be all about.

We have heard a lot of talk from the Treasurer in particular that these budget cuts were taking an internal cut. By that, he referenced the cuts to the Public Service, as somehow that being an internal cut to the government. They could have started with the internal cut of reducing ministers from the current level by three ministers, which would have given us more than \$3 million of savings. When you look at the Ardrossan accident and emergency centre being cut by \$140,000 that it desperately needs, and when you look at Kevin Foley's phone bills of \$22,000, where he is clearly on the phone saving his political life, I think we should be prioritising saving actual lives.

The anti-poverty unit, as we know, is to be cut. I also have grave concerns that, even prior to this budget, the foster care unit in Families SA was severely depleted. Unlike the Minister for Families and Communities, we know that children in this state are still being kept in inappropriate care.

Despite her assurances that they are no longer being kept in hotels and motels, when she says that does not cover bed and breakfasts and apartments, we know that is just sophistry and weasel words at their worst. We know bed and breakfast and apartments equate to children being kept in hotels and motels in this state, far too many of them and for far too long. We need to do better. The community deserves better.

Of course, we see no ICAC in this budget; not even a small measure of saving \$1 million by having a logbook for the ministerial chauffeured cars. That is not really taking the cuts internally, is it? I also point to the fact that we quibble over amounts such as \$140,000 for an accident and emergency unit, such as \$250,000 for civilians of this place to take a case to the British courts and get compensation for having had nuclear bombs exploded in their backyard, yet we are willing to give Lance Armstrong \$2 million. Who knows how many millions of dollars we are giving him, and for what benefit and what sustainability in this state?

I simply conclude with a congratulations to the people of the Parks community and a word of hope on the promises of a backflip on adult re-entry in this state so it is actually accessible for those who did not get a first chance at education, who are probably failed by the lack of support services, who are probably failed by a system that we are not adequately funding in the first place. They will, hopefully, now get their second chance at adult re-entry education, but we will be scrutinising the government's backflip and make sure it gives South Australians a second chance at education, which is a fundamental human right. A high school education in a developed nation is a fundamental human right. We will ensure they get that second chance. We will not give this Labor government a second chance and I doubt the South Australian people will either.

The Hon. B.V. FINNIGAN (11:32): I rise to make a contribution on the Appropriation Bill. I did speak a little yesterday in committee on the Statutes Amendment (Budget 2010) Bill in relation to the overall framework of the budget and it is important again to keep in mind that this budget and the work of the Sustainable Budget Commission has been framed in the context of a very substantial decrease in the projected revenue coming to this state over a period of time because of the global financial crisis. The Hon. Mr Lucas is trying to play semantics about the time frame, but at least he is not trying pretend that there was not a global financial crisis or that there has been no effect, as some of his colleagues seem to do.

We have growing demands on our health budget. That is a reality, due to our ageing population and to the increased costs that have affected health services around the world, with increased technology and increased ability to treat conditions we did not have. We have an ageing population and a growth in chronic disease across the population, and it is obviously having an effect on demand for health services. To respond to some of the remarks of my other colleagues, the Hon. Mr Wade's contribution this morning was quite an extraordinary one. He was principally regretting that this was not a Liberal budget.

He spent a considerable amount of time saying, 'Oh well, you would look at this budget and you wouldn't think it was a Labor budget.' He kept talking about what members of the Labor Party should be doing in relation to the budget. He seemed quite regretful that it was not his own budget. He was not criticising the budget per se, but saying, in effect: why did not the Liberal Party come up with a budget like this? It seemed a very extraordinary line of argument to say that this ought to have been a Liberal budget, that only the Liberal Party would be this responsible was essentially the argument being advanced by the Hon. Mr Wade.

He also mentioned comments by Senator Doug Cameron and some recent comments about members of the Labor Party being bound to support Labor policies and legislation that has been supported by caucus. There seems to be a bit of confusion on this point. I think some in the media have confused the changes that were made in the federal caucus during the last term, when Kevin Rudd was prime minister, with the longstanding arrangement about the binding of party members. Kevin Rudd certainly did lead a change in the way the federal ministry, or shadow ministry, is chosen—at the will of the leader rather than a ballot of caucus.

The pledge that all Labor members take to support and be bound by the decisions of caucus and the platform of the party is very longstanding. It might even go back to the foundation of the party, I am not quite sure; but, certainly, the pledge, as it is known within the party, is very

longstanding. The suggestion that that is something new or that it is somehow or another having an effect on the Labor Party or the government's ability to do its job is rather extraordinary, because it would seem to suggest that no Labor government has ever been effective because it has been a longstanding pledge.

I do not think anybody, even our opponents, would suggest that no Labor government has ever been able to do anything worthwhile. So, I think people just need to be aware that the pledge that all Labor members are bound to support Labor policies that go through caucus, consistent with our platform, is longstanding. That is not to say that it cannot be a subject of discussion within the party.

Indeed, in my own maiden speech I said that perhaps it is something that ought to be considered in this day and age, whether or not it is appropriate for all party members to be bound by the platform and for parliamentary members, in particular, to be bound by the decisions of caucus. I did talk about that in my own maiden speech. It is something that is obviously a matter of ongoing discussion within the party.

The Hon. Mr Wade talked a bit about Attorney-General portfolio matters, in particular court delays. Certainly, the government has made no bones about the fact that we would like to improve the efficiency of the courts, the administration of justice and, in particular, reduce court delays. We have taken steps to address that matter in refurbishing the Sturt Street courts, which are now hearing District Court matters.

As the Hon. Mr Wade himself mentioned, we have out for consultation a bill that aims to codify the early giving of guilty pleas, or earlier giving of guilty pleas, and what implications that has for sentencing and for time served in prison, to encourage a more efficient way of simply processing charges. Obviously, no-one is obliged to plead guilty; anyone is entitled to maintain their innocence and take a case through the courts.

However, we know that a lot of people turn up on the day of trial, or a day or two before, and then plead guilty. That, of course, means that the prosecution has gone to a lot of work and expense, and it means that all the witnesses have had to be prepared for giving evidence. Of course, witnesses and victims have to be ready, and that can be a fairly stressful and traumatic thing to have to be ready to give evidence. Then, if it turns out that that does not even need to be done, it puts people to a lot of expense and also sometimes a lot of emotional stress that is not necessary.

So, in that guilty plea bill we will just codify the arrangements for the long-standing discounts that are given on sentencing for cooperating and pleading guilty at an early stage of the process. That would, of course, have a very significant impact, because you can plan your court lists a lot better if you do not have a week set aside for a criminal trial, for example, that then does not go ahead. The Hons. Mr Wade and Tammy Franks mentioned an ICAC and asked why it was not in the budget. It seems to be a pretty extraordinary thing that you would put funding in the budget for something that does not exist.

I am sure the honourable members would be the first to criticise if there was a line in the budget about an ICAC. They would be asking why we are trying to sneak it in the budget instead of making an announcement about it. Of course, there would be nothing in the budget about any sort of integrity or anticorruption commission, because no decision has been made about that. The Attorney-General did announce earlier in the year that he was reviewing the public integrity structures in the state, and he indicated that he will report back to the House of Assembly in due course about what that review found and any proposals arising out of it.

So, the government has indicated on more than one occasion that it is considering the issue of making our public integrity system as good as it can be, ensuring that it plays a vital role in maintaining and upholding standards of public integrity and public confidence in our system. Naturally there would be no mention in the budget of an initiative or a body that does not exist. The Hon. Ms Lee talked about Halloween and how the budget was a bit like a Halloween party with the members of the government cast as the goblins and demons. Of course, the origin of Halloween is that it is the day before the feast of All Hallows or All Saints, so it is actually All Hallows' Eve which has morphed into Halloween.

Originally the goblins, ghosts and things were meant to be the demons trying to stop the souls of the just rising to heaven. I believe it started off as a bit of a pantomime which has ended up becoming part of a cultural tradition in some places, particularly the United States. If there is any sort of parallel with Halloween, I think it would be that some of the honourable members opposite

might be the ones trying to stop a good budget getting through the house rather than trying to scare the people of South Australia.

The Hon. Ms Lee also said that we 'hate' country people. I think her words were: why do they hate country people so much? It is quite an outrageous comment. I certainly find it offensive to us all on this side to suggest that we hate country people or, indeed, hate any of the citizens that we represent. It is a quite unkind and unjustified accusation to say that we hate country people. Similarly, the suggestion, which some honourable members have made via interjections, that we make decisions based on whether or not people vote Labor is certainly not the case.

No government operates in that way because, if it did, there would be considerable areas of the state and the city which would not get government services. The suggestion that this government or any modern government operates like some sort of 1930s mayoralty in the south of America, distributing largesse only to its friends, is rather absurd. I certainly think it is very unfortunate that members would use that sort of language to suggest that, in this budget, any member of the government is demonstrating hate for other people.

I come back, ultimately, to the question I asked yesterday: what would other members of this house do in relation to the budget? What is their solution? Honourable members opposite have done what you would often expect people opposing a government would do, and that is to take those measures in the budget, which we have acknowledged are painful and which we would rather not adopt, stir things up and try to make people as angry as possible about those decisions. That is the sort of thing you could expect some opposing members to do, particularly in the minor parties, because that is generally the way they garner support.

However, the Liberal opposition, of course, aspires to be in government and, six or seven months ago, they were probably pretty hopeful that they would be in government. I strongly suspect that they would have then been very happy to get the Sustainable Budget Commission's report and to have used that as their basis for making probably even greater cuts. As the Hon. Mr Wade seemed to be saying: if only this had been a Liberal budget.

Again, I think members have to ask what it is that they would do. All budgets will involve difficult decisions about the spending priorities of a government; that is natural. There will always be those who think we should spend more money in more or fewer areas or that there are certain things we should not fund, and it is always easy for people to pick out individual examples—what about this, what about that? You often hear people choose particular things. Some people ask why do we give money to the opera, or they say why do we do this or why do we do that?

It is always easy to pick something out in isolation and say, 'If you change this, that would make all the difference,' but of course people have different priorities and different views about what it is that the government ought to be doing. Some people would say, 'Why is it the government's job to build economic infrastructure? Isn't that what business should do?' Some people would say, 'Why is it the government's job to build schools and pay for people's education? Isn't that something they should pay for themselves?'

Other people would say, 'Why don't we have much higher taxation and a much higher level of government services? Why don't we have a more social democratic model where people pay more like 40 or 50 per cent tax and we have a lot more services on offer and far fewer charges?' There is obviously a very broad spectrum of opinion as to how government should operate and how it should make its spending decisions.

We just have to take into account what people have to say. We have to balance and examine those priorities and come up with the best budget we think we can in the circumstances that we are facing. Again, remember those circumstances: we are facing a \$1.4 billion fall in projected revenue because of the GFC and a continual growth in demand for health services. They are the circumstances we have to take into account, and what the government has chosen to do is to make sure that it can bring the budget back to balance and ensure that it is able to provide for the health services and, importantly, deliver on all the commitments it has made in the last term of government and during the election.

People seem to forget the extraordinary range of infrastructure and planning for the future that is going to happen in the next decade in South Australia. We have the building of a new state-of-the-art Royal Adelaide Hospital which will be really the best, newest hospital in a metropolitan city across all of Australia and it will be a very important part of meeting our future health needs.

We have the redevelopment of Adelaide Oval, assuming all the parties agree, and there are obviously a few more steps to take with this project. However, the government commitment is there to ensure that a very substantial redevelopment to provide for a world-class sporting facility in this city will take place. We have the duplication of the Southern Expressway which is long overdue and which we know would have cost far less had the Liberal government done it at the time it built the Southern Expressway. We have the electrification of the main train lines. We have hundreds of extra police.

Members interjecting:

The Hon. B.V. FINNIGAN: We hear again about the State Bank from members opposite. I don't think anyone on this side of the house is going to be getting up and saying that—

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

The Hon. B.V. FINNIGAN: I have been in South Australia all my life, the Hon. Ms Lensink.

The Hon. G.E. Gago interjecting:

The Hon. B.V. FINNIGAN: That's right. Members opposite like to talk about the State Bank. I am sure the Hon. Mr Holloway in particular is well aware of the State Bank and the role that played and the effect that had on the state's economy. However, let's acknowledge that that was 19 years ago and that is a long time in the life of the state.

There has been a very substantial shift in the way South Australia is performing and the outlook of our economy in the time that we have been in government and, as I say, we have a very large range of infrastructure projects coming through in the next decade in cooperation with the commonwealth. As the Hon. Mr Holloway has told us on occasions, we have a number of new mines coming forward. We expect the Olympic Dam expansion to go ahead.

