

HOUSE OF ASSEMBLY

Thursday 25 November 2010

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:31 and read prayers.

UNIVERSITY OF ADELAIDE (TRUST PROPERTY) AMENDMENT BILL

Ms CHAPMAN (Bragg) (10:32): Obtained leave and introduced a bill for an act to amend the University of Adelaide Act 1971. Read a first time.

Ms CHAPMAN (Bragg) (10:33): I move:

That this bill be now read a second time.

I move the University of Adelaide (Trust Property) Amendment Bill with a heavy heart. However, it is supported by the Liberal opposition and I am pleased to have its support. It is a bill to amend the University of Adelaide Act 1971. Members will be aware that the University of Adelaide was established by an act of this parliament, the first in South Australia and the third in Australia. It has a proud and respected history as an institution in this state.

In 2003, the structure and independence of the governance of our universities was debated as a result of introduced bills for our three public universities in South Australia by then minister Lomax-Smith and supported by the opposition. An essential element of that bill was to provide greater autonomy in the handling of the university's own affairs, including its financial affairs and, in particular, the capacity to be able to buy, sell, lease, encumber or deal with its assets, and particularly real property. However, the reform retained in it an obligation to secure cabinet approval for very substantial property it owned, including the North Terrace precinct, Roseworthy and Waite campuses. It owned a number of other properties that it sought to be able to deal with.

Members will be aware that the people of South Australia have had government grants (both state and federal) and very substantial gifts and bequests from famous South Australian families, including Sir Langdon Bonython (who not only contributed to the Adelaide university but, of course, provided £100,000 to build half of this parliament house). The Mortlock family joined with them, and many others have made very substantial donations for the public benefit of South Australians.

In relation to the assets on the financial accounts of the University of Adelaide, members can read page 1,694 of the Auditor-General's Report which details the financials to 31 December 2009. But we are talking about a public institution which, on its own financial records, has real property and assets of around \$0.9 billion. It has a combined income, largely again from both federal and state government, and a turnover of \$0.7 billion a year. This bill has the effect of adding any other trust to a list of assets that already need cabinet approval.

Why is this necessary? Essentially, it