HOUSE OF ASSEMBLY

Thursday 6 March 2008

The SPEAKER (Hon. J.J. Snelling) took the chair at 10:30 and read prayers.

VISITORS

The SPEAKER: I advise members of the presence in the gallery today of students from Bordertown Primary School, who are guests of the member for MacKillop. It is good to see that their behaviour is a lot better than the member for MacKillop's.

CONSTITUTION (LEGISLATIVE COUNCIL REFORM) AMENDMENT BILL

The Hon. R.B. SUCH (Fisher) (10:32): Obtained leave and introduced a bill for an act to amend the Constitution Act 1934; and to make a related amendment to the subordinate legislation Act 1978. Read a first time.

The Hon. R.B. SUCH (Fisher) (10:32): I move:

That this bill be now read a second time.

Members who are perceptive (as I am sure all members are) would recognise that this is a reintroduction, following the proroguing of parliament, of a bill and a companion bill relating to the reform of the Legislative Council. I am not one who advocates the abolition of the upper house. I think anyone who suggests that or puts it to the people will find that the proposition will be soundly defeated. I think that what needs to happen in relation to the Legislative Council, among other things, is some basic reforms; two of them are contained in this bill.

The first provides that the term of office of members of the Legislative Council should be the same as ours, that is, four years. The bill provides for transitional arrangements to deal with that particular aspect. The essential argument in relation to the first part of this bill is that I do not believe that we will see the abolition of the Legislative Council, and nor should we.

The Hon. M.J. Atkinson: A pity!

The Hon. R.B. SUCH: The Attorney says 'a pity'. We need to reform the Legislative Council. I might also suggest—although it is outside the scope of this bill—that we need to reform ourselves in here as well, but that is a different issue for a different day.

Mr Pengilly interjecting:

The Hon. R.B. SUCH: Reform and perform. The first part of this bill is fairly simple. It would give legislative councillors the same term as members here: four years. I know that the Attorney probably aspires to eventually be in the upper house and, no doubt, has that on his agenda.

The second part of the bill is equally important, if not more so. What is commonly called the house of review—the Legislative Council—would not be able to block bills from this house. It would be able to delay bills, initially for up to 45 sitting days. If it did not then concur with the House of Assembly, or if it put up amendments which were unacceptable to the House of Assembly, the bill would come back here. We would process it again and, after 30 sitting days, in effect, the so-called second bill as passed by this house would be taken as a bill having passed both houses of parliament.

In effect, the Legislative Council would be able to delay a measure but not block or veto it. There is a sound reason for that: if for some reason we got carried away in this place and passed an unfortunate law, it would give the Legislative Council, the public and the media an opportunity to reflect on what we had done in this house, and if there was a public outcry based on sound judgment, obviously there would be cause for this house to reflect on what it had done.

So, it does have a safety measure in it, unlike the situation in Queensland, which has one house that passes something—and that is it, if the Governor signs it into law. Here we could pass a law or put through a bill and it would be subject to delay in the Legislative Council. If that chamber then rejected it and any subsequent amendments, the measure would come back to us and be classified as having passed both houses. These two measures are sensible. I know that the Premier is committed to reforming the Legislative Council.

I am not sure of the current position of the government or, indeed, of the opposition in relation to reforming the Legislative Council, but I would urge the government to proceed down the path of reform rather than seeking abolition, because I do not think that would be achievable or desirable. I commend the bill to the house as it is sensible, reasonable and has transitional provisions which members can read, and I trust that the house will give it due consideration. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Constitution Act 1934

4—Amendment of section 5—Powers of the Parliament

5—Repeal of section 10

These clauses are consequential to proposed new section 41.

6—Amendment of section 13—Casual vacancies

This clause is consequential to proposed new section 14.

7—Substitution of sections 14 and 15

This clause deletes the current sections 14 and 15 and substitutes a new provision as follows:

14—Term of Legislative Councillors

Proposed section 14 provides for the term of office of members of the Legislative Council to be the same as for members of the House of Assembly.

8—Amendment of section 25—Continuance of President in office after dissolution or retirement

This clause is consequential to proposed new section 14.

9—Amendment of section 28A—Early dissolution of House of Assembly

This clause is consequential to proposed new section 41.

10—Amendment of section 38—Privileges, powers etc of Council and Assembly

This clause is consequential to proposed new section 41.

11—Substitution of section 41

This clause substitutes a new section 41 as follows:

41—Resolution of disputes as to Bills

The proposed new section sets out a new scheme for the resolution of deadlocks in relation to Bills originating in the House of Assembly. If—

(a) a Bill that has originated in the House of Assembly is passed by that House (referred to as the 'first Bill') and within 45 sitting days after being transmitted to the Legislative Council (or a longer period resolved by the House of Assembly), the Legislative Council rejects or fails to pass the Bill, or passes it with amendments to which the House of Assembly will not agree; and

(b) a second Bill that is the same as the first Bill is then introduced into, and passed by, the House of Assembly (with any amendments of a kind described in proposed subsection (2)) and within 30 sitting days after being transmitted to the Legislative Council (or a longer period resolved by the House of Assembly), the Legislative Council rejects or fails to pass the second Bill, or passes it with amendments to which the House of Assembly will not agree,

The second Bill, as passed by the House of Assembly (with any amendments of a kind described in proposed subsection (3)) will be taken to be a Bill that has passed both House of Parliament and may be presented to the Governor for assent (subject to sections 8 and 10A of the Constitution Act 1934 if those sections are relevant).

12—Amendment of section 57—Restoration of lapsed Bills

This clause is consequential to the scheme in proposed new section 41.

Schedule 1—Related amendments and transitional provisions

Part 1—Related amendment to Subordinate Legislation Act 1978

1—Amendment of section 10—Making of regulations

2—Substitution of section 10AA—Commencement of regulations

3—Repeal of section 10A

These clauses remove the power of the Parliament to disallow a regulation that has been laid before the Parliament.

Part 2—Transitional provisions

4—Term of office members elected before commencement

This clause provides that the amendments do not affect the term of office of a member of the Legislative Council elected in March 2006 but, if the measure is approved at a referendum held on the day of a general election, would affect the term of office of a member of the Legislative Council elected on that day.

5—Powers of Legislative Council in relation to Bills

This clause provides that proposed new section 41 would apply to all bills introduced into the Parliament after its commencement.

Debated adjourned on motion of Mrs Geraghty.

VISITORS

The SPEAKER: I draw to members' attention the presence in the chamber this morning of students from Woodcroft College, who are guests of the member for Mawson. The member for Mawson might also learn from their good behaviour this morning.

REFERENDUM (LEGISLATIVE COUNCIL REFORM) BILL

The Hon. R.B. SUCH (Fisher) (10:38): Obtained leave and introduced a bill for an act to provide for the submission of the Constitution (Legislative Council Reform) Amendment Bill 2008 to a referendum. Read a first time.

The Hon. R.B. SUCH (Fisher) (10:38): I move:

That this bill be now read a second time.

This is the companion bill to the previous measure I have just introduced. As members appreciate, if you want to change the constitution, unlike the situation in some countries you have to put it to the people. We in this country still have some regard for the views of the citizenry, and that is a position that we should maintain. If the first bill is passed by this house, which I hope it will be, this would flow as a consequence and the bill would have to be put to the people by way of a referendum. I commend the bill to the house.

Debate adjourned on motion of Mrs Geraghty.

CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLES) (PRESCRIBED OFFENCES) AMENDMENT BILL

Mr HANNA (Mitchell) (10:40): Obtained leave and introduced a bill for an act to amend the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007. Read a first time.

Mr HANNA (Mitchell) (10:40): I move:

That this bill be now read a second time.

Mr HANNA: I have a problem in my electorate.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Mr HANNA: It is to do with hoon driving—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order! The Attorney-General will come to order.

Mr HANNA: —and, in particular, those who drive four-wheel vehicles and motorbikes in the property surrounding Field River. Field River, which is an overlooked watercourse in Adelaide's southern suburbs, runs from near the Glenthorne property just near South Road to the sea; it runs into the gulf. It has a number of problems, and pollution is not the least of them.

One of the issues is that, because it is a vast, privately-owned piece of land, it falls outside a lot of the regulatory regime that would apply in public reserves and national parks, and so on. A

resident caretaker, Mr Geyer, takes good care of the land, but it is beyond his power to keep out the motorbikes and four-wheel drives that not only rip up the dirt but also take advantage of their presence on the property to place graffiti on 19th century European heritage buildings.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order!

Mr HANNA: They take advantage of their presence on the property to light camp fires and hack through some of the native vegetation. Some of the native vegetation there is still in the state it was in before European settlement, so it is quite a special place. It is privately owned by the Sheidow family trust; I may not have the name right, but it is certainly held on trust for the Sheidow family. Mr Sheidow was an original white settler in the area and the property has stayed in the family.

The problem is that it is difficult for police to be there all the time. Even if they are called to the site it is not easy to catch people on motorbikes who zoom off through a fence or a pedestrian walkway back onto a lawful road—and then they are off. While this parliament can do only so much about the policing aspect, what it can do is send a strong message to those people who use their vehicles irresponsibly off the road that they will suffer if they are apprehended. It occurred to me that the clamping provisions introduced by the Labor government, which have been—

The Hon. M.J. Atkinson: And which you opposed; it's on the record.

The SPEAKER: Order!

Mr HANNA: —very popular in the community would be ideally suited to this sort of offending. When it introduced this law, the government overlooked that it would be appropriate to cover the offence of trespassing on private property with a motor vehicle.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: I warn the Attorney-General.

Mr HANNA: My legislation is quite simple: it merely includes the offence of trespassing involving the use of a motor vehicle among the other offences that have been prescribed by regulation. Now, if I were the minister I would simply add this offence by regulation, but I am not the minister—and I do not behave like him, either.

The Hon. M.J. Atkinson interjecting:

Mr HANNA: I think the young people in the gallery today will be the judge of that—not that I should refer to them. The legislation is simple, and will send a strong message to those who ride motorbikes and operate four wheel drive vehicles illegally, trespassing on the Sheidow family land around the Field River. However, I imagine there are a number of other private properties around South Australia that will benefit from this penalty being applied to miscreant drivers—particularly farming properties, for example, where people ignore fencing and just drive through gates without permission and so on.

So, it is offending with a vehicle that I am concerned about, and it seems to me that the law brought in by the government to clamp vehicles which are offensively driven should also apply in this case. I commend the bill to the house.

The SPEAKER: The bill has to be adjourned.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (10:46): I am willing to give my earnest consideration—

The SPEAKER: Order! The bill has to be adjourned; you cannot speak on it. You can adjourn it, and you will have the call.

Debate adjourned on motion of Mrs Geraghty.

STATUTES AMENDMENT (WATER CONSERVATION TARGET AND SUSTAINABLE WATER RESOURCES) BILL

Adjourned debate on second reading.

(Continued from 14 February 2008. Page 2081.)

Mr PEDERICK (Hammond) (10:47): I rise today to make some comment on this bill, which was introduced by the member for Mitchell, and note that an almost identical bill was

introduced in the other place last year by the Hon. Mark Parnell. I also note that that bill has been pulled in the upper house because the opposition called for a select committee (which has been formed) to look into these matters. Be that as it may, I want to refer to some of the clauses in this bill. I think that the following provision in clause 4 is very apt, especially in relation to people living in the Lower Murray and lakes area:

> a requirement for the corporation to perform its commercial and non-commercial operations in a manner that ensures proper consideration is given to—
>
> (a) the need to conserve, and reduce adverse effects on, water resources; and
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> (b) the need to ensure that development is ecologically sustainable;

Further, clause 5(1) proposes to insert:

> (ab) to carry out and facilitate research about conserving or reducing adverse effects on water resources

I believe this is a very timely bill in that respect: having witnessed at first-hand the devastation occurring below Lock 1, I am well aware that the Murray-Darling Basin has been in drought for up to seven years in places. It is having a long and sustained effect on the whole basin, but I am also alarmed that we still have not resolved the matter of over-allocations so that we make sure that everyone is treated equitably in their ability to access fresh water. We have an alarming situation where ferries for transport are dropping out of service, because water has not been managed properly, and people just do not have good water to service their homes. On the Narrung Peninsula they are flushing their toilets with a black ooze; it is water that you can barely shower in.

People are going up to three kilometres out into Lake Albert to access water just to keep their houses going. They have long shut down industries because they realise that that is what they need to do to survive. They are being very resourceful, spending hundreds of thousands of dollars of their own money, but they are also running into problems because the supply is just not there. Even people who have invested upwards of $200,000 in desalination are finding out that access to that very saline water is getting difficult at this stage. I know that the Raukkan community has had to extend its pipe several hundred metres out into the lake to access water for the Aboriginal community of up to 200 people.

It is a dire situation and, in the State Strategic Plan, the government has a target of reducing Adelaide's water use by 22 per cent, but get this: by 2025. Many people in this place will not even be here then, so it will become some other politicians' issues. This issue certainly needs to be addressed. I have spoken in this place before about fast-tracking water supplies to the communities of Langhorne Creek, Narrung and those around the Meningie region because they are really suffering.

I want to talk about a letter in today's *Stock Journal* written by Terry Sim, who is very knowledgeable about Lake Alexandrina and its situation, because I believe it is important that everyone gets the right idea about where the Lower Lakes fit in with the whole river supply as far as our fresh water supply—and its conservation—is concerned, not only for Adelaide users but also country users. The letter dated 6 March 2008 entitled 'Fresh v salt: get it right' states:

> Sir, the comment by Ken Jury (*Stock Journal*, February 21) regarding the building of a weir near Wellington and allowing seawater into Lakes Alexandrina and Albert 'to gradually return the region to its original estuarine feature' is ill-informed and wrong. The lakes were originally freshwater lakes. The amount of water flowing down the river and discharging to the sea through the River Murray mouth stopped seawater from entering those lakes. For thousands of years, this was the case.
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> It was not until Europeans started extracting water from the river and altering the amount of water entering the lakes that seawater began invading. This occurred from the late 1800s. Until then, the lakes were a freshwater paradise fringed with reeds and other vegetation and abounding wildlife. In December, 1837, the party of Cock, Finlayson, Wyatt and Barton walked down the Bremer to Lake Alexandrina and found that 'the lake appears to be of vast extent, the waters being quite fresh and sweet'.
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> Sturt, in an 1838 report after a visit to the lakes, said: 'During my late visit I never observed the sea running in, but a strong current always setting out of the channel. From what I observed, I am led to think, that the level of the lake is above high water mark.' The Strathalbyn Southern Argus, in the editorial of August 1875, comments that 'Lake Alexandrina is 12 miles from our town, and is a noble lake of freshwater.' It is time that the management of the River Murray should be from the mouth upstream and a sufficient allocation of water should be given to the environment. This would return it to a healthy working river—the whole river including Lakes Alexandrina, Albert and the Coorong.

I believe that to be a very accurate description of how the lakes were before extraction began. It was only with extraction that we had saline slugs of water pushing into the Murray, and I will

acknowledge that they did push up as far as Mannum, but they were saline slugs that pushed up once we started mining that resource.

With this bill, we have to make sure that we start getting things right, instead of using SA Water as a cash cow, which it has been for the last six years, contributing $1.6 billion to Treasury coffers. Treasury might have to tighten its belt somewhere else, or else be more prudent in its spending: perhaps we could cut some of the 10,000 unallocated public servants—10,000 people who were not budgeted for. That would be a good start to get us back on track.

In closing, I think it does deserve very careful management, because we stand to lose our two iconic lakes (Lake Albert and Lake Alexandrina) and the Coorong, and they all make up what I believe is a vital part of the water supply for the whole state, not just this city. We also need to see what a thorough investigation that the select committee into the operations of SA Water and its charter comes up with so that we get a full assessment of what is going on.

The SPEAKER: The member for Giles.

Ms BREUER: I move:

That the debate be adjourned.

The Hon. R.B. SUCH: Mr Speaker, I now want to speak.

The SPEAKER: Well, it has been moved. The member for Giles can withdraw the motion. Does the member for Giles still want to proceed with the motion to adjourn?

Ms BREUER: I will allow the member to speak, sir.

The SPEAKER: The member for Fisher.

The Hon. R.B. SUCH (Fisher) (10:57): Thank you, sir, and I thank the member for Giles for her courtesy. I just want to make a brief contribution. I believe this bill has merit, and I remind members of what it seeks to do. In essence (and I am paraphrasing), the bill wants SA Water not only to be commercially competent but also to pay due heed to the need to conserve and reduce adverse effects on water resources, and, secondly, to ensure that developments in which SA Water is involved and supports and sustains are ecologically sustainable. I do not know how anyone could object to those requirements.

One issue that has concerned me for some time in relation to SA Water is that I believe it is in breach of competition policy in that it owns the water (the bulk water), it sets the rules about the use of bulk water and it sets the price, and then it enforces the pricing and other regimes associated with using water. If that is not in breach of what competition policy is about, I do not know what is.

I believe the Rudd government will soon move to revitalise competition policy and apply it throughout the country to corporations which are owned by government and which do not abide by competition rules. But, in terms of conserving water, there is a conflict because, as the member for Hammond pointed out, SA Water has been used as a milch cow not just under this government but also under previous governments. It is just an easy way of extracting money from the community. But therein lies a conflict because, in a way, SA Water needs to sell as much water as possible to make as much money as possible but, at the same time, we have this current and ongoing need to conserve water.

So, there is an immediate and potential conflict arising from the operations of SA Water, and I will give a couple of examples. At the moment (and these statistics come from Waterproofing Adelaide), when our reservoirs (that is, our Hills reservoirs) are at 60 per cent capacity, which they are close to at the moment, we lose somewhere of the order of 14,000 megalitres per annum of water in evaporation. So, on a day like today, there is a lot of water going up into the sky—and throughout the whole year—at that level. Obviously, the holding in the reservoir changes but, at 6 per cent capacity, 14,000 megalitres is evaporated.

SA Water has done costings on covering the reservoirs in the Adelaide Hills, amounting to about $300 million, with very minimal annual maintenance costs. The pipes do not need to be changed and no other significant infrastructure is involved. An el-cheapo version would cost about $2 million or $3 million but, if it is to be done properly, it will cost a lot more. That is one strategy that could well be pursued.

The other strategy is significant. Annually, in Adelaide in particular (although it would not be just Adelaide), according to Waterproofing Adelaide, SA Water loses 12,000 megalitres from leaks,

burst water mains, and so on. That is a lot of water per annum to be lost to the system. Traditionally, SA Water has regarded that as an administrative cost and has not been too upset about it, but I think it is more sensitive now that the public gets agitated when they see water gushing out of water mains.

I think that the provisions inserted in this bill by the member for Mitchell requiring SA Water to be focused on conserving water and ensuring that developments are ecologically sustainable are absolutely fundamental and sensible. I know that members in another place have also pushed for similar requirements in relation to SA Water.

I trust that the government will take on board the particular views expressed and also look at the issue of SA Water being part of a more competitive economic environment, as well as an environmentally sustainable one, rather than just lumbering on, as it tends to do—that is no reflection on the people involved—and being used simply as a cash register.

Mr PISONI (Unley) (11:02): As the member for Hammond pointed out earlier, this matter is to be reviewed by a select committee in the upper house, and I am pleased about that. I would like to use this opportunity to speak about a particular instance that came to light in the public hearing of the Public Works Committee yesterday. My colleague the member for Finniss is actually on the radio as we speak clarifying the situation.

We were told yesterday that the pilot desal plant being proposed by the government will be producing about 125 gigalitres, which is about 12 tanker-loads of water a day, and that that water would go straight into the ocean. There is no plan whatsoever to use that water. It was not offered to the local councils of Marion and Onkaparinga. It has been confirmed that the mayors had a briefing from the Minister for Water Security and the Minister for the Southern Suburbs about the pilot desal plant and they were told that the water was going straight into the ocean. There is some perception out there that the government had this idea that the water would be used, but that idea came from the member for Finniss during yesterday's committee meeting.

I commend the committee process, because we have heard the laterally thinking member for Finniss ably expressing his view at a committee meeting about what should be done with our water, rather than it being wasted and sent out to sea; and the water body (SA Water) has now agreed to consult with the councils about how they might be able to use that water.

I point out that, in the original submission, there was no intention whatsoever to use that water, so that during the pilot program 12 tanker-loads of water would be going back into the gulf every day. We must ask ourselves why that should be allowed to occur, when we see our parks and gardens throughout the city and suburbs, including the suburbs around the pilot plant, suffering so much through lack of water, with 30, 40, 50, up to 60 years' tree growth being damaged permanently.

A number of elm trees in the city of Adelaide are dying because they have not had water. We do not have water in the Rymill Park pond. We do not have fountains operating at the end of Glen Osmond Road and Cross Road—the gateway and welcoming point to Adelaide. Yet SA Water, in the full knowledge of the water minister and the Minister for the Southern Suburbs, was going to pump 12 tanker loads of desalinated water into the gulf.

I think the debate on this bill has helped to raise the fact that we need to be lateral thinkers and put the conservation of water high on the agenda. I feel for constituents in country seats who are really struggling. They have years of growth vines and trees, and they are at severe risk of losing them.

In my electorate of Unley, we have many established gardens. They are referred to as the leafy eastern suburbs, and Unley comes within that demographic. They are leafy because we have some very old and established trees but, again, they are at risk in the current environment. However, there is no lateral thinking whatsoever from the government or the minister, and we have seen 12 tanker loads of desalinated water pumped into the gulf.

Mr RAU (Enfield) (11:06): I think members should think for a while about the circumstances in which we find ourselves from a climatic point of view. One school of thought holds the view that we are going through a period of some years of drought, after which we will return to a more familiar pattern of climate. That school of thought points to a period during the Second World War, for example, when we went through many years of very dry weather. I do not have any recollection of that period, but I understand from the figures that that is the case. I believe that around 1900 there was a similar period, when for many years the people on the land experienced very dry conditions, and great difficulties and shortages were caused by that period of dry weather.

Of course, the population of South Australia was not what it is now, and the intensity of agricultural activity was not what it is now; therefore, perhaps the absolute impact of those drier periods at that stage was not as serious as it has been and will continue to be for this period. However, the fact is that the infrastructure that we have developed in this state for the conservation and distribution of water was developed against a backdrop of regarding the period during the Second World War and the earlier period at the beginning of the last century as anomalies.

The infrastructure was not designed to deal with a perpetual anomaly: it was designed to deal with a proper anomaly; that is, a period of perhaps 10 years when the situation was drier than it is now. Given that we are at best experiencing a period of anomaly—and we are well into that period—and at worst we are experiencing what is the beginning of an actual shift in the climate that will not result in a return to the previous patterns of wetter years interspersed with these anomalies every four or five decades, it is not surprising that the infrastructure and the charging regimes for water are not geared to the present circumstances.

I think the problem we have as a parliament, as legislators and as the executive arm of government is to make the fairly difficult call as to whether we are dealing with an anomaly or a change in the climate in an absolute sense. If we are dealing with an anomaly, then it may be that we will scrape through this one with a bit of tinkering here and there, and that when the climate returns to its more familiar pattern things will go on as they were. If we are not dealing with an anomaly, then it is obvious to me that all of our infrastructure has to be reviewed from the point of view of whether that infrastructure is sufficient or, indeed, properly placed and properly calibrated.

Also, the regime we have for charging for water and the institutions and facilities we have in place for the trading and selling of water need to be seriously reviewed. I heard a radio report (I cannot remember whether it was this morning or yesterday) referring to some remarks made by Ken Henry, who is the Secretary of the Treasury, apparently in a speech he made, stating that he believed that we needed to look at water trading and a contestable market for water similar to the one that exists for electricity.

What he was basically saying—and this was backed up by Peter Cullen, who was also interviewed—was that maybe the way to solve the question of the water shortage is to apply the same market forces to the provision of water as apply to the provision of other goods and services. In effect—and I think Professor Cullen said this—maybe we should not be having water restrictions at all; maybe we should be letting people who want to water their roses all summer water them all summer but pay through the nose for the privilege.

Of course, as our present charging regime is constructed, that is not possible. Underlying all these water issues is the fundamental question: are we experiencing an anomaly, a climate cycle from which we will eventually emerge and return to a more familiar pattern, or are we experiencing something else? If we do not know, are we prepared to punt on the fact that it is just one of those dry periods like we had during the 1940s or early 1900s and we should do nothing much about it and just sit back and say, 'Well, things will improve,' and if they do, good luck to us; and if they do not, we will be in a hell of a mess?

An honourable member interjecting:

Mr RAU: The honourable member mentions population growth—absolutely. Population growth and the growth of agriculture are placing increasing demands on our supplies. The population growth point in its direct implication is not that great. Members need to bear in mind that the demand that the City of Adelaide places on the River Murray is absolutely insignificant compared to the demand that irrigators and users of the river upstream from South Australia place on the system. It is insignificant by comparison; I am not saying it is not significant in the overall scheme of things.

I think it is very useful that we are having a debate about water, conservation of water and sustainable water usage. However, I do think that, if we are going to have this debate in a proper way, it has to be across the board and we need to consider not just infrastructure, not just policy, but also things like the charging regimes for water, the market for water, the contestability of access to water and the pricing mechanisms for water, all of which are very complex issues.

I am afraid that for those issues to be properly addressed—and I am the last one who happily says this—we need to look at a national arrangement at least inasmuch as we are talking about shared water between the states. I think it is very useful and very helpful that the honourable member has placed this matter before the parliament. I think it raises a number of complex issues, and it is one of those things to which I suspect we will need to give a great deal of thought.

Mr VENNING (Schubert) (11:14): I think this is a most appropriate time, even to the day, for us to be discussing this matter. Without being too dramatic, I believe that it is potentially the worst disaster the state has seen in our lifetime if it does not rain for another six to eight weeks.

I want to commend the member for Mitchell for bringing this motion into the house. Certainly, it crosses all political boundaries. I do not think anybody is going to play politics with this one, because it is an horrific situation we are facing—very much so. As a person from the land and representing country people, you have only got to think of some scenarios and it really does worry you.

I congratulate the other speakers who have spoken on this motion this morning, particularly the member for Hammond. He gave a very good insight, and I think the letter that he wrote was a very salient notice to us all, as we have heard so much said about the Lakes and their history. I certainly appreciated that and I will be using it and quoting it myself. I want to congratulate the member for Hammond as a new member for coming in here and giving such strong advocacy to his people, because he is affected probably more than anybody else in their seat, even myself and the member for Chaffey as well as, of course, the member for Finniss.

I want to comment briefly on the member for Enfield's speech and commend him for it. I was listening quite carefully to what he was saying about global warming—almost a sceptic's point of view, somebody said. Certainly, it is a very interesting subject. Only time will prove who is right and who is wrong. I certainly appreciate the open mind of the member, but it was an unusual point of view.

The Hon. J.W. Weatherill interjecting:

Mr VENNING: I do not have a waterside property in the Barossa Valley. I wish I did.

The Hon. J.W. Weatherill: You soon will.