There is a whole range of very positive things happening in the state. Again, I think it is important for honourable members, if they are so appalled by this budget and they think it is a bad budget, to ask: which bits would they change? Which promises or which commitments do they think should go? The Hon. Mr Wade has been talking about Attorney-General portfolio matters. Would he like us to cut out the community justice court initiative? Would he like us to go back on our domestic violence reforms? Would the Hon. Mr Stephens like us to go back on our commitment in relation to the Port Augusta sports facility?

There is a whole gamut of things that are going to be happening funded by this government. Honourable members opposite, if they are opposed to what this budget is doing, need to answer the question: what is it that they would do instead? It is all very well to get up and say 'Well, what about this and what about that?' and pluck out a few minor things, but when it comes to balancing the government's priorities and balancing the budget, you have to take all factors into account and you have to weight it at all up.

Every cent and every dollar of government expenditure is important and should be done properly and accounted for. Often, the things that people will highlight are things which essentially, in the context of the budget overall, would not be the things that could make a difference sufficient to change some of the things that the opposition is concerned about.

I have not heard any of the honourable members opposite, particularly in the Liberal opposition, getting up and saying, 'You should not build a new hospital' or 'You should not do the expressway' or 'You should not go ahead with the trains' or 'You should not do any of the infrastructure projects to which you have committed' or 'You should not have concessions for elderly people for their utilities' or 'You should not put extra police on.'

No-one is highlighting any big-ticket item. Not a single member of the Liberal opposition has got up and said, 'Here is how you can save \$500 million: by cutting out x, y, or z.' None of them has done that because they do not have the courage to say that. Instead, all they will do is try to say, 'You should not be doing this and you should not be doing that. What about this or that?' It is the easiest game in the world to take the budget and try to pick a few bits out of it and say, 'You are doing the wrong thing here and there.'

We have acknowledged that it is a difficult budget. We have acknowledged that it is a painful budget for a lot of people but to suggest that the opposition has come up with any sort of rationale or vision for themselves simply cannot be said. On no occasion—whether it be the Leader of the Opposition, Mrs Redmond in the other place, or in this place—no-one has come up with a vision or an alternative.

Not a single Liberal member has been able to get up and say, 'Well, this is what we would do: we would get rid of this commitment; we would cease that program; we would not go ahead with new police officers; we would not build a new hospital; we would not redevelop Adelaide Oval; we would not invest in the most extensive public transport infrastructure in the state's history.' None of them has said any of those things. They simply will not. They do not have the courage to put on record what it is that they would do.

To the Hon. Mr Lucas's credit, at least in 2006 he had the courage to say, 'I would get rid of 4,000 public servants whether they like it or not.' That is what he promised to do. He was not going to worry about targeted separation packages. He was not going to worry about how it was to be achieved or what effect it would have on services; he was going to get rid of 4,000 and that was going to save his money. At least he had the courage to say exactly where he would get his money from. This opposition is simply not prepared to put on record what its vision is and what it would do to ensure that our budget can be sustainable.

As I said yesterday, the alternative is that we trundle along and in five to 10 years we wake up and say, 'Oh dear, there is \$1 billion hole in the budget; what shall we do?' Then you face massive and very painful cuts to public services or job losses or you have very large increases in taxation or even new taxes. We have seen that the Liberal Party, of course, as form on this. The last time they were in government, the emergency services levy came in. They think, 'There is a hole in the budget; what shall we do?' Bang—new tax or cut something out.

What this government has done is put in place a framework to ensure that the budget is sustainable. The Sustainable Budget Commission is not just a slick phrase; it is about ensuring that the budget can be sustainable. Otherwise, we will be like the United Kingdom, the United States and so many European countries where government expenditure and revenue simply do not add up. The only way to solve that is big increases in taxation or massive cuts in expenditure, in programs and in jobs. We are not going to put the state in that position. We are not going to be irresponsible.

We are not going to say, 'Well, five to 10 years, I don't know. We may or may not be in government; we will let somebody else worry about it. We will let someone else decide how many thousands of public servants they are going to have to shed, which hospitals they want to close, which schools they need to close; we will let somebody else decide whether they have to increase land tax or motor registration fees. We'll let someone else take those tough decisions because we want to avoid short-term political pain from a tough budget.' That would be irresponsible, and that is what we are not going to do. We decided that we were not going to squib it and take it easy.

We did not say, 'We don't want to face the legitimate concerns people have about some measures in the budget. It's all too hard. Let's squib it and avoid the tough decisions and keep it nice and easy because, politically, that's the easiest thing to do.' That would be irresponsible, and that is not what we are going to do. We have put in place a framework which takes into account the projected fallen revenue because of international circumstances and which puts in place the foundation to ensure that we can meet demand for health services.

We have done that in a way that ensures the budget is sustainable into the next decade, that is, that we can put the budget in the black and keep it there. We did that rather than just saying, 'It's too hard. We're not going to face up to the fact that international circumstances have reduced our revenue. We are not going to face up to the fact that we have an ageing population and a chronic disease problem and that we have more demand for health services. We're not going to face up to those things. We're going to squib it and we're going to avoid having a tough budget because, politically, that's easier.'

That is not what this government will do. We will be responsible and fiscally disciplined, and we will not exercise the sort of carelessness of the Liberal Party in its period of government. We are putting in place the fiscal framework that will ensure that the state is on a solid foundation in the coming decade, and that means, as we have acknowledged, some tough decisions and some pain for some people and communities, and we have acknowledged that.

It is certainly not with any relish that we make any of the difficult decisions, but we have put in place a framework which ensures that we keep the budget sustainable and takes into account the fall in projected revenue because of the global financial crisis and which enables us to meet future health spending needs and delivers on all our commitments made in the election and in the last period of government—and that will mean by far the biggest infrastructure program in the state's history.

I commend the Appropriation Bill to the house. I acknowledge that people have certain concerns with parts of it: they are legitimate and, of course, we understand that. However, we have to do what is in the best interests of the state and ensure that we are able to keep the budget on a sustainable basis so that, in a decade's time, we are not facing up to 25 per cent cuts in programs or leaving thousands and thousands of public servants with no options. In a decade's time, we do not want to face up to having to close hospitals or schools or massively increased taxation. That is why we have put in place the budget we have this year; that is, to ensure that we are established with a proper fiscal framework for the next decade. I commend the budget to the house.

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) (11:59): It is with pleasure that I conclude the debate. I thank honourable members for their contributions to the debate, even though many of those contributions from members opposite were, shall we say, a lot less constructive. As the Hon. Mr Finnigan has just pointed out, no-one at all from outside the government benches really put up any alternative. As I said the other day, it is the easiest thing in the world to be a critic; it is a lot harder to write the script—and we certainly have not heard any alternative vision whatsoever.

When we concluded the second reading debate on the Statutes Amendment (Budget 2010) Bill, I did respond to many of the points that had been raised in that debate, and I could raise similar points in relation to this bill. The Hon. Mr Finnigan has really addressed, I think, the main economic issues that are behind this budget. If you do not take those issues into account and look at the context in which the budget is framed, how can you have a proper budget debate?

If we look around the world, as I said yesterday, we can see what is happening in the UK where they are freezing public sector wages for two years, they are cutting programs by 25 per cent, one in 12 public servants are leaving, and they are cutting pensions and a whole lot of other things. Because this government and the federal government have been able to weather the global financial crisis better than those other countries in Europe which are adopting those incredible austerity measures, we are in a better position; we do not have to be as draconian. Nonetheless—

Members interjecting:

The Hon. P. HOLLOWAY: —we do have to take some action. What I think the public debate within the state really needs to be elevated to, in terms of the budgets that we face, is that whatever the budget is for one particular year it is not a budget that you can stick with going forward. We only have to look back to where the situation was eight years ago when this government came to office. Since then we have employed 4,000 more nurses, 1,500 more doctors; and, by the end of this term, we will have 1,000 more police—it is already about 700.

All those people have been added to the state's public sector in that time and they are all out there delivering services. And why is this happening? It is because, as I said yesterday, the fundamental economic drivers in this state are the fact that health and disability and other spending is growing. The demand for expenditure is growing at 10 per cent a year, while revenue is growing at 5 per cent. That is where the sustainability of budgets comes in; you cannot have that happening indefinitely.

In this current budget we have increased health spending by 13.5 per cent, but that is not enough for some people. They say that 13.5 per cent is not enough. We are accused of not caring about country people. If we do not care about country people, why are we increasing the Country Health budget by such a significant amount? The point is that there is a fundamental restructuring. That is why we have needed the 4,000 nurses and the 1,500 doctors, and we will need more as the population ages.

We do need to restructure our Public Service. It is not just a matter of doing it this year because we did not do it last year; we will have to keep doing it forever into the future, because circumstances are always changing. The needs of the public are always changing. Improvements in technology, fortunately, mean that we need fewer of some particular types of public sector workers, but we do need, and this government has certainly employed, more front-line service workers, particularly nurses, doctors and police.

The sad thing about the debate that we have in this place is this fundamental refusal by non-government members to accept the fact that the budget conditions are changing and will always change. There is a demographic change out there. The population of people aged over 75 is going to treble in the very near future. For the first time since the Industrial Revolution,

there are more people leaving the workforce than joining it. All these economic drivers will feed into the budget one way or another. You cannot just stand back and say, let's keep spending, let's not cut anything, let's not restructure, let's not restructure the budget.

Non-government members in this house have been very quick to criticise all the expenditure restraint measures that this government has put up, but they have not put forward any alternatives. On the contrary, they keep saying that we should have an ICAC, there is another \$20 million a year more. The only person who really said that we should cut things was the Greens' Tammy Franks. I should say something about her contribution. One of my colleagues in New South Wales used to describe the Greens as watermelons: green on the outside and red on the inside. I think that is probably a pretty good summary.

I was in New South Wales a few weeks back, and the new Greens Senator there distinguished herself back in the 1960s by supporting the Soviet invasion of Czechoslovakia. These are some of the people who have actually been elected to parliament. How flaky are the policies of the Greens. They were suggesting that, somehow or other, if we cut the expenditure on roads we could put that into recurrent expenditure. Sure, as the Hon. Tammy Franks said, we could no longer duplicate the Southern Expressway and put that money into teachers and other areas, but while that might do for one year, unfortunately, with capital expenditure, it is a one-off. What you need, of course, with recurrent expenditure, is expenditure year in and year out. It is such an incredibly naive view of public finances to equate capital expenditure with recurrent expenditure that it scares me.

I am just amazed that I have to get up in this parliament and point out the fundamental difference between capital expenditure and recurrent expenditure. What we spend on capital works is important to inject into the economy to create jobs, but you cannot substitute the one-off capital expenditures for recurrent expenditure that will go on, indexed for inflation, year in and year out. That is what this government has to deal with. We have to deal with those areas where expenditure is growing, such as the health and disability services which are growing much faster than government revenue. The only way you can balance the books is through restructuring. That is what this government is doing, and we are seeking to do so in the least painful way possible.

As I said, I covered many of the broader economic points in my contribution yesterday and I will not go through them all again today. The Hon. Mr Finnigan I think put a very cogent explanation of the budget position in his address. However, I need to answer some questions that were raised during the second reading speech on this bill, and I will put those on record now. The Hon. Mr Ridgway asked a number of questions, the first relating to the northern suburbs. He stated:

I note that the supplies and services budget has dropped by \$48,000. The minister stated last year that the supplies and services budget is inclusive of the lease cost. Last year that was \$59,000. My questions are: is the lease cost still \$59,000 and will it remain at that over the ten-year duration of the agreement; and what supplies and services have been cut to achieve the \$48,000 saving?

I have been advised that the lease costs have increased by 3.5 per cent. The lease agreement allows for an annual increase of 3.5 per cent for the duration of the agreement. No services have been cut. A range of administrative efficiencies have been considered to reduce the supplies and services costs for the Northern Connections office. The Hon. Mr Ridgway said, and I think this also refers to the northern suburbs:

I note the actual spend on supplies and services was \$78,000 in 2008-09, despite there being no budget allocation. This is such for the employee benefits and costs and the depreciation lines. Can the minister explain this spending in the absence of initial budget figures? I note there is \$42,000 depreciation for the budget this year. Can the minister detail the items for depreciation?

I have been advised there was no original budget in 2008-09 because the decision to establish the portfolio was made after the budget was set. However, a budget line for supplies and services, employee costs and grants and depreciation were included in the estimated result for 2008-09. The depreciation relates to the fitout of the Northern Connections office. Then in relation to the southern suburbs, the Hon. Mr Ridgway said:

I note that the budget and estimated result for supplies and services in 2008-09 was \$117,000—last year's budget paper. This year's budget shows that only \$78,000 of it was spent. In last year's estimates the minister stated that supplies and services is the on-cost of having staff and there were two full-time equivalents. Why was there an underspend of \$39,000 on the on-costs? In the 2011 supplies and services budget it has been cut from \$129,000 to \$114,000. Which supplies and services will be cut to support that budget measure?

I have been advised that of the \$39,000 the actual underspend for 2009-10 was \$9,000, as \$30,000 was allocated to corporate service support from the Department of Planning and Local

Government. As this is an internal change within the department, it does not appear in the budget papers. A range of efficiencies is being considered and implemented. The Hon. Mr Ridgway then asked:

Will the minister advise what the current employment rate is for the southern area under his portfolio and what was it at this time last year? How many new businesses were established in the area throughout the past financial year? How many businesses closed or relocated? In the past financial year, how many small businesses did the minister personally visit?...Can the minister confirm whether funding for the Small Business Development Grant for the southern suburbs of Adelaide, which in previous years has been \$5 million, will be available in 2010-11 for future years?

I have been advised that the state-funded \$5 million Small Business Development Grant was part of the \$80 million assistance package agreed upon by the South Australian and federal governments to support Mitsubishi workers following the closure of the Tonsley Park facility. The grants were only designed to run up until August of this year. The number of full-time jobs made possible through the Small Business Development Grant since its inception is 215. The council should be advised that since the election on 20 March the minister has visited innumerable small businesses and has firsthand experience of what it takes to run one and the difficulties they face.

In relation to employment rates, I have been advised that the Australian Bureau of Statistics labour force survey estimates at the regional level are volatile, largely due to the reduced sample size of the reduced area. I quote the following three-month moving average statistics provided by the Department of Education, Employment and Workplace Relations, based on Australian Bureau of Statistics data. During the year to September 2010, in southern Adelaide the number of employed people rose substantially from 178,000 to 183,000, or 3.2 per cent. This is identical to Adelaide's percentage employment growth and compares favourably with the South Australian increase of 2.2 per cent over the same period.

Notably, for southern Adelaide the labour force participation rate rose from 64.6 per cent to 66.3 per cent over the same period relative to the state average participation rate as at September 2010 of 63.6 per cent. I wonder if I have been given the right year there, whether that is not the previous year. I will check that out. As I said, this information has been provided. The employment rate, being the ratio of employment to population, for southern Adelaide as at September 2010 was 75.3 per cent, compared to 75.1 per cent as at September 2009. The corresponding ratio for the whole of Adelaide as at September 2010 was 72.6 per cent. So, I assume, therefore, for the previous answer, that the higher labour force participation rate was at September 2010 and the previous figure was for the year earlier.

As to the number of new businesses established in southern Adelaide, I am advised that this data is not readily available. Similarly, data for the number of businesses closed or relocated is not readily available. In relation to the number of businesses in southern Adelaide visited by the minister, I am advised by him that he visits small businesses in southern Adelaide regularly and maintains close contact with business in the south. During the year to June 2010, based upon his diary records, he visited approximately 70 businesses in southern Adelaide.

As to the Small Business Development Grant, including the final round announced in August 2010, the total funding of \$5 million has been fully committed. Building on the success of the Small Business Development Fund, the government will establish a new \$1 million per year investment fund to provide assistance to small and medium enterprises across South Australia to assist local manufacturers increase their competitiveness. This program will support small companies (under \$5 million turnover) to introduce new technology, new products or to enter new markets.

The government has committed \$5.5 million over three years to deliver a package of programs to support the growth of the cleantech industry in South Australia, as well as promoting more sustainable manufacturing. A further \$2 million has been committed over four years to establish a national dedicated medical devices partnering program to support innovation and business development in the sector.

I now turn to the police portfolio. The Hon. Mr Ridgway referred to Budget Paper 4 in the Statement of Comprehensive Income relating to fees, fines and penalties with a budgeted amount for 2010-11 of \$95.272 million. He asked:

What proportion of that budgeted amount is speeding fine revenue? What is the estimate for speeding fine revenue for the 2009-10 year? How much of the budgeted amount in the estimated 2009-10 result is attributable to revenue generated from Operation Rural Focus?

I have been advised that budgeted revenue from speed offences for 2010-11 is 59 per cent, that is, \$56.378 million as a proportion of total budgeted revenue of \$95.272 million. Actual revenue from speed-related offences for 2009-10 was \$49.197 million. The Hon. Mr Ridgway then continued:

I note that offences allegedly expiated through that operation included a farmer being fined \$370 for having mud on his numberplate, people fined for having bags of groceries on the back seat and a farmer fined for having an unsecured shovel on his ute. Will the minister list the top 10 offences for Rural Focus by expiation revenue earned and the revenue per item?

I am advised that SAPOL does not budget to—or report to—the level required to be able to provide information related to the budget for or actual revenue attributed to Operation Rural Focus. However, the following categories relate to expiation notices issued, with the majority speeding related. The expiation notices as issued are as follows:

- speeding;
- seat belt;
- child restraint;
- mobile phone;
- driver unlicensed or disqualified;
- drive contrary to P-plate or L-plate conditions;
- disobey traffic signs (Stop or Give Way);
- turning and lane behaviour;
- driving an unregistered and/or an uninsured vehicle;
- fail to obey registration requirements; and
- obscured numberplates.

The Hon. Mr Ridgway then referred to road-use regulation performance indicators, as follows:

...two of which indicators relate to the number of drink driving related offences detected by police and recorded on expiation notices, and the static RDST (alcohol) detection rate as a percentage of the number of drivers tested. The first indicator sets a benchmark suggesting the higher the figure, the better the performance. The second sets a maximum benchmark and seeks a lower figure. Effectively, the government seems to be aiming for higher detection and expiation levels, but then suggests that a lower percentage of positive tests is a better outcome. Can the minister explain the seeming incongruity in these targets, and what method is used to record the drug and alcohol test?

I have been advised that there is no incongruity in these related targets. The number of detections and the rate of detections are both related to the number of tests. The more drivers police test, the more drink drivers who will be detected. This explains the first benchmark where the higher the figure the better the performance in testing drivers. In other words, the more you test, the better and more comprehensive your program.

Secondly, if more drivers are tested but the number of drink drivers detected does not rise commensurately, this sampling of the population suggests that fewer people are driving under the influence of drugs or alcohol, and that our road safety message is getting through. The target is not simply the number of tests, because this would not reflect police work in identifying and targeting drink-driving hotspots. The actual number of random driver screening tests (RDST) for alcohol and drugs that are conducted is recorded and reported upon.

The Hon. Mr Ridgway then referred to the Capital Investment Statement: Existing Projects—Clamping, Impounding and Forfeiture Vehicle Initiative. He said:

On 1 August this year, it was reported that the commissioner was deciding whether to use the anti-noon legislation for the first time to crush a seized car. Under this legislation cars can all be sold by auction or public tender or sold as scrap metal. Since the legislation came into play how many circumstances have arisen, other than the two the other day, where a vehicle was crushed? How many vehicles have been sold under this legislation? What is the total market value and proceeds of those vehicles? What will happen in the circumstances where it is deemed appropriate to crush a car which still has a financial encumbrance on it in terms of someone possibly owing a finance company some money on that car?

I have been advised that no vehicles were publicly crushed. I can also advise that 46 vehicles have been disposed of through scrap merchants as a result of being unclaimed or unwanted by the vehicle owner. One vehicle has been sold under this legislation. Information is unknown for the

market value and sale proceeds of the vehicle, as we receive one cheque for multiple sales, which is itemised. Therefore, on average, \$122.10 was received for each vehicle scrapped, a total of \$5,616.60.

Under current legislation, there are provisions that a credit provider may make a claim on a vehicle that may have been clamped or identified for sale or destruction. In the IAW CIF legislation of 2007, part 5, section 21(1)(b) provides that a credit provider may apply to the Magistrates Court for the release of the vehicle to the credit provider. Each request is to be treated on its merits by the Magistrates Court.

Also, subparagraph (1)(c) provides that the credit provider can request payment from the proceeds of the sale under the act. IAW section 20(6)(a)(ii) provides that, if an amount remains after those costs and fees and the Magistrates Court has made an order, under the new legislation, there is a requirement for financial encumbrances to be checked.

The honourable member then referred to Capital Investment Statement, New Projects—Hi-tech Crime-Fighting Equipment. He stated:

I note that the estimated total cost is \$4.7 million. Can the minister explain the difference between the election commitment of \$7.89 million for this new state-of-the-art police equipment and now only the \$4.7 million figure in the budget?

I have been advised that the election commitment of \$7.89 million includes both the operating and investing capital components of high-tech crime-fighting equipment, excluding depreciation. The amount of \$4.725 million is the investing capital component. The total budget excluding depreciation is \$8.955 million.

The Hon. Mr Ridgway then referred to Capital Investment Statement, Existing Projects—Police Records Management System, with a total budget of \$9.4 million. He stated:

Despite appearing under 'Existing Projects', the project did not appear in the previous year's Capital Investment Statement. Will the minister explain the discrepancy, and in the event that this project is, say, an amalgamation of existing works or a renamed project, what is the budget for its equivalent project?

I have been advised that the 2009-10 Capital Investment Statement reported a work in progress, 'Outlaw Motorcycle Gang Task Force Information Technology System', estimated total cost, \$5.181 million.

In January 2010, cabinet approved these funds being amalgamated with a portion of annual provisions and existing SAPOL recurrent funds to form the existing project, Police Records Management System, which appears in the 2010-11 Capital Investment Statement, with an estimated total cost of \$9.4 million. The Hon. Mr Ridgway referred again to the Capital Investment Statement, Existing Projects—Police Academy Redevelopment, and he asked:

I note that \$35.5 million of the total \$59 million estimated project cost is to be spent this year. Will the minister provide a breakdown of what developments are to occur under that \$35.5 million allocation and what is to be achieved in the next financial year with the \$11.1 million unspent budget allocation?

I have been advised that the \$35.5 million cash flow for 2010-11 will include invoices from the builder, the design team and DTEI building management on the project for the period April 2010 to April 2011. The program for this period indicates that the following activities will have taken place:

- site infrastructure works completed, including site layout and levelling; formation of car park and internal roads pads and building pads for buildings;
- new electricity supply and new water and sewerage services;
- removal of redundant radio towers;
- relocation of the 66 kilovolts power line off the academy site and onto the street verge;
- installation of underground rainwater tanks;
- commencement of all buildings; and
- completion of: Weapons Training Building Stage 1; Administration Building; Technology and Resources Building; and Facilities Management Building.

The \$11.1 million cash flow for 2011-12 will include:

- completion of car parks, new entry, internal roads, obstacle course, driver training track, and all landscaping and replacement fencing;

- completion of the campus heart, parade ground and Wall of Remembrance;
- completion of: classroom training building; auditorium building; accommodation building; weapons training building stage 2; physical training building; and scenario village and scenario house—

I had a look at one of those in WA. It is very good training for police officers.

The Hon. D.W. Ridgway interjecting:

The Hon. P. HOLLOWAY: No, they have the Scenario Village; they have proper banks and chemist shops, and the like. They even have actors who come in and do it, and then police have to respond. It is a very good way of doing it. I had a look at those when I was police minister and I am very pleased to see that it is coming to fruition.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: I am sorry for digressing, Mr President, but I am very excited about this project. One of the pleasant things I did as police minister was to initiate this project to redevelop the police academy. In addition to that, there is the changes room to be completed, and then the connection of all buildings to telephone and data networks. The Hon. Mr Ridgway then referred to Budget Paper 4, Public Safety—Summary income statement. He said:

I note that there are some variations on the figures for this program. For example, in last year's papers the 2009-10 budget for employee benefits and costs was listed as \$206.7 million, whereas in this year's paper that 2009-10 figure is \$233.9 million. This applies to the 2009-10 budget figures for each expense item listed in the summary. Why are there substantial variations in these figures, as between the previous and current budget papers, for what we would assume would be the same program?

I have been advised that prior years' budget papers are not comparable to the current year's budget papers, as there has been a revision of the program portfolio statement structures for 2010-11. Regarding public safety, this program now contains the sub-programs Emergency Response and Emergency Management and Coordination. These were previously shown under Program 4, Emergency Response and Management in Prior Years. A summary of program structure changes is provided below:

- Program 1, Public Order is renamed Public Safety;
- Program 2, Crime Prevention is renamed Crime Prevention and Criminal Justice Services;
- the 2009-10 program for Emergency Response and Management, and sub-programs 4.1 Emergency Response and 4.2 Emergency Management and Coordination have been realigned under Program 1, Public Safety as sub-programs 1.3 and 1.4 respectively; and
- the 2009-10 Program 5, Criminal Justice Services and sub-programs 5.1 Criminal Justice Services and 5.2 Custodial Services have been realigned under Program 2, Crime Prevention and Criminal Justice Services as sub-programs 2.5 and 2.6 respectively.