Mr VENNING: I soon will, that is right. I do not think I will be about when it happens, minister, but I certainly wish I did have a waterside property in the Barossa; it would be lovely. I believe there is enough water in the system; it has just been over-allocated. It is what we do with that water. We have over-allocated it. The member for Hammond was talking about the evaporation that we have—we must try to address that if we can, whether it is by covering the Lakes and reservoirs or whether it is by putting a film over them, but we have to address that, because in our climate we do lose so much. The figure of 14,000 megalitres was mentioned; I think it was the member for Fisher who raised that matter—well done. Roofing the reservoirs of Adelaide has certainly been discussed. At first glance you think it is not feasible and it is not sensible, but in the end we might not have a choice in the matter.

We need to have rain within four to six weeks of now. It is very appropriate that we are discussing this today, because this is the last sitting day for three weeks. If we come back here and there has been no appreciable rain in the state we are in crisis mode because, without upsetting or worrying people, I understand that Adelaide is now on its reservoirs. The pumping from the River Murray is no longer viable long-term. The water levels below Lock 1 are to the point now—the salt levels and the dreaded amoeba—where we can no longer take water from the Murray, as we have been doing.

So, we are on our reservoirs, and we know how long that is going to keep us and how long these reservoirs are able to sustain us. I would say at this time that I am a little bit annoyed that over the years we have not renovated our reservoirs. I cannot understand why, when they get low, they are not emptied out one at a time and then cleaned, because they have got hundreds of years of silt in them. Without taking any more land we could create a lot more space by taking the silt out of our reservoirs, and that could be done when they are empty. So, hopefully the planning ahead for the next six months, as we empty them out one at a time, is that they will be cleaned out and renovated, without a huge cost. I do not think they have ever been cleaned out, and I wonder why that has been the case.

We have got to conserve water, and that is what this bill is all about, and I commend the member for Mitchell. We have not done enough. Here we are, four years into a drought situation, and what have we really done? Nothing, apart from talk about it. We have got all these projects we are going to do but, really, what have we done? Nothing. We are the government. We are the people who make the laws in this place.

I went to Israel nearly 10 years ago and studied just that—water. When you observe what the Israeli nation does, it does not waste a drop. What do we need to shock ourselves into action—

not just the government but all of us? We have an absolute tragedy on our hands. Good people's livelihoods and families are at stake and still we have done nothing but talk about this.

When we were in government six years ago, I believe that we did the right thing as a government. We saw a lot of water being wasted, particularly the open irrigation channels we had in the Riverland. We did the right thing back then and implemented a very efficient system by getting rid of all the open drains. Open drain irrigation no longer exists in South Australia. That was a jolly good first step, but it should have been continued. We should have gone on with that—we didn't. We talked about waterproofing Adelaide. We did papers. The then minister, Mr Brindal, did a paper, 'Waterproofing Adelaide'. We were going to address the waste of stormwater to the ocean. What was done about it? Nothing! The government changed, the book went on the shelf and is gathering dust. 'Waterproofing Adelaide' is a term we use, but what has been done about it? Nothing!

I urge any member of parliament who has not planned their so-call vacation, work study, or whatever, to go to Israel (if it is safe) to look at how a country saves every drop of water it has. We have to do the same. We have to get into that mood as quickly as possible. We must use this difficult time to move us all toward a change of ethos of zero water waste. As I say, I am very concerned about what is happening with the reservoirs at the moment and I am just hoping that they will sustain us. I know the government has kept them topped up and, to its credit, they are at a reasonable level. We are not panicking just yet, but you certainly would not want to have two or three months of dry weather, because we could be in big trouble.

The member for Hammond and I attended a public meeting last Thursday night in Mannum. It was well attended—90 people came along. It was hurriedly convened. Some very interesting things came forward from that meeting. We need to know who has the water allocations. Who is using all the water? Who has it? For some reason, we are not told. Should it be secret?

The Hon. R.B. Such: No.

Mr VENNING: No, it should not be. Why aren't we told? Why do we not know who has these water allocations, why they have them and what they are using them for? Why is it secret? No-one can seem to tell me. Everything else seems to be public knowledge: why is it not open to the public? It should be.

The Hon. R.B. Such: Because they don't want the public to know.

Mr VENNING: I'm sorry, I can't agree to that. In these sorts of situations we have a right to know who is sitting on the water allocations. The member for Hammond and I have both heard this from the people, 'Who's got the water and what are they using it for? What are you hiding?' Sorry, we could not answer the question at the public meeting and I do not think anyone in this house can tell me why it should be kept secret. It is a very serious matter.

We have a pretty fair idea who is holding many of these allocations of water. It will be some of these taxation diversion schemes, I bet you. That is where it is going and it should not be. I believe, if nothing else, this information should be made public and let us see who is holding water. Because the water is there. There is enough water in the river to solve many of our problems. The question is: who has it and who is holding it back?

Ms Fox: Did you say, 'There is enough'?

Mr VENNING: There is enough. There is enough water in the river to solve our problems.

Ms Fox interjecting:

Mr VENNING: In the whole river, yes, there is, but it is being held back. It is held back. Yes, there is water there: it is just who has the allocation—and it is these jolly state boundaries that are in the way. And where is your free trade of water? These questions need to be asked. Many people on the river have no water at all, they are carting water. Surely these people have no choice—

An honourable member: They are paying $1,000 a week.

Mr VENNING: They are paying $1,000 a week to cart water for their cows and they are probably receiving about half of that back. We have to start considering subsidising the cartage of water because these people have no choice. All I can say to the people of South Australia is: hang in there, I think we have a will in this place to do something about it. This is not the time for politics.

We have to turn around and think of these people. Whatever we can do for them, we should do. I support the motion.

Mr PENGILLY (Finniss) (11:24): Members in this place have made some very interesting contributions this morning, and I would like to say a few words about the motion put forward by the member for Fisher. It seems to me that a few people in this country need to wake up to the fact that we have had shortages of water before. We live in a country that experiences drought reasonably regularly, and we are in a pretty severe drought at the moment, particularly in our part of the country, in south-eastern Australia. However, these things happen, and it will happen again. The world will not stop. It will rain again and, ultimately, we will have good flows down through the Murray-Darling Basin and into the River Murray and, more particularly, down into that area of my electorate surrounding the Lower Lakes, which is in such a parlous position at the moment.

There are some simple things which Australians used to do, and which a lot of people who do not live in the metropolitan area (where there is a water supply and you just turn on a tap) have been doing ad infinitum. Indeed, they have been doing it since the time of white settlement. They install big tanks. They catch the water that falls out of the sky and collect and use that water. They are careful with that water. It is a lateral way of thinking through how you collect the water and ultimately use it. You do not have to be able to turn on the tap and do this, that and everything else with it.

If people are very careful with their water supply, they can get by with the amount of rainwater they catch if they have a reasonable sized roof. For the life of me, I cannot understand why people are not required to have a decent sized tank—and I do not mean one of those piddly little 50 gallon tanks on the side of a home unit, or whatever. If someone has a 5,000 or a 10,000 gallon tank (or 50,000 litres; I am afraid I am still stuck on gallons), they can catch a considerable amount of water and, if they are careful with it, that water can go a long way.

There are an enormous number of roofs in the Adelaide metropolitan area, and most of this water is going to waste. It is going off the roofs into the streets and down the gutters, and it disappears into the Gulf St Vincent. We can see what has happened to the seagrass meadows off Adelaide: thousands of hectares have disappeared. A lot of that is probably due to what is contained in the stormwater run-off. That once again raises the fact that, here we are establishing marine parks (which I am all in favour of), but we are not establishing one off the metropolitan area. Quite frankly, it is a joke. Water is just so critical, and people can be sensible about the catchment of water and how they use it. This issue will not go away.

There will be a return to the wet seasons: it will rain again. I have said in this place before that I would like to walk around in water for the three months of winter for the next 10 years: it would be fantastic. As I said, the world will not end tomorrow. So, let's get sensible and do something about it. We have had six years of this government doing sweet Fanny Adams about providing additional water, and we are still sucking it out of the River Murray. The poor old Murray is at the end of its tether over that lot.

Yesterday in the Public Works Committee meeting we were talking about a pilot plant for the desal plant. We are still years off having a desal plant in place to supplement Adelaide's water supply. I ask members opposite: if south-eastern Australia experiences another dry year this year, what on earth will we do for water for the metropolitan area next year? There is no water available in the Murray. As the member for Schubert said, we are now pumping out of the reservoirs; we are not pumping out of the Murray any more, because that has stopped. The aquifer is dry.

This government is beholden to get busy and do something, instead of the Minister for Water Security standing there rattling on day after day with errant nonsense and not doing anything about it. We need some answers. I say to members opposite (and I am the last person who wants to see another drought this year in south-eastern Australia): by God, it will be on their heads next year if it does not rain this winter. They are going to be—

Members interjecting:

Mr PENGILLY: Of course you can make it rain. We now have sandhills developing in the Lower Lakes. I can recall 12 months ago asking: where are we going to be during this year if it does not rain during the winter of 2007? Well, we are there, because it did not rain. I say to members opposite: where are we going to be in 2009? It is an absolutely horrendous situation. I conclude my remarks.

Debate adjourned.

GLENSIDE HOSPITAL REDEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:30): I move:

That this house condemns the state government for the proposed sale of nearly half the Glenside Hospital site and the lack of genuine public consultation about the proposed redevelopment, and in particular for—

(a) announcing at a public meeting that the sale of the property is 'not negotiable' and the redevelopment is conditional upon the sale;

(b) selling part of the property for retail and commercial purposes without identifying any need for extra services in the area;

(c) selling part of the property to the Frewville Shopping Centre, while excluding other buyers from the opportunity to purchase the same;

(d) not assessing the traffic management of vehicles entering and leaving the property to service the hospital, public/private tenants, new residents and office, retail and shopping facilities;

(e) the reduction of open spaces and removal of significant trees, and the general reduction in amenities for local residents;

(f) the lack of consultation with clinical and professional employees;

(g) the reduction in amenity for patients, including patients from rural South Australia;

(h) the reduction of services available at the hospital, including the exclusion of mature aged patients and patients requiring open ward accommodation;

(i) not consulting as to where the new hospital will be built on the site or taking into account the extra security required with the collocation of drug and alcohol services; and

(j) the sale of land for private housing, when there is an urgent need for accommodation for mental health patients.

What has happened to date and, in particular, the announcement a week ago of what I call Glenside redevelopment mark 2, has taken the utter contempt of this government for local people in relation to consultation as they see it to a new level—a new level of deceit and a new level of absolute failure (deliberate, I suggest) to consult with people about this proposal. Let me explain.

On 20 February, that is, a couple of weeks ago, minister Gago, covering mental health, announced the appointment of a 13 member community reference group to provide advice on the Glenside Hospital redevelopment that had been announced seven months previously. That was the first indication of the intention of the government to genuinely consult. Up until then, three public meetings had been held. The Premier had refused to meet with the local mayor and representatives of the community. There had been a couple of consultations directly with the minister and selected members of the community, but there had been a clear message that the government had already decided that it would:

- sell 42 per cent of the land (and it was said absolutely clearly at the public meetings that that was not negotiable);
- build a retail shopping centre;
- provide for a commercial precinct;
- sell a vast area for private housing;
- exclude local council in the planning of it by declaring a ministerial PAR;
- ignore the resolutions of local residents at the public meetings;
- proceed regardless of the local objection—in fact, as I have said, the plan was not negotiable;
- demolish significant trees to build—but they have refused, even after three questions in this parliament, to identify how many of those there would be to the Premier and to the minister;
- dig up the oval used for sporting and school clubs in the community;
- amalgamate the drug and alcohol, mental health and Aboriginal services, which had been highlighted in a budget in September 2006;
- disregard community concerns about public safety;

- ignore the anticipated transport hazards;
- remove aged care residents with nowhere to go; and
- completely ignore the health professionals' advice and, in particular, the unanimous decision of the royal college of psychiatrists that this property should be saved and be available for future mental health purposes.

All of that the government had decided to do. So the government announced a 13 member group which it called the community reference group.

But what did it do last week? On 28 February *The Advertiser* published a story that the government had amended the redevelopment and was going to change precinct 1 for precinct 2. It was going to place the new hospital, which was to be in the north-east corner of the site, in the south-east corner of the site and swap it with what was to be private housing. That was the announcement that we all read in *The Advertiser*. But what about the community reference group? When did members find out about it? They got a phone call the night before saying, 'You will be reading in *The Advertiser* tomorrow about a new program, a new plan, a new redevelopment.' This is the redevelopment mark II. 'I know that we have not met and discussed it yet, but we will send you a letter next week to tell you what is in it and you will be reading about it in the paper tomorrow morning.' That is the government's newly-defined community consultation. Set up a group, do not even convene it to tell people what it is thinking of doing; publish it in *The Advertiser* and ring them the night before to say, 'We'll tell you about it in a letter next week.'

Well, some of them tell me that, as of today, they have not even received the letter they were supposed to get this week to tell them what the detail is—they just have to read about it in *The Advertiser* and guess that housing will be swapped with the hospital. No consideration is given to the fact that Massada College sits behind the new area where the hospital will be built, and to the security issues with respect to the children there.

No consideration is given to all the communities that will miss out on the use of the oval which is still to be dug up; and no consideration about the loss of open space for all the people who live around this site, which I point out has largely already been sold off to private housing, in particular, aged housing, which runs around the perimeter of this hospital and the northern and eastern boundaries. The area is intensely populated by multiple dwellings for aged members of the community. They have very real concerns, as have local schools and sporting clubs and the mental health industry, yet the government just redoes the plan, puts it out through *The Advertiser* and expects that we will say, 'Well done on public consultation.' What a joke! What an insult to the people who have been asked to be a part of this group.

The group is to be chaired by Damien Walker, Director of Major Projects for the Department of Health, as well as local residents and representatives from the school community, but they did not even see this plan before it was put in *The Advertiser*, let alone being consulted about it. What has happened is that the government has picked up a few issues which it is being told it might be able to deal with by just swapping over the two precincts, but it has not resolved any of these other issues. It is an indecent act, I suggest, for the government to proceed with this before it at least sat down with this community consultation reference group and said, 'This is what we have in mind to allay your fears.'

It is a damned insult to these people to ask them to give of their good time to raise and confirm these issues, to be invited to the table to talk and then have to read about it in *The Advertiser*. What about the rest of the community who have attended public meetings, who have raised their concerns and who, on almost a daily basis, have written to the minister and the Premier saying, 'Please save this area'? They get completely ignored. The government is dealing with this as though it is just a few local people who are unhappy, but let me say that communities in Mount Gambier and the Riverland have raised this issue in their local newspapers. Why have they raised this issue? Why is Glenside so important to them?

It is so important to them because rural patients have only the Glenside Hospital. That is the only facility for the whole of rural South Australia. There is not one resident psychiatrist in this state outside metropolitan Adelaide. Glenside Hospital has some beds reserved for rural people, and the new facility will accommodate those beds; but rural people have no facility other than Glenside Hospital. It is absolutely important to them. If members of this house took the time to read the local papers in the community they would see that people are very unhappy and very concerned about it. It is important that it is not seen just as some issue concerning local Glenside residents.

This is a major statewide issue for a major statewide facility that is being sold off for a massive health crisis facing this state. I see the Minister for Housing sitting here. Every day he must deal with the fact that 30,000 people are on the list, waiting for affordable accommodation. He has the challenge of dealing with Aboriginal and community housing lists—add them up in the list, minister—and accommodating these people in the existing affordable stock, let alone providing the services to deal with the mental health problems of these people. He knows those challenges'. They are not easy, but it exacerbates the problem if we do not even have the health facilities to support these people.

Here is the opportunity for this government to save this site. Even if it does not have the money to build health services or housing services sufficient to meet the current needs of the people in the community who need the service statewide, at least do not sell off the land until the necessary funds are available. Save that and preserve it: keep a decent amount of open space.

This is an interesting point about open space. This is an area which has almost 300 trees which are recognised as having significance and which need some regulatory procedure. Of those, 199 of them are in the category that is regulated as not being able to be removed unless there are special circumstances. In the areas that are to be built on, in master plan 1 and 2, at least 100 of those significant trees (which are published and on the internet) have to be chopped down—at least 100.

Let us understand what will happen. There will be the loss of not only the umbrella of the existing magnificent trees but also the bird life, koalas, foxes (I am told) and the significant flora which is dependent on this property—especially the koalas at the moment because they are desperate for water and are moving into the metropolitan area, as I am sure a number of members will have had reported in their own electorates. A significant list of rare and endangered bird species, including the black cockatoo, reside in and rely on the ambience of this area. This is important because it is staggering to appreciate their abundance in the area.

The Conservation Council and other interested parties have also expressed their concern about the sell-off of this precious asset for a service which we desperately need, as well as the open space ambience for those who are now residing on what was the original Glenside Hospital site, which has been operating for the care of mental health since 1870 in this state.

I have raised other aspects in relation to the need to have a very expanded supermarket service. We have a new supermarket and shopping centre facility at Norwood, which is magnificent; a big and expanded one at Burnside, which is fantastic; a completely rebuilt one at Mitcham, which is absolutely fantastic and superb; a rebuilt and extended one at Unley; the Arkaba shopping centre; and the Chapley Foodland at Frewville. It is the Chapley Foodland group that is to be offered first option to put a much expanded service on the Glenside site. No-one else is allowed to bid for it; they get the exclusive rights.

We have raised questions about this and we will continue to raise questions, because the public has not been consulted about whether they need a new supermarket. We have yet to see any data that the government has prepared to establish whether anyone needs a new or expanded supermarket—and we need to know this. If it means that, in the redevelopment of the site and the rebuild of the hospital, there is an opportunity for the Chapley family to have an extra nine metres (which was looked at for the transfer of the heritage wall and the issues they were having with that on the border) then, of course, that can be considered. No-one, so far, on either side of the house has raised issue with that. It needs to sort out how much it will pay for it and so on, but to have a prime piece of real estate—with frontage on Fullarton Road—as a first option, on the face of it, is scandalous and needs to be investigated.

Finally, I want to mention the government's mark 2 development, which was announced in *The Advertiser* the other day—that is, to have an extra hectare of open space. One of my constituents made an inquiry of the department and asked, 'Where is the extra hectare?' He cannot find it even on the mark 2 plan, which is displayed on the website. Will it be carved out of what is already the wetland and detention basin which is earmarked as necessary if there is to be any stormwater development to feed into the South Parklands? That is a very important initiative. All the local council mayors, even the government, in general terms, have committed to look at that.

Certainly, the opposition has been emphasising the importance of considering stormwater catchment and reuse not only because of the water crisis but also to manage the flooding that occurs across Unley and the western suburbs every winter. It is important, but to try mischievously to create an extra hectare by saying that there is a bit bigger area in a detention basin, and not even be able to answer the question when a constituent makes an inquiry, demonstrates that they

are not good on detail, but they are good at throwing out stories through *The Advertiser* and putting flash glossies on the website before anyone has a real opportunity to consult. I do condemn the government in this motion, because this is not consultation. This is a dictatorship of the worst kind: it is against the most vulnerable in our community, and it is to sell one of our most valuable and sacred assets.

Mr PISONI (Unley) (11:45): I support this motion. In doing so, I would like to contrast the process of the Labor government to that of the land sale of a government asset, in a bid to rise from the ashes of the State Bank collapse, when Dean Brown was first elected as premier of South Australia. As a resident, I was involved in the negotiations over the sale of the Goodwood Orphanage.

The Goodwood Orphanage is a beautiful, historic building. It was owned by the education department. We saw a large and prolonged genuine consultation process in the sale of the Goodwood Orphanage. Of course, the outcome of that today is that the open space is still there for the residents of Unley to use every day. As a matter of fact, there is half a page in the Messenger Press this week devoted to an argument about the use of open space in that area after a council redevelopment of the play area. Without going into too much detail, we have a conflict between dog owners, who would like to run their dogs freely, and parents of young kids, who would like an area where dogs have to be restrained.

If it was not for the consultative process that we saw by the then minister for education, the Hon. Rob Lucas in the other place, that option would not be there for those residents in Unley today because that open space would have been sold to the highest bidder and developed, just like what is happening in Glenside. There are several differences. One difference is that the Goodwood Orphanage sale was done at the time when this state was bankrupt after 11 years of Labor government. We had no money; we had an $11 billion state debt and the collapse of our government-owned State Bank, and we had to start the recovery process.

With the Glenside site, we have buckets of money coming into this government at the moment. As a matter of fact, the Treasurer was boasting yesterday about how well the state economy is doing at the moment, and all the money he is spending. He is having enormous trouble containing his expenses, I must say, but he is spending an enormous amount of money. The budget has grown from $8 billion—do not forget that it took 170 years to reach $8 billion—to, some are estimating, a $13 billion budget this year.

It is enormous growth in the budget in six years, yet the Minister for Mental Health is telling us that we can upgrade these facilities only if we sell off a community asset. I ask whether that was the same case for the redevelopment of the new emergency ward of the Flinders Medical Centre. The public servant to whom I addressed that question in a public works hearing thought that it was an outrageous suggestion that we should have to sell off Flinders University land to fund this. This is a government requirement; this is what governments are there for; but the mental health minister is telling us that we can do this only by selling off public land. The argument the mental health minister uses is that the land is not used. Don Dunstan used that argument when he sold off the land for the MATS plan: it was not being used, and look at the mess we are in now with public transport. We cannot expand our road system. It was not being used, so it was sold off.

The Hon. R.B. Such: Bannon sold it.

Mr PISONI: Thank you to the member for Fisher for refreshing my history on recent South Australian politics.

The Hon. R.B. Such: Against the advice of the department of transport.

Mr PISONI: Thank you, member for Fisher. An asset that was not being used, according to the Bannon government, was sold off, but what use can we make of it today? That is the question we put to minister Gago in the other place. Selling off this land restricts any further use of that land, not only for mental health facilities and the patients but also for local residents. My electorate of Unley is only 2 per cent open space. We are being squeezed out by urban consolidation. It is a very attractive place to live: we have very large blocks and lovely leafy suburbs. It is so attractive in the eastern suburbs that a number of Labor members have abandoned their northern suburbs electorates and live in our electorates: that is fine, we welcome them. However, the point that needs to be made is that we are losing our private open space to urban consolidation, and we are fighting against that in Unley. We are now losing more of our precious public open space through the sale of 42 per cent of the open space at Glenside.

While we are on the subject of preserving heritage, open space and subdivisions, I cannot help but express today my disappointment in minister Holloway's delays in signing off on the first stage of the Unley City Council's development amendment plans that will enable it to have some form of demolition control, particularly in heritage and character zoned areas in Unley. It is something the council has worked enormously hard for, and it does not escape me that the minister was very loud during the 2006 mayoral elections where a Labor candidate was running for re-election as the mayor of Unley, saying the memorandum of understanding was a great idea and that he would support it, yet 18 months later the council tells me that it is still waiting for the minister to sign off on it. He has had it on his desk for signing off for three or four months, so what is the delay? All the pomp and ceremony during an election campaign to help out a mate: now that that is not relevant, it is not as important as he thought originally. I take this opportunity to plead with the minister to sign it so the council can start preserving the character of Unley and its historic homes. Sign it so we can keep our character and keep the features that attract people to live in, and make significant investment in, property in Unley.

I cannot express how disappointed I and the residents in and around not just the Glenside area but throughout Unley are about this sale.

Mr Goldsworthy: Being taken for granted.

Mr PISONI: Thank you, member for Kavel. They are disappointed about the lack of consultation, and lack of interest and concern the government has shown on the threat to their environment and the wrong decision it is making and enforcing under its indoctrination plan that it labels as consultation for the Glenside site. I support the motion, and let the minister and the parliament know that this fight is not over yet.

The Hon. R.B. SUCH (Fisher) (11:55): I wish to comment on one aspect of this motion, that is, paragraph (e), 'the reduction of open spaces and removal of significant trees, and the general reduction in amenities for local residents'. This has been an issue for some time and it is not unique to this government: it has occurred before. We are getting to the point where we need to look closely at the issue of selling off open space to get a dollar. It is not unique in respect of this development because it has happened before.

The member for Unley touched on urban consolidation, and we are now getting to the point where it is becoming more important to retain adequate open space, genuine open space, that could be used by people for passive recreation and, also, mildly active recreation, such as kicking a footy with grandchildren or walking the dog. If we are not careful in Adelaide, we will get to the point where those areas have diminished so far that, rather than being a city proud of its open space, we will be in the exact opposite situation.

In some respects—and this is highlighted by the close proximity of the Parklands to the Glenside Hospital site—the Parklands (which are fantastic and which are the result of the foresight of Colonel Light and others) have provided a deceptive image of open space and greenery. It has meant that adjoining councils over the past 150 years or so have felt that they do not have to provide much in the way of open space because it is in the Parklands. That has resulted in suburbs close to the Parklands, not just Unley, missing out on recreation areas and open space because the Parklands have been used, in effect, as an excuse for not providing additional open space and recreational areas.

I suspect that in the case of Glenside the argument would be, 'Well, you have the Parklands.' Governments need to stop using that phoney argument because, whether or not we like it, Adelaide's and South Australia's population will increase and there will be more pressure on the Parklands. They are already used extensively and they are paid for by the residents and ratepayers of Adelaide to the tune of about $9 million year. Over a year the Parklands are used by millions of people in various ways—and that pressure will intensify.

I have raised the issue of the creation of superschools directly with the Minister for Education and Children's Services—and I do not have a problem with that per se—but if it means that the land, which is currently used by existing schools in the northern suburbs, is sold for housing, then there is likely to be a net loss to the local residents in the area in regard to open space. The minister rightly says that it is not her responsibility, but it is the responsibility of every minister in cabinet. I have great difficulty communicating to each minister on topics decided by cabinet because I often get an answer such as, 'That is the responsibility of minister X.' I know that that is the direct responsibility, but all ministers have a responsibility to look at all issues before cabinet, including the Glenside Hospital redevelopment.

The Minister for Urban Development and Planning should be asking questions in cabinet about the open space provisions, and, likewise, the Minister for Recreation, Sport and Racing should be asking about its impact on residents now and into the future. We know that a minister has sole responsibility for mental health, but every minister has a responsibility for the governance of this state, so each minister should take a close look at not only this development but also any other development which results in the reduction of open space.

I refer to one of the points that the member for Bragg made about trees. As members are aware, I am a great advocate of greening the state. It is a well-established fact in relation to mental wellbeing, not just those with a mental illness, that greenery helps mental wellbeing. I can refer members to studies which show that, if people can see greenery—which is probably why we are so well balanced in this chamber—it helps their mental wellbeing.

If people in offices can see greenery it helps their mental wellbeing; if people in hospitals can see greenery they are likely to recover more quickly. The point is that, apart from the benefit of those trees in terms of carbon sequestration and as a habitat for birds, and so on, there is value just in their contribution to the wellbeing of local residents and others. Any decision made on Glenside should not simply be in terms of the poor souls who are afflicted with a mental illness: it should encompass the bigger picture in relation to open space and the wellbeing of everyone, and it should not merely be about an area on which buildings are provided only because a government can sell off a piece of land.