The Hon. Mr Ridgway then stated:

The objective of the public safety program is to support a strategic plan of 'improving wellbeing'. Table 6A.31 of the 2010 Productivity Commission Report estimates South Australia's total victims of reported and unreported crime in 2002 and 2005. Assaults have gone from 4,200 incidents in 1998 to 4,500 in 2002, and 4,700 in 2005. Total personal crimes have increased from 4,500 to 5,000. Does the minister think that the wellbeing of the community has improved under a Labor government?

Certainly, community wellbeing has definitely improved under this government. I am advised that the official ABS and latest SAPOL statistics both show that victim-reported crime in South Australia has fallen by over 35 per cent. Additionally, statistics show that violent crime has fallen from 293.3 per 100,000 persons in 2001-02 to just 189.6 in 2009-10. Overall crime per capita has dropped a remarkable 45 per cent. The Hon. Mr Ridgway then said:

I note the existing project relating to the police band bus. I note that the disbanding of the police band was a recommendation from the leaked Sustainable Budget Commission report. How much is estimated to have been spent on the police band in 2009-10, and what is the budget for the current financial year?

I have been advised that expenditure in 2009-10 was: employee entitlements \$3.2 million, supplies and services \$0.1 million, for a total of \$3.3 million. The budget for 2010-11 is: employee

entitlements \$3.2 million, and supplies and services again \$0.1 million, for a total of 3.3 million. The Hon. Mr Ridgway then said:

I note that in the performance indicators it is estimated that in 2009-10 police were involved in 351 fewer events than in 2008-09. Will the minister explain the contributing factors to that drop?

I am advised that SAPOL responds to the demand for special major and local events working with a wide range of stakeholders and where police support is required it is always provided. The number of events where SAPOL provides a service varies from year to year depending on community activity. Mr Ridgway then stated:

I note that the police cadet course will be reconstructed. Will SAPOL be continuing to recruit UK officers and, if so, what is the recruitment target for this year and across the forward estimates?

I have been advised that SAPOL's focus will remain on obtaining recruits from South Australia for the current period and across the forward estimates. SAPOL is targeting an additional 313 FTE police officers over and above attrition over the next four years. SAPOL will not be recruiting officers from the United Kingdom for 2010-11. The recruitment plan will be regularly reviewed over the forward estimates. Mr Ridgway then referred to employee long service leave liability and said:

I note that this liability is \$9.1 million. Has the government considered or had any discussions with SAPOL over the option of police officers cashing in their long service leave as an incentive to keep highly trained officers on the job?

I have been advised that no, that has not occurred. The Hon. Mr Ridgway then referred to the emergency management and coordination subprogram. He said:

...it is estimated that in 2009-10 the government fell short of its target of patrols arriving at emergency incidents within 15 minutes of a task in the metropolitan area. Why has the government fallen short of that particular target and what are the explanations for that shortfall?

I have been advised that the figures represent an accurate recording of SAPOL's response. The target is consistently set at a high level to ensure SAPOL strives to maintain and work towards improving a high level of service delivery to the community. The measure of the first responding units includes taskings which do not necessarily require emergency attendance—for example, shop theft.

Whilst there has been a decrease in the percentage of response within 15 minutes over several years, the categorisation of emergency incidents is currently under review to better reflect the taskings which do require an emergency response. The Hon. Mr Ridgway then referred to the Capital Investment Statement and the STAR Group vessel replacement project, and stated:

I note the estimated total cost of the project has gone from \$2.27 million (last year's statement) to \$2.51 million. The expected completion time has also been extended by a year. Will the minister please explain the change in time and cost projections?

I have been advised that in November 2007 an open tender process was initiated for the vessel replacement project with an estimated value of \$2.25 million GST exclusive. Tenders closed in March 2008. The subsequent evaluation process resulted in tenders failing to comply with a maximum vessel length and prices quoted substantially exceeded budget allocations. The tender was not proceeded with.

Following a review and the development of a new strategy, another tender process was initiated in October 2008 and closed in January 2009. This process was successfully concluded with a contract commencing on 30 November 2009 with a value of \$2.52 million GST exclusive. Additional funding of \$270,000 was required. The Hon. Mr Ridgway then referred to urban development and planning and said:

I note that the objective of the Urban Development and Planning Program is 'leading and presenting South Australia's land use development planning'. Development plan amendments are, indeed, integral to the land use and development planning. I note in particular the Mount Barker DPA and, particularly something that the council said in relation to this rezoning.

The Mount Barker township is currently categorised as a 'medium' bushfire risk, with the surrounding area (which is to be rezoned) nominated as 'high risk'. According to the DPA, the township and rezoned area will all be assigned to the lower 'general risk', which means that homes can be built to lower hazard standards under the Building Code of Australia. What is the rationale for the rezoned area being reassigned as a lower general fire risk?

The Development Plan Amendment for Mount Barker is, of course, currently under consideration by the Development Policy Advisory Committee (DPAC) and this issue will be considered as part of that process. To date, DPAC has not provided me with its advice. However, notwithstanding the particular bushfire considerations concerning the Mount Barker Urban Growth Development Plan

Amendment, once urban development has been undertaken in an area the nature of services within an urban environment is such that the level of bushfire risk reduces. Cement does not burn as well as grass.

Indeed, the areas of the state excluded from bushfire risk area requirements, on the basis of Country Fire Service advice, include existing townships and other settlements that have an adequate water supply for fighting fires and suitable emergency vehicle access and egress. This, in part, informed the plan which was consulted upon. However, the plan is still under consideration by DPAC, and as this was a matter raised during the consultation, my committee may have further advice for me on this matter. The Hon. Mr Ridgway then referred to the performance commentary for the urban development and planning program, as follows:

I note the third point from the bottom line consists of statistics on DPAs initiated, considered or completed. In February 2010 the Gawler Racecourse DPA was approved by the minister. The town of Gawler is now making a claim against the minister in the Supreme Court regarding the DPA.

I think that means he is referring to judicial review of the decision. He then asked:

How much has been spent on the legal fees relevant to that claim, and what are the budgeted amounts for future legal costs?

This matter is appropriately being handled by the Crown Solicitor's Office, and I have been advised the cost of defending the action will be met from within that department's budget. Should the government's position be upheld, it is likely, of course, that the government will seek to recover costs. The Hon. Mr Ridgway then stated:

Lobbyist Nick Bolkus had some involvement with the minister relative to the DPA. He was also engaged in the lead-up to the major development approval for the Buckland Park development. These decisions to approve the Buckland Park development were roundly criticised by several planning experts, including the Planning Institute of Australia. Given the recent record of controversy attached to the development decision involving Mr Bolkus, is the minister confident in the advice he received from Mr Bolkus, and will he continue to engage him in the lead-up to further significant development decisions?

How many times has the minister or staff from his office met with Mr Bolkus regarding these developments?

Let me first say that my office has not engaged Mr Bolkus. After consulting my diary, I can advise that I have had a total of four meetings at which Mr Bolkus was present—that is since July 2008. Actually, he was either present or he had arranged them. He may not have been present at all of them, but he was either present at, or had arranged, four meetings in relation to Gawler Racecourse and Buckland Park.

It should be understood by the opposition that Nick Bolkus does not advise me on planning decisions, as suggested by them. In his position, his role has been to arrange meetings between various stakeholders and myself and nothing more.

An honourable member interjecting:

The Hon. P. HOLLOWAY: Well, why are you chuckling? That is what he has done. I am getting a bit sick at this sort of sleaze. Yesterday, we had a situation in one of the debates on private members' business, where the Hon. Mr Ridgway quoted a former minister in this place, Diana Laidlaw. He said how it had made her sick, the relationships that had existed between—

The Hon. D.W. Ridgway interjecting:

The Hon. P. HOLLOWAY: Just repeating what she said. Well, Diana Laidlaw is a very wealthy woman, and a lot of that wealth has come from places like Adelaide Brighton Cement. A lot of workers have actually got sick as a result of that.

An honourable member interjecting:

The Hon. P. HOLLOWAY: Well, I think it is nasty to come in here and make accusations against me. It is all very well to come in here and just sort of throw this sort of sleaze around. Then he says Diana Laidlaw said that this makes her sick because of the relationship between this government and someone else. No evidence, of course; no explanation of it; just throw it out there!

If what the Hon. Ms Laidlaw said is true, then I think she herself ought to take a look at where a lot of her personal wealth has been achieved, and how it has been achieved, before she casts aspersions on me. I suggest that the Hon. Mr Ridgway should do likewise. Let me repeat that Mr Bolkus, or any other lobbyist for that matter, does not advise me on planning decisions. In his position, his role has been to arrange meetings between various stakeholders and myself, and

nothing more. I can also add that I see Nick Bolkus at various social engagements throughout the year, as I see many other representatives from peak bodies and organisations.

As I said, a check of the diary indicated that there were four meetings in which he had been involved either arranging or attending. If you have discussions about development, you do not deal with lobbyists: you deal with the people for whom they arrange meetings. You talk to the people who actually have the money they are going to spend on it. That is who you talk to if they want to approach you. What lobbyists do—or certainly the ones that I deal with—is arrange meetings. That is what they do; they arrange meetings, and there is nothing wrong with that, but what we get are members of the opposition with this innuendo.

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

The Hon. P. HOLLOWAY: Yes, but you keep repeating it.

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

The Hon. P. HOLLOWAY: Yes, you are as bad as one another. You are great at innuendo; not so good on facts. It is a bit like the budget that we are talking about: no alternative, no detail, no plan, but just cast a bit of muck out there. Just sort of imply it, as the Leader of the Opposition, Isobel Redmond—she is one of those who is great at doing this, saying, 'Oh, there's a perception out there.' Of course, as she is saying it she is creating the perception. Of course there will be a perception if you keep talking about these things, but these people never come up with any evidence whatsoever of improper behaviour—none whatsoever.

Let us go on with this line of thinking that the Hon. Mr Ridgway was talking about, because he asked those questions about Mr Bolkus.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: They can throw this stuff around, but they cannot take it.

In such cases where the interests of the development ministry have been pushed by influential lobbyists, has the minister granted community groups the same level of direct communication in order to argue their case? In the case of the Gawler Racecourse and Buckland Park, has the minister been swayed by the interests of developers over those of the community?

Then he said:

If the DPA proceeds as approved, what economic effect does the minister predict the new retail complex will have on the traditional Gawler main street?

Whenever considering any development plan amendment for approval, I balance the interests of all stakeholders affected, and I have had on many occasions the opportunity to meet with local residents regarding a variety of planning matters concerning the town of Gawler. If I recall—and it was way back in July 2008—that meeting that Mr Bolkus had arranged, there were people from Thoroughbred Racing SA, I think it was, who were there at the time in relation to that course. That was the first meeting.

I have not met with those people in relation to that for at least 12 months, but I have had many more meetings with local residents, and also with the local member of parliament, Mr Piccolo, in relation to those matters. He is a very effective local member in terms of putting the views of his constituents forward.

I have had many meetings, including a community cabinet meeting held in Gawler in November 2009 where I heard at least half a dozen different deputations in relation to these Gawler matters. I also, of course, have met with council. So, I have met with council, as well as the local members, and the member for Light, Tony Piccolo, who represents very well the concerns of the electorate.

As for Buckland Park and the balance between the interests of developers and the community, if the honourable shadow minister for urban development and planning took an interest in the issue, he would know that the limited number of people who form the Buckland Park community are widely supportive of the Buckland Park development plan amendment. In fairness, there is not a huge community at Buckland Park at the moment; there are only a handful of people out there. However, he asked me and, of course, by this question was suggesting that I had overlooked the community, notwithstanding, as I said, that the very small number of people out there are broadly supportive.

In reference to the second part of the question, the zoning at the Gawler Racecourse will be to provide sufficient lands capable of providing adequate facilities to serve weekly shopping and business needs for the population in the surrounding areas and to the south of the existing main street centre.

The council is currently in the process of rezoning large tracts of land at Evanston Gardens and Evanston Park. In light of this, any development over the rezoned land at the Gawler Racecourse will serve to curtail retail leakage from the township of Gawler into neighbouring centres such as Munno Para, and will alleviate congestion in the main street of Gawler, which has been a concern to residents and business owners alike for many years.

I think the Hon. Mr Dawkins, who knows the area, would agree that there is a fair haemorrhage of shopping down to the Munno Para centre, and there is also a lot of growth in Evanston Gardens. It makes sense to have some extra shopping facilities there at the racecourse site and I believe it is broadly supported by the community in Gawler. Again the Hon. Mr Ridgway said:

...I refer to the Gawler East DPA approved by the minister. What funding and policy commitments have been given to road infrastructure to support the development of Gawler East? (I am aware of an agreement but this minister in this house is yet to table that.) What funding commitment has the government given to that particular agreement?

This has been negotiated with the department and I have been advised that the Gawler East development plan amendment recognises that the development of more than 1,000 dwellings in Gawler East is non-complying until the completion of the link road.

That is the trigger point I have referred to that was not hitherto part of development plan amendments in this state. It is one of the new innovations and we will see that further developed with Mount Barker and thereon for more future development plan amendments, I hope. Traditionally, development plan amendments have never considered the infrastructure needs. We are now beginning that process and it will be a huge and very important innovation by this government.

To continue on with the answer, government is committed to achieving substantial commitments of the link road no later than the first half of the 2013-14 financial year, and achieving completion of the link road by no later than July 2015. I am advised that this will be subject to resolution of any archaeological, anthropological and environmental issues. Government is committed to resolve these issues as expeditiously as possible. Currently the Land Management Corporation has been engaged to undertake a commercial assessment for the Department of Transport, Energy and Infrastructure (DTEI) of the options available for the development of this land to fund the cost of the link road.

The Department of Planning and Local Government is currently leading negotiations on behalf of the state in relation to the provision of the road infrastructure in the area rezoned by the Gawler East development plan amendment. The negotiations between DTEI, the Town of Gawler, the Barossa Council and Delfin Lend Lease are progressing cooperatively and in a timely manner, with the proposed traffic interventions being agreed to in principle by all parties.

DPLG expects that, once local government elections have been conducted and the caretaker provisions are no longer in place, an agreement acceptable to all parties on the apportionment of responsibility for contributions to the cost of each traffic intervention will be able to be reached. The Hon. Mr Ridgway then said:

I note in the summary income statement that \$6.64 million is estimated to have been spent on supplies and services. As the minister stated in this place on 3 June 2009, Connor Holmes was engaged by the Department of Planning and Local Government to undertake different work to identify land that has potential for urban development over the next 30 years. What was the total cost of that service, and has that work now been completed?

Connor Holmes was engaged during 2008-09 through a select tender process to undertake the growth investigations. I am advised that the total cost of the service was \$250,000, which was completed during 2008-09. Mr Ridgway then said:

I note the third point from the bottom lists—

this is in the performance commentary on the urban development planning program—

some of the DPAs initiated that are considered to be completed. My question is: what is the average time taken in South Australia for ministerial consideration in the decision phase of a council-initiated DPA?

I am advised that the medium time from commencement of a council-initiated DPA to authorisation was 30.23 months in 2009-10. The time taken for ministerial consideration of a council-initiated DPA is not measured. In relation to Budget Paper 4, Highlights 2009-10, Mr Ridgway stated:

I note the continued implementation of the planning and development review recommendations. One was the establishment of a residential code. Has the residential code been formally reviewed, and what is the level of community satisfaction with the residential code?

In order to address recommendation 25 of the Planning and Development Review recommendations, the South Australian residential code (the code) was introduced in stages during 2009. Commencement of operation of the full code, that is, for detached and semi-detached dwellings in the last of the areas to be gazetted, occurred in December 2009.

While the code has been introduced, it is yet to be formally reviewed. Preparation for that review though is well under way. It will address concerns of industry about access to the code, the content of several conditions and the applicability of others. A working group will be announced shortly to review the code and report its recommendations through the Development Policy Advisory Committee as the nominated code advisory committee.

Separately, the Department of Planning and Local Government and the Local Government Association are partnering in a project designed to render access to code-related information easier through an electronic portal and a specific form for code applications. These initiatives will bring a new integrity and administrative simplicity to applications and boost the take-up of the code by applicants. The Hon. Mr Lucas also asked a couple of questions about the funding of the Million Trees Program. He asked:

Can the government and Treasurer explain why other budget cuts, similar to the ones I have just highlighted, have not been included in the budget measures document? So, what other cuts have not been included?

I am advised that all policy decisions are spelt out in the budget papers. In relation to the specific issue that was raised by the Hon. Mr Lucas, there has been no cut to the Million Trees Program. Unallocated funding from the Planning and Development Fund has been directed towards the Greenways and Cycle Paths project.

The Hon. Mr Lucas also asked a question about depreciation. I have been advised that it is standard practice to not show depreciation effects in the budget papers, although depreciation impacts are included in the budget bottom line. This has been in place for a number of years. With those answers, those questions are answered, and they cover most of the matters raised fairly comprehensively, I would have thought. I commend the Appropriation Bill to the council.

Bill read a second time.

In committee.

Clause 1.

The Hon. D.W. RIDGWAY: The opposition will pass this budget with deep regret. This is a bad, mean and miserable budget. However, under the time-honoured constitutional convention, the upper house does not block supply. We cannot let this Labor bill create a constitutional crisis, but what we can say is that this budget is a budget of broken promises, of Labor's contempt. It attacks the very people Labor is supposed to represent. This is a budget which shames the government and of which Don Dunstan would have been ashamed. South Australians will remember Labor's betrayal. Not just the senior ministry but all Labor members in this house and the other place have let down their former supporters and all of South Australia.

The Hon. P. HOLLOWAY: If we are going to go through second reading speeches again, of course, I reject that. What this government has done through its budget and through a lot of work by the Treasurer and members of the Sustainable Budget Commission is reduce the impact that the budget measures would otherwise have upon South Australians. One only has to look at what is happening today in the United Kingdom, Greece, Spain, France and other places to see what the alternative would be.

Members opposite can just pretend away, if they like, the economic conditions that we face. They can pretend away the fact that we have an ageing population. They can pretend away the fact that health expenditure has been growing at 10 per cent while revenue is growing at a lower smaller rate, and that is 35 per cent of the budget. They can pretend away the fact that we now have, through demographics, an increasingly ageing workforce, fewer people entering the

workforce, more people retiring, fewer people to pay taxes. They can pretend away all these things. But this government will not: we will deal with the reality. Yes, the budget is a tough budget, but the fact that we have sat here for over a week and not heard any substantial alternative to what we are putting up, I think speaks for itself.

The Hon. D.G.E. HOOD: We, too, will support the passage of this Appropriation Bill. We have no choice, of course; that is the convention of the Westminster system, and we do not seek to overturn that convention. We respect it. I have listened to this debate now for a week or so, both in the media and in the house and, to be as even-handed as I can, I think there are some positive measures in this budget. My view is that we are living in somewhat difficult financial times and, although there has been substantial GST revenue for this government, we had a very significant global event in recent times which has had an impact. I am inclined to accept that argument.

For that reason, I can understand a government wanting to take a tough approach. But the thing I do not agree with—that I and my party will never agree with—is changing conditions on public sector employees in retrospect. People who joined the Public Service did so under certain conditions in good faith at that time. They joined understanding that their long service leave conditions were as they were agreeing to at that time. To alter those conditions in retrospect, I think is fundamentally wrong, and I absolutely object to it. I understand the financial difficulties. All I am saying is that there must be another way because—and I am thinking particularly of our police officers, ambulance staff and people who genuinely put their life on the line to protect people in the community—to change their conditions in a retrospective way, I cannot accept. I strongly object to that aspect of this Appropriation Bill.

Clause passed.

Remaining clauses (2 to 8), schedule and title passed.

Bill reported without amendment.

Bill read a third time and passed.

[Sitting suspended from 12:59 to 14:15]

PAPERS

The following paper was laid on the table:

By the President—

District Council Report, 2009-10—Peterborough

QUESTION TIME

POLICE ATTENDANCE PROCEDURE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Police, a question about police reports.

Leave granted.

The Hon. D.W. RIDGWAY: On 14 September, the Minister for Police announced an internal police inquiry into the Callington murder. A 63 year old woman who lived on her own in Callington had rung the police the previous weekend saying that youths had thrown rocks through the window of her home. Sadly, police did not attend. No patrol car was dispatched and tragically she was found murdered at her home the next day. The minister claimed, before any evidence had been obtained, that the death was the result of an error of judgement. He also immediately ruled out resourcing as a factor. My questions are:

1. When will the report be made public?
2. Does the minister now agree that there is convincing, compelling evidence that the inquiry into the case should be done by somebody independent of both the minister and the police commissioner?

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 will refer that question to my colleague the Minister for Police and bring back a reply.

RESPONSIBLE ALCOHOL SERVICE

The Hon. J.M.A. LENSINK (14:20): I seek leave to make a brief explanation before asking the Minister for Consumer Affairs a question about the responsible service of alcohol.

Leave granted.

The Hon. J.M.A. LENSINK: The Productivity Commission has recently published a report entitled 'Annual review of regulatory burdens on business: business and consumer services research report.' Under a particular section, it refers to the issue of responsible service of alcohol training and issues to do with the mobility of staff across jurisdictions. The report states:

The [AHA]...is concerned with the lack of mutual recognition of responsible service of alcohol (RSA) training across jurisdictions. It is mandatory in all jurisdictions for staff serving liquor to have completed a responsible service of alcohol course prior to being able to serve liquor.

Consequently, training has to be replicated for staff working across jurisdictions. This impedes labour mobility and results in additional costs to employers.

I note that the submission refers to this being a result of differences in local licensing laws and it states that local knowledge is important. The PC report suggests that mutual recognition is the issue that is being raised by the AHA. My question is: what consideration has the minister given to this particular issue in relation to the latest proposals for amendments to liquor licensing?

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) (14:23): I thank the honourable member for her important question. Indeed, we currently have a number of liquor licensing reforms under review, including the review of our code of practice. The consultation for that has been completed and we are now collecting those comments and the government will formulate a response to that soon.

However, it is proposed that the new code of practice will revise a number of measures designed to promote and improve compliance with the provisions of the objects of the act. One of those is requiring staff to undertake specified, accredited training which includes the responsible service of alcohol.

We know that that training is vital to support compliance requirements. We know that confident and knowledgeable staff are obviously better able to deal with problems that might occur, particularly when an intoxicated person might be creating difficulties in terms of service. It is also important that staff are very clear about their responsibilities, terms of both legislative and regulatory responsibilities. So, this training will help ensure those measures are complied with.

Currently, an anomaly has arisen, which I am well aware of, and that is that, although I understand there is a nationally accredited course, nevertheless different jurisdictions have different requirements around what constitutes meeting their requirements for the responsible service of alcohol. Simply the completion of that accredited course is not necessarily the accepted standard across all jurisdictions for meeting the requirements of responsible service training. Some jurisdictions have little add-ons, in that you have to do that bit of training, plus there are additional components, and that makes it extremely difficult for those people who work in the industry.

Many of our industries, including our liquor and hospitality industry, operate nationally, or at least in multi-jurisdictions. So, it does make it difficult when individuals have to resit or sit different types of training to meet the responsible service of alcohol requirements in each jurisdiction—and I know this because my husband is one of them; he works across states and has to meet those requirements time and time again. It is an inefficient and ineffective use of people's time. In terms of mutual recognition, we do strive to streamline those processes and reduce red tape and ensure that we meet those standards of compliance to make it easier for people to work across the industry and not be bound by the different jurisdictional requirements.

I have had a number of conversations with some of my ministerial colleagues, particularly the Minister for Tourism (Hon. John Rau), who is participating in a ministerial council involving tourism which deals with those issues of workers, particularly in relation to those industries related to tourism, and this is one of them. Their ministerial council is looking at elements around that, so I have asked him to raise this issue in that particular forum to see whether we can establish, if not in that ministerial council itself, at least a task force or a sub-group of that ministerial council that

might do some concentrated work on bringing together the different jurisdictions responsible for the requirements around training to see whether we can streamline the process and reach a national position that all states can sign off on.

We know that there is an added complication because the elements of this training are not only around the service of alcohol and the requirements around that, and how to manage problem behaviours and confrontation and such like, but it also deals with knowledge around the particular jurisdiction's legislation and regulation, and we know that varies across jurisdictions. We are looking at having perhaps a core training component which deals with certain elements of the curriculum and then perhaps a fact sheet or some sort of add-on which deals with that particular jurisdiction's specific legislation which can be easily dealt with and updated across jurisdictions.

It is a difficult issue and, having had a chance to look at in some detail, I can understand why this problem has not been addressed sooner; that is, because of some of the complexities inherent in the system. Nevertheless, I have initiated a process for us to at least have another look at that. It does require the cooperation of all jurisdictions, but we are hopeful that we might be able to deal with this old chestnut.

EQUAL OPPORTUNITY COMMISSION

The Hon. S.G. WADE (14:30): I seek leave to make a brief explanation before asking the Minister for the Status of Women a question relating to the Equal Opportunity Commission.

Leave granted.