I do not believe the government is at a point where, in order to carry out its required duties, it has to sell off the family jewels. If we are at that point then I think we are in a serious situation. Without going into all the aspects of this motion, I have written to the Premier and the Minister for Urban Development and Planning recently asking whether they have looked closely at open space provision in Adelaide, both now and for the future, and I urge the government to ensure that we are not short-changing this generation or generations to come. I think the Glenside Hospital site comes well and truly within that ambit for consideration.

Ms SIMMONS (Morialta) (12:02): I rise to oppose this motion. The government of South Australia released the Social Inclusion Board's report *Stepping Up* in February 2007 and endorsed the direction of all its recommendations. The government immediately committed $43.6 million towards the reform of the mental health system and has now, through the 2007-08 budget, committed an additional $50.5 million. The reform program includes service development, capital works and collaborative partnerships to build an integrated, community-based, stepped system of care.

This new stepped system has different graduating levels of care, comprising community care and support, 24-hour supported accommodation, community recovery centres, intermediate care beds, acute care beds and secure care beds. The system will provide people with extra support in the community where they need it most—in their own homes, in a number of different community facilities, or in an acute care setting. The range of care and support available will enable individuals to better manage their health and enjoy the benefits of being part of their local community. This is a very important part of health recovery that seems to have been missed by the opposition.

The reform of the mental health system to the new stepped model will deliver an estimated 86 additional adult beds across all levels of care to bring the state total to 516 adult beds. The increase in the range of care and support services available will not only meet the needs of more people but will also ensure that an increased number of people can receive care or support in their homes or in the community before they become acutely unwell. The reform is currently being implemented to a range of projects and programs, of which the Glenside campus redevelopment is only one.

The government announced on 20 September 2007 a concept master plan for the Glenside campus. This plan outlines the development of a new world-class 129-bed hospital for mental illness and substance abuse called SA Specialist Health Services. It comprises:

- a residential area incorporating affordable housing and supported accommodation;
- a major public cultural hub for the people of the state;
- environmental initiatives to maintain the open spaces of the campus and enhance biodiversity and water capture (a point that also seems to have been missed by members opposite);

- a village-style retail precinct with shops and cafes (which is very important in helping with the recovery of people with a mental health issue); and
- a commercial development fostering employment opportunities in this near-city location.

Specifically, Glenside's SA Specialist Health Services will comprise:

- 40 secure rehabilitation beds;
- six mother and infant acute beds;
- 23 rural and remote acute beds—so they have not been left out at all; the rural and remote acute beds are still there;
- another 20 acute adult beds;
- 10 psychiatric intensive care beds; and
- 30 drug and alcohol acute beds.

In addition to the 129-bed hospital, the Glenside site will accommodate a drug and alcohol outpatient facility, a 15-bed intermediate care facility and 40 supported accommodation places which are vital to the needs of this state. In total, there will be 184 mental health and substance abuse beds on the site.

The Deputy Leader of the Opposition is quite right that the government has established a comprehensive community engagement process to inform the redevelopment. In fact, two key pieces of work are occurring currently. One is the refining of the concept master plan with the objective of completing the master plan very soon and the other is the development of models of care for the new hospital. This work has been informed by dialogue with neighbours, stakeholders, consumers, their families and staff.

One of the many mechanisms used to gather input has been a series of listening events. These events occurred throughout October and November 2007. The events ranged from public meetings at the Burnside Town Hall to community workshops held with the Minister for Mental Health and Substance Abuse. Events were well attended with over 500 valuable inputs which were provided by the community. In addition, the Department of Health has established a number of other engagement methods such as key stakeholder meetings, a 1800 number, a website, regular ministerial communiqués posted on the website, clinical workshops developing the models of care for the health facility and the formation of a community reference group.

All of the above engagement mechanisms have provided a diverse range of thoughtful and valuable input. These inputs are now being synthesised by the project team as part of the finalisation of the master plan. The honourable member's motion fails to recognise the thorough community and stakeholder engagement process that has been established for the Glenside campus redevelopment. The motion also makes a series of false and misleading statements. In order to address these false statements, I advise the house of the following:

(a) Appropriate community and stakeholder engagement provides a clear and transparent description of what is fixed and what is not fixed at the outset of the process. The government has made a number of decisions—for example, the need for a new best practice mental health and substance abuse facility, the need to integrate these services by introducing retail, residential and commercial uses on the site, and the procurement method. Much of the rest of the redevelopment requires input from the community and stakeholders. That is what is occurring and will continue to occur.

(b) Detailed investigations have been undertaken for all aspects of the campus redevelopment. This includes retail, residential and commercial. There is a misconception that the introduction of retail, residential and commercial uses has been simply about deriving income. The income is merely a secondary benefit, not the primary reason for introducing these uses. These uses are about integration of everyday community activities with the provision of mental health and substance abuse services, and it has been well documented over a number of years now and accepted by those working in this area (as I did before coming into this place) that these are vital for the rehabilitation of people with both mental health and substance abuse needs. The integration of our services with the community has, is and will continue to be central to our mental health reform agenda. Moreover, this approach is consistent with best practice developments in both the United Kingdom and the rest of Europe. The revenue achieved from the introduction of these everyday uses onto the campus provides a secondary financial benefit that will be directly

channelled into the provision of mental health services—and I repeat that it is the secondary and not the primary reason.

(c) The deputy leader has been highly critical of the redeveloped shopping centre plan. However, the Minister for Mental Health and Substance Abuse has given great thought to the village-style retail precinct that will be developed on the site, building onto the existing Frewville Shopping Centre. The government will require a design that faces shops, cafes and restaurants on to the broader development, therefore integrating these uses into all the other uses into the site—and this is, as I have said already, vital to the rehabilitation. The owners of Frewville Shopping Centre will be given the first opportunity to purchase this land from the government at an independently valued price. It is not unusual that government will negotiate with a single entity if there is strong strategic rationale to do so. Both commercial and design synergies exist in enlarging the existing retail precinct, rather than potentially creating a separate competing and polarised retail development adjacent to the existing one. Simultaneously, the government will acquire land from owners of the shopping centre to allow for widening of the Glen Osmond Road and Fullarton Road intersection. It is appropriate that an independent valuation be used to determine an optimum sale price. In fact, the very purpose of the valuation discipline is to determine the market value.

(d) Traffic and access has been an area of detailed investigation. The Department of Health, its traffic advisers and the Department of Transport, Energy and Infrastructure have been conducting traffic and access assessments and modelling in order to inform the development of a master plan. These investigations are campus wide—

The DEPUTY SPEAKER: The honourable member's time has expired.

Ms SIMMONS: Can I request more time?

The DEPUTY SPEAKER: There is no opportunity.

Mr KOUTSANTONIS (West Torrens) (12:13): There is a perception with some locals that there will be a loss of open space as a result of the campus redevelopment. In fact, the opposite is true. There will be more usable public open space provided as a result of the redevelopment. The current campus is an operating hospital and, as such, the majority of the site does not provide usable public open space.

An honourable member interjecting:

Mr KOUTSANTONIS: And they are welcome to.

An honourable member interjecting:

Mr KOUTSANTONIS: Thanks to the good eggs of Glenside, my electorate is flooded regularly because of the intransigence of that council. The redevelopment will ensure that usable public open space is provided and is accessible to all. That is a very important point. It will be available to all; currently it is not. The opposition wants the 'No Trespassing' signs out the front there so that they can drive past in their four-wheel-drives and see the open space, but they cannot actually use it.

Models of care which will drive the service provided within the health facility have been developed over the past three months. The process for developing these models has involved a comprehensive engagement process of clinicians and consumers. To suggest that there has been a lack of engagement of clinical staff is false.

The campus redevelopment has a clear focus on the provision of quality therapeutic open space, tree retention and further plantings, the retention and enhancement of all state heritage listed buildings and the potential for a significant wetlands and stormwater retention system.

I am sad that the member for Bragg has fled the chamber since I got to my feet. Obviously, she is intimidated by me when I speak. That important wetlands stormwater retention is vital to my electorate and to the electorates of the members for Ashford and Unley. I do not see what the problem is for the member for Bragg.

The mental health system is being reformed, and part of the reform is the redevelopment of the Glenside campus. Services will continue to be provided on the site within a new best practice facility. I urge members opposite who are opposed to the redevelopment of the Glenside Hospital to look at what it is like now and see whether they would like to be treated in that hospital. Other services have been and continue to be provided for in other more appropriate locations, such as within general hospital campuses and in the community.

Aged mental health services will be carefully transitioned to more appropriate locations over the coming years. There is no reduction in service; rather, there will be more appropriate provision of services. Overall, there will be 86 more mental health beds within the system as a result of these reforms.

As yet, there is no specific location within precinct 1 for the hospital, and there will not be until such time that the models of care are finalised and these models inform the schedules of accommodation and then the facility design location.

The residential precinct will provide both affordable housing and supported accommodation options. I just wonder whether that is where the real opposition comes from and whether there is a little bit of 'Oh, my God, who's moving into our suburb? Oh my God, could they be Labor voters?' Given the poor performance by the member for Unley, I would be worried if I were him, too. The poll released in *The Advertiser* saw the current head of their party dramatically calling for a change in government and getting a 3 per cent swing against him in the six months that he has been leader. Rob Kerin did better, Iain Evans did better and John Howard did better. I have never seen such a bad result by a Liberal leader. Of all the Liberal oppositions—other than Queensland—this is the worst performing Liberal opposition, and what they are now doing is—

Mr PISONI: I have a point of order, Madam Deputy Speaker.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr PISONI: The speaker is moving off the topic.

Mr Pengilly: Just a little bit.

Mr PISONI: Just a little bit off the topic. The motion is about Glenside, and the Leader of the Opposition does not even live in Glenside.

The DEPUTY SPEAKER: I ask the member to address the topic.

Mr KOUTSANTONIS: Madam Deputy Speaker, I lost my place; thank you for the break. I just wonder whether affordable housing is the real objection. They say they want open space, but they have now committed to taking over the Parklands to erect buildings. But they say, 'No, in Burnside and Unley we want open space. Victoria Park is a different story.' So, I just wonder whether the real conflict here is about affordable housing.

The residential precinct will provide a welcome increase in inner-city accommodation stocks for those consumers who use the Glenside campus facilities. The Glenside campus redevelopment is an exciting statewide project that will contribute significantly to the reform of our mental health system. By condemning the redevelopment, we would simply be condemning the mental health system to further years of outdated and outmoded service delivery.

I submit that the opposition is morally bankrupt and is playing petty partisan politics with this important statewide issue. I submit that members opposite are simply worried about affordable housing going into their electorates. They have no plans for the future of the state and they have no vision for mental health and its delivery in South Australia. I submit that the member for Bragg (Ms Chapman) is simply playing local politics. Local politics is easy. It is easy to blame somebody when someone gets angry. It is hard to lead and it is hard to show vision. When there are changes in a community that benefit the state as a whole, it is hard to go out and sell those changes. It is much easier to be an angry man shouting into the wind than it is to get up, lead and set a future vision.

Because of their heritage, members opposite, unfortunately, do not know how to lead. They do not know how to show vision. All they know is how to assign blame. That is what politics has become in the Liberal Party: getting people angry about an issue and assigning blame. They are angry about Glenside not being moved off site and therefore not increasing property prices. They are angry about that, so, rather than deliver world's best practice in mental health care, they just blame someone. That is not leadership and it is not vision.

As to what the member for Unley said, I have a copy of his newsletter in which he condemns people who built 'McMansions' in his electorate. I will just let him know that I have written to all those people who own 'McMansions' in his electorate letting them know exactly what his views are of their properties and homes.

So, don't come here and lecture us about your electorate. I cannot think of any member outside this parliament, other than the member for Unley, who has condemned people for the homes they have built in their electorate. Imagine your local MP knocking on your door and saying, 'This house is a monstrosity. It shouldn't have been built.' You are a genius! He is not only stupid, he is stupid often. He put it in a newsletter, mailed it out to everyone and told them that these things are monstrosities.

I do not know if you have ever driven around Unley, but a lot of people there have had a lot of capital growth in the value of their homes. As part of the inheritance to their children, they subdivided those properties and built these so-called 'McMansions' that the member for Unley hates so much. He condemns them. He does not want them to capitalise on the value of their homes: he wants to condemn them. I say: all power to you. Next time you put out a newsletter, send me the bill. I will help you. I oppose the motion.

An honourable member interjecting:

Mr KOUTSANTONIS: Not in the poll in *The Advertiser;* maybe on the island you are doing well, maybe in the Barossa and maybe on Yorke Peninsula you are doing well, but in metro Adelaide you are going backwards—and you are going backwards fast. Do you know why they are going backwards? Because of motions like this. They have no vision. They just shout into the wind. That is all they do. I oppose the motion.

The Hon. G.M. GUNN (Stuart) (12:21): It is a great pity that the house has had to listen for a number of minutes to the contribution of the member who has just resumed his seat. Things must be going badly when they have to trot out the honourable member to give us the benefit of his particular wisdom on a number of subjects. Unfortunately, he never addressed the motion.

The motion states that the house condemns the state government on the proposed sale of nearly half the Glenside Hospital site and the lack of genuine public consultation. As someone who drives past that site—

Ms Breuer interjecting:

The Hon. G.M. GUNN: The honourable member has plenty of time to run back to Oak Valley and try to look after her friends. I suggest she—

Ms Breuer interjecting:

The Hon. G.M. GUNN: That's dead right, but let me go on. As someone who drives past that site on a regular basis, I cannot help but think how wise our forefathers were when they set it aside, just like the land down at the racecourse. I think it is also an unwise decision to sell that. Do you want to have bricks, mortar, pavement and bitumen across the whole of Adelaide? I thought that this was an environmentally friendly government, but it opposes responsible motions like this. The member for West Torrens talks about polling, but I suggest that he look at the pale faces of those members in the marginal seats. They do not think that the polling is going too well.

The DEPUTY SPEAKER: Order!

Mr KOUTSANTONIS: My point of order is relevance. The member attacks me for my not being relevant, and then he immediately launches into a tirade against marginal seat members. The father of the house should know better.

The Hon. J.W. WEATHERILL: I have an alternative point of order, Madam Deputy Speaker. The man who appears to be on his feet at the moment I do not think can be the member for Stuart because he is promoting a radical green agenda. I believe there is an impostor in the house and I ask for him to be removed immediately.

Honourable members: Stranger in the house!

The DEPUTY SPEAKER: Minister, I will be pleased to give you the call when the member for Stuart has finished. Meanwhile, I ask the member for Stuart to stick to the subject.

The Hon. G.M. GUNN: I am honoured that the minister takes a point of order. Notwithstanding what he said, I have not been born again: I am just a practical member of parliament dealing with each issue as it arises and looking at each one purely upon its merits. I am looking at the merits of this issue because, as someone who will continue to drive past the Glenside site, I think it would—

The Hon. M.J. Atkinson: It's not on your way home.

The Hon. G.M. GUNN: It is on my way home. At 5 o'clock in the morning I drive past there, and sometimes it is midnight. Unlike the Attorney-General, I can drive myself past it—he can't.

The Hon. M.J. Atkinson: If it's 5 o'clock in the morning, I'd be getting home, not getting up.

The Hon. G.M. GUNN: That raises another question, but perhaps we will not go into that. I am a charitable character, and all I want to suggest to the Attorney is that he concentrate on the inner-city electorates; there is no way that he could represent the vast inland of South Australia, because he cannot drive himself.

Mr Pengilly: With Mrs Gunn up there now, you're in trouble.

The Hon. G.M. GUNN: Well, I'll be in real trouble. All I want to say in conclusion in supporting the Deputy Leader of the Opposition is—

The Hon. M.J. Atkinson: Come on, you've got seven minutes left.

The Hon. G.M. GUNN: Well, normally, Madam Deputy Speaker, they want to curtail my remarks. Normally, I am a man of few words, and it takes a lot to get me on my feet. I rose today only because I think it is appalling that they want to chop up the Glenside area and put a commercial development on it when it has been for generations a very important open space area and, as I was saying before I was so rudely interrupted, I think our forefathers had great wisdom in setting it aside.

So I support the motion moved by the Deputy Leader of the Opposition, who is sticking up for her constituents and many other people in Adelaide. The government wants to cut this area up, but it will not even put a decent facility in Victoria Park. There seems to be a conflict somewhere. When it receives a proposition to provide a decent facility to cater for the needs of South Australians, it runs away—it is frightened of the Adelaide City Council. I find that appalling. The North Adelaide Residents Association—a couple of thousand residents—has more pulling power than the rest of the people in Adelaide. Well, I have a view about the North Adelaide Residents Association, but I will keep that for another day.

In conclusion, all I say to the member for West Torrens is that he can laugh about the polls but the backbenchers are not laughing about them. The chilly winds at the ballot box are starting to catch up on them, and the more arrogant they become, the more necessary it will be for them to start looking through the 'positions vacant' columns in the daily newspaper. In supporting the motion, I think the deputy leader has done a good job in bringing this matter to the attention of the house.

Motion negatived.

FOOD HYGIENE

The Hon. R.B. SUCH (Fisher) (12:27): I move:

That this house calls upon the state government to make the food hygiene inspections and reporting processes of food businesses more transparent, and to consider adopting the United Kingdom's Scores on the Doors food hygiene compliance scheme.

This scheme, which has been developed in the United Kingdom and has been extremely successful, is based on six criteria relating to the way in which food-handling premises deal with food hygiene and handling. The inspection is reported not only online through the web but also on the door or window of the premises.

A few weeks ago, I received from Paul Hiscoe, of the Northumbria University, a report dated January 2008 on the success of this Scores on the Doors approach to food hygiene, and in the executive summary of that report, which is something like 60-odd pages long, it states:

The key findings of the evaluation [of Scores on the Doors] were that in reality the whole approach...has developed its own momentum and created a wider debate addressing issues about the role of the consumer; for example, how effective is the publishing of [the material], do consumers understand what compliance actually means and can they be satisfied that the rating has been consistently applied across the country.

The impact on food businesses has been significant, overall respondents to the project have reported an overall improvement in standards on an incremental basis, and this is in no small part due to the consumer voting with their feet.

Of equal significance has been the impact with local authority field staff...

And so it goes on. Members are welcome to have a look at that full evaluation. That scheme is similar to ones operating in the United States. We often hear, and it is often suggested, that in America it is laissez-faire and anything goes. I can tell you that the Americans are a lot tougher on a lot of things that we are. As I mentioned last week in this place, they are a lot tougher on food labelling than we are. We are not within a bull's roar of where the Americans are on food labelling.

It relation to inspecting premises that sell food—restaurants and so on—in New York they put the results of the inspections of 20,000 of their restaurants on a website, and they can be searched by neighbourhood, name, and the hygiene points score are listed, something that does not happen here. A similar service exists in Los Angeles. In Toronto they have a scheme where there is an indication in the window of the restaurant of their health standards and how they have complied. Likewise, Denmark has a website listing similar information, and so it goes on.

Members might be wondering about the emphasis on food hygiene. *Choice* magazine reported in November 2007, and this was an Australia-wide study, but the first example is from Melbourne. I quote:

> Live and dead cockroaches, pigeons wandering around the kitchen, ready-to-eat Peking duck stored in garbage bags on the floor, and exposed meat and other food being prepared in the toilet airlock. These stomach-turning observations were reported by food inspectors on visits to three inner Melbourne restaurants throughout last year.

You might think: well, that is Melbourne, and one would hope that it does not happen here. The reality is that you would not know whether it was happening here, because you are never told. You are not told, because the Health Commission and the councils here that do the inspections will not reveal the health standards of food establishments in this state. I think that in a democracy you have an absolute right to know. The *Choice* article goes on to state:

> Australians are for the most part kept in the dark about dirty restaurants and other food outlets...Restaurant inspections are carried out by local council staff... and a report is completed for each visit detailing the food outlet's hygiene standards...Some businesses may be inspected every 18 months, others every six months, for example. If a business fails to comply with food safety requirements...inspectors have a number of compliance and enforcement options available to them, which can vary from state to state. These include written warnings, improvement notices or—for more serious breaches—on-the-spot fines (penalty or infringement notices, as they're known in some states) right through to prosecution.

Once again, that whole range of options is hidden from the consumer. *Choice* commented on South Australia in their report, stating:

> We surveyed the states and territories and asked if the situation was going to change.

In other words, they asked whether public were going to be informed. It goes on:

> In South Australia, the Department of Health is examining different models of informing consumers.

Once again, there is no commitment to change. The article continues:

> New South Wales now has a website...that publishes details of businesses that have been convicted of an offence under the Food Act, and Western Australia is in the process of developing one.

We do not have those provisions here. In New South Wales, 1,000 penalty notices are issued each year, but *Choice* points out customers of these establishments are none the wiser because you do not know who they are. In South Australia, the position is that ignorance is the way in which food hygiene standards are considered and secrecy is the order of the day.

The *Choice* article also goes on to highlight many other points, including that—and this is why it is a very serious issue—5.4 million estimated cases of food-borne illness in South Australia are reported each year. Doctors and laboratories are legally obliged to report some infections commonly transmitted by food, including salmonella, campylobacter and listeria. It details some examples, one of a woman called Vicki. It states that she became violently ill after eating chicken rice and suffered from diarrhoea, stomach cramps and a fever. Her husband and daughter also had symptoms, both having tasted the meal. She was diagnosed with campylobacter infection. It took her two weeks to recover and obviously it was expensive. *Choice* says that they contacted the health department in Victoria and were told that 'it is an offence for a council to disclose or publish any information pertaining to this matter'. Throughout Australia, and in South Australia, we have this very unsatisfactory situation.

What they have found in the United States (with the equivalent of scores on the doors) is that the restaurants that perform well actually get an increase in business—hardly surprising. The Los Angeles program showed that the compulsory display of hygiene grade cards leads to cleaner restaurants. Once again, this occurred in the United States, which people keep saying is laid back

and where anything goes. That is not the case at all. I quote further from the *Choice* article, referring to the compulsory display of hygiene grade cards in Los Angeles. The article states:

> When that program was first implemented in 1998, 57% of restaurants got an 'A' grade. By 2005, the number had grown to 84%. The number of hospitalisations for food-borne illnesses in LA dropped by over 13% in the first year of the program, and the decrease was sustained in subsequent years.

That is a decrease in the number of people hospitalised from food-borne illnesses as a result of this information being available to patrons. The *Choice* article goes on:

> Not only are restaurants cleaner and diners healthier, the cleanest establishments are making more money, according to research on the LA program.

Choice makes the further point, and I agree strongly with this:

> You should be able to choose a restaurant on the basis of hygiene, just as you would on the basis of the menu, service or ambience.

This is not an airy-fairy issue. I have raised it before publicly and we had some councils, and one in particular (which surprised me) in a joint letter to *The Advertiser,* on behalf of the council and people in the food hospitality area saying, 'Look, basically everything's fine.'

I thought it was most surprising that the enforcement body, in a joint letter to *The Advertiser* with the people whom they inspect, would be saying, 'Look, everything's hunky-dory.' The *Choice* article gives advice about how to spot a dodgy establishment. It says that looking hygienic is no guarantee that a food outlet is hygienic. It further states that restaurants in particular can be hard to judge, as much of the food handling and preparation is done out of sight, but it suggests people look for things such as dirty floors, counters and tables. The article states:

> If people can't keep their premises clean, chances are they don't do much better with the food. Staff with dirty hands or fingernails, dangling jewellery and long hair not tied back. Dirty or chipped crockery, cutlery or glasses. Lukewarm food.

This is an issue that applies in the restaurant area, but it also amazes me that many people do not even check their own refrigerator at home to see whether it is keeping dairy products below 4ºC. As *Choice* points out here, once the temperature in the fridge gets above that level, there is the risk of excessive multiplication of bacteria. The article also mentions foods not cooked properly through, such as a pink centre in hamburger meat and pink uncooked chicken, particularly near the bone. I commend that article to members, and I can make them a copy if they wish. It is the November 2007 issue of *Choice*.

I come back to the matter of Scores on the Doors. I urge the Minister for Health to adopt that system. I think it is a fundamental entitlement in our system to know whether the restaurant you are going into, the place retailing food, or any other business involved in selling or handling food is up to what should be a high standard. We should take away the veil of secrecy that currently exists because, at the end of the day, we have a right to know what we are eating, how the food was prepared and how it is made available to us. I commend the Scores on the Doors program to the government, and I am happy to make available the evaluation dated January 2008 based on the English model. I commend the motion to the house.

Mrs GERAGHTY (Torrens) (12:41): I rise to support this motion and indicate the government's position. We are continually examining ways in which to maintain and, where possible, further improve our high standards of food safety. The Scores on the Doors program is a program that we consider worthy of further consideration. The program is based on the principle that citizens have the right to access information held by public authorities, unless this can be shown not to be in the public interest or relates to public security, privacy of individuals and the like.

Under the UK Food Safety Act 1990, environmental health officers are tasked with inspecting food businesses according to the Food Standards Agency code of practice. Following each inspection, the business is assigned a risk rating, which will be used to determine the frequency of future programmed inspections. These will typically take place between six months and three years. The Scores on the Doors program then makes this information publicly available. It is also set up as a website and a mobile phone service that enables local authorities to easily make the inspection data available for scrutiny.

Similar legislation allowing the public dissemination of information has existed in the United States and Canada for over 10 years, and many authorities there have been able to encourage improvements in food safety standards by making the results of inspections available on the internet. The situation here in South Australia is that the Food Act Report, which is tabled in

parliament annually, contains details of the number of inspections of food businesses and complaints and enforcement action taken by local government under the Food Act 2001, but does not name the business involved.

The government is considering moving to implement a system of publishing the outcome of successful prosecutions under the act, similar to what occurs in New South Wales. The Scores on the Doors system used in the United Kingdom requires further investigation to ensure that useful, accurate and consistent information is available to consumers. The Minister for Health has asked that more work be done to investigate the options that may be available under the South Australian Food Act. As I have indicated, we support the motion.

Motion carried.

POPULATION GROWTH

The Hon. R.B. SUCH (Fisher) (12:44): I move:

That this house calls upon the state government to reassess its commitment towards achieving a population of two million and, instead, commit to a growth in quality policy.

I can recall lecturing on this topic many years ago with my fellow lecturer Graham Smith, who was of a somewhat different political persuasion from mine—he was an active member of the communist party—and a fantastic person. We were lecturing on this topic many years ago, and when I say 'this topic', I mean the concept of a steady state economy. I will explain.

It means that, instead of growing in quantity—getting bigger in population and generally expanding in numbers—you focus on growing in quality. So, you seek to have the best hospitals, best schools, less crime, fewer prisons (because you have less crime), and people living longer and having a higher state of wellbeing. When I gave notice of this motion, minister Karlene Maywald, wearing her hat as Minister for Regional Development, said, 'We are doing this.' I acknowledge that in the strategic plan there is quite an emphasis on quality provisions, but the point I want to make in this motion is that you have a target of two million people but what do you do then? How do you turn off the tap when you reach two million?