The Hon. S.G. WADE: The minister yesterday tabled the 2009-10 annual report for the Equal Opportunity Commission. The report states, 'For the fourth consecutive year, the highest number of complaints relate to disability and race.' I note that in 2009-10 the commission dealt with 90 complaints related to disability, more than twice as many as related to race, and three times as many as related to sex. My question is: what is the government doing to address disability discrimination?

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) (14:31): In fact, the particular policy issues around discrimination in relation to disability are not within my purview. I understand they come under the responsibility of the Minister for Disability, the Hon. Jennifer Rankine. The issues from the EO Commission that I am responsible for are obviously those that involve discrimination around gender.

FREEDOM OF INFORMATION ACT

The Hon. I.K. HUNTER (14:31): I seek leave to make a brief explanation before asking the Minister Assisting the Premier in Public Sector Management a hard-hitting question regarding the administration of the Freedom of Information Act.

Leave granted.

The Hon. I.K. HUNTER: The Freedom of Information Act was reformed by the current government during its first term of office to support our commitment to openness and accountability. The objects of the act were specifically amended to emphasise disclosure over non-disclosure and ensure that information concerning the operations of government is readily available to members of the public and to members of parliament.

The changes adopted by this government include the removal of ministerial certificates that enabled ministers to veto release of documents and strengthening the powers of the Ombudsman to require agencies to release information as a result of an external review. Changes were also made to the cabinet exemptions to make sure that simply running documents past cabinet was not on its own enough to make them eligible for exemption. As the reforms of the Rann Labor government continue to set the standard for FOI across Australia, will the minister update the chamber on progress in administering these groundbreaking laws?

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) (14:33): Never before in the history of South Australia has so much information been available to members of the public. The level of transparency provided by this government would no doubt leave our founding fathers lost for words, but we have no shortage of words. The government maintains numerous websites across the various state

agencies providing volumes of information about the operations of our various legislation and regulations.

Not only is *Hansard* provided in a timely manner online, but acts, bills and regulations can also be accessed through a website dedicated to South Australian laws. We have annual reports tabled in parliament and, of course, they are also on websites, and news releases and community information sheets are provided to the media and interest groups to keep them apprised of developments in policy and in cabinet decision-making.

The availability of cabinet documents was further enhanced with the introduction of the 10-year rule policy on 1 October 2009, when the government reduced the cabinet exemption from 20 years to 10. Since that time, over 354 cabinet documents have been requested under the 10-year rule, with 351 being made available either in full or in part. In percentage terms that breaks down to 99 per cent of documents released, 84 per cent provided in full and 15 per cent in part.

If all these many megabytes of information available online or through the 10-year rule are not enough to satisfy the curious, we have the freedom of information laws to provide access to documents held by the various government agencies and ministerial offices. In addition to the legislative amendments to the FOI that were mentioned by the Hon. Mr Hunter, this government has also introduced a raft of administrative changes, including the implementation of the Freedom of Information Management System, or FOIMS, in 2005. FOIMS is an across-government database for recording and processing FOI applications which has greatly improved FOI by agency since 2005.

All this freedom of information does not come free: there is a substantial cost to the taxpayer. The total cost of administering FOI for the state government, local government and universities has risen by 282 per cent since this government's first term of office, climbing to \$6.5 million in 2009-10 from \$1.7 million in 2001-02. For the state government alone, the cost of administering FOI has risen by 81 per cent in the past four years. The increase in cost appears to be attributable to four factors:

- Applications from MPs have increased considerably and are time-consuming to determine due to their broad scope and complexity.
- Reporting by agencies on the salary costs now includes staff involved in all FOI-related administrative tasks while, prior to 2005, the estimates related mainly to staff involved in the decision-making process.
- There has also, of course, been an increase in public sector salaries of 30 per cent since 2001-02.
- The seniority of officers working on FOI has increased in line with amendments made to the FOI act by the previous government.

So they are four factors that have contributed to that cost. While the state government, local government and universities are able to apply fees and charges to FOI applications, these barely cover the rising cost of their administration. The proportion of revenue generated from fees and charges in terms of covering costs has shrunk dramatically. It was \$115,380 (around 6.7 per cent of total costs) in 2001-02 and it is now \$127,637 (around just 2.5 per cent of total costs) in 2009-10.

If I can turn to just the total number of FOI applications to the state government, you can clearly see the volume of traffic has also increased. In 2001-02, applications numbered just 9,427. That number has risen by 29 per cent to 12,156 in 2009-10. The South Australian, commonwealth, New South Wales and Western Australian governments compile across-government statistics on FOI. Based on those statistics and the relevant population figures, South Australia receives, on average, twice as many FOI applications per head of population as the other jurisdictions.

We are often disparaged in the media each time an FOI request has been held up for further information or referred to the Ombudsman but, when you look at the release rate of 87 per cent in 2009-10, these incidents are a very small percentage of the overall total of FOI applications received. The wheelbarrow load of FOIs provided to the Hon. Mr Parnell alone, for example, has me worried, as the minister responsible for safe work, that some unfortunate government employee is at risk of permanent injury simply carting them around.

The number of full-time equivalents working on FOI across state government was estimated to be 41.7 in 2001-02 and that has grown by 64 per cent to 68.3 in 2009-10. Even information relating to the number of full-time equivalents dedicated to FOI applications received by

ministers' offices and departments was applied for under FOI by a member of the opposition. I have to wonder whether the opposition is having a lend of us.

This government has been a champion of freedom of information. We are also mindful that in corresponding with the government there are individuals and companies who wish to protect their own privacy from the prying eyes of third parties. That is why the FOI system provides scope for balancing the need for transparency against the desire for privacy—privacy for reasons of commercial confidence in some cases and, in other cases, simply because individual South Australians might not necessarily want details of their interaction with the government provided to third parties—and rightly so, in certain instances.

Freedom of information is not absolute. That is reflected in the act and in its appeal processes, but I would resist those who want to unfairly characterise these proper procedures as an attempt by government to maintain an unnecessary cloak of secrecy. The government's proud record of reform in the area of freedom of information does not need to be FOI'd, Mr President: it speaks for itself.

FREEDOM OF INFORMATION ACT

The Hon. J.M.A. LENSINK (14:40): Arising from the answer, can the minister explain why it can take up to two working days for the Premier's and ministers' media releases to be loaded onto the website?

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) (14:40): I will endeavour to find out why that happens. I imagine that it is to do with the availability of staff. We get complaints from members opposite about how many staff there are in areas, but look at the bill: the total FOI bill has gone from \$1.7 million to \$6.5 million—one reason why governments have to restrict other areas because of the growing demand in this area. As I said, there are far more people involved at a far greater cost in providing this information because there are far more requests (by members of parliament, for example)—twice as many per head of population than anywhere else in the country—because we have such generous laws here in relation to cost.

We do not apologise for the fact that we have changed the laws to make information more readily available. It is much easier than it was when we came to government. It is a bit of a joke when we hear the Hon. Mr Lucas interject when we remember that we had the chief of the premier's staff sorting out these documents. That has long ended under this government, where we have accredited freedom of information officers who look at it. As to why the Premier's press releases, on some occasions, take longer to put up, I imagine it is a matter of the availability of the website.

I do not look at the opposition's website very often but, when I have heard that something is on it, I have noticed that sometimes it can take weeks for things to get up there. In fact, they have the interesting combination where on their website they have federal and state—they do not even distinguish between state and federal websites. I will seek to get an answer for the honourable member.

FREEDOM OF INFORMATION ACT

The Hon. M. PARNELL (14:42): Arising from the minister's original answer, given that three of my last four successful appeals to the Ombudsman have been from your department, minister, are you satisfied that your officers understand the spirit of this legislation, that is, that disclosure should be the paramount consideration?

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) (14:43): I am very happy. I do not interfere in those cases. I know that there is one case now where the honourable member is challenging a matter in the courts, but that is not because of any reluctance on my part in relation to that particular document; it is because—

The Hon. M. PARNELL: I rise on a point of order. It is a matter that was heard in court on Wednesday. It is before a judge of the court; it is not my appeal and the minister should refrain from talking about it while a judge of the District Court is considering my application, based on an appeal lodged by third parties.

The PRESIDENT: Fair enough.

The Hon. P. HOLLOWAY: I suggest that the Hon. Mr Parnell does not ask questions about appeals then. I try to answer questions, and then, when I do, he objects, so I am quite happy to refrain.

The PRESIDENT: The Hon. Mr Lucas has a supplementary.

FREEDOM OF INFORMATION ACT

The Hon. R.I. LUCAS (14:44): Given the minister claimed that cabinet documents older than 10 years were available under the new policy, why has his government refused to release documents from the 1980s, under the former Bannan government, relating to the privatisation of SAGASCO by the former Labor government?

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) (14:44): As I indicated in relation to that rule, there were, I think, 350 or so applications. I did give the figure.

The Hon. R.I. Lucas: Is that a bit embarrassing, is it, Labor privatisation?

The Hon. P. HOLLOWAY: Not at all. I would imagine, Mr President, that, in relation to cabinet documents relating to privatisation, there could well be commercially-sensitive matters, which, as I indicated in the latter part of my question, may well have commercial—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: The Hon. Mr Lucas has no basis on which to say that at all. That decision would have been made by—

The Hon. R.I. Lucas: All the Liberal ones were released.

The Hon. P. HOLLOWAY: And probably the Hon. Mr Lucas himself requested them, is my understanding of it. He is probably the main person who was requesting it.

The Hon. R.I. Lucas: I got the Liberal ones and not the Labor ones. I wonder why?

The Hon. J.M.A. Lensink: Selective FOI?

The Hon. P. HOLLOWAY: The honourable member is correct: there is an independent FOI officer, and the decision is really a matter for that person.

COURTS ADMINISTRATION AUTHORITY

The Hon. D.G.E. HOOD (14:45): I seek leave to make a brief explanation before asking the minister representing the Attorney-General a question about the Courts Administration Authority.

Leave granted.

The Hon. D.G.E. HOOD: The Courts Administration Authority provides a record of judicial comments following sentencing on its website. In former times it has produced that information within just a matter of hours or so of the decision being handed down and made public. Of course, the court system is public. People can be made aware of judicial comments literally by sitting in the courts and hearing them.

In that spirit, those comments have been put on the website—as recently as 12 or so months ago—within an hour or so of those comments being made. In recent times, not all cases are now put on the website. Indeed, there is a delay of at least 48 hours or so from the time the comments are made until they appear on the website. Why has this changed, and will the Attorney-General investigate the matter and seek to have a speedy response from the Courts Administration Authority on these very important public comments?

The Hon. R.I. Lucas interjecting:

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) (14:47): I thank the Hon. Mr Hood for his question. It is interesting. The Hon. Mr Lucas is interjecting, but he was the one who, just a couple of weeks ago through his Budget and Finance Committee, talked about how much money this government

allegedly spends on so-called spin doctors. The sort of spin doctors he is talking about in that committee are the sorts of people the Hon. Mr Hood is talking about.

By far the largest number of those and by far the largest cost relating to the government's media-related people are doing the sorts of jobs that the Hon. Mr Hood is talking about—putting information on public websites. If members think back to the answer to a question I previously gave, they will recall that a lot of money is spent on providing information to the public through the government websites, and the people who do that are communications officers, if you like, within the government.

If you want to have that sort of information available, you must have public servants who do that sort of work. It ill behoves, then, people such as the Hon. Mr Lucas to throw around these \$20 million plus figures and say, 'Oh, look, these are all spin doctors.' I think that it even included people such as chiefs of staff and ministerial advisers; they are all supposed to be in this category. A lot of people appropriately work in government who do the sorts of jobs that the Hon. Mr Hood is talking about, putting up information on websites, and it is a very important task.

Attacking and criticising these people who do this job, and being continually told by the opposition that we spend too much money on these sorts of activities, makes it a bit difficult to maintain that sort of service to the public when the people who do it are being unfairly attacked by the opposition and others. I will take the question on notice and bring back a response for the honourable member, because it is a reasonable question, and I thank him for raising it.

SA LOTTERIES

The Hon. R.P. WORTLEY (14:49): I seek leave to make a brief explanation before asking the Minister for Government Enterprises a question about SA Lotteries being a global leader in social responsibility.

Leave granted.

The Hon. R.P. WORTLEY: Since 1967, SA Lotteries has been conducting lotteries in South Australia. The organisation's goals, which are set out at the beginning of its annual report, include:

- to promote, conduct and distribute lottery gains for the benefit of the South Australian community;
- to optimise profits through the effective allocation of resources; and
- to be a corporately responsible and respected organisation that has a broad base of community support.

My question to the minister is: can you tell the council what actions are undertaken by SA Lotteries to ensure that it operates in a socially responsible manner?