I take a keen interest in what happens interstate, and the government of Victoria announced a significant expansion of land available for housing in Melbourne and is talking about how they are going to become bigger than Sydney, which seems to be more the goal than whether they are necessarily going to be better than Sydney. But they are talking about a population for Melbourne of six million people, and my question is: why? Why do you want to end up like Singapore or Hong Kong? Why would you want a country to be like India or China rather than Switzerland or Sweden, or some other country such as that? The point I am making is that this call for more people—a growth in quantity—even acknowledging that the strategic plan makes reference to quality, I think is misguided. I do not see any real justification, or any compelling justification, for having a bigger population.

I draw members' attention to some recent articles, one of which was in *The Advertiser,* which reported that a task force is being set up by Monsignor Cappo. (I do not know how the good monsignor gets time to rest, because he is leading all these committees.) This one is entitled SA Population Ambassadors Group. It is made up of a lot of honourable people—Peter Vaughan, Anne Skipper, Michael Hickinbotham and the monsignor himself. The heading was (and they almost certainly did not write the heading but some talented subeditor did), 'State must attract a lot more people'. Why? What is the reason for that? What is the justification? Some of the arguments given relate to not having enough skilled people and that we need more people for the mining industry.

In a later article (I guess in response, in part, to that but also to the state government's strategic plan), Professor Tim Flannery, in the *Sunday Mail* of 24 February, is reported as saying that 'populate or perish' is a flawed policy under the major heading of 'Migrant plan alert'. I quote from that article written by David Nankervis. It states:

Renowned scientist and author Tim Flannery has fired a broadside at the state government's push to attract more migrants to South Australia.

And he said the water crisis made any government's policy of increasing population unsustainable.

He questioned why the government was bringing professional migrants to the state instead of training SA's unemployed to fill skilled job vacancies.

'Why is it you would want to bring in more people when there are chronic unemployment problems in parts of Adelaide which must be addressed—(especially) in the northern suburbs towards Elizabeth?' said Professor Flannery, the 2007 Australian of the Year and former SA Museum director.

'There should be more emphasis on helping those who are already there in the state than just bringing more people in.'

In fairness, I think that the Monsignor is also involved in upskilling and trying to get more people involved in the mining industry—people who traditionally may have been excluded because of a lack of skills. I think it is true to say that the state government is aware of that issue and is not simply trying to bring in people from overseas: it is trying to upskill, especially the marginalised section of the community.

Getting back to the main issue, Tim Flannery is right in the sense that the catchcry 'populate or perish' is outdated and, in my view, inappropriate. What we should be doing in South Australia and Adelaide is putting the emphasis on being the quality state with quality people (and this would be a paradox in a way, I guess) and you would attract people who would want to live in a state that had low levels of crime, fantastic educational facilities, the best universities in the world, and all that sort of thing. Ironically, that would bring in people, but they would be people who would come because of that focus on a quality of life.

Books have been written over time. This principle is not new. John Stuart Mill enunciated the concept related to the steady state of the economy (he did not call it precisely that), but it does not mean zero growth. It is a little like when people used to argue about population policy: it does not mean that you do not grow at all, it means that you grow, as I said earlier, in terms of quality, a focus on lifestyle, wellbeing, reducing illness and all those sorts of things, rather than simply saying 'Let's have more people.' I notice that, in relation to the plans announced for this huge expansion in the development of Melbourne, the question arises: how will you cater for their needs in respect of water and transport?

For members who are interested, yesterday a very big article appeared in the Melbourne *Age,* focusing on the very issue of Melbourne expanding, not just significantly but dramatically. What I would like to see is the state government finetune the Strategic Plan so that the emphasis is very much on being a leader in this state and in Adelaide, not simply to have two million people. As I said at the start, you will not be able to stop at two million. You cannot get around at night with a torch and a pair of pliers and suddenly stop the population growing. Once you get to two million you can guarantee that you will have well in excess of two million, and then what do you do?

It is a little like the policy on selling off open space: you cannot keep doing it, because at some time you will run out of open space. Likewise with population growth: you cannot suddenly curtail population growth, because two million in a few years or 20 years will become 10 million some time down the track, and on it goes, and for what purpose? Why would you want to have more people if you do not currently look after the people you have and ensure that they enjoy the highest standard of living? I do not mean that only in a material sense: I mean it in every sense of the term. Why would you want to have more people if the people you currently have are not adequately housed, are not fulfilling their ambition and are not able to achieve to their maximum?

Why would you want more people if you are not adequately dealing with issues such as mental health, or if you have not brought down significantly—hopefully eliminated one day—anti-social and criminal behaviour? Why bring in more people when you have not dealt with the situations which you currently confront? To me, it does not seem logical or rational. The issue of water is an argument, but I do not think it is the most compelling one because, if you want to, you can generate water by desalination. For that to happen you would have to do something—

An honourable member interjecting:

The Hon. R.B. SUCH: You could have unlimited desalinated water here if you go down the nuclear power option. I do not think the Premier wants to go down that pathway. I have an open mind about nuclear energy and always have had: I like to keep an open mind about all things. We could fix our water problem, over time, by using nuclear energy to desalinate, but that will not happen in the short term, partly because, at the moment, we are locked into gas and cheapish brown coal from Port Augusta, even though it is a significant contributor to global warming. The reality is that we will not suddenly stop generating power from Port Augusta.

I do not think water is the key issue. If you really want to provide the water you can, through desalination linked in with nuclear power, because reverse osmosis uses a lot of energy to turn saltwater into desalinated water. We could do many things in relation to using stormwater and

greywater better. We probably would not need to focus much on desalination at all if we used Adelaide's stormwater better and greywater more effectively.

I will conclude on this point: I acknowledge that the State Strategic Plan does refer to quality aspects, but I would urge members (and I can provide a lot of material if they are interested) on the concept of the steady state economy that you grow, that you are not just growing simply for the sake of it and to have a larger population, if it is not going to be a better state and a better society, not just for a few but for all South Australians. I commend the motion to the house.

Mr GRIFFITHS (Goyder) (12:56): I indicate that I do not support the motion from the member for Fisher. There are many things that the member says in this house with which I do agree, but not this one. I think the population of South Australia does need to increase to 2 million, and it is vital for the future of this state. As evidence for that, I will provide some detail on the workforce needs of this state as we approach the next 10 years.

Currently, there is a good workforce environment. There are 775,000 South Australians in work, but I am told by very well-credentialed people that, over the next eight to 10 years, there will be a need for 340,000 new people to enter the South Australian workforce to replace those who are retiring, and through economic growth opportunities. The retiring numbers are something like 300,000. That indicates the immense number of people born during the war and immediately after the war—the baby boomer generation, which I think goes until about 1962; which is my year of birth—

The Hon. M.J. Atkinson interjecting:

Mr GRIFFITHS: The Attorney confirms that I am at the tail end of the baby boomers. With 300,000 people retiring, a lot of important skills and knowledge, economic growth and business acumen is being taken away from the workforce, so it is really important that we get more people in the state to fill that void. The development opportunities which will occur over the next 10 years and which will require the additional 40,000 people cannot be met from the existing population.

There is no doubt that unemployment is at 4.8 per cent and youth unemployment is at 18 per cent—that fluctuates between 17 per cent and about 25 per cent for most months.

The Hon. R.B. Such interjecting:

Mr GRIFFITHS: As the member for Fisher confirms, it is a dodgy figure because it relies on a youth between the ages of 15 and 19 seeking employment where he or she only has to work for one hour per week. However, it is important because the workforce planning needs really do indicate, I believe, that it is impossible to fill that void of the number of people we will need over the next 10 years from the existing South Australian population.

I believe that the Strategic Plan vision is for two million by 2050. On an average figure that requires an additional10,000 per year. I understand that, in the last three years, that number has been met—and let us hope that it continues. Another interesting factor is the housing needs for population growth. I am advised that there are approximately 600,000 homes in South Australia (metropolitan and regionally). To accommodate two million people, instead of the 1.6 million (or a little less) that we have at the moment, it will require an additional 300,000 homes. That, in itself, will create an enormous amount of work and a need for materials.

An honourable member interjecting:

Mr GRIFFITHS: The target continues to grow. We are advised of that constantly. Housing numbers will be an important one, but it will put pressure upon the urban growth boundaries. I know that the government reviews that constantly and there have been some extensions to the northern and southern boundaries quite recently. However, as a regional member of this house, I would hope that it allows regional communities to also have a strong future.

Many people are leaving at the moment, which is very frustrating for me. Some are being drawn to the opportunities in the north but others are leaving for employment opportunities where there are better rewards.

Debate adjourned.

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

NOARLUNGA HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 373 residents of South Australia requesting the house to urge the government to provide intensive care facilities at Noarlunga Hospital.

JACK FOX OVAL

Dr McFETRIDGE (Morphett): Presented a petition signed by 154 residents of South Australia requesting the house to urge the government to enter into negotiations with Minda Incorporated to purchase Jack Fox Oval as open space for public use.

SHARED SERVICES

Mr GRIFFITHS (Goyder): Presented a petition signed by 26 citizens of regional South Australia requesting the house to urge the government to reconsider its policy of shared services which will negatively impact on regional communities by the removal of jobs to Adelaide.

PAPERS

The following papers were laid on the table:

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

Development Act—Plan Amendment Reports—
- Adelaide Hills Council
- Alexandrina Council
- Barossa Council
- Mount Barker (DC)
- Onkaparinga (City)
- Victor Harbor (DC) and Yankalilla (DC) Development Plans—Commercial Forestry—by the Minister
- Mount Gambier (City) and Grant (DC) Development Plans—Greater Mount Gambier Deferred Urban—by the Minister
- Whyalla, City of—General and Coastal DPA—by the Council

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

Regulations under the following Act—
- Construction Industry Long Service Leave—Employer Levy

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

2007 World Police and Fire Games—
- Report 2005-06
- Report 2006-07

PROSTATE CANCER

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: I rise to inform the house of some positive news from the Department of Health and the Cancer Council in regard to prostate cancer in South Australia. Of course, today prostate cancer is very much in the news, with the report that former AFL footballer Sam Newman is fighting that disease. I am sure all my colleagues wish him the very best for a good recovery from this illness.

Today the Cancer Council and the Department of Health released a new study which shows a dramatic decline in the number of deaths from prostate cancer in South Australia. The study found the death rate from this form of cancer had dropped by 22 per cent over the past decade. This appears to be a remarkable result, and it is likely to be linked to the very good treatments offered to men who are diagnosed with prostate cancer and, of course, to the will of these men and their families to overcome the cancer.

More than 1,400 South Australian men are diagnosed with prostate cancer every year and, unfortunately, that figure is growing. Prostate cancer is the second most common cause of cancer death in SA men after lung cancer and it is responsible for about 240 deaths each year. But this new study indicates that we are doing well in South Australia in fighting this insidious disease and there is great hope for those diagnosed with the cancer. The study shows that up to 88 per cent of men diagnosed have survived more than five years after diagnosis.

Today the first stage of this report was released and there will be a second phase of the study released later this year which looks at the reasons for the large decline in deaths. I thank both the Cancer Council of South Australia for its work on this study and BankSA, which contributed $8,500 to the research.

I also inform the house about the state government's moves towards developing a strategy for men's health in South Australia. The aim of this strategy is to provide a framework for us to address the health and wellbeing of South Australian men in a more comprehensive manner. This strategy will guide us in how men can better access primary health care services to keep them healthy and to improve their life expectancy and quality of life. The draft strategy will be available on the Department of Health's website which can be found at www.health.sa.gov.au. The strategy has already been out for consultation during February, and we appreciate the comments we have received so far, including those from the member for Fisher. This consultation will now be extended until the end of March.

NATURAL RESOURCES COMMITTEE

Mr RAU (Enfield) (14:05): I bring up the 16th report of the committee, entitled Eyre Peninsula Natural Resource Management Board.

Report received and ordered to be published.

QUESTION TIME

WORKCOVER CORPORATION

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:06): My question is to the Premier.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: Why under the Premier's leadership did the government fail to take action to fix WorkCover in 2005, 2006 and 2007? On 29 March 2007, during a no-confidence motion moved in parliament against the Minister for Industrial Relations, the house heard that the Premier had been advised by Alan Clayton in June 2005 that there were financial problems with WorkCover.

In November 2005, the report of the Statutory Authorities Review Committee (chaired by the Hon. Bob Sneath) warned of the financial problems in WorkCover. In November 2006, the government received the WorkCover Board's report and recommendations for reform and, in 2007, the Liberal opposition again warned the government of the crisis. Why was nothing done?

The Hon. M.J. WRIGHT (Lee—Minister for Industrial Relations, Minister for Finance, Minister for Government Enterprises, Minister for Recreation, Sport and Racing) (14:07): Plenty has been done, and I have previously talked about what has been done. This government made sure that a new board was put in place. That new board put in place a new CEO, a new management. I have also talked about new regulations which, of course, has provided the opportunity for a contract—

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition was given a pretty fair go during his rather lengthy explanation. I now ask members on my left to show the same courtesy to the Minister for Industrial Relations. The Minister for Industrial Relations.

The Hon. M.J. WRIGHT: Thank you, sir. As a result of the new regulations, we have seen a new contract put in place. As an example of the change that has occurred, we also see a new single legal services—Minter Ellison—in charge of legal matters. So, a lot has been done. The leader also referred to recommendations previously made by the WorkCover Board. We had a good look at those, but we have called for some independent research and, as a result of that, we now have a package which goes beyond what was put forward by WorkCover. It has measures

that are both legislative and non-legislative. Of course, what we would urge the opposition to do is support the legislation before the parliament.

WOMADELAIDE

The Hon. S.W. KEY (Ashford) (14:08): My question is directed to the Premier. Premier, I am a bit embarrassed to ask you this question, but can you advise the house about the events taking place in Botanic Park over this weekend?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:09): Once again, WOMADelaide, Adelaide's best loved and respected music festival, is being staged in our Botanic Park over the weekend. Starting tomorrow, over two days and three glorious nights in the splendour of Botanic Park, more than 400 artists from 20 countries will celebrate their cultural diversity through song and dance, providing a fascinating window to their cultures. Since it started back in 1992, it has built up every year to be now one of the big events of our tourism and cultural calendar. In fact, WOMAD has become one of the great drawcards for bringing people across the border from Melbourne, Western Australia and elsewhere.

Among the superb selection of artists taking to one of the seven open-air stages this weekend will be Brazil's stunning Clube do Balanço, of which I know the Leader of the Opposition would be a fan; Cape Verde diva, Césaria Evora; the Idan Raichel Project from Israel; Japan's Joji Hirota Trio; the Kong Nay from Cambodia; 2007 WOMADelaide favourite, Billy Cobham; and the beautiful songs of Peru's Suasana Baca, whom we remember from recent years. These are amongst the acclaimed Australian acts such as the John Butler Trio, Sarah Blasko and the Beautiful Girls, with other artists from nations such as Burkina Faso, Cambodia, Mali, Mexico, Romania, Russia, Tibet and Uganda. We are obviously in for a great treat.

Visitors to the event will have the opportunity to relax and indulge in the delights of delicious food and wines as they explore the special WOMAD global village of arts, crafts and workshops. KidsZone entertainments make this festival a treat for the entire family, surrounded by the inspiring sights and sounds of hundreds of performers from across the world. As members know, I made a controversial decision to make this an annual event from 2004. Remember what the critics said? The critics said that it wouldn't work, that the people wouldn't come, but of course attendances have increased massively. What I was very keen to do, because I heard there were others sniffing around, was to roadblock any competition.

I am pleased that, after a meeting with WOMAD founder, Peter Gabriel—whom John Hill would remember from Genesis in England last year—we are also developing plans (announced today in the house) for another smaller annual three-day camping festival to be staged in October from 2010 at a rural venue in South Australia. The WOMAD Earth Station will have strong environmental themes and projects. I am looking forward to being able to advise the house of progress on this project as plans develop.

For the 2008 WOMADelaide event, Australia's largest environmental organisation, Greening Australia, has joined forces with the festival to reduce the festival's carbon footprint. Festival goers have also been given the opportunity when purchasing their tickets of offsetting their carbon footprint. Zero Waste will aid the festival in its efforts to ensure that it recycles and composts the maximum amount of waste possible. I am pleased that, after those talks with Peter Gabriel and Thomas Brooman, we now have, essentially, the rights to stage WOMAD right up until 2019. So, WOMAD is here to stay.

Additionally for the first time, an eco-village of interactive art and environment education will be a part of the Botanic Park WOMADelaide featuring interactive eco-living displays and speakers on key water, energy, waste and biodiversity issues.

It is estimated that hosting the 2007 WOMADelaide event contributed about $6.9 million to South Australia's economy, up from $3.3 million in 2003. Over this time attendance at the event has grown considerably and this year, for the first time ever, weekend passes have sold out prior to WOMADelaide's commencing. There are still tickets available for each of the day and evening sessions, but I suggest Mr Speaker, that those members wishing to go should buy their tickets quickly. I look forward to welcoming the Leader of the Opposition and other members (in their cheesecloth) to WOMAD at the weekend.

WORKCOVER CORPORATION

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:13): My question is again to the Premier. Did the Premier's three years of indecision and failure of leadership on WorkCover put the state's AAA credit rating and financial position at risk and was the state exposed to that risk in a deliberate attempt to avoid negative personal publicity?

Members interjecting:

The SPEAKER: Order! Just before I call the Deputy Premier, the question is completely out of order. I think the Leader of the Opposition knows that it contains opinion and debate, both of which are prohibited by standing orders. I can let the Deputy Premier respond, or I can perhaps give the Leader of the Opposition an opportunity to rephrase his question.

Mr HAMILTON-SMITH: Mr Speaker, I am sure that the Premier or the Deputy Premier is able to respond accordingly.

The SPEAKER: I just don't want any complaints about the Deputy Premier engaging in debate. The Deputy Premier.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:14): I think I will answer the question now, sir, and this could take 52 minutes! I have risen to talk about the AAA credit rating, because this side of the house delivered a AAA credit rating to this state. This side of the house—

Members interjecting:

The Hon. K.O. FOLEY: Sorry? What did he say?

The Hon. P.F. Conlon: They did it, we were just in office.

The Hon. K.O. FOLEY: You have got to love these guys: they did it, we just happened to be in office. That is a weird logic.

The Hon. P.F. Conlon: They built the bridges, we just happened to be in office.

The Hon. K.O. FOLEY: Yes. What would put our AAA credit rating at risk would be if I listened to the nonsense that consistently comes from the other side. What do we always hear? He wants to underground all the powerlines in South Australia—billions of dollars. They want to spend billions of dollars on roads. They want to spend billions of dollars on the health system. They are all about spend, spend, spend. No imagination or no suggestion as to where the money may come from.

Members interjecting:

The Hon. K.O. FOLEY: On spin, okay.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Well, I will tell you, I proudly support the AAA credit rating and the work this government did to get it—no thanks to the big spending, big government opposition that we have.

An honourable member: They want to spend more and cut taxes.

The Hon. K.O. FOLEY: Yes, they want to spend more and cut taxes. The Liberals have no financial credibility. They could not balance a budget in eight years.

Members interjecting:

The Hon. K.O. FOLEY: It is not rubbish.

Members interjecting:

The Hon. K.O. FOLEY: No, you did not. You used to do cash, you goose. You are a goose.

An honourable member interjecting:

The Hon. K.O. FOLEY: The member for Millicent is not very clever when it comes to finances. I am pleased that the Leader of the Opposition now says that unless we get the unfunded liability under control our AAA credit rating could be at risk. That, therefore, can only mean that the Liberal opposition will do what business has asked it to do, and that is to support the government and to—

Members interjecting:

The Hon. K.O. FOLEY: Sorry? That clearly demonstrates that the opposition will be supportive of the government. I would say to the Leader of the Opposition that, to ensure that we fix WorkCover in a very timely fashion, he actually should do what the business community has asked him to do, do what the government has suggested should be done and pass the legislation—and do it quickly.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: If the Liberal opposition's argument or line now is that we have taken too long to bring the legislation into the house, that may or may not be a valid criticism but, if that is their view, they should expedite the passage of this bill through the house.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The Liberal opposition wants to have every position possible in a political debate, but the reality is that at some point you have actually got to state your position. If the argument is that we should have done this sooner, that may or may not be a valid criticism, but at least now back up what you are saying by supporting the legislation and expediting its way through both houses of parliament.

SCIENCE AND RESEARCH DEVELOPMENT

The Hon. L. STEVENS (Little Para) (14:19): My question is to the Minister for Science and Information Economy. What role has South Australia's Chief Scientist played in promoting the development of science and research in our state?

The Hon. P. CAICA (Colton—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Gambling) (14:19): I thank the honourable member for this question. Last night I had the pleasure, with the Premier and minister Maywald, of attending a function to farewell our retiring Chief Scientist, Emeritus Professor Max Brennan. Professor Brennan was appointed South Australia's inaugural Chief Scientist in June 2005. This was an inspired move, because Professor Brennan's achievements in just two and a half years have been absolutely outstanding. He has become South Australia's face of science, using his experience, vast knowledge, determination and infectious enthusiasm for science to substantially raise the profile of science and research both in South Australia and nationally. Professor Brennan's efforts have led to the attraction to our state of significant levels of funding from both government and industry sources.

During his tenure, Professor Brennan admirably led the Premier's Science and Research Council, giving it a clear strategic focus, including identifying priorities for the distribution of the Premier's Science and Research Fund and ensuring that science funding was directed towards projects with specific links to our goals in the State Strategic Plan. Of particular note, Professor Brennan has been instrumental in sharpening our state's ability to win future investment opportunities in the defence sector, and he has been a staunch proponent of the government's major science strategies, including Constellation SA and STI[10].

Professor Brennan has represented our state on various assessment panels, including the prestigious South Australian Science Excellence Awards, and through these activities he has been able to build the recognition of our state's research capacity nationally and, indeed, beyond our nation's shores. From a personal perspective, it has been a privilege to work with Max and to learn from such a talented person.

The Hon. M.D. Rann interjecting:

The Hon. P. CAICA: Indeed. On behalf of the government—in fact, if I could be so presumptuous—and the parliament, I wish him the very best for the future. While he has retired from the position of chief scientist, I hope to maintain a link with him the years ahead.

Last night the Premier was able to announce the appointment of the new Chief Scientist. Dr Ian Chessell took up that role last night and he was greeted enthusiastically by the many scientists who were in attendance at last night's farewell function. Dr Chessell is a highly regarded member of our science and research community. He retired as the commonwealth's Chief Defence

Scientist in 2003, and was previously a member of the Premier's Science and Research Council and the Prime Minister's Science, Engineering and Innovation Council.

Since his retirement, Dr Chessell has remained an important participant in the science and defence sectors. He is currently a member of the Premier's Defence SA Advisory Board and he has chaired several commonwealth government review panels. Dr Chessell is well informed on recent developments in science and his reputation extends well beyond our state's borders, with his work being nationally and internationally recognised. I very much look forward to working closely with Dr Chessell in order to ensure that the economic, social and environmental benefits that science and research can be deliver are maximised to the benefit of all South Australians.

WORKCOVER CORPORATION

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:22): My question is to the Premier. Why were the Premier and the Treasurer telling senior businessmen during private discussions in January and February this year that they would steamroll the Labor caucus in order to ensure that WorkCover legislation sought by big business would be rushed through parliament within two weeks in the February sittings?

The opposition has been advised by a number of business sources that the Premier and the Treasurer were making such assurances to senior business people. I was advised at one meeting as Leader of the Opposition to expect the legislation to be 'rushed through'. I was told that the Treasurer and the Premier would see to it that opposition within the Labor caucus and the ALP would be brushed aside and criticism avoided by the rapid carriage of the legislation. The opposition understands that the Premier and the Treasurer were forced to back down by their own party, with the government backflipping to debate the bills in April.

The Hon. K.O. Foley interjecting:

Mr HAMILTON-SMITH: That is exactly what you told them!

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:24): I can comfortably say that no-one rushes—

Mr Hamilton-Smith: Are you looking for a job after politics?

The Hon. K.O. FOLEY: What does that mean? The Leader of the Opposition has just interjected.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The Leader of the Opposition has just reflected—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! The house will come to order.

The Hon. K.O. FOLEY: I take offence at the suggestion, quite deliberate by the Leader of the Opposition, that I somehow would be wanting to have these changes to the WorkCover scheme so I could get a job after I leave parliament. That is what you just said.

An honourable member interjecting:

The Hon. K.O. FOLEY: That is what you just said.

Members interjecting:

The Hon. K.O. FOLEY: Now, I am offended, sir, and I ask the Leader of the Opposition to withdraw that comment and apologise.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Mr Speaker, the Leader of the Opposition has now said for me to get up and confirm that I will be here for the next two terms of parliament. He is deliberately accusing me of improper motives to support this legislation. He has to withdraw.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I do not think that the Leader of the Opposition has said anything that is unparliamentary. I cannot compel him to withdraw what he said because I do not think it was unparliamentary. He has not used unparliamentary words. I am reluctant to do this, but I leave it in the hands of the Leader of the Opposition, if he wishes to withdraw what he said. I point out to members on both sides not to interject and not to respond to interjections. I do point out to the Deputy Premier that, by responding to the interjection, he has put on record what the Leader of the Opposition said. It might have been better just to ignore it and to move on.

Members interjecting:

The SPEAKER: Order! I will give the Leader of the Opposition the opportunity to withdraw, if the Deputy Premier has taken offence.

Mr HAMILTON-SMITH: I will not be withdrawing. The Treasurer made unsubstantiated—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: —allegations yesterday. He is going to get a few back.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I am on my feet. The Premier will come to order! That is all the Leader of the Opposition needed to say. Let us move on with the answer.

The Hon. K.O. FOLEY: As I said, I am offended at any suggestion that I would in any way support any legislation or any decision by this government to further a career I may or may not have post this parliament. That is a very grubby allegation, Mr Speaker.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Sorry?

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Well, don't make outrageous allegations.

Mr Hamilton-Smith: Don't you either.

The Hon. K.O. FOLEY: Now I'm being threatened.

The Hon. M.D. Rann: He's admitted that he's misleading the house.

The SPEAKER: Order!

The Hon. K.O. FOLEY: Sir, the leader has just said that I shouldn't make allegations or he'll make some up and throw them back at me.

The Hon. P.F. Conlon: Good approach.

The SPEAKER: Order!

The Hon. K.O. FOLEY: Who do you think you are?

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for interjecting. Let us move on, please.

The Hon. K.O. FOLEY: I have just had another allegation of what deals have I done with business to dud the Labor backbench. That's what he just said. This is a level of contribution, sir, that—

Mr HAMILTON-SMITH: Mr Speaker, I rise on a point of order. If you are going to allow the Treasurer to hurl insults across here and then stop us from responding, let's have a bit of evenness in it.

Members interjecting:

The SPEAKER: Order! For goodness sake. This is childish behaviour on both sides of the house. Let's move on with the question.

The Hon. K.O. FOLEY: Mr Speaker, I will say on the public record that every decision I make—right decisions, wrong decisions, good decisions or bad decisions—are taken with good intent and that best benefit the government and the state. I do not make any decisions as a minister for personal gain, and to suggest I do is an affront to my professional capacity—

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Sorry?