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) (14:49): I am very proud to inform the council that SA Lotteries has been formally recognised by the World Lottery Association as operating at the highest level of responsible gambling standards. SA Lotteries is the only Australian lotteries jurisdiction to be acknowledged as having reached this standard. The World Lottery Association is truly global in scope, with membership made up of state lottery and gaming organisations from 90 different countries spread over five continents. All World Lottery Association members contribute the majority of their net revenues to good causes.

There are four levels of accreditation for responsible gambling standards, and all World Lottery Association members are required to adhere to the most basic level, level 1. SA Lotteries has achieved the highest level, level 4 accreditation, which means that it has demonstrated a mature and well-established responsible gambling program inherent in its day-to-day operations, with a focus on continuous improvement of its program.

In accordance with the State Lotteries Act 1966, SA Lotteries adheres to the Independent Gambling Authority approved State Lotteries Advertising Code of Practice and State Lotteries Responsible Gambling Code of Practice. All SA Lotteries' agents display responsible gambling material, including brochures, posters, gambling helpline cards and stickers, in accordance with the code.

SA Lotteries agents are trained to provide information on gambling help services to suspected problem gamblers or to players requesting this information. These instances are first reported to the SA Lotteries internal problem gambling report group, which is convened when reports of incidents are received, allowing further action to be considered. I understand that, during 2009-10, there were six reports. Four of the six individuals affected requested self-initiated barring arrangements and, as a consequence, SA Lotteries developed a process to facilitate barring requests from problem gamblers modelled on the process currently applied to other gambling providers.

I am advised that SA Lotteries provides responsible gambling refresher training to agency staff every two years in accordance with the responsible gambling code of practice. A log is maintained by SA Lotteries to ensure the completion of refresher training. I understand that SA Lotteries operates a stringent audit and compliance program to ensure the ongoing compliance of its agents and all requirements of the codes of practice. Agencies are audited for compliance at least once a year.

An annual independent audit of SA Lotteries' compliance with the Independent Gambling Authority codes has been conducted by KPMG. KPMG reports the outcome of the annual audit to the Independent Gambling Authority, and I am pleased to inform the council that the April 2010 audit identified full compliance. I also ask members to note the dedication of SA Lotteries to responsible gambling and to congratulate it for its achievement in having that dedication recognised internationally.

DISABILITY SERVICES ACT

The Hon. K.L. VINCENT (14:54): I seek leave to make a brief explanation before asking the minister representing the Minister for Disability a question regarding disability services in this state.

Leave granted.

The Hon. K.L. VINCENT: As all members would be aware, the Disability Services Act was passed in 1993 to provide for the funding and provision of disability services in South Australia. At that time, the then minister for health proclaimed that the legislation serves to endorse and protect the right to dignity, autonomy and self-determination for people with disabilities. There is a section of the act that requires that it be reviewed within one year of its commencement, and on 31 March 1995 a report on this review of the act was, indeed, provided to the then new minister for health. Looking back at the contents of this review, there were some very wise recommendations made. For example, the review recommended:

- the establishment of a formal complaints mechanism to handle complaints about services provided for people with disabilities;
- that a system of mandatory reporting be implemented;
- that consideration be given to the implementation of a volunteer community visitors scheme; and
- that the act be reviewed every five years.

It seems to me that these ideas are still being recommended by those who champion the rights of people with disabilities today. Fifteen years on, we in the disability community are still waiting for these recommendations to be implemented. My questions to the minister are:

1. Is the minister currently undertaking a review of the act? If so, when will this review be available for consideration?
2. Who is involved in the consultation process for this review?
3. Most importantly, why has it taken so long for such a review to be implemented?
4. Will the minister commit to implementing the recommendations listed above?

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) (14:56): I thank the honourable member for her very important questions. I will refer them to the Minister for Disability in another place and bring back a response.

MOTOR VEHICLE INSPECTIONS

The Hon. J.S. LEE (14:56): I seek leave to make a brief explanation before asking the Minister for Consumer Affairs a question about compulsory vehicle inspections.

Leave granted.

The Hon. J.S. LEE: It was reported in the minister's media release of Wednesday 20 October 2010 that the new legislation for a two-day cooling-off period for people buying a second-hand vehicle from a licensed dealer will be implemented at the end of November 2010. The Motor Trade Association of South Australia supports new state laws that give consumers greater protection when purchasing used vehicles, but Mr John Chapman from the Motor Trade Association has raised concerns that consumers have none of these important protections when they buy a vehicle privately.

The MTA supports calls for the introduction of compulsory vehicle inspections to help decrease the number of unsafe cars on South Australian roads. In a media release on Monday 25 October Mr Chapman stated:

It is unbelievable that at the moment, private sellers of vehicles do not have to ensure the vehicle they are selling is roadworthy—yet our dealer members are required by law to ensure roadworthiness.

My questions to the minister are:

1. How will the government address the increase in the number of defective vehicles on our roads?
2. Will the government support the calls to introduce compulsory vehicle inspections, proposed by the MTA?
3. What will the government do to improve consumer protection against buying unroadworthy vehicles from private car sellers?

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. Indeed, they go to a number of very important and quite difficult policy areas, areas that I know a number of my colleagues, as well as myself, have given considerable thought to for some time.

We have just looked at the introduction of a cooling-off period for the purchase of second-hand vehicles, and I am aware of the position of the MTA. It has used that opportunity to again report its position regarding compulsory inspections and its concerns about backyard dealers. The MTA has taken this position regarding compulsory vehicle inspections for a number of years; it is not something new, and it is something that the association has discussed with a number of ministers. That particular policy area comes, I think, under the Minister for Road Safety, or it may even be the Minister for Transport.

I know that both those ministers have given thought to that. It is not an area that I am responsible for directly, yet it is an area where I have been involved in discussions. I know that it goes very much to the issue of the cost of living and, in particular, the ability of low-income drivers to purchase vehicles. By putting annual compulsory vehicle inspections in place the costs are, in turn, added to the cost of the vehicle and it does increase the cost of purchasing a vehicle. In relation to second-hand vehicles the government is particularly concerned about the impact that it could have on low-income drivers.

It is something that we try to balance very carefully. We try to put in place provisions around roadworthiness and suchlike to afford basic protection for drivers and consumers, whilst not making the regulation around vehicles too onerous and costly so that it becomes prohibitive for some members of our community to be able to afford to purchase a vehicle. We know that in many cases vehicles are essential for people to access work, school and many other functions in life, and it can have a significant impact on the lives of people and their families.

I understand the position is that those ministers have chosen not to go down the path of compulsory vehicle inspection. On the other hand, the government has in place a system of roadworthy requirements to ensure that vehicles meet a certain standard. Licensed second-hand car dealers are required to sell vehicles that meet a roadworthy standard.

I have been a very strong and vocal advocate in a wide range of public forums (including many media forums) where I warn the public about the risks associated with purchasing second-hand vehicles privately, particularly through unlicensed backyard dealers who do not have the same sort of warranty protections. In addition, the onus of ensuring that the car is roadworthy then rests with the buyer. Sometimes people can be led to believe that that would not cost very much to comply with, but when they take the vehicle in and it is found to be in a very bad condition (which the new owner was unaware of) they end up having incredibly prohibitive costs and are in a real mess.

Often they have had to take out a loan even to buy the vehicle, so they are paying off a loan they can ill afford and cannot even drive the vehicle. It can end up in some very sad and tragic personal circumstances. We are very vocal in encouraging consumers, wherever possible, to go through a licensed second-hand car dealer when purchasing a second-hand car.

CEMENT, CONCRETE AND AGGREGATE INDUSTRIES

The Hon. B.V. FINNIGAN (15:04): I seek leave to make a brief explanation before asking the Leader of the Government, the Minister for Mineral Resources Development, a question regarding the cement, concrete and aggregate industries.

Leave granted.

The Hon. B.V. FINNIGAN: Without concrete and its constituent parts (sand, aggregate and cement) we would not have the roads, footpaths, schools, hospitals, homes and workplaces that we otherwise take for granted. Heavy construction materials are the foundation upon which our modern lives are built. Will the minister provide the chamber with an update on recent achievements in the areas of environmental standards, health and safety across the cement, concrete and aggregate 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) (15:05): I was fortunate enough to attend the Cement Concrete & Aggregate awards, a night on which the industry acknowledges its achievements in the area of environment, health and safety. This event, held every two years, celebrates innovation and performance in environment, health and safety across the cement, concrete and aggregate industries.

Our government also acknowledges the industries' commitment to continuous improvement in the management of all aspects of the environment and in the health and safety of the industries' workforce and the community. The cement, concrete and aggregate industries are very important to South Australia, as the honourable member has indicated, and they contribute to making our state one of the most affordable places to live in the nation. That, of course, is because we are fortunate that we have low-cost resources within close proximity of the city.

The Hon. T.A. Franks: South Australia is so different from other states because of our concrete.

The Hon. P. HOLLOWAY: It is different from the other states; the honourable member is correct, because we do have that advantage, unlike in Sydney, where you have to rail in aggregates for 200 or 300 kilometres from the southern tablelands. These industries have been fundamental to the delivery of our government's major public works projects, and they will continue to be fundamental to delivering the outcomes set out in the 30-Year Plan for Greater Adelaide. If some honourable members had their way, we might be paying tens of thousands of dollars more for dwellings, and I think some members of this place should reflect on that.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: Just as well we don't sit too often on a Friday, Mr President. They will continue to be fundamental to delivering the outcomes set out in the 30-Year Plan for Greater Adelaide. I have been increasingly impressed that the cement, concrete and aggregate industries continue to thrive against a backdrop of increasing pressures and many unique challenges faced by industry, including:

- competition, rising costs of production, transport and the need for capital investment in plant and facilities;

- water issues and innovations in recycling and the active reduction of water use;
- climate issues and the recognition that we need to become climate responsive;
- the growth of residential development in the vicinity of our extractive mines and cement and concrete production plants; and
- growing expectations of the community around the principles of 'social licence to operate'.

Environmental innovation is a key element in addressing these issues. It will be pivotal in maintaining industry's continued competitiveness and helping to ensure its long-term sustainable development. Environmental innovation in partnership with best technical and operating practices will underpin the achievement of the social licence to operate.

I congratulate Cement Concrete & Aggregates Australia on building the Environmental Health and Safety Awards into such an important event. The Best Environmental Innovation in the Extractive Industries Award went to Southern Quarries for the Sellicks Hill Quarry air separator, which was described by the judges as 'a very effective solution for a state which so highly values water'. In place of previous methods of using large volumes of water in relation to separating aggregates, the air separator is a very innovative solution.

The award for the Best Environmental Innovation in Pre-Mix Concrete was won by Hanson, for carbon emission reduction—driver training. The judges noted that this was 'a fairly original idea for industry that goes beyond regulatory expectations'. The award for the Best Overall Environmental Innovation was awarded to Boral for its landscape rehabilitation project at Kalbeeba, near Gawler.

As someone who had seen what was previously an abandoned sand quarry near Kalbeeba, and having seen the job that has been done on contouring and rehabilitating that particular land, I think it very richly deserved the Best Overall Environmental Innovation Award. For anyone who goes out there, unless you had seen what was previously there as a disused quarry, you would not be able to appreciate just how good a job has been done on that rehabilitation project.

The judges said this project 'demonstrated a high level of social responsibility following the closure of a facility' and represented 'a well-understood and highly effective process for remediation.' I hope all members will join me in congratulating not just the winners but all the nominees for the CCAA Environmental Health and Safety Awards, and I applaud their contribution to a more environmentally sustainable future for our state.

BURNSIDE COUNCIL

The Hon. J.A. DARLEY (15:10): I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development, representing the Minister for Police, questions in relation to Burnside Council.

Leave granted.

The Hon. J.A. DARLEY: On 24 October, the *Sunday Mail* reported on the Burnside council matter. The article refers to the inquiry into the Burnside Council by former auditor-general Ken MacPherson. It states that allegations were made about the role of South Australia Police during the inquiry. My questions to the minister are: has the minister been briefed by the police commissioner in relation to these allegations, and what action, if any, has been taken by the police commissioner in relation to these allegations?

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) (15:11): I thank the honourable member for his important question. I will refer it to the Minister for Police in another place and bring back a reply.

PLANNING COLLABORATION

The Hon. J.S.L. DAWKINS (15:11): I seek leave to make a brief explanation before asking the Minister for Urban Development and Planning, representing the Premier and in his own right, a question about planning collaboration.

Leave granted.

The Hon. J.S.L. DAWKINS: I understand that councils within the Central Local Government Region have called on the Premier to focus greater attention on reducing the government's individual and ad hoc planning, committee and consultation efforts in favour of a more integrated, streamlined and collaborative approach. Councils in the region noted that the lack of alignment and coordinated effort by agencies is also leading to a growing weariness and disengagement by key community leaders and volunteers, including those involved in local councils. These people are continually called upon by different agencies to be part of more and more committees, planning and consultation efforts that inevitably focus on but rarely resolve the same community issues.

The councils noted that South Australia's Strategic Plan, the South Australian infrastructure plan, the South Australian planning strategy, the Department of Trade and Economic Development regional blueprint, the regional Water for Good plan, the SA water regional water supply and demand plan, the regional zone Emergency Management Plan and the regional bushfire management plan are all being prepared or reviewed in isolation from one another. These are in addition to the existing regional planning and consultation processes being undertaken through the likes of the relevant Regional Development Australia board and the local natural resources management board. My questions are:

1. What action will the government take to address the concerns about growing weariness and disengagement by key community leaders and volunteers?
2. Will the government consider charging the regional coordination networks with eliminating the overlap and ensuring the best information is gained from these planning processes?

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) (15:13): One of the key focuses of this government has been to try to coordinate planning better. Of course, in the city we have the 30-Year Plan for Greater Adelaide, which I think is fairly original and unique, in that it does try to tie together a number of aspects of planning. The fact is that you would have to go back to the 1960s to find an era when we actually had a plan at all for Adelaide, let alone one that was trying to coordinate the various agencies of government.

The government has established the government planning coordinating council, which represents all the chief executives of not just government departments but agencies such as the EPA and other like bodies, so that issues in relation to planning can be coordinated. I believe that group is working very well. That is why, in relation to the implementation of the 30-year plan, there is a lot of consideration given right across government about the necessary infrastructure issues and other aspects. In relation to integrated planning itself, the government has received a grant of \$1 million from the commonwealth government.

The city and the adjacent seven councils have all been involved in trying to integrate planning for the city and the surrounding neighbourhoods because, again, that has just not happened in the past. This government is well aware of the need to have this greater integration of planning and not just in the city, with the program I just mentioned, but right across the greater Adelaide metropolitan area and in regional areas. That is why we have also been looking at regional plans. Given that this is a new emphasis for the government, I would not claim that the process was yet perfect and that we are doing everything that might be done, but I argue that we have made great strides in moving towards better coordination and integration of planning.

DIVERSITY@WORK AWARDS

The Hon. CARMEL ZOLLO (15:16): I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about the recent 2010 National Diversity@Work Awards presentation.

Leave granted.

The Hon. CARMEL ZOLLO: It is important for both the private and public sectors to ensure they are working towards equality and equity for men and women in the workplace. Will the minister provide more information on the Equal Advancement of Women within the Workplace Award at the recent 2010 National Diversity@Work Awards presentation?

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): It was with great pleasure that I learnt that the South Australian Department for Water won the award for equal advancement of women within the workplace at the recent 2010 National Diversity@Work Awards presentation. The award recognises their commitment to advancing women in leadership roles within their agency. I understand that the Department for Water was one of the first South Australian government agencies to develop a strategy for advancing women in leadership.

The An Untapped Resource—Women in Leadership Strategy was developed in October 2008. The idea for the strategy originated from the department's women in leadership action network, comprising senior women within the agency. I acknowledge the work of the Women in Leadership Action Network, which has led to the success of the women in leadership strategy, and commend them for their leadership initiative and hard work.

I am told that the strategy has been highly sought after, not only in the South Australian public sector but also at the federal level. The department has also been able to support, mentor and provide guidance to other state and federal government agencies. It has not only taken a strong leadership role but also shown itself to be a really important role model in relation to advancing women in leadership. Awards such as this are designed to recognise the evolution of thinking in the way that organisations are approaching diversity and inclusion targets.

The department has understood that a balanced ratio of men and women in leadership roles promotes diversity in the way that an organisation works and makes decisions. The strategy recognises the importance of supporting and encouraging all staff to achieve their full potential. I commend the department for its ongoing commitment to seeing greater diversity in the workplace and to increasing the number of women in leadership positions.

This is a key focus of the South Australian government, which has set a number of key targets to increase the representation of women within the public sector and on government boards and committees. The department's efforts to achieve a balance of men and women in leadership roles and to increase the number of women in executive level and senior management positions contributes towards achieving target 6.23 to have women comprise half of public sector employees in executive levels by 2014. The public sector is an important role model for the private sector. Setting formal targets has been an excellent strategy for promoting experienced and capable women, and requires that the South Australian government is publicly accountable on the progress being made.

In conjunction with these sorts of strategies, key resources such as the Premier's Women's Directory have assisted the South Australian government to improve the percentage of female membership on boards and committees. I understand the private sector has access to that and is using it more regularly as well. The Premier's Women's Directory contains the names of 760 highly qualified board-ready women. Those who may be seeking suitable women for board appointment can access the directory by contacting the Office for Women.

GAMING MACHINES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 October 2010.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:20): I rise to speak to the Gaming Machines (Miscellaneous) Amendment Bill 2010. I know my colleague the Hon. Terry Stephens did make mention of this in his contribution, but I think, at the outset, I should mention that I have a share in a hotel in Bordertown, my hometown, which does have gaming machines, so I need to put that on the record. For the record, it is the hotel where I met my wife and where we had our wedding reception. That particular establishment is almost culturally significant to my family.

Notwithstanding that, while we are talking about gaming machines—and it is on the record from previous contributions—I suspect that, if I had been here when South Australia first adopted the practice of licensing gaming machines, I would have advocated very strongly for them to be in sporting clubs and to benefit the community rather than placed in hotels. I would have been much happier to see some of the revenue derived from these activities put back into junior sport, especially at a country level.

Volunteering and community spirit has declined somewhat in the last 20 or so years, and I think it would have been useful to see some money put back into junior sport and also other community activities apart from sport. For example, in New South Wales, the RSL clubs have

gaming machine entitlements and I think they do some particularly good work in the community. Having said that, I was not here at the time, and today we are faced with a set of circumstances.

There is much public debate, of course, with the Hon. Nick Xenophon moving from this place to the Senate. He has been a passionate advocate for gaming reform and harm minimisation for those who are unable to manage their addictions. Sadly, there is a whole range of other people in the community with addictions who are unable to manage them, whether that is eating disorders, financial disorders, gambling, drinking—there is a whole range of them. Obviously, Mr Xenophon has made much of his advocacy for gambling reform and, in particular, harm minimisation.

Having said that, the proposals outlined in this amendment bill, in particular the removal of the cap and some of the other small initiatives that may come from this bill if it passes, look like they will go some way towards reducing the number of machines in the community and perhaps reducing some of the impact on the more vulnerable in the community who are not able to manage their addictions or their compulsion to gamble.

I am also aware that a number of members have a range of amendments. As yet, I have not looked at the detail of those amendments. I will wait until the completion of the second reading stage of this bill to give those amendments due consideration.

Of course, from an opposition point of view, gaming machine legislation is a conscience vote. With those few words, I indicate that I would be very happy to support this bill through the second reading stage and look forward to our exploring the benefits or the disadvantages (whatever the case may be) of the amendments in the coming weeks.

The Hon. S.G. WADE (15:25): I rise to indicate briefly my position on the Gaming Machines (Miscellaneous) Amendment Bill. This bill is a matter of a free vote for members of the Liberal Party. On our side of the house members have the freedom to vote on all bills and motions, contrary to the recommendation of the party.

However, on some votes the party determines that it will not give guidance and, therefore, the vote is particularly free, and this vote is one of those. Unlike the Labor Party, we are not mere zombies bound by the pledge.

My basic approach to gambling is that it is a legitimate, lawful form of recreation and that people should be free to choose to engage in gambling. However, certain forms of gambling, particularly electronic gaming machines, are prone to being the focus of compulsive behaviours. Where regulation of gambling reduces the risk of recreation turning into a compulsion, enhances and supports free choice rather than undermines it, I see such regulation as promoting Liberal values.

Some people place themselves and their family in a very dangerous and perilous financial situation because of this compulsion. We owe it to them and their families to provide them assistance. Therefore, I welcome this bill as supporting more responsible gaming environments. It is hoped that lifting the fixed price on electronic gaming machines will encourage the consolidation of venues and that having a smaller number of larger venues will lead to better staffing and resources to identify and support problem gamblers. The bill also proposes to reinforce the incentives provided in the IGA's new codes of practice by imposing longer closing hours on those gaming venues that do not have a responsible gambling agreement with an industry-responsible gambling agency.

I take this opportunity to acknowledge the work of the South Australian Churches Gambling Taskforce. At the national and state levels, church leaders such as Tim Costello and Mark Henley have led the debate on gambling.

I sought the view of the task force on this bill and was reassured that the bill is generally supported by the task force. It does have concerns and, in contributing to the second reading, I ask the minister to advise: is the government committed to active engagement of community interest in the development of the regulations for the electronic gaming machines entitlement trading arrangements? Like my leader, I am currently considering amendments proposed by a range of members and some possible amendments of my own.

Debate adjourned on motion of Hon. R.P. Wortley.

STATUTES AMENDMENT AND REPEAL (AUSTRALIAN CONSUMER LAW) BILL

Adjourned debate on second reading.

(Continued from 29 September 2010.)

The Hon. T.A. FRANKS (15:29): The Greens rise to indicate support—

An honourable member interjecting:

The Hon. T.A. FRANKS: One Green rises to indicate unanimous support for the intent of this bill. We think it is incredibly important that adequate protections are afforded to consumers. Consumers can be vulnerable to exploitation because of unfair contract terms, misleading or deceptive conduct, and unsolicited sales.

We all have stories of elderly relatives or friends who have been hard sold on a cold call, who feel they do not have the right to get out of that contract or feel that they simply wanted to talk to the person trying to sell them the life insurance or the bottles of wine every month in their mailbox simply because, in fact, they were looking for social contact. It is very important for those people to have recourse to get out of those sorts of contracts.

We need a really strong regulatory regime to secure product safety, as well. An incredible part of consumer protection will be this Australian Consumer Law. We welcome the fact that this bill is designed to harmonise consumer law in Australia. It is a challenging proposition to explain to anyone why we would have so many different state and territory laws on consumer protections when we are all equally consumers and, in fact, the organisations selling us their products certainly do not respect state boundaries.

I do hope that this will offer some improvements and I do understand, in fact, that one of the areas where this will give some guarantees where they are currently lacking is the area of lay-by. Members may be aware, if they took up the minister's offer of a briefing—and I thank the minister and her office for that briefing—that we do not currently have protections in terms of lay-by if we decide not to pursue the purchase of a product or goods.

Should we have put down \$50 on a \$60 item, we cannot necessarily get that \$50 back if we change our mind. As we know, sometimes circumstances change for people and they cannot afford to continue with payments. It does seem fair that a small administration fee can be secured by the providing body but it seems unfair that a person could not necessarily get their money back when they are not receiving the goods.

I also acknowledge that this bill comes before us with extensive consultation federally. It is part of the commonwealth's Competition and Consumer Act 2010 which is the new name for the old Trade Practices Act, and around the country other state parliaments are also looking at very similar versions of the bill that we have before us. I would like to note that a very controversial area in which this bill give some guarantees is telemarketing and also, of course, door-to-door marketers.

It continues the protections that we enjoy there with time limits being set on when one can be contacted in the sanctity of one's own home with somebody trying to sell us the latest and greatest, best and brightest product that will change our lives and apparently make us happier people. Of course, we know that consumption will not make us happier. This bill will in fact probably make us happier because at least these people will not be able to hound us at all times of the day and night. There will be restrictions placed on that, and that is as it should be.

I welcome the government's pursuit of these standards across Australia at both state and federal level. I think consumers differentiate, depending on which state they live in and what standards they are entitled to. I am sure that the general punter would think that a law applying to somebody in New South Wales or Victoria in relation to their consumer rights is a law that would apply to us here in South Australia and, again, I think that is as it should be.

I note also that there are some protections in here extending to relatively high standards with contract law as well. Increasingly, we pursue items such as mobile phones, for example, and downloads. Young people, particularly, can be very vulnerable seeing those ads on TV that promise to tell them their true love's name should they text a certain number.

We do need protection from those companies that then unscrupulously charge that young person an exorbitant amount and basically exploit their youth and inexperience and also their hope for love. I find it comforting that we are moving forward with that.

The Greens would like to see the highest standards of consumer advocacy supported across the country, and I would pay particular tribute to the state of Victoria where there are several

organisations and a great history of consumer advocacy and consumer law improvements. We look forward to the committee stage of this bill and hearing if there are any improvements to be made.

Debate adjourned on motion of Hon. R.P. Wortley.

At 15:35 the council adjourned until Tuesday 9 November 2010 at 14:15.