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: I know it is frustrating, but I'm not going to let those allegations stand unanswered. The government (whether he refers to the Premier, myself or the minister) has always made it very clear to anyone we have spoken with that this is a very, very difficult decision-making process for the Labor Party. We have never hidden that. It is a very difficult decision for every single member of cabinet and caucus in our party because, quite obviously, they are not decisions that we would like to take if things were different. But the quality of this government and my colleagues is such that, confronted with an incredibly difficult, painful and hard decision, our collective caucus has made a decision to support this legislation. That is what political leadership is all about. That is what courageous political parties do when confronted with very difficult decisions.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: But, sir, the spotlight is clearly on the leadership of the Leader of the Opposition, because we on this side of the house know what we are doing. The Leader of the Opposition now has to make a decision about whether or not he supports this legislation. The whole inference of his questioning today is that the government has taken too long to get to this point. You cannot for one minute say we have taken too long to get to this point but not say whether or not you are prepared to support it and expedite it through parliament. That they will not do because they want to play politics and walk both sides of the street. I will let the Leader of the Opposition explain to business why he does not want to support the legislation. That is up to him. I do not know what dialogue he has with the business community: that is a matter for him. But my dialogue with the business community—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! The Leader of the Opposition is warned a second time. The Deputy Premier.

The Hon. K.O. FOLEY: All I will say, sir, is that, if the Leader of the Opposition has anything he would like to share with the house about my discussions with the business community, I would appreciate it if he did so, because I am quite confident and comfortable about any conversation I have had with business having been in the best interests of this state.

COMPUTER GAMES CLASSIFICATION

Mr RAU (Enfield) (14:32): My question is to the Attorney-General. Can the Attorney-General inform the house whether he will support moves to introduce an R rating classification for computer games sold in Australia, or will games that are unsuitable for minors continue to be refused classification?

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (14:32): The Interactive Entertainment Association of Australia has repeatedly put to attorneys-general that there ought to be an R18+ classification for computer games. Unlike films for which there are R18+ and X18+ classifications, the highest classification for computer games that depict, express or otherwise deal with sex, violence or coarse language in such a manner as to be unsuitable for viewing or playing by persons under 15 years is MA15+. I do not know what Cheech and Chong's *Up in Smoke* rating was when it was released, but it is certainly being played out here by the member for Heysen, as she is trying to save the bong. She is bonging on. But that is something for the next Liberal Party meeting when parliament comes back. I wonder how the Hanna amendment will go down in the Liberal party room.

Mr Hanna: You better be careful what you say outside the parliament.

The Hon. M.J. ATKINSON: Chong has always been a vexatious litigant: he cannot help himself.

Mr Hanna interjecting:

The Hon. M.J. ATKINSON: It is the vibe. It is just the vibe, for the member for Mitchell. Computer games that exceed the criteria needed for an MA15+ classification must be refused classification and cannot be sold, hired, demonstrated or advertised in Australia. Nevertheless, thousands of games are available to computer game buyers and only a few are completely banned under this system. I have consistently opposed an R18+ classification for computer games.

Mr Pisoni interjecting:

The Hon. M.J. ATKINSON: Well, member for Unley, they can download child pornography if they want to; it will just be against the law. I am concerned about the harm of high impact, particularly violent computer games, to children. Games may pose a far greater problem than other media, particularly films, because their interactive nature could exacerbate their impact. The risk of interactivity on players of computer games with highly violent content is increased aggressive behaviour.

I do not want children to be able to get their hands on R18+ games easily. I understand that the lack of an R18+ classification denies some adults the chance to play some games; however, the need to keep potentially harmful material away from children is far more important.

Proponents for the classification say the latest technology allows gaming platforms and computers to be programmed to allow parental locks. Today's children are far more technologically savvy than their parents. It is laughable to suggest that they could not find ways around parental locks if R18+ games were in the home.

I have mentioned that, despite there being thousands of computer games available to consumers—more computer games than you can play in a lifetime—only a handful are banned. I want to give some examples of games refused classification in Australia, because I am certain that fair-minded people would not want the kind of content in them to be available to children.

Blitz: The League was banned in January 2007. It is an American football game in which players prepare teams and play through a season. It was banned because in the course of the game the player may use illegal performance enhancing drugs for the members of his or her team. The player can also fake urine samples to avoid positive drug tests.

Reservoir Dogs was banned in June 2006. This game is based on the *Reservoir Dogs* movie, and players are participants in a bank robbery. They can blow the heads off hostages and police, as well as execute hostages at point blank range with a gunshot to the head. They can also torture hostages by pistol whipping the side of the head, burn the eyes of a hostage with a cigar until they scream and die, or cut the fingers of hostages. There are blood bursts as the victims scream in pain.

50 Cent: Bulletproof was banned in November 2007, and I notice that some of the Gang of 49 wear 50 Cent T-shirts when they are on their escapades. The game's central character is the rap star, 50 Cent, and he seeks revenge for the killing of his former cell mate. It was banned because the killing in the game was prolonged and took place in close up and slow motion. It included a lot of on-screen blood spatter when the killing was done with knives. Just to show, for the member for Unley, that the system does work, a censored version of the game was released later with an MA15+ classification.

Getting Up: Contents Under Pressure was banned in February 2006. In this game players make names for themselves by using graffiti. They join gangs and compete with rival gangs and the police force. This game was banned because it promotes breaking the law by vandalising public buildings with graffiti. Worse, the central character acquires his knowledge of graffiti tips, techniques and styles from real graffiti vandals who pass on those details. It actually instructs players on how to become graffiti vandals.

Narc was banned in April 2005—no, not narc, member for Unley, as in narcotics. In this game players try to defeat an underground drug trafficking and terrorist organisation. Nevertheless, the game contains frequent drug use. Players can choose to take illegal drugs including heroin, speed, LSD, marijuana and ecstasy, and those drugs provide the player with benefits in progressing through the game. For example, when a player takes an ecstasy tablet, opponents will stop attacking and allow the player's character to escape. Similarly, taking speed allows the

player's character to run faster and catch opponents. I have not been persuaded by arguments for an—

Dr McFETRIDGE: A point of order, Mr Speaker: I am concerned for the Attorney's reputation. He might be providing an online catalogue for people who want to buy these games.

The SPEAKER: That is not a point of order.

VICTORIA PARK REDEVELOPMENT

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:40): Why did the Premier, as leader of the government, fail to act in the public interest to legislate so as to secure a lease for the redevelopment of Victoria Park, causing the recent decision by the South Australian Jockey Club to leave Victoria Park? The Liberal opposition understands that the Premier's main motivation for not legislating on Victoria Park was to appease the member for Adelaide, which has caused further division within the Labor caucus.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:41): It's really important to do your research. I heard him say earlier that if people made unsubstantiated allegations against him, he was going to make unsubstantiated allegations back, which is basically saying that he is prepared to mislead parliament. But I direct the Leader of the Opposition to what I said in the parliament and publicly, ruling out legislation a long time ago.

SOLAR CITIES CONGRESS

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:41): My question is to the Premier. What was the cost to South Australian taxpayers for airfares, accommodation and entertainment for the delegation of Canadians at the recent Solar Cities Congress, along with the cost of visits to Canada by officials of his department to drum up support for the gathering? In April 2006, the Premier announced that all 14 provincial premiers of Canada would be attending a super forum of Canadian and Australian leaders—an event described as a world first, the biggest gathering ever outside CHOGM. By January 2008, the number of Canadian premiers was down to one, and the opposition is advised that officials were dispatched to Canada to recruit more attendees. By February 2008, the delegation had been expanded to include a range of Canadian officials on the condition that South Australian taxpayer-funded travel arrangements were appropriate to their standing.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:43): Can I just say that we had a meeting in Montreal (or 'Montréal' as people who are French speakers would know) in Quebec province in Canada in April 2006. The former premier of Victoria Steve Bracks was there. The current (then deputy) Premier of Queensland was there, along with me and other Australian state ministers. We met with the Canadian premiers who had a Council of the Federation of Canada which comprised a group of premiers from different political parties: Conservative, Liberal—because there they have a real Liberal party—Social Credit, the NDP, and other political parties. I think there were about 13 premiers in the room, and we all found that there was much we could learn from each other because no two constitutions in the world are more similar than the Canadian and Australian constitutions. Canada has a structure based on a federal government and the provinces and territories; ours is based on a federal government and the states and territories.

Many issues, whether they related to horizontal fiscal equalisation or vertical fiscal imbalance or special-purpose payments—all those issues that are close to my heart—were addressed at this meeting. In fact, think about the structure of Canada: we have a coastal strip of cities; they have their population centres largely along the US border and, of course, with vast hinterlands with natural resources, multicultural in nature, indigenous in heritage—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —and a whole range of issues where we can learn from each other.

I know that the Australian premiers the other day found it extremely helpful to discuss issues relating to climate change, resources, indigenous affairs and migration. We are swapping ideas. Universities also were discussed. I know that the Leader of the Opposition is not very

interested in this area, but he may want to ask the three vice-chancellors about the agreement negotiated with the University of Manitoba on a range of research issues, for instance, cancer research or issues relating to agriculture.

All I can say is that it was the most valuable exercise and, in terms of the outcomes, there will be a series of continuing outcomes as a result of that first meeting in Montreal, where I met with the Premier of Quebec, Jean Charest, who of course was a former federal government figure who then changed from the Conservatives to become a Liberal minister.

The Hon. P.F. Conlon: Does he read 'Camous'?

The Hon. M.D. RANN: Yes; and I am sure, like the Leader of the Opposition, he is a great existentialist leader who reads 'Camous', as opposed to Albert Camus. What we have found is that all the premiers, and the Canadians, believe that this is a useful exercise. After I led the charge and became the first chair of the Australian Council of the Federation, I remember the Leader of the Opposition denouncing this as a talkfest but then, of course, we saw him flying over to a meeting that apparently he initiated—according to reports in South Australia, but not reports in the other states where others initiated it—to have a council of the Liberal leadership: the opposition leaders, the alternate premiers. It was more a lament than a fact-finding exercise.

What we saw was that he was, of course, the prime mover; although in the Victorian media it was the Victorian leader of the opposition who was the prime mover for this. But, apparently, that was not a talkfest; that was really about policies for the future government as opposed to people who had been elected and were doing things, swapping ideas and doing joint projects for the benefit of our citizens.

SOLAR CITIES CONGRESS

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:47): Can the Premier advise the cost of the appearance in Adelaide of Robert F. Kennedy Jr for the Solar Cities Congress, including air fares, accommodation and speaking fee? The opposition has been advised that the Department of the Premier and Cabinet paid at least $140,000 to Mr Kennedy's agency.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:48): At one stage we were expecting about 400 people. We had an absolute record sell-out of people attending this conference, which drew attention from all around the world, and Robert Kennedy was, in fact, the great star turn—and the Leader of the Opposition was there. I understand that he wanted to be part of the official welcoming party.

I remember going to many functions when I was leader of the opposition, when people would not mention that the leader of the opposition was present, but I have broad shoulders. I was never on table one; often I was on table 23, near the dunny, which was always helpful, I thought. However, I have made a point of welcoming the Leader of the Opposition and acknowledging his presence. In fact, even on the day of the national apology when I made my ministerial statement, without precedent, I invited the Leader of the Opposition to make a statement.

An honourable member interjecting:

The Hon. M.D. RANN: I was made to; I didn't have to at all, actually. I actually got my staff to ring up, and then he complained that he did not have long enough! He wanted to make sure that he had exactly 20 minutes. He needed more time to prepare, and that is because we have a Leader of the Opposition whose politics are essentially phoney because, if you do not recognise it, it is all about him. It is not about the people of this state or about his shadow ministry or his backbench: it is all about him. I am sure that you had an opportunity to meet with Robert Kennedy Jr. If you feel disappointed, I will ask him to sign something for you.

VACCINATION PROGRAM

The Hon. P.L. WHITE (Taylor) (14:50): My question is to the Minister for Health. How is the government working to improve vaccination rates of South Australian children?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:50): The member for Taylor has a great interest in the health of young people in particular. South Australia has very high levels of child vaccinations

with over 87 per cent of children in our state fully vaccinated by five years of age. This equates to approximately 210,000 jabs given every year. Today I can announce two important measures that will further improve our vaccination program. First we have made it easier for babies and parents to undergo the vaccination program by reducing the number of needles that are required. Children all over South Australia will be pleased by that.

Whereas babies receiving their vaccinations at two and four months of age formerly required three needles, they will now require only two needles. Effectively, this means that by the age of four months, babies will now need a jab only four times instead of six times. This will make the process easier and better for the child and definitely for the parents and of course, for the service providers. Doctors and health clinics have already received details of the revised immunisation schedule.

This has been made possible by the use of a new formula called Infanrix hexa which contains six different vaccinations in one needle, specifically, vaccines for diphtheria, tetanus, whooping cough, Hep B, Hib and polio. A second needle containing a pneumococcal vaccine will still be required. The second matter I am announcing today strengthens our vaccination program by increasing the state government's contribution to local government clinics. We will now pay local governments an extra $6 for each vaccination of a child reported to the Australian Childhood Immunisation Register, and that will cost about $200,000 annually.

Local council clinics will be able to use this payment to extend their vaccination programs, potentially providing longer vaccination hours and better promotion of their services. This investment will give parents a greater choice of service provider and should improve our vaccination rates for children under the age of five. Families can choose to have their children vaccinated by their general practitioner, the Children, Youth and Women's Health Service or their local council clinic. Payments to local governments will help councils provide immunisation and make this service more accessible, particularly for those families on low income and especially where there are shortages of GPs or where a gap payment might otherwise be charged.

Vaccination is the primary means of preventing many life-threatening diseases. I cannot emphasise enough how important vaccination is. Unfortunately and regrettably, there is a certain section of our community that is implacably opposed to vaccination; there are a number of websites, organisations and campaigns against vaccination. They are very foolish campaigns and it is demonstrated that the majority of people in our state ignore them.

An honourable member interjecting:

The Hon. J.D. HILL: Yes. Childhood vaccination for diseases such as polio, measles, mumps, diphtheria, chickenpox, pneumonia and meningitis creates immunity—in some cases, for life. It is vital for the wellbeing of all South Australians that we maintain our excellent vaccination record.

GOODS AND SERVICES FIGURES

Mr GRIFFITHS (Goyder) (14:53): Does the Treasurer know the difference between retail sales figures and figures for the sale of goods and services? Yesterday, the Treasurer claimed that I was wrong when explaining to the house that—

An honourable member: You were wrong.

Mr GRIFFITHS: —no, I wasn't—the state's growth in the sales of goods and services was the lowest in the nation. These figures had come from ABS data issued on 3 March. In claiming my statement was wrong, the Treasurer used figures for retail trade to contradict information that I provided on sales of goods and services. According to the ABS, sales of goods and services includes receipts derived from the sale of goods and the provision of services offered for sale in the ordinary course of business operations, while retail trade figures are restricted to businesses with at least one retail outlet. If the Treasurer needs more help on this, I am quite happy to provide him with a briefing.

The SPEAKER: Order!

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:54): What a small-minded opposition! As my—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I stand by what I said yesterday. As my erstwhile colleague here says, I would take what the opposition say with a grain of salt. I will have a look at it and see if there is any strength in what is said.

Just referring to the earlier questions that were raised about what costs what, I wonder if the Leader of the Opposition will ask the Premier or me how much it cost the government to fly John and Julie Olsen back from New York for the 10th anniversary of the car race.

The SPEAKER: Order! That is not to the substance of the question.

Members interjecting:

The SPEAKER: Order!

TRAMLINE

Dr McFETRIDGE (Morphett) (14:55): My question is to the Minister for Transport. Has the minister received advice from TransAdelaide and Coleman Rail Contractors that unless the tram track between South Terrace and Brighton Road is urgently re-tamped there is a significant risk of a tram derailing due to track instability?

The opposition has been told that the minister is ignoring advice from both TransAdelaide and Colemans that unless the tram track is urgently re-tamped there is a significant risk of trams that are travelling at speed developing a rocky motion due to track movement. This rocking motion may cause a tram to derail, possibly toppling over and resulting in severe injury to passengers and staff.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:56): Yesterday it was that I had misled the parliament, breached the ministerial code of conduct—have you noticed they have not been back on that today?

The Hon. M.J. Atkinson: No, they have not been back on that.

The Hon. P.F. CONLON: They have not been back on that today, because members opposite knew that was wrong.

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: The Leader of the Opposition says wait until April, he will get me then. Maybe we should have a little bet, because he has got a heart like a lentil. He said that I should go because his allegation was that the actual report was not the same as the report that I tabled here—a very serious matter. Here is a bet: I will resign if that is the case, if he will resign if his allegation is wrong. How are you feeling there? Come on. I suspect he will not be back in April. Maybe we can give it to an independent third party to look at. I am assuming Randall Barry would give advice on it.

Mr Hamilton-Smith: You are an idiot.

The Hon. P.F. CONLON: Oh, I am an idiot, and you have got a heart like a split pea. No wonder you attack when the enemy is safely out of sight.

The SPEAKER: Order!

Dr McFETRIDGE: I rise on a point of order—relevance.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I agree, sir, he has no relevance. That will become apparent to people over time. The suggestion is that I have been told that a tram is going to topple over and I am ignoring it, because of course I like tram derailments, they are such fun! It is just great. I just love it when you are watching the Melbourne Cup and somebody rings and says, 'A tram has derailed.' it is the best part of the race by a long way. So, yes, that would make a lot of sense, would it not?

I have no idea what the member for Morphett is talking about. I will check, but he has got me on one thing: I am not sure what 'tamping' is. I know that there was a boat called the *Tampa*. I will check that advice on this matter, but I assure the member for Morphett that, if somebody comes to me and says, 'If you ignore this the tram is going to rock backwards and forwards until it falls off the rails,' I probably would not ignore that. I do not have an exact memory but I am prepared to say

that I probably would not ignore that. Knowing how I have behaved in the past, I would probably say something like, 'Oh,' and go and tamp it myself.

The Hon. K.O. Foley: Once you worked out what it was.

The Hon. P.F. CONLON: Once I worked out what that was. So—

Members interjecting:

The Hon. P.F. CONLON: Bye, Marty. Charge! I will check what the member for Morphett has said, but I can assure him that if somebody said, 'You can't do that or the tram will fall off,' I do not want a tram them to fall off again, and I would do something about it.

TRAMLINE

Dr McFETRIDGE (Morphett) (15:00): I have a supplementary question. Is the minister aware that tram drivers are already complaining of the swaying of trams that are moving at speed and the standing joke amongst tram drivers is 'don't have your lunch before you start your shift'.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (15:00): It has not been passed onto me that tram drivers are fearful of eating their lunch. I shall urgently seek a report from the General Manager of TransAdelaide as to what time tram drivers eat their lunch and I shall try to make sure that they are completely satisfied with their lunch. I am not prepared to intervene in their domestic relationships to have that lunch changed, but I will make a general statement of support that their lunch should be satisfactory to them.

TORRENS PARADE GROUND

Mr PENGILLY (Finniss) (15:01): Does the Premier stand by his statement when in opposition on 17 June 1997, when he said—

Members interjecting:

Mr PENGILLY: If you want to laugh at veterans, that's fine, go for it. The Premier said that he 'strongly supports the Torrens Parade Ground honouring the contribution of South Australians over the years and their armed forces in war and peace'. The South Australian Branch of the Vietnam Veterans Association is currently housed in the Torrens Parade Ground. However, after a review of the rental arrangements, the government has substantially increased the rate payable by the association to some $14,000 per annum.

Members interjecting:

Mr PENGILLY: Attorney-General, if you want to bag ex-servicemen, go for it; they'll love it. The increase has eaten up a substantial amount of the association's funds to the point where its situation is now untenable and it may be forced to relocate.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (15:02): This is bizarre. Let us remember which premier it was that basically ordered the complete refurbishment of the Torrens Parade Ground, including a request made to the then minister responsible for public works to make sure that the area of the parade ground itself, which used to be a tarmac, was actually more in keeping with its heritage origins, like Horse Guards Parade in Britain, and was refurbished. I remember the minister bringing back some gravel from Horse Guards Parade for me—maybe it was or maybe it was not. It was something that looked like the gravel from Horse Guards Parade.

So millions of dollars later we had a refurbished Torrens Parade Ground, and we then made the further step in order to make it available for veterans groups, including the Returned Services Association and others. I understand there was enormous relief, after years of being stuffed around, when they found a home in the building; and other people have leased other premises. It has been extremely useful for the veterans community to have an appropriate home.

I take the point from an interjection about what happened and the difference between us and them when it comes to issues of Vietnam veterans. This government put money into the wonderful sculpture on the parade ground that features an Australian digger alongside a South Vietnamese soldier, not in an angry or defiant pose but, rather, a more reflective pose. In the years I have been in public life, one of the most moving services I have attended was the day on which it was unveiled. In fact, it was the former governor Sir Donald Dunstan who unveiled the statue; and I saw the relatives of those who fell in Vietnam alongside those who fought in the Vietnam War,

including in the Australian armed services and the South Vietnamese services. Let us remember what the Liberal response was that day. We were told of a boycott by Howard government ministers—a boycott not only in terms of funding for the memorial but also for official attendance—

Mr PENGILLY: Mr Speaker, I rise on a point of order. My point of order is relevance. The question was: will the Premier intervene to question the $14,000 rent on four rooms in the Torrens Parade Ground? It was nothing to do with the Vietnam Veterans Memorial.

Members interjecting:

The SPEAKER: Order!

An honourable member interjecting:

The SPEAKER: Order! I will just rule on the point of order. The question was: does the Premier stand by what he said in 1997 with regard to the Torrens Parade Ground?

An honourable member interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: And not—

The SPEAKER: Order! The Premier can just wait. I do not uphold the point of order. He is answering the substance of the question. The Premier.

The Hon. M.D. RANN: Thank you. You asked me whether I stood by what I said in 1997. Not only do I stand by what I said but I also acted. Millions of dollars were spent in refurbishing the Torrens Parade Ground to be a permanent memorial and home for our veterans—something that the previous government did not do—and then proceeded to provide funding for a memorial, which we saw Liberals dishonour by a threat of a boycott, because the South Vietnamese flag would be flying. I was proud to stand in front of the Australian flag, flying alongside the South Vietnamese flag, because they are the flags that the soldiers fought under, and they deserve to be honoured on that day—and shame on the Liberal Party for its threats.

Honourable members: Hear, hear!

The SPEAKER: Order!

PUBLIC HOUSING

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:06): My question is to the Minister for Housing. Will the minister ensure that aged public housing tenants who are victims of violent behaviour by another tenant are given priority housing, and that the offending party is moved before the victim? The opposition is informed that, three weeks ago, a 78 year old tenant in a pensioner cottage was raped by a male neighbour, who was drunk and who had known behavioural problems. She has been provided with temporary respite accommodation, which will finish on 20 March, and is expected to stay with her daughter until relocated in other accommodation.

She has resided at the cottages for the last 2½ years, which was originally for aged residents, but, over the last three years, vacancies have been filled by much younger people, who often come with a history of mental health problems. She has had to move out her belongings and terminate her tenancy, as she has been told she will be responsible for the rent and any damage done to her property over the period of months expected for her recovery. The opposition is also informed that other elderly tenants are in fear of retaliation if they speak out about their fears of an unsafe environment.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (15:07): I thank the honourable member for her question. The matters that she raises are very alarming and it is a major priority for this government to ensure that people can safely and quietly enjoy their tenancies within our Housing Trust units. That is why we have recently proclaimed the operation of a range of new measures, including amendments to the Residential Tenancies Act, which give us greater authority in relation to dealing with disruptive tenancies. It is always our first priority and our first step to deal with the perpetrators, rather than those who are the victims of that misconduct. But sadly, on some occasions when there is some doubt, or there is some issue of evidence, or the insufficiency of it, often some time needs to occur

between the capacity to evict and the original complaint. In those cases, sometimes it is in the best interests of the person who is making the complaint to be offered an opportunity to move to another place. That is not desirable, but sometimes it is the best outcome for that particular person.

Of course, we cannot simply evict on the basis of a whim. We do have to have a basis for doing it, but increasingly we are giving ourselves more authority to act, especially in those cases where we have had prior poor conduct by a particular neighbour. We are very conscious of the matters raised. There is a legislative and policy response, including our new rapid response teams, which deal with and manage disruptive behaviour. In those most extreme cases, though, there should be no doubt that someone should be immediately evicted without the need to trouble the person who has been the subject of the abuse.

GRIEVANCE DEBATE

ELECTIVE SURGERY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:10): The Department of Health proudly boasts on its elective surgery website that it has a four-year elective surgery plan. This is a plan that was developed by the department and commenced in July 2004. The plan aims, it says, to 'improve access to surgery across SA public hospitals'. The website reveals, 'The objective of the four-year elective surgery plan is to meet national waiting time targets by June 2008.' It is quite clear from the published material to date that the government has no hope of achieving this within the 120 days to go, and clearly does not want anyone to know about it. For two years I have sought that the government should provide timely and full disclosure on elective surgery processes in this state but it still refuses to reveal:

1. a promised monthly website report (which is sometimes up to three months late: this year in January the release for October 2007 was posted);

2. details on how many are on the elective surgery lists (and this is a much reduced version of what was previously provided under the previous administration);

3. a monthly report on how they are progressing against the promises made in the four-year plan.

The national waiting target times that already apply across the nation provide that persons in the urgent category should be seen within one month as a maximum waiting time for surgery, semi-urgent patients should be seen within three months and non-urgent patients within 12 months.

Instead of giving the information as per their progress relative to their own plan, they trot out information on the percentage of the admitted patients that have received their surgery within the appropriate time frame. None of them, I might add, as much as it might be interesting information to look at, actually confirms that they have reached the target and, also, they confirm a woeful performance. Let us look at January 2008. That tells us that 71.3 per cent of the admissions are in the nominated period for urgent category, 69.7 per cent for the semi-urgent category, and 91 per cent for the non-urgent category. None of those complies with the national standards, and have no hope of improving if one looks at the previous three years since the 2004 plan was established.

It might be interesting information, but it fails to disclose how the government is travelling against the plan. I quote a constituent who has read this information, as follows:

> The percentage of patients admitted within the clinically recommended time remains at least 10 per cent short of the government target in every admission category. The data trend does not suggest that the government targets will be met at any time soon, and certainly not by June 2008.

That is what he has reported. But he has not only reported that, but also he has actually written to Dr Tony Sherbon at the Department of Health explaining that the information on the website is not only misleading but also fails to allocate the information. That letter has been ignored, so he has written to them again to say, 'I have now looked at the January website and you still have misleading information on the website and, secondly, you still fail to address the substantive issue, and that is to advise the populace how you are travelling against the target consistent with the plan that is all due to be fixed up in 120 days' time', and still it has been ignored.

The government does not want anyone in the public to know the situation. What they do is trot out an announcement by the federal government that they are going to get more funding which they say is going to resolve this problem by 30 June 2008. Of course, Dr Peter Ford from the AMA tells us there are not enough nurses and doctors to do it, anyway. We are not critical of the federal government for coming to assist South Australia—we are due to get about $13 million to help with

this. We say it is unconscionable for the government to continue to say, 'We are an open and accountable government. We are transparent on this issue; we have a plan; it is an important and effective plan', yet they will not provide and release the data to be able to make that assessment.

Even with an elective surgery steering committee, which they have set up—and, again, which they publicise on their website—to oversee the implementation of the four-year plan and, as they say, to provide 'high level advice', they are still failing. They are still failing miserably, with no capacity to be able to confirm to the public that they are going to achieve this plan and justify all the money that is being spent.

WHYALLA AREA

Ms BREUER (Giles) (15:15): As a member of government what I want to talk about today does give me concern, but this is a matter of grave concern to me and to my community, and I am joining forces with my local council to express concerns about the future of our Whyalla area and the lack of consultation by state government departments and planning bodies with the Whyalla community.

I want to say at the outset that I am not opposing development in our area, because we have come out of a decline now, since the year 2000, and we are looking for a very, very positive future for Whyalla. What I am saying is that we are not getting an opportunity to discuss any proposals for our area, and that potentially we could have another disaster on our hands.

I need to emphasise that we are just ending an era of environmental vandalism and damage, which has polluted visually and emotionally our community, and the rest of the world's view of our community. We are finally sorting out our dust problem in Whyalla, and we are going forward on that.

Today an article was featured in the media regarding companies joining forces to fast track plans to make Port Bonython a key iron ore export centre. Four mining companies have joined forces to fast track plans to make Port Bonython a key iron ore export centre for the state's mining boom. The Upper Spencer port is commonly used to export LPG and crude oil from the Cooper Basin. The Port Bonython Bulk Users Group will be an umbrella organisation backed by the companies Centrex Metals, IMX Resources, Iron Clad Mining and Western Plains Resources.

The group says that Port Bonython is an established industrial site and that much of the land suitable for development is owned by the state government. My first point is: what consultation has there been with our community and with our council on this? We know a little bit about it, but the knowledge is very limited.

I also need to talk today about another area of major impact on us, and that is the proposed expansion of the defence department's training range, and I want to ensure that Whyalla is not significantly disadvantaged by the proposed expansion of that training range in our area. It has the potential to negatively impact on Whyalla in a number of areas. It is a huge area of our land around Whyalla which is being taken by the Department of Defence. We need to ensure that Whyalla interests are not put to one side in the rush to massively expand that training area.

Much of the land to our north and west will be lost under this current expansion proposal. At this stage the benefits flowing to Whyalla as a result of this expansion are not much more than the sales of pies and pasties and pizzas. We are getting very little benefit from it. The lion's share of the defence related benefits will accrue to Adelaide, and we will be expected to bear the costs in our region.

The proposed boundaries of the expansion include the area originally zoned for the manufacture of titanium oxide, a project which died some years ago. However, alternatively, the site would be appropriate for a range of other resource processing activities. The loss of the land might in the long term put additional industrial development pressures on the Point Lowly Peninsula, which, in turn, will have an impact on the environmental and recreational values of the area.

I need to make it clear that the retention of the 20 square kilometre site is not negotiable, as its loss has a potential long-term negative impact on the diversification of Whyalla's economic base. Any further alienation or intrusion on that northern coastline is not acceptable.

The expansion will set up ongoing conflict over the use of the area, especially given the noise associated with additional firing exercises. The area contains some of the most stunning scenery in the state, with views across Spencer Gulf to the Flinders Rangers. Retention as a

national park deserves serious consideration. We have cuttlefish one side of the peninsula and fish farming on the other.

Also, the expansion has the potential to impinge on future residential development in the western side of the city. We need to keep our options open and ensure that future residential development is not blocked. And there are a number of prospective mining areas within the expanded defence training areas. We need to have guarantees that this should not be stopped.

Recently there was a meeting with Ms Pam Martin from the Department of Premier and Cabinet to discuss Whyalla's concerns on the impact of the proposed Cultana defence range expansion. Our representatives at the meeting—namely, the mayor, the deputy mayor and the CEO—were left deeply dissatisfied. The clear impression was that the concerns raised were not treated seriously. We know now that senior public servants from other departments also view the proposed boundary expansion as a threat to Whyalla and a threat to a highly prospective area, and I also have expressed concerns about these proposed boundaries.

I express serious concerns that relevant state government departments are not taking seriously our legitimate concerns. I understand that plans for Lowly Peninsula have been developed that there has been no consultation with us—our community, our council—and we should be ensuring as a state that Whyalla's interests are looked after.

MARINE PROTECTED AREAS

Mr PENGILLY (Finniss) (15:20): Reluctant though I may be to return to the subject yet again of marine parks and marine protected areas, I am forced to because of the ongoing nonsense that is happening with the formation of the plan for the Encounter marine protected area. I am getting rather tired, and I know that constituents of mine are pretty weary, of being treated with disdain and contempt by the architects of this plan. I am also fed up to the back teeth with reading letters in the local papers in my electorate—namely, *The Victor Harbor Times* and *The Islander*—where officers of the department, particularly the principal officer (Mr Chris Thomas), write long-winded and detailed pieces which criticise my local communities for even daring to suggest that they are not being consulted. The fact is they are not being consulted. This is taking place in a clandestine manner. I am sick of it, as is the community.

I have stakeholders from the professional fishing industry coming to me saying that they are not being consulted, whether that be industries regarding rock lobsters, netting, scale fishery or abalone, it does not matter because they are not being consulted. Instead, they are being told. They are having this thing rammed down their throat. The departmental officers will not accept any sort of criticism whatsoever. According to them, they are right and everyone else is wrong. Apparently, my communities and the fishing industry do not know what they are talking about. I am sick of it. I do not see any reason why the good people of South Australia should have this thing rammed into them. They have been told they will get it whether or not they like it. They are having the Queensland experience (because the other one failed that dismally) that Mr Thomas brought with him presented as the answer to all South Australia's problems. This is only the start in the Encounter area. Wait until we get out into the other 18 areas. It is going to be a disaster for South Australia.

You can get it right. Never have I questioned the integrity of the idea of marine parks—I have no issue with that whatsoever. I think it is a good idea; however, we are not being told about the outer zones. We will be told about those later on and then they will work on the inner zones. No-one has been told anything. How on earth can you put something like this in place without talking to those people who make a living from the sea? They care for the sea and know what the sea is about. They know the area and the waters, what the bottom is and what fish are there. They are not being asked. It is not right. It is absolute stupidity. It is way past time that the minister for the environment pulled this mob in and told them to start getting out there and talking properly to the good people of my electorate, and more widely the people of South Australia. It is time that she set an agenda which was actually going to be realistic which is not just all spin, nonsense and letters put on paper by government officers saying that the local people do not know what is going on. It is a lot of hogwash. It is absolute rubbish.

I will continue to stand in here and put forward the views of my constituency and the fishing industry which is so valuable to South Australia. Even last week we had a function down at Port Adelaide for the Wildcats fishery people. The minister (Hon. Rory McEwen) was there. I had fishermen coming up to me asking what on earth is going on. Mr Thomas and one of his colleagues were standing there like a shag on a rock. They were not getting out there and talking to people; they just stood there. Get out there, listen to people. If they want these committees to be half

useful—and, in this case, I am referring to the Encounter Marine Park—start talking to people. Don't have the meetings in a closed shop. Start listening to the community and the recreational fishermen, the people who know the sea. Start listening to the professional fishermen. If we can get this thing done properly we will get it right but, if it keeps on going like this, I can predict a wholesale disaster.

A coastal waters study has been brought out, yet we have no marine park planned for Adelaide. Here is the greatest area of degraded seawater off the coast of the metropolitan area, and they are not having a marine park. How ridiculous is that: thousands of hectares of seagrass gone and no marine park plan! Do not tell me that is common sense. Around the rest of the state they will have them jammed down their throats, and they will be told what to do. A professional outfit will have to buy a licence to film on the sea. How stupid is that! It is bureaucracy gone mad, and I urge the government to fix it.

Time expired.

VOLUNTEERS

Ms PORTOLESI (Hartley) (15:25): Our community is a much safer and better place thanks to the efforts of thousands of volunteers who selflessly give of themselves, and my community in the eastern suburbs (in the electorate of Hartley) is a fine example of this volunteering spirit.

Today, I would like to acknowledge and thank volunteer groups in particular which have recently celebrated significant milestones. In particular, I refer to the Kensington Gardens Neighbourhood Watch group, which has just celebrated its 20th birthday; and the East Torrens Kensington Gardens Hardcourt Tennis Club, which celebrated its 90th birthday on the weekend.

Formed in 1988, the Kensington Gardens Neighbourhood Watch group has spent the last 20 years working in collaboration with the South Australian police—who do a fantastic job—and our community in reducing crime in our area. These community leaders, whom I will identify shortly, have diligently and tirelessly educated and informed residents about emerging crime trends, new scams to be wary of and, of course, changes in the laws. Most fundamentally, they have helped us stay safe in our homes and neighbourhoods.

I am advised that about 200 residents attended the initial meeting of this group at Pembroke College in April 1988. Like most community groups and Neighbourhood Watch groups, its numbers have reduced over the years but the group has, nonetheless, sustained a very respectful core group of members. As a volunteer group, they give up their valuable time to improve their community and do not seek recognition for their efforts, although they really do deserve some acknowledgement.

Statistics from the Office of Crime and Research demonstrate the valuable work undertaken by groups such as Kensington Gardens Neighbourhood Watch. Kensington Gardens is located in the statistical local area of north-east Burnside, which records among the lowest crime figures in the entire metropolitan area. There were fewer than 60 total offences per 1,000 residents in 2006, a 20 per cent decrease since 2002. With lower rates of property and robbery offences in surrounding metropolitan councils, it is clear that the information and advice provided by the group is making a significant contribution to the area.

I must say that I have been a victim of crime in the area: my car was egged twice in the fair suburb of Kensington Park; although, on a more serious note, we were subject to a home invasion when we were living in Tranmere, and the police did a fantastic job.

The north-east division of Burnside also records the lowest levels in the metropolitan area of offences against a person, such as assault; and the lowest levels of sexual offences. While nobody likes to see any level of crime—they are all unacceptable—the Kensington Gardens Neighbourhood Watch group continues to be vigilant, as it should.

I would like to acknowledge the role played by SAPOL in this group's history. As with all Neighbourhood Watch groups, the assistance provided by our police is absolutely invaluable. The current Secretary, Mrs Marie Elson; Treasurer, Mr Russell Elson; Area Coordinator, Jennifer Roberts; and Police Coordinator, Sergeant Astrid Gustavson, are all doing a fantastic job, and I wish them the best of luck for the next 20 years and beyond.

Briefly, I would like to acknowledge the tennis club, which last weekend celebrated its 90th birthday. Due to ill health, I was not able to be there, but I hear it was a fantastic night. Like most

sporting clubs, the group is supported again by volunteers: mums and dads putting in endless hours on the weekends and evenings. The tennis club was founded in 1918, with its own courts in Beulah Park, under the name of the East Torrens Lawn Tennis Club. It has since moved to Kensington Gardens reserve and changed its name to its current one. The tennis club was recently a worthy recipient of an active club program grant from the state government totalling $14,000 for a fencing and storage upgrade, for which I know the club is very grateful.

With over 200 members, the club plays a significant role in our community, and with a large junior program it is doing more than its fair share to combat youth obesity in our community. We are very lucky in Kensington Gardens to have these two valuable community groups.

WHEAT CROPS

Mr VENNING (Schubert) (15:30): Recent events, both economically and meteorologically, have caused much reflection on the worrying time ahead for all South Australians. I am raising this matter today triggered by the realisation that wheat could reach $1,000 a tonne this year. That is the forecast.

Mrs Redmond interjecting:

Mr VENNING: It certainly would or will. Normally this would cause great jubilation for farmers, but the contrary is true. Today is the last day in the parliament prior to the Easter break and we return on 1 April. If we do not get some appreciable rain before then, it will be very concerning indeed. The drought continues and many farmers are facing the dilemma of trying to put in a crop this year after two disastrous years and thin ones prior to that.

Farm debt levels have skyrocketed to an all-time high, not just because of poor or zero returns from the crops but because of losses in the grain-trading fiasco in mid to late 2007 when forward selling and the subsequent season failure left many thousands short on their contracts—contracts that either had to be paid out or transferred over to this year. Either way, it is a huge millstone around the necks of battling farmers. Banks have pulled back in many instances, refusing to finance the cost of putting in a crop.

As if this were not enough we now see the largest increase in farm input costs ever which have risen 70 per cent in the past 20 months. Fertiliser has gone from $550 to $1,150 a tonne. In fact, today the member for Stuart heard of a case where it was $1,300 a tonne. That is massive and cannot be justified. I understand there is some action pending on that matter. Fuel has gone from 85¢ to $1.45 a litre. Glyphosphate, which is Roundup (or Zero for the home gardener), was $4.50 a litre this time last year; it is now $11 a litre—way over double. Other farm chemicals have increased by approximately 5 to 10 per cent. Fencing materials have gone up 100 per cent in the last two years; predictions are that they are about to increase further. Second-hand machinery is now very hard to sell, making the cost of changing over or upgrading too expensive for many.

The cost of labour has also risen—when you can get it. It is hard to find good people to work on a farm as many are entering the mining boom and when you can find good workers, they want a high wage. On top of all this, now we see—thanks to the federal government—a huge hike in the cost of heavy vehicle registrations which will mean big rises in freight costs. This is only going to further compound the stress already felt by our farmers. How much more can an industry take?

Farming was becoming marginally viable 20 months ago. What is it now with all these costs? Think of the huge bank interest bills farmers are incurring just to keep going. Grain will become more expensive because it will be in short supply. You cannot afford to grow it in much of South Australia now, only in the sure areas, well inside Goyder's line. Seasons 2007 and 2008 show quite clearly where this new line is, this area: those who got a crop of note, and those who did not.

There is already a big move back to sheep in most of these areas, low-cost, low input, income reliable but not really fantastic. Farmers are playing it safe because they have to. Grain, particularly wheat, could reach $1,000 a tonne, at least on paper, because it will be in short supply. This flags a big problem for Australia; a shortage of wheat and barley flags emergency signs for all of us. It has been 75 years since we had food shortages in Australia. What will it do for our export regimes?

It is worse now because who controls the grain? Now we have international traders controlling the market. Before we had one authority, the AWB, controlling wheat and the ABB for barley as statutory authorities governed by the parliaments, empowered by legislation to regulate

both the domestic and overseas markets which had to guarantee carryover stocks in case of shortages. Will we be like Brazil with its beef industry? When it gets too expensive for the locals, they just ban the export of beef. Are we going to do that here?

What is the solution? The government has to ensure that the acreage sown to wheat, barley, pulses, oil seed, etc. is maintained, and the only way they can do that is to do what they did back in the 1930s, forties and fifties—subsidise farm input costs. It is not only the farmers growing crops who are experiencing these hardships; it is the dairy farmers as well. We had the fertiliser bounty back then; I think it is high time to start at least discussing that because I do not know what else the answer is. If anyone else has got any answer to the problem, I am all ears. I do not think you can do anything else but subsidise farm input costs. I hope the government is listening.

GENDER WORKPLACE REPORT

The Hon. S.W. KEY (Ashford) (15:35): In the spirit of International Women's Day and the various celebrations that are happening this week, I thought it would be interesting to look at what information was available with regard to workers compensation and gender, particularly to do with South Australia. Sadly, there were very few references that I could find.

I am pleased to say that the Working Women's Centre has come through yet again with the project work they did on the Gender Workplace Inquiry and Return to Work Research Project. This was a snapshot study of South Australia from August 2003 to July 2004, involving people's experiences of workplace injury and rehabilitation; whether the issues were the same for men and women; what helps and hinders people during rehabilitation and return to work—as we are told, we have the worst record in the country of return to work, so I think this is particularly relevant—both in the workplace and in the workers rehabilitation and compensation system; and strategies that represent the best practice for assisting workers' rehabilitation and return to work.

There were a number of groups involved in this project, including: the Women's Standing Committee of the United Trades and Labor Council, now SA Unions; the Manufacturing Workers Union; Business SA; the Equal Opportunity Commission; Dale Street Women's Health Centre; the Migrant Women's Lobby Group; and also people from the South Australian Council of Social Services.

As part of the background research for this project, I am pleased to see that the statistical profile that I commissioned with the Premier's Women's Council was used, and it is titled, 'A wealth of information: Looking at the social and economic position of women in South Australia'. That states that over 50 per cent of the population are women, so I think we need to bear in mind that we should always be represented over 50 per cent in the things that we pursue, but also that we need to look at some of the responsibilities that women have.

The other reference in this document is Professor Barbara Pocock's *The Work/Life Collision* that was printed in 2003. What that publication states—in line with the ABS data that is available—is that in 1997, 90 per cent of women participated in housework activities—I would like to know who the 10 per cent were: I would love to join them—which involved cooking, laundry and other cleaning work, compared to 63 per cent of men, and women spent 154 minutes a day on housework compared to 62 minutes for men.

There is no information readily available on other household activities, such as home and garden maintenance, so there may be some members in the chamber who have those responsibilities. However, what I thought was interesting was that such activities are generally considered to be more episodic, more often occurring on a weekly or monthly basis rather than daily.

It was interesting that Professor Pocock concludes—again, relying on the ABS data that is available—that women undertake 'almost twice as much domestic and caring work as men', and 'this imbalance has barely changed since 1992 and 1997 and the segmentation of unpaid tasks remain highly gendered'. Most of the women in this chamber, I am sure, would not even be slightly surprised by that.

The other thing to note is that there has also been a growing trend for both partners, in couple families with dependants, to be in the labour force, hence the incidence of women being injured at work is very severe. The figures indicate that women incur approximately 25 per cent of claims, 34 per cent of income maintenance claims, 35 to 36 per cent of claims involving rehabilitation, and 45 to 49 per cent of home assistance services, although these services have been declining over time, and that is mainly—I see from the report—because people do not know that they are available. That is a very sad figure. As I said earlier, when we make up 41 per cent of

the paid workforce these are worrying statistics, indeed. In the spirit of International Women's Day, it is important to remind ourselves where women are in the paid workforce, as well as the unpaid workforce.

TRAINING AND SKILLS DEVELOPMENT BILL

The Hon. P. CAICA (Colton—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Gambling) (15:41): Obtained leave and introduced a bill for an act relating to higher education, vocational education and training, adult community education, and education services for overseas students; to establish the Training and Skills Commission; to repeal the Training and Skills Development Act 2003; to make related amendments to the Fair Work Act 1994; and for other purposes. Read a first time.

The Hon. P. CAICA (Colton—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Gambling) (15:41): I move:

That this bill be now read a second time.

The government is committed to ensuring all South Australians have the opportunity to participate in and benefit from our state's economic growth. This necessarily includes a strong commitment to supporting the delivery of education and training that contributes to the achievement of the twin goals of economic development and social inclusion, and that leads to sustainable employment opportunities for all South Australians.

Workforce development will be critical in underpinning the growth of our economy and in providing pathways to rewarding and sustainable jobs. The government's strategic approach to workforce development will focus on increasing the capacity of individuals to meet their employment needs throughout their lives—as well as meeting industry demand for a skilled workforce—and increasing the capacity of firms to adopt work practices that support their employees to develop the full range of their potential.

A review of the Training and Skills Development Act 2003, which included extensive stakeholder and participant consultation about the effectiveness of the act in supporting our education, training and workforce development goals at the state and national levels, has been undertaken and has provided the foundation for the development of this bill.

The Training and Skills Development Bill 2008 provides a legislative framework for our training system, higher education and community learning, and includes the provision of advice on workforce development, the registration of training providers, course accreditation, arrangements for traineeships and apprenticeships, and protections for students.

This bill provides for a stronger role for the Training and Skills Commission, in consultation with industry training bodies, such as Industry Skills Boards, and employee and employer associations, in providing high level strategic advice about the application of workforce development strategies that are informed by effective industry engagement.

Through this bill, the role of the training advocate, which has been widely accepted, is being given statutory recognition. The training advocate will continue to support clients or prospective clients, including international students, regarding their questions or concerns about the education and training system. The training advocate will carry out functions described in a public charter developed by the minister in consultation with the training advocate and the Training and Skills Commission, and will have powers to request information which may be necessary in resolving issues.

The 2007 National Protocols for Higher Education, which create the national framework for the approval of Australian universities, other higher education providers and their courses, as well as international higher education institutions operating in Australia, will be incorporated into the act through this bill.

Our state must balance the need for a flexible and responsive training sector with ensuring that the interests of apprentices, trainees and students are protected. Employers will be required to be registered before engaging apprentices or trainees under a trainee contract. Registration will be for up to five years, with employers who are currently a party to a contract of training being automatically registered for five years. Details of employers who are registered, and the scope of their registration, will be available through a public website. These changes aim to streamline the processes for employers wanting to take on apprentices or trainees, and will assist in making

parties to a proposed training contract better informed about their rights and obligations under the training contract.

Early intervention strategies, many of them requiring a redirection of administrative focus, will be implemented to identify grievances and disputes arising from training contracts and assist the parties towards an appropriate and timely resolution. Parties to a training contract will be able to access the resources of the Industrial Relations Commission of South Australia (IRC) as a means for resolving disputes arising from a training contract. The IRC is establishing processes, in consultation with stakeholders, to ensure that disputes arising from training contracts can be resolved in a manner appropriate to the needs of the parties to those contracts. This bill allows for the inclusion of compulsory conferences to resolve training contract disputes prior to matters being referred for hearing.

Assessors, nominated by employer and employee associations, will assist the IRC in considering training contract disputes brought before it. Orders of the IRC will be enforceable and an appeals process will be available. This bill introduces measures to streamline yet strengthen matters concerning the quality of education and training that will be delivered under this legislation, including the issuing of compliance notices and expiation fees, and offences and penalties have been reviewed.

The legislation proposes related amendments to the Fair Work Act 1994. Transition provisions provide for the vacation of all offices of members of the Training and Skills Commission, the Grievance and Disputes Mediation Committee, any committee established by the Training and Skills Commission and any reference group established by the minister.

Transition provisions also provide continuity of registration of training providers, accreditation of courses and continuation of current training contracts. These provisions also establish that suspensions, orders or decisions of the Grievances and Disputes Mediation Committee in force immediately before the repeal of the Training and Skills Development Act 2003, continue in force as a suspension, order or decision of the IRC. I commend the bill to members and I seek leave to insert the explanation of clauses in *Hansard* without reading them.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Objects

The objects of this measure are to further the State's economic and social development through the operations of the Training and Skills Commission (the Commission)—

- in assisting the Minister to establish priorities and workforce development strategies to meet the State's current and future work skills needs through education, training, skills development and workforce development; and
- in providing quality assurance in relation to higher education (other than that delivered by a State university) and vocational education and training by regulating training providers, courses and the relationship between employers and apprentices/trainees; and
- in promoting—
  - (i) equity and participation in and access to education, training and skills development; and
  - (ii) partnerships with industry and enterprises for the development of skills for the State's workforce; and
  - (iii) an integrated national system of education and training that recognises the diversity of the State's workforce needs; and
  - (iv) the development of a culture of continuous learning through adult community education.

4—Interpretation

This clause contains the definitions of words and phrases used for the purposes of this measure. Among the many terms defined are AQTF, AQF, higher education, vocational education and training and education services for overseas students.

5—Declarations relating to universities and higher education

The Minister may, by notice in the Gazette, make the following declarations:

- that an institution is—

  (i) a university; or

  (ii) a university college; or

  (iii) a specialised university of a kind specified in the declaration;

- that an institution is a self accrediting higher education institution;

- that an institution that is an overseas higher education institution is an institution authorised to offer non AQF higher education qualifications in the State.

Any such declaration—

- may be subject to such conditions (including conditions that determine the scope of the operations of the institution) as the Minister thinks fit and specifies in the declaration; and

- will operate for the period set in the declaration; and

- may, by further notice in the Gazette, be varied or revoked.

It is an offence for an institution in relation to which a declaration has been made to contravene a condition imposed by the Minister and specified in the declaration. The penalty for any such offence is a fine of $5,000, expiable on payment of a fee of $315.

6—Declarations of trade and non trade occupations

The Minister may, on the Commission's recommendation—

- by notice in the Gazette, declare an occupation to be—

  (i) a trade occupation; or

  (ii) a non trade occupation; and

- by further notice in the Gazette, vary or revoke such a declaration.

Part 2—Administration

Division 1—Minister

7—Functions of Minister

The Minister has the following functions under this measure:

- to establish priorities and workforce development strategies to meet the State's current and future work skills needs in conjunction with industry, commerce, employee representatives and governments;

- to manage—

  (i) the State's system of vocational education and training, and adult community education, by allocating resources within the State on a program and geographic basis;

  (ii) the State's system of higher education (other than that delivered by a State university), vocational education and training, and adult community education, through planning and regulating the provision of public and private training; and

  (iii) the State's role as part of an integrated national system of education and training;

- functions (if any) contemplated by the Skilling Australia's Workforce Act 2005 of the Commonwealth;

- any other function assigned to the Minister under this measure or an Act or that the Minister considers appropriate.

8—Delegation by Minister

The Minister may delegate his or her functions or powers under this measure within the usual terms.

Division 2—Training and Skills Commission

9—Establishment of Training and Skills Commission

The Training and Skills Commission (the Commission) is established. The Commission will consist of 11 members appointed by the Governor on the nomination of the Minister. Its membership will include a representative of employer groups and employee groups, respectively.

10—Functions of Commission

This clause provides for general and other functions of the Commission. Its general functions are—

- to assist, advise and make recommendations to the Minister on matters relating to the development, funding, quality and performance of vocational education and training and adult community education; and

- to regulate—

(i) training providers under Part 3 of the measure; and

(ii) apprenticeships/traineeships under Part 4 of the measure.

11—Ministerial control

The Commission is subject to control and direction of the Minister apart from when the Commission is formulating advice or reports to the Minister.

12—Conditions of membership

This clause is drafted in the usual way in relation to the appointment of a member to the Commission by the Governor, with the term and conditions of membership being determined by the Governor.

13—Proceedings of Commission

This clause makes provision for the manner in which the Commission is to conduct its proceedings.

14—Validity of acts

This clause provides that an act or proceeding of the Commission (or 1 of its committees) is not invalid by reason only of a vacancy in its membership.

15—Staff

This clause makes provision for the Commission's staff, which is to consist of—

- Public Service employees assigned to work in the office of the Commission; and
- officers or employees under the Technical and Further Education Act 1975 assigned to work in the office of the Commission; and
- any person appointed to the staff by the Commission with the consent of the Minister.

16—Report

The Commission must, before 31 March in each year, present to the Minister a report on its operations for the preceding calendar year. This report must be tabled by the Minister in Parliament.

Division 3—Reference groups

17—Establishment of reference groups

This clause makes provision for the mandatory establishment of 2 reference groups by the Minister to advise the Commission in relation to its functions under Parts 3 and 4 of this measure, and in relation to its functions relating to adult community education, respectively. The reference groups must submit a report on their respective operations to the Commission for inclusion in the Commission's annual report.

Division 4—Training Advocate

18—Training Advocate

There will be a Training Advocate.

19—Appointment of Training Advocate

Under this clause, the Governor will appoint a person to be the Training Advocate on terms and conditions determined by the Governor.

20—Term of office of Training Advocate etc

This clause makes provision for the following matters in relation to the Training Advocate:

- term of office (5 years);
- how the office becomes vacant;
- removal from office.

21—Functions of Training Advocate

The functions of the Training Advocate will be set out in a charter prepared by the Minister after consultation with the Training Advocate and the Commission. A number of examples of the sorts of functions that may (but need not) be given to the Training Advocate under the charter are set out. The charter is to be tabled in Parliament within 6 days of coming into force or being amended.

22—Training Advocate subject to direction of Minister

The Training Advocate is subject to the written direction of the Minister, except in relation to an investigation being undertaken by the Training Advocate in the performance of his or her functions.

23—Delegation by Training Advocate

This clause makes provision for the Training Advocate to delegate his or her functions.

24—Staff

This clause makes provision for the Training Advocate's staff, which is to consist of—

- Public Service employees assigned to work in the office of the Training Advocate; and
- officers or employees under the Technical and Further Education Act 1975 assigned to work in the office of the Training Advocate; and
- any person appointed to the staff by the Training Advocate with the consent of the Minister.

25—Report

The Training Advocate must present a written report on his or her activities to the Minister on or before 31 March in each year. Such a report must include any direction given to the Training Advocate by the Minister and must be tabled in the Parliament by the Minister.

Part 3—Higher education, vocational education and training and education services for overseas students

Division 1—Registration of training providers

26—Registration of training providers

The Commission may, on application or of its own motion, register, or renew the registration of, a person as a training provider—

(a) to—

- deliver education and training and provide assessment services; and
- issue qualifications and statements of attainment under the AQF,

in relation to higher education or vocational education and training, or both; or

(b) to—

- provide assessment services; and
- issue qualifications and statements of attainment under the AQF,

in relation to higher education or vocational education and training, or both; or

(c) for the delivery of education services for overseas students.

An application for registration or renewal of registration must—

- be made to the Commission in the manner and form approved by the Commission; and
- be accompanied by the fee fixed by regulation.

27—Conditions of registration

This clause makes provision for the conditions to which the registration of a training provider is subject, including conditions establishing the operations the provider is authorised to conduct by the registration. A registered training provider who contravenes a condition of registration is guilty of an offence, the penalty for which is a fine of $5,000, expiable on payment of a fee of $315.

28—Variation or cancellation of registration

The Commission may, on application, vary or cancel the registration of a training provider. Variation of any such registration means variation of either the conditions of registration or the registered details of the training provider.

29—Criteria for registration

This clause sets out the criteria that the Commission must apply when determining whether to register, renew or vary the registration of, a training provider and the conditions of registration.

Division 2—Accreditation of courses

30—Accreditation of courses

The Commission may, on application or of its own motion, accredit a course, or renew the accreditation of a course, as a course in higher education or vocational education and training.

An application for accreditation or renewal of accreditation must—

- be made to the Commission in the manner and form approved by the Commission; and
- be accompanied by the fee fixed by regulation.

31—Conditions of accreditation

This clause makes provision for the conditions to which the accreditation of a course is subject. The holder of accreditation of a course who contravenes a condition of accreditation is guilty of an offence for which the penalty is a fine of $5,000, expiable on payment of a fee of $315.

32—Variation or cancellation of accreditation

The Commission may on application vary or cancel the accreditation of a course. Variation of accreditation of a course means variation of the conditions of accreditation of the course.

33—Criteria for accreditation

This clause sets out the criteria that the Commission must apply when determining whether to accredit, or renew or vary the accreditation of, a course and the conditions of accreditation.

Division 3—Duration of registration/accreditation

34—Duration of registration/accreditation

This clause provides that, subject to this measure, registration or accreditation remains in force for a period of up to 5 years determined by the Commission. The holder of registration or accreditation must, at intervals fixed by regulation, pay a prescribed fee and lodge returns.

Division 4—Other powers of Commission relating to training providers and courses

35—Grievances

A person with a grievance relating to a registered training provider may refer the grievance to the Commission for consideration.

36—Commission may inquire into training providers or courses

This clause provides the Commission with power to inquire into a training provider or a course.

37—Commission may cancel, suspend or vary registration or accreditation

This clause empowers the Commission to impose or vary a condition of registration or accreditation, or cancel or suspend registration or accreditation, where there has been a breach of a condition of the registration or accreditation. Such action cannot be taken without first giving the holder of the registration or accreditation 28 days written notice of the proposed action, taking account of any representations made to the Commission, and consulting (where necessary) the registering/course accrediting body in other jurisdictions.

38—Commission may issue qualification or statement of attainment in certain circumstances

This clause gives the Commission the power to issue to a person a qualification or statement of attainment under the AQF in relation to specified higher education or vocational education and training offered by a registered training provider if satisfied that—

- the person has achieved the learning outcomes or competencies necessary to demonstrate that the person possesses and is able to apply the knowledge and skills acquired; and
- the provider is unable (whether because it is no longer registered or for some other reason) to issue the qualification or statement of attainment.

39—Cancellation of qualification or statement of attainment

The Commission may (by written notice) cancel a qualification or statement of attainment issued by a registered training provider if the Commission is satisfied that the qualification or statement of attainment was issued by mistake or on the basis of false or misleading information.

40—Commission may assess and certify competency in certain circumstances

Under this clause, the Commission may assess (by such means as the Commission thinks fit) the competency of persons who have acquired skills or qualifications otherwise than under the AQF and, in appropriate cases, having regard to the standards and outcomes specified in accredited courses or training packages, grant, or arrange for or approve the granting of, statements certifying that competency.

41—Provision of information

The Commission may, subject to such conditions as the Commission thinks fit, provide to another registering body/course accrediting body any information obtained by the Commission in the course of carrying out its functions under this measure.

Division 5—Appeal to District Court

42—Appeal to District Court

An appeal to the District Court may be made (within 28 days of the making of the decision being appealed) against a decision of the Commission—

- refusing an application for the grant or renewal of registration or accreditation; or
- imposing or varying conditions of registration or accreditation; or
- suspending or cancelling registration or accreditation; or
- cancelling a qualification or statement of attainment.

Division 6—Offences

43—Offences relating to registration and issuing of qualifications

This clause sets out the offences relating to registration of training providers and the issuing of qualifications. The penalty for each of the offences under this provision is a fine not exceeding $5,000. The offences are set out below.

A person must not claim or purport to be a registered training provider in relation to higher education unless registered as a training provider in relation to higher education.

A person must not issue, or claim or purport to issue, qualifications or statements of attainment under the AQF in relation to higher education unless—

- the person is a State university; or
- the person is—
  (i) a declared institution; and
  (ii) operating within the terms and complying with the conditions (if any) of the declaration; or
- the person is—
  (i) registered as a training provider in relation to higher education; and
  (ii) operating within the scope of the registration of the provider and complying with the conditions of the registration.

A person must not claim or purport to be a registered training provider in relation to vocational education and training unless registered as a training provider in relation to vocational education and training.

A person must not issue, or claim or purport to issue, qualifications or statements of attainment under the AQF in relation to vocational education and training unless the person is—

- registered as a training provider in relation to vocational education and training; and
- operating within the scope of the registration of the provider and complying with the conditions of the registration.

A person must not claim or purport to be able to deliver education and training that will result in the issue of a qualification or statement of attainment by another person if the person knows that the other person is not lawfully able to issue the qualification or statement of attainment.

This provision does not apply to the Commission.

44—Offences relating to universities, degrees, etc

This clause sets out the offences relating to universities and the granting of degrees and graduate qualifications. The penalty for each of the offences under this provision is a fine not exceeding $5,000. The offences are set out below. The offences prohibit an institution from holding out that it is an institution (whether a university, university college, etc) of a kind that it is not, and prohibit such institutions from issuing degrees or graduate qualifications unless they are authorised to do so.

Part 4—Apprenticeships/traineeships

Division 1—Interpretation

45—Interpretation

This clause sets out definitions for the purposes of Part 4.

Division 2—Training contracts

46—Training under training contracts

An employer must not undertake to train a person in a trade occupation (see clause 6) except under a training contract. The penalty for such an offence is a fine of $5,000, expiable on payment of a fee of $315. An employer may undertake to train a person in a non trade occupation under a training contract.

Only registered employers may enter into training contracts.

The clause sets out requirements for training contracts and the obligations and duties of the parties to such contracts.

47—Minister may enter training contracts

This clause provides that the Minister may enter into a training contract (on a temporary basis or where it is not reasonably practicable for another employer to do so) assuming the rights and obligations of an employer under the contract.

48—Approval of training contracts

An employer must, within 4 weeks after executing a contract—

- by which the employer undertakes to train a person in a trade occupation, apply to the Commission for approval of the contract;

- with a person that is intended to be a training contract under this Part, apply to the Commission for approval of the contract.

The Commission may decline to approve a contract as a training contract if the criteria set out in the clause are not met.

It is an offence for an employer to continue to train a person in a trade occupation if the Commission has declined to approve the contract entered into for that purpose.

The penalty for non compliance with a provision of this clause is a fine of $5,000, expiable on payment of a fee of $315.

49—Term of training contracts

The Commission may, on the application of the parties to a training contract (or proposed training contract) or of its own motion, determine—

- that the whole or a part of a period of training that occurred before the date of the contract be treated as a period of training served under the contract; or
- that the whole or a part of a period of training that occurred under a previous training contract be treated as a period of training served under the contract; or
- that a period of absence of the apprentice/trainee under the training contract be excluded from consideration in computing the length of the apprentice's/trainee's service under the contract.

The term of a training contract must be computed and the contract must be construed and must apply in accordance with any such determination of the Commission. However, if there is a conflict between a determination of the Commission and a determination of the Industrial Relations Commission (the IRC), the determination of the IRC prevails.

If the Commission is satisfied of the competence of an apprentice/trainee or former apprentice/trainee, the Commission may, of its own motion or on the application of each party to the training contract (whether or not the contract is still in operation)—

- certify that the apprentice/trainee is to be taken to have completed the training required under the contract; and
- if the contract is still in operation—terminate the contract and relieve the parties of their obligations under the contract.

50—Variation of training under training contract to part time or full time

The Commission may—

- on application by the parties to a training contract, vary the contract so that it provides for part time training instead of full time training, or full time training instead of part time training, if to do so is not inconsistent with the award or industrial agreement under which the apprentice/trainee is employed;
- on application by the parties to a school based training contract, vary the contract so that it provides for full time training or part time training (as the case requires) when the school based apprentice/trainee finishes school.

51—Termination or suspension of training contract

Subject to Part 4, no person apart from the Commission may terminate or suspend, or purport to terminate or suspend, a training contract. The penalty for such an offence is a fine of $5,000, expiable on payment of a fee of $315. Subject to Part 4, the Commission may, on application or of its own motion, terminate or suspend a training contract. A party to a training contract may, terminate a written contract within the probationary period of the contract by written notice to the other party.

52—Transfer of training contract to new employer

A change in the ownership of a business (or part of a business) does not result in the termination of a training contract entered into by the former owner but, where a change in ownership occurs, the rights, obligations and liabilities of the former owner under the contract are transferred to the new owner who must notify the Commission of the transfer.

53—Offence to exert undue influence etc in relation to training contracts

A person who exerts undue influence or pressure on, or uses unfair tactics against, a person in relation to entering into a training contract is guilty of an offence, the penalty for which is a fine of $5,000. It is also an offence (carrying the same penalty) for a person to exert undue influence or pressure on, or use unfair tactics against, a party to a training contract in relation to—

- the making of an application to the Commission in relation to the contract under clause 49;
- variation of the contract; or
- the transfer or assignment of the contract from 1 employer to another; or
- the termination or suspension, or purported termination or suspension, of the contract.

54—Termination/expiry of training contract and pre existing employment

If a training contract is entered into between an employer and a person who is already in the employment of the employer, the termination, or expiry of the term, of the training contract does not of itself terminate the person's employment with the employer.

Division 3—Registration of employers

55—Registration of employers

The Commission may, on application, register, or renew the registration of, an employer who may enter into a training contract as follows:

- in relation to a specified trade occupation—for the training of a particular apprentice/trainee;
- in relation to a specified trade occupation or specified trade occupations—for training apprentices/trainees generally;
- in relation to a specified non trade occupation—for the training of a particular apprentice/trainee;
- in relation to a specified non trade occupation or specified non trade occupations—for training apprentices/trainees generally.

56—Conditions of registration

Registration of an employer is subject to—

- the conditions determined by the Commission as to the operations that the employer is authorised to conduct by the registration; and
- a condition that an apprentice/trainee, or apprentices/trainees of a specified class, will be managed in a specified way; and
- if guidelines have been developed by the Commission—the condition that the employer will comply with the guidelines; and
- any other condition determined by the Commission.

It is an offence for a registered employer to contravene a condition of the registration, punishable by a fine of $5,000, expiable on payment of a fee of $315.

57—Criteria for registration

This clause sets out the criteria that the Commission must apply when determining whether to register, or renew or vary the registration of, an employer and in determining any conditions of the registration.

58—Variation or cancellation of registration

The Commission may, on application, vary or cancel the registration of an employer.

59—Duration of registration

Subject to this measure, registration of an employer remains in force, on initial grant or renewal, for a period (which may not be longer than 5 years) determined by the Commission.

60—Commission may cancel, suspend or vary registration

If—

- a registered employer contravenes this Act or a corresponding law or a condition of the registration (whether the contravention occurs in this State or elsewhere); or
- the circumstances are such that it is, in the Commission's opinion, no longer appropriate that the employer be so registered,

the Commission may do either or both of the following:

- impose or vary a condition of the registration;
- cancel or suspend the registration.

The Commission must, before taking any such action, give the person 28 days written notice of its intention and take into account any representations made by the person.

61—Appeal to District Court

An appeal to the District Court may be made (within 28 days of the making of the decision being appealed) against a decision of the Commission—

- refusing an application for the grant or renewal of registration of an employer; or
- imposing or varying conditions of registration; or
- suspending or cancelling registration.

62—Commission may inquire into employers

The Commission may, at any time, inquire into an employer, whether registered or the subject of an application for registration.

Division 4—Compliance notices, misconduct, disputes and grievances

63—Compliance notices

If it appears that an employer has contravened a provision of this measure, the Commission may issue a compliance notice requiring the employer, within a period stated in the notice—

- to take specified action to remedy the non compliance; and
- to produce reasonable evidence of the employer's compliance with the notice.

Non-compliance with a notice within the time specified in the notice is an offence, the penalty for which is a fine of $5,000, expiable on payment of a fee of $315. An application for review of any such notice may be made to the IRC within 14 days of the issue of the notice.

64—Employer may suspend apprentice/trainee for serious misconduct

If an employer has reasonable grounds to believe that an apprentice/trainee employed by the employer is guilty of wilful and serious misconduct, the employer may (without first obtaining the approval of the Commission) suspend the apprentice/trainee from employment and must, in that event—

- immediately refer the matter to the Industrial Relations Commission; and
- within 3 days of the suspension—confirm the reference in writing.

A suspension under this section must, unless confirmed or extended by the Industrial Relations Commission, not operate for more than 7 working days.

65—Other matters to be dealt by Industrial Relations Commission

A party to a training contract may apply to the IRC for consideration of a matter arising from a dispute between the parties to the contract or if aggrieved by the conduct of another party to the contract. If the Commission suspects on reasonable grounds that a party to a training contract has contravened a provision of the contract or this Act, it may refer the matter to the IRC.

The powers that may be exercised by the IRC in relation to a matter before it under this Division are set out in the provision.

66—Holding of conciliation conferences compulsory

Proceedings (other than applications for review of a compliance notice) before the Industrial Relations Commission under Part 4 Division 4 are proceedings to which Chapter 5, Part 1, Division 4A of the Fair Work Act 1994 applies (Division 4A provides for the holding of compulsory conciliation conferences).

If a conciliation conference before the Industrial Relations Commission is held in proceedings relating to a suspension under section 64, the member presiding at the conference—

- is not required to give a preliminary assessment or to make a recommendation under section 155B(3) of the Fair Work Act 1994; and
- if the proceedings are not resolved by conciliation or withdrawn—is not disqualified from further involvement in the proceedings by reason only of the fact that he or she presided at the conference.

67—Representation in proceedings before Industrial Relations Commission

Representation in proceedings (other than appellate proceedings) before the IRC under this Division is regulated as follows:

- representation of a party by a legal practitioner or a registered agent will not be permitted;
- if a party to the proceedings is a body corporate, the IRC may, if the party seeks to be represented by an officer or employee who is not a legal practitioner or registered agent, permit such representation;
- if a party to the proceedings satisfies the IRC that he or she will be disadvantaged in the proceedings if he or she is not given assistance by another person, the IRC may permit the party to be assisted by a person who is not a legal practitioner or registered agent, but only if that person is not acting for fee or reward.

68—Participation of assessors and other experts in proceedings before Industrial Relations Commission

In proceedings before the IRC under this Division, the IRC—

(a) must sit with assessors selected in accordance with Schedule 1; and

(b) may select an expert in accordance with Schedule 1 to advise the IRC in relation to a matter relating to the proceedings.

However, in the types of proceedings listed below, the IRC has complete discretion to sit with assessors or select an expert advisor:

- a conference under Chapter 5, Part 1, Division 4A of the Fair Work Act 1994;

- proceedings for the purposes of—
  - (i) dealing with preliminary, interlocutory or procedural matters; or
  - (ii) dealing with questions of costs; or
  - (iii) entering consent orders;
- a part of the proceedings relating only to questions of law;
- appellate proceedings.

Division 5—General

69—Relation to other Acts and awards etc

This clause provides that this measure and any statutory instrument made under this measure will prevail to the extent of any inconsistency over the Fair Work Act 1994 and any regulation, award or other determination, enterprise agreement or industrial agreement made under that Act or an Act repealed by that Act. However, a provision of an award or other determination, enterprise agreement or industrial agreement made under the Fair Work Act 1994 or an Act repealed by that Act requiring employers to employ apprentices/trainees in preference to junior employees remains in full force.

70—Making and retention of records

This clause provides that an employer who employs an apprentice/trainee must keep records as required by the Commission for at least 7 years after the expiry or termination of the training contract to which the record relates. The penalty for non compliance with this provision is a fine of $5,000, expiable on payment of a fee of $315.

Part 5—Miscellaneous

71—Training and Skills Register

The State register under the repealed Act continues in existence as the Training and Skills Register (the Register) under this measure and the following matters must be recorded in the Register:

- details of the declarations (if any) made by the Minister under clause 5;
- the registration of training providers and accreditation of courses under Part 3;
- the variation, cancellation, suspension or expiry of the registration of a training provider or accreditation of a course under Part 3;
- the registration of employers under Part 4;
- the variation, cancellation, suspension or expiry of the registration of an employer under Part 4;
- any other matter that, in the opinion of the Commission, should be recorded in the Register.

The Register will be kept in the form of a computer record and published on a website determined by the Commission.

72—Provision of information to/by prescribed authority

This provision gives the Commission and the Training Advocate the power to request for the purposes of this measure certain information from a prescribed authority and the prescribed authority the ability to comply with such a request within a reasonable time. The clause also authorises the Commission and the Training Advocate to provide information to a prescribed authority. A prescribed authority is defined as an agency or instrumentality of the Crown or a person or authority prescribed by regulation.

73—Other powers of Commission, Training Advocate, etc

This clause provides that, for the purposes of this measure, a member of the Commission, the Training Advocate, or a person authorised by the Commission or Training Advocate (an authorised person), may exercise any 1 or more of the following powers:

- an authorised person may question any person—
  - (i) in relation to Part 3—about the delivery or provision of education and training or other services;
  - (ii) in relation to Part 4—about—
    - (A) the delivery or provision of education or training; or
    - (B) the employment of an apprentice/trainee;
- an authorised person may require the production of any record or document required to be kept by or under this measure and inspect, examine or copy it;
- an authorised person may enter and inspect, at any reasonable time, the following places or premises or anything in the following places or premises:
  - (i) a place or premises in which education or training is provided, including a place or premises in which a person undertakes the practical component of any such course;

(ii) a place or premises in which an apprentice/trainee is employed.

74—Immunity from liability

No civil liability attaches to a member of the Commission, a member of a committee of the Commission, the Training Advocate, a person authorised by the Commission or the Training Advocate or a member of a reference group established under the measure for an act or omission in the exercise or performance, or purported exercise or performance of powers, functions or duties conferred or imposed by or under this measure or any law. An action that would, but for this provision, lie against a person lies instead against the Crown. This provision does not, however, prejudice rights of action of the Crown in respect of an act or omission not in good faith.

75—False or misleading information

It is an offence (punishable by a fine of $5,000) for a person to make a statement that is false or misleading in a material particular in information provided under this measure.

76—Evidentiary provision relating to registration

This clause makes provision for evidentiary matters for the purposes of this measure.

77—Gazette notices may be varied or revoked

A notice published in the Gazette by the Commission may be varied or revoked by the Commission by subsequent notice in the Gazette.

78—Service

This clause provides that a notice or other document required or authorised to be given to or served on a person may be given or served personally or by post

79—Regulations

This clause makes provision for the making of regulations for the purposes of this measure.

Schedule 1—Appointment and selection of assessors and other experts for Industrial Relations Commission proceedings under Part 4

Division 1—Assessors

Clauses 1 to 7 of this Schedule make provision for the appointment and selection of assessors for IRC proceedings under Part 4.

Division 2—Experts

Clauses 8 and 9 of this Schedule make provision for the appointment and selection of experts in higher education and vocational education and training to provide advice to the IRC in proceedings under Part 4.

Schedule 2—Related amendments, repeal and transitional provisions

Part 1—Preliminary

Part 2—Amendment of Fair Work Act 1994

This Part of the Schedule contains amendments to the Fair Work Act 1994 that are related to the conferral of jurisdiction on the IRC under Part 4 of this measure.

Part 3—Repeal of Training and Skills Development Act 2003

The Training and Skills Development Act 2003 is to be repealed.

Part 4—Transitional provisions

This Part of the Schedule contains transitional provisions consequent on the passage of this measure and the repeal of the Training and Skills Development Act 2003.

Debate adjourned on motion of Mrs Redmond.

STANDING ORDERS SUSPENSION

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (15:49): I move:

That standing orders be so far suspended to enable a message to be sent to the Legislative Council requesting a conference be granted to this house respecting certain amendments from the Legislative Council in the Legal Profession Bill.

The DEPUTY SPEAKER: I have counted the house and, as an absolute majority is not present, ring the bells.

An absolute majority of the whole number of members being present:

Mrs REDMOND (Heysen) (15:51): We will, of course, support this motion to suspend standing orders. I want to put on the record how it has come about, because this bill is having a

somewhat tortuous progress through the two houses. It was dealt with in this house and we on this side moved certain amendments unsuccessfully, and then the bill went to the other place where those amendments were moved successfully. Then the bill came back down here and the Attorney, in his rush to disagree with our amendments, disagreed with all the amendments, including the five that had been proposed by his own minister in the other place. So the message went back to the other place to indicate that we disagreed with its amendments, and at that point the Attorney's colleagues in the upper house were again outnumbered and the amendments were insisted upon by the other place.

So when they came back here yesterday, the intention was that not only would the lower house be expected to disagree with the Legislative Council's insistence upon its amendments, but also there should have been a message back to the other place to set up a deadlock conference. Again, the Attorney is in something of a rush to play with this some more and, hopefully, we will get to the deadlock conference with reasonable haste, because it is an important matter. The opposition clearly believes that the amendments should be acceded to, but I will not speak to that now. I just indicate that we support the suspension of standing orders to enable the correction of the Attorney's oversight yesterday.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (15:53): There was no oversight. I have at all times acted on advice.

Motion carried.

LEGAL PROFESSION BILL

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (15:53): I move:

That a message be sent to the Legislative Council requesting a conference be granted to this house; that the Legislative Council be informed that, in the event of a conference being agreed to, this house will be represented at such conference by five managers, and that the Hon. M.J. Atkinson, Ms Ciccarello, Mr Hanna, Mr Rau, and Mrs Redmond be managers of the conference on the part of this house.

Mrs REDMOND (Heysen) (15:54): I indicate that, of course, we support the motion. I just want to make a comment about the Attorney's remark on the suspension of standing orders in which he indicated that he had acted in accordance with advice at all times. If that were the case, it surprises me that we then needed to suspend standing orders to progress this matter in the appropriate way. But that having been said, enough is enough, and hopefully we can get this matter to a deadlock conference as soon as possible and resolve it.

Motion carried.

CONTROLLED SUBSTANCES (CULTIVATION OF CONTROLLED PLANTS) AMENDMENT BILL

STATUTES AMENDMENT (ADVISORY PANELS REPEAL) BILL

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (REAL PROPERTY) BILL

Adjourned debate on second reading.

(Continued from 13 February 2007. Page 2019.)

Mrs REDMOND (Heysen) (15:58): I indicate that I am the lead speaker—

Members interjecting:

Mrs REDMOND: —and may I dare to suggest that I might be the only speaker on behalf of the opposition. I note the member for Mitchell's excitement at the prospect of speaking on the real property amendment bill. And I must say that, in fact, I actually do have some level of excitement about this, because, as members probably have gleaned from various comments that I have made in this place, I was never a criminal practitioner, and most of the work I do as the shadow attorney-general concerns the criminal law. I have, however, extensive experience in real property and conveyancing. So I could speak at some length on this—but I think that it might just bore everybody to sleep, and I promise not to do that. But I do note that we have moved an amendment, and I will discuss that in a minute. We therefore will need to resolve into committee at some stage.

However, I do not intend to do a lengthy dissertation on all of the 80-plus amendments that are encompassed by this legislation. They are mostly technical amendments and they deal with a number of acts, in particular the Real Property Act 1886, a very venerable act in this state—since 1886 we have been dealing with our real property, and, of course, we were world leaders in the way we set up our system of Torrens title, as we know it. Other jurisdictions know it by different names but, nevertheless, it commenced in this jurisdiction.

Also from 1886, there is the Bills of Sale Act, and then, moving into the next century, there is the Stock Mortgages and Wool Liens Act 1924, the Strata Titles Act 1988, and the Community Titles Act 1996. The Bills of Sale Act in particular, and the Stock Mortgages and Wool Liens Act 1924 contain provisions for the registration of third party interests on to people's titles to real property.

As I have already indicated, some 80-plus amendments to those various acts are contained in this bill, largely to the Real Property Act. My understanding from both the briefing that we were afforded and the second reading speeches is that those amendments have been in train for some considerable time. Luckily we have not been in too much of a hurry. Originally, it started before this government came to power. I think the original discussions commenced under the previous Liberal government and then a draft consultation bill was released in July 2003, a year and a bit into the Rann Labor government.

I guess everyone would accept that it has not been with any urgency and, from a personal note, I was very happy that things progressed somewhat slowly in relation to entering into an electronic system of land transfer because I am not fond of computers, which is an understatement, and I was very glad to be able to go to the settlement room to do my settlements by hand and meet the people on the other side. I think there was a certain comradeship in there. When they moved the Registrar-General's office to its current location in Grenfell Street, the settlement room was a little too small for the number of settlements that took place every Friday. In fact, so congested did it become that they imposed a penalty at one point for having settlements on a Friday to try to move some of the settlements to a different day of the week so that it was not so crowded in the settlement room, particularly between about 11am and 12pm on a Friday.

The Hon. M.J. Atkinson: Why between 11am and 12pm on a Friday? Please explain.

Mrs REDMOND: The Attorney seeks an explanation as to why the settlements would occur between 11am and 12pm on a Friday and, basically, it was to do the fact that people like to settle on a Friday because they had made their moving arrangements to settle into their new place over the weekend and they chose between 11am and 12pm because the banks generally were not going to be able to draw their cheques and so on in readiness until about 10 o'clock and then it was over to the settlement room. So, there were logistical reasons for that.

In fact, I had one client who was obviously a person of some influence because he consulted an astrologer about when settlements should take place and that one had to take place at 1 o'clock in the afternoon and, indeed, he was able to persuade his bank to have the settlement at 1 o'clock. But generally, there was a huge influx of people between 11 o'clock and 1 o'clock into that settlement room, and it was such an inadequate room that one day the then registrar-general was invited into the settlement room and cornered in the back corner, unable to get out, because people just kept pushing into the room to make sure that he got the message that the settlement room was not big enough. Indeed, it was anticipated at the time of that settlement room being allocated that, within a very few years—and I would be talking about 10 years ago now—there would be a move to have electronic settlements and, therefore, there would be no reason for us to have the need of a large settlement room.

As I said, there was great comradeship and it was generally pretty good, although it could be quite an interesting experience doing conveyancing. You would go along to attend to the purchase of a property, for instance, for a client and you would have to go and find the person who was acting for the vendor of that property. In turn, the vendor would have to find the bank that had the mortgage on the property and I would have to find the bank that was getting the mortgage on the purchaser's new title to the property. Then the documents would have to be passed along one way, then the cheques would go back the other way and everything had to be checked along the way to make sure that all the documents were signed and certified properly and so on.

They were quite interesting transactions at times because sometimes people would not just be selling their own property but they would be buying another one. We would have settlements where, if one document was wrong at one end of the chain, everything fell over in a heap. So, it was actually quite precise work but very enjoyable for the most part. I have enjoyed a long

association with conveyancing both here and in New South Wales, and I would have to say that South Australia was streets ahead of New South Wales as it was then practised when I left many years ago.

Dealing with the terms of the bill, basically all the amendments it contains are aimed at improving the administration and efficiency of South Australia's land management system. As I said, I do not intend to go through and detail the 80-plus amendments. I just want to highlight nine or 10 which, in my mind, as an experienced conveyancer, are the most relevant and easy to understand. Firstly, the definition of 'allotment' is expanded. There are two different contexts in which the word 'allotment' is used in different acts and, basically, the definition of 'allotment' is expanded to cover both the different contexts in which the word is used. The term 'licensed land broker' is replaced by 'registered conveyancer'. I note that South Australia led the way. When I started practice, in most other jurisdictions you had to be a solicitor to be allowed to undertake conveyancing but South Australia recognised land brokers long before the other jurisdictions. I knew someone here who was a fully qualified land broker who dashed over to Sydney to set up the first land-broking firm over there when they allowed land brokers into their system.

Provision is made to allow documents to be registered in the order in which they were clearly intended. Particularly when we are not dealing with electronic transfers but actually handing documents over a counter, it is important that there be sufficient flexibility to put the documents in to the correct order. For instance, in the transaction I was just talking about, which is quite a straightforward transaction and probably the most common one, you would want to make sure that the discharge of the vendor's mortgage preceded the transfer to the purchaser and that was followed by the mortgage to the new bank.

Common sense dictates that that is the way it should be, but sometimes documents could get into the wrong order, particularly if you had a series of documents that were interconnected with a series of settlements all taking place one dependent upon the other; it is only sensible to allow those documents to be registered in the order in which they were clearly intended. That amendment assumes a certain sensibility and level of knowledge among the Lands Titles Office staff. In my dealings with them over many years, they were exemplary in their performance and ability not only to do their jobs properly but also to bend over backwards to help practitioners in order to make sure that the job got done efficiently, as intended, so I welcome that change.

The next amendment I want to mention is the one permitting a registrar-general to issue a new certificate of title when amendments or corrections need to be made rather than making alterations to the document. I guess I welcome this now. In days gone by, I had some hesitation about this, because we had some rather beautiful certificates of title that people unexpectedly lost when they put in a transfer, or something like that, and out came these new computer-generated A4 certificates of title which, if you did not know better, did not at all look like a certificate of title—that wonderful, important document.

Members may have seen the old-style forms, which were rather large and done in beautiful copperplate writing. Often the originals had handwritten endorsements and then later stamped-on endorsements with details of the alteration of status as to owner, or whatever. A lot of them had beautiful hand-drawn diagrams of the plan of the property, and so on. They were lovely documents. Happily, when it was decided to move those to a computer-generated, green-toned piece of A4 paper, there was provision for payment of an additional fee to retrieve the old document with 'cancelled' stamped across it.

While that went some way to resolving the problem, the difficulty was that people who were not in the know lost the document, and it was gone before they had a chance to actually keep it. In retrospect, that could have been handled a lot better because, almost inevitably, people did want to keep those old documents. As I said, for some years we have had these computer-generated certificates of title, so to be able to issue a new one via the computer with the relevant information corrected rather than making an alteration to the document does make sense.

The amendments also expand the list of short-form easements, and I will not go into the details of what that means, but for practitioners—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: If you want me to, Attorney. It will make things a lot easier for practitioners, and also for registering the vesting of an estate or interest by operation of law without the need for an application. Perhaps I can ask the Attorney-General whether that would apply, for instance, in the circumstance of a joint tenancy—husband and wife—and one dies. At the moment, there is—

The Hon. M.J. Atkinson: Do you know the answer? Is this a quiz?

Mrs REDMOND: An application has been required up until now, and that was simply an application to register the death, because, obviously, as the Attorney would be well aware, in a joint tenancy, the death of a joint tenant—if there are only two—would leave the surviving tenant as the sole proprietor by operation of law. My question, quite seriously, to the Attorney is: will this section actually operate? I would presume that in that particular case you would still have to notify of the death in some way and therefore an application of some sort would need to be lodged; but perhaps the Attorney can expand on it when he responds to this.

The Hon. M.J. Atkinson: After all the other speakers.

Mrs REDMOND: After all the other speakers. Reducing the appurtenance of an easement, which, again, the Attorney no doubt wants me to expand upon—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: I can perhaps best explain that by reference to my own situation where I own a block of land with a right of way attached to it—a laneway that runs along the side of the block of land. That right of way provides access to certain properties at the back of my property. In fact, if they did not have that right of way, those properties would be landlocked.

As I understand the explanation we were given at the briefing—and I thank the Attorney for making available the Registrar-General's officers, and others, for that briefing—its effect is that if, for instance, the three properties which have right of way across my laneway to access their property were to have a realignment of their boundaries and reduced to two properties, that would reduce the obligation on me, as the owner of the servient tenement, and the—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: Servient. The servient tenement. The obligations on me would thereby be lessened because I would only be providing access to two properties instead of three. The effect of this amendment is that there is no need to actually notify me about that, but it does not affect the situation in reverse. If someone was actually subdividing their property and creating even more allotments next door, so that the imposition on me as the owner of the servient tenement would be increased, the need to notify me about that would still be imposed.

There is also a recognition for computer-generated receipts, and that again is just a part of the modernisation process which is gradually occurring. There is provision for the lodgement of a memorandum of standard terms and conditions for encumbrances, bills of sale, stock mortgage or wool liens. It allows for these documents to be dealt with in the same way as mortgages and leases.

I think most people would probably be aware these days that, if they go to the bank and get a mortgage over their house, they will get a relatively small amount of documentation with their name and details about their property printed on it. Attached to it will be quite a small booklet, usually, that says 'standard terms and conditions'. The way that comes about is the relevant bank files with the Registrar-General's Office—and gets a registration number—its standard terms and conditions. So, that registered document is then in the Registrar-General's Office and, in your documentation about any specific mortgage, you need only refer to the registration number of that particular document, which then enables us to at least proceed without the need to present the somewhat cumbersome level of documentation that used to be involved when every mortgage had to be separately drawn up in full.

I used to do a lot of commercial leases and I registered my own set of terms and conditions for commercial leases which I could then vary on the actual standard form, but I had to register my own set of terms and conditions because I was not able to use anyone else's. I was doing so many that it was unreasonable to have to print out all the terms and conditions onto every lease that I drew, especially if we were doing multiple copies of leases which clearly we often did.

The last one I want to mention is, in fact, the area about which I have filed an amendment and I have done that—

The Hon. M.J. Atkinson: To make sure that we're all still awake.

Mrs REDMOND: The Attorney accuses me of doing it to make sure we are all still awake but, no, I did it because, after the briefing which we had on 21 February which was quite comprehensive and useful, I wrote to both the Australian Institute of Conveyancers and the

Property Committee of the Law Society asking them about the amendments, because we had been told at the briefing, and it was clearly the case, that there had been considerable consultation with those particular parties over a period of time in deciding on exactly what would be covered by this bill.

I was therefore somewhat startled to receive by email a response from the Australian Institute of Conveyancers SA Division. I do not intend to read the entire letter, but it is clear from the letter and from my discussions with Mr Geoffrey Adam, the Chief Executive Officer of the Australian Institute of Conveyancers SA Division, that there is considerable disquiet in both that institution and the Property Committee of the Law Society about clause 68 of the bill.

Effectively, this is the clause which provides for certification of documents. When documents are to be lodged in the Registrar-General's Office or the Lands Titles Office for registration, it has been necessary (for as long as I have worked in the area) to certify the document as being correct for the purposes of the Real Property Act. I indicated at the briefing—and I have said publicly on many occasions—that in all the years that I did conveyancing in this state (close on 30 years) I never ever used anything like a 100 points system to check the bona fides of the people that I was acting for; I simply certified, as I understood was my obligation, that the document which had been drawn, in fact, complied with the Real Property Act and was suitable and appropriate for registration.

I made no effort to confirm that the person for whom I was acting was indeed the person whom they said they were. So, theoretically, a fraud could have been perpetrated but, as it happens, I don't think there ever was. However, I understand that there is a need to address this potential for fraud. In fact, I think the Institute of Conveyancers and the Property Committee of the Law Society agree with that.

Regarding this particular provision, the letter that I received from the Institute of Conveyancers said that it had had an industry briefing on 17 February and that it was basically satisfied with the changes that were highlighted at that briefing—that was with the new bill in place—but that that briefing also unveiled a new provision (the multiple certification provision) which sought to amend section 273 of the Real Property Act by inserting the requirement for multiple certification of instruments lodged in the Lands Titles Office.

At this point I will just explain about multiple certification. Normally, if you are acting for the purchaser (therefore, you are the person lodging the transfer at the Lands Titles Office) you would certify the transfer as being correct. Clearly, even if I had been in the habit of doing a 100 points check or some other check to satisfy myself that the person I was acting for was really whom they said they were, I would not be able to certify anything in relation to the person who was selling their property.

So there is certainly some common sense in saying, 'Well, if we are going to have certification of that aspect then we do need to have it so that both parties are certified.' That is what the bill seeks to insert, but the problem with what has been put forward is that the panels (as they are constructed) do not make it clear which party is certifying which part of the document. I take it that that is the fundamental objection of the Institute of Conveyancers and the Law Society Property Committee. They are not opposed to the thrust of the legislation.

In committee, I will move to delete the section, but there is no doubt that the intention is that there should be an appropriate certification provision setting out that the certification does need to be by both parties. The way in which it is currently constructed is objected to by both the Institute of Conveyancers and the Law Society Property Committee. I indicated at that briefing that I would need to consult with members of the institute before providing a response on the multiple certification provision, and a similar statement was made on behalf of the Law Society.

Geoffrey Adam, the CEO of the Institute of Conveyancers, goes on to say that the issue of multiple certification of instruments was discussed several years ago by a working party and the institute argued that the existing certificate, which says 'correct for the purposes of the Real Property Act', was unrealistically broad and onerous for the reasons noted in the second reading explanation of the 2008 bill. He goes on to say that the institute supported the concept of a certificate from each party to a transaction on the basis that the act—not the regulations, but the act itself—specifies the extent of responsibility and the consequential liability.

Therein lies the rub. If people are going to certify certain things—clearly, if you are acting for a purchaser, you are unlikely to be able to certify things that relate to the vendor and vice versa—they then felt that those things needed to be quite clear and should be provided for in the act, not the regulations.

He then goes on to explain that they in fact discussed the provision as drawn in the current bill at the February meeting of their council. They again came to the conclusion that they supported the concept of certification by each party to a transaction in relation to that part of the instrument for which that party was responsible, but they felt that the multiple certification provision as drafted was not going to achieve that outcome, and it was unanimously opposed. Furthermore, they concluded that it did not include any new mechanism that was likely to reduce the incidence of fraud.

In my discussions with Geoffrey Adam—I spoke to him when I received the letter—he said that he had spoken to the Attorney-General's Chief of Staff, Peter Louca, from whom he had a letter asking for comment, and he had got back with a response to that indicating the problems that they considered they faced with this particular provision. As I said, there is no doubt that they are all in favour of a suitable provision.

My suggestion is that the best way to deal with it is to delete it at the moment, or at least have an undertaking from the Attorney that it will be considered between the houses with a view to rectifying the apparent problem. Again, there is no dispute that if you are going to have the certification it is appropriate to have dual certification, but we do need to clarify, quite clearly—both the institute and the Law Society believe it should be in the act—just who is certifying what part of the documents.

They believe that it is necessary to have consistency across all states and, indeed, the committee of the National Electronic Conveyancing System (NECKS) think it is important to have consistency, although I note that, according to my information, we have certification at present only in South Australia and the Northern Territory.

The essence then is that they do want to agree to the provision. They simply think that the way the provision is worded at the moment exposes them to an increased potential liability. It does not solve any problem and it is in fact not going to be able to be dealt with appropriately, simply because it is not apparent, on the face of the forms, who is certifying what under the panel form being provided and lodged in the Lands Titles Office.

As I understand it, both the Law Society's property section and the Institute of Conveyancers have made well known their views about this section. Given the length of consultation that has occurred and the degree to which they are very happy with everything else, it is not as though they are trying to thwart the intention of updating the measure; they accept the need for the certification and the dual certification, but they do believe that there is a better way to achieve the outcome that everyone has agreed with. In conclusion, I note that we will have to go into committee briefly to deal with my proposed amendment.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (16:28): I thank the member for Heysen for her careful attention to the bill. I note that she has been able to respond to four government bills this week, which is commendable. The member for Heysen asked about an amendment to section 115A and she asked: does this apply to joint tenants if one dies? The answer is no.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: I am glad that the member for Heysen is not surprised by the answer. Updating the register will occur only when the change is allowed for by a further act of parliament. Further, regarding the forms, it is quite clear—from the new panel forms already designed—as to precisely who is certifying what part of the form. I am advised that the panel forms for multiple certification have been designed by the Lands Titles Office management, so they make it clear which professional is certifying for which party.

On the question of the Law Society's criticism, we expect that when electronic document lodgement is introduced its use will not be mandated, at least initially. The ability to lodge paper documents will continue. The Registrar-General's view, and one that has received a favourable response from the industry, is that the multiple certifications requirement will apply to both modes of lodgement.

It is thought, therefore, that the early introduction of the requirement is an improvement and will permit the conveyancing industry to become used to the changes that come with the introduction of NECS in a gradual manner, rather than all changes being introduced simultaneously. Although the Law Society states that this step would be inconsistent with all other jurisdictions, the Registrar-General's view is that it puts South Australia ahead of the other jurisdictions as all states head in this direction in readiness for NECS.

The early introduction of the requirement also serves to focus the attention of conveyancers and solicitors as to what their responsibilities are when certifying a document. The additional certification does not impose any more responsibility than that which already applies to a document. What it does is to reflect more accurately the responsibility of the vendor and purchaser or their conveyancer or solicitor. A purchaser's conveyancer or solicitor currently certifies that a memorandum of transfer is correct for the purposes of the act. However, he has no personal knowledge of the vendor's identity or other information about the vendor.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: And the member for Heysen agrees. That a memorandum of transfer is only certified correct by the purchaser or his conveyancer or solicitor does not mean that the vendor or his conveyancer or solicitor is absolved from all responsibility. The Registrar-General believes that this shift in focus may lead to a reduction in fraudulent land dealings perpetrated by a person forging a registered proprietor's signature on a transfer document. I apologise for dealing with what will be an amendment in committee, but when we get to that point—

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: It might be shorter; the member for Heysen is correct

Bill read a second time.

In committee.

Clauses 1 to 67 passed.

Clause 68.

Mrs REDMOND: I move:

Page 22, lines 6 to 27—Delete clause 68.

This clause deals with dual certification. As I have already indicated, both the institutes that contain the people who deal with these things on a day-to-day basis have indicated their disquiet about the clause and, in fact, they have said that it should appear in the act, not the regulations. My understanding is that the act at present is not satisfactory, even if the panel form (as alerted by the Attorney-General in his response) will satisfy the issue. I would think they would have seen those panel forms (if they have been drafted) at the time of raising their concern.

They did propose various reasons for their concern; and I will put some of them on the record. They said that the proposed provision ensnared more persons but did not eliminate the existing problems, nor did it include any new mechanism that was likely to reduce the incidence of fraud. Off the top of my head, I think the most likely fraud would be if a purchaser's solicitor currently is certifying a document as correct, and a property is being sold by a husband and wife who are in an acrimonious divorce situation.

If the vendor's solicitor does not satisfy himself that both the husband and wife are genuinely signing the document, then an unscrupulous party could fraudulently put their partner's signature onto a document which is then certified correct by someone who does not even know the situation. There are obvious reasons why we want to go to dual certification, so the person acting for the vendor (if the vendors are husband and wife in an acrimonious divorce) would have to satisfy himself that it was really the case and that it was not a fraudulent signature.

The second point they make is that, not having the extent of the responsibility and the consequential liability enshrined in the Real Property Act, it maintains the need for another amendment when electronic conveyancing is introduced, if only to ensure consistency with legislation in other jurisdictions. I note the Attorney-General has commented already on the introduction of the electronic conveyancing system. I understand that, ultimately, that will take place where we will press a button and the money will transfer, and press another the button and the transaction will take place. That is still some years away. It has been on the horizon for some time and a national committee is looking at it. Only this state and the Northern Territory currently have certification; and I have no problem with our leading the field in terms of that. But they say, notwithstanding the argument that it will get the conveyancing profession used to doing these certifications, there will be a need for another amendment when electronic conveyancing is introduced.

The third reason is that there is a lack of certainty about whether a certificate is required for every person comprising a party; for example, a husband and wife where the two together comprise the transferor. Of course, there is no limit to the number of people who could be joint

tenants or tenants in common. Therefore, does there need to be one certificate in relation to each party who comprise the transferor or a single certificate for the transferor comprising two different people, because, of course, in an acrimonious divorce settlement, for instance, there could well be different solicitors acting for the husband and wife.

The fourth point they make is that 'problems arise when obtaining recertification where a requisition was required'. In terms of a requisition, all that means is that you have lodged a document, it has been accepted on the face of it, it goes to be processed and, somewhere in the checking at the Lands Titles Office, an error is made, and it bounces out to you on a requisition and you need to correct that and relodge it back into its sequence in the documents that are perhaps still in the Lands Titles Office. They say:

> Problems arise when obtaining recertification where a requisition was required. Lands Titles Office staff at the briefing raised this difficulty which already exists, especially where a person is unhappy with the transaction or seeks a benefit from another party to comply.

So they say that, if you were the vendor and you have already got your money and a requisition bounces out that requires the vendor of a property to sign something, there have been instances, apparently, of unscrupulous vendors perhaps saying, 'I don't want the bother of having to attend to this, I've got my money now, it's up to you, I want some recompense for attending to this.' Some of these problems can be overcome, for example, by giving the Registrar-General a discretion to dispense with recertification in appropriate circumstances but, according to both the Law Society and the Institute of Conveyancers, mechanisms do not exist in the current provision.

So, once again, I indicate that these organisations do support the passage of the current bill. Obviously, It is not going to be delayed by this. Indeed, whilst I expect to lose this amendment, I will not call for a division on it, because I do not think it is of such great import that we need to call everyone into the chamber to deal with it. However, I urge the Attorney and his advisers to think about the position being put by the Property Committee of the Law Society and the Institute of Conveyancers at least whilst this proceeds to the other place, because it seems to me that, if they are the experts in dealing with this, it should be capable of being resolved by negotiation and an appropriate amendment inserted instead of the existing clause 68, which I have moved to delete.

Mr HANNA: I carefully read the submissions I received from the Law Society in relation to proposed changes to the law and, as recently as 25 February, I received a communication from the Law Society about this particular clause. The Law Society seemed to advance quite reasonable concerns over the proposal in the legislation. Unless the Attorney can more clearly establish that those concerns are not justified, I think it is appropriate to oppose the clause.

I do take into account what the Attorney-General said at the conclusion of the second reading debate, but it seems to me that one must give very great weight to practitioners who work in the area and have to deal with the daily practicalities of obtaining multiple signatures to a particular document. So, for the reasons that the member for Heysen has outlined, I oppose the clause in the bill or—it amounts to the same thing—I support the member for Heysen's amendment.

The Hon. M.J. ATKINSON: The arguments relied upon by the President of the Law Society in his letter to me have been the subject of Crown Solicitor's Office opinion. The office has advised that Mr Feary's arguments were not capable of being supported at law or in practice. The logic behind the introduction of this requirement for multiple certification is twofold: first, it should reduce the opportunities for fraudulent dealings being executed by parties who are not bona fide, and then the fraudulently executed documents, after lodgement in the Lands Titles Office and subsequent registration, may give rise to a claim against the Lands Titles Assurance Fund.

We would not want to see the member for Heysen doing to that fund what she does to every other fund, whether it be the Agents Indemnity Fund or the Guarantee Fund. Secondly, a requirement for multiple certification will become an absolute necessity with the introduction of the National Electronic Conveyancing System that is expected to occur in 2010 in all Australian states and territories.

Rather than introduce all the changes at once to the professionals who deal with the Lands Titles Office, the current strategy of the Lands Titles Office management is to introduce requirements such as multiple certification ahead of the National Electronic Conveyancing System (NECS) where this is possible. This should enable the professionals to get used to these changes in a staged or gradual approach. So, we are only two years ahead with multiple certification.

Amendment negatived; clause passed.

Remaining clauses (69 to 87) and title passed.

Bill reported without amendment.

Bill read a third time and passed.

STATUTE LAW REVISION BILL

Adjourned debate on second reading.

Mrs REDMOND (Heysen) (16:45): I guarantee that I will not keep the house long on this bill: if ever there was some rats and mice legislation, this bill is it. The bill itself, in fact, consists of just two clauses and a schedule of amendments. The schedule of amendments applies to a number of acts, notably, the Criminal Assets Confiscation Act, the Dental Practice Act, the Domestic Partners Property Act, the Fire and Emergency Services Act, the Local Government Act and the Passenger Transport Act. They all basically deal with substituting 'domestic partner' for 'spouse' or 'de facto'. So, they generally result from changes to definitions of 'spouse' and 'de facto' that really came about in legislation already previously dealt with by this house and, effectively, all they do is substitute the term 'domestic partner' in those few extra acts that were not captured in our earlier consideration of a large number of acts.

The only other act dealt with under this bill is the South Australian Cooperative and Community Housing Act 1991, and I did specifically seek detail about that at the briefing because, on the face of it, it appeared that the minister could be acquiring authority that the South Australian Co-operative and Community Housing Authority had, or the Housing Trust could be acquiring that authority but, in fact, the South Australian Co-operative and Community Housing Authority was abolished so it is really just a technical point to get rid of the reference, which no longer makes any sense anyway because the authority does not exist. So, there is nothing at all contentious that I can find to argue about with the Attorney in this bill.

The Hon. M.J. Atkinson: And if anyone could find it, you could do it, surely!

Mrs REDMOND: And if anyone could find anything in a bill to argue about, I am sure the Attorney and I would do that. So, we have no objection to wishing this bill a speedy passage through both houses.

Bill read a second time and taken through its remaining stages.

SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA (REVIEW) AMENDMENT BILL

The Legislative Council did not insist on its amendments to which the House of Assembly had disagreed.

LEGAL PROFESSION BILL

The Legislative Council agreed to grant a conference as requested by the House of Assembly. The Legislative Council named the hour 9am on Tuesday 11 March to receive the managers on behalf of the House of Assembly at the Plaza Room on the first floor of the Legislative Council.

ADJOURNMENT DEBATE

The Hon. M.J. ATKINSON: I move:

That the house do now adjourn.

BAROSSA TRAIN SERVICE

Mr VENNING (Schubert) (16:50): I want to tell the house how pleased I was last week to catch a train to the Barossa Valley. I caught the train from Adelaide in the morning at 10 minutes to 8; it was an express train to Gawler and I was very sad I had to alight in Gawler because, even though the line went on to the Barossa, the train did not go there. So I had to have a person waiting for me in Gawler to pick me up and take me to the Barossa. It really annoyed me because the train line goes past the back of my office in Tanunda. In fact, I see a train pass by there twice a day. The train goes up in the morning empty and comes back late in the afternoon loaded with stones, going from the Angaston mine to Penrice, Port Adelaide.

An honourable member interjecting:

Mr VENNING: Up and back once a day. So the train line is open and functional. I have to say that I was very impressed with the service to Gawler. It was quick. I got there much quicker

than I could in the car, and I could do my work and read the newspaper as I was travelling. I thought: this is the way to go.

I say to the government (in one of my shorter speeches to this place), please at least trial the service. Run at least one or two services to the Barossa. The train is available. All the government has to do is negotiate access to the track with Genesee Wyoming. That access is guaranteed because of the deal we did with them at the time. The government always has guaranteed access through an independent arbitrator. It can gain access to that track. I do not wear any of the minister's feeble excuses. I think the minister can allay some of his critics by saying, 'Look, we will give it a go.'

At least 20 other people who were travelling on that train—it was about 8.45 pm—and who also got off at Gawler, then had to make there way to the Barossa by car. How many people would use a train to travel to the Barossa? If it was advertised, I think members would be surprised. I did think it was very worthwhile and, as it turned out, a staff member who lives in Gawler then drove me to the office. It would be so much more convenient if I could catch an express train to the Barossa in the morning. I could be in the Barossa in one hour and 15 minutes. That would be fantastic and the service would be well used. I would use it and I would recommend that everyone else did, too. I wish everyone a happy weekend on the train.

Motion carried.

At 16:54 the house adjourned until Tuesday 1 April 2008 at 11:00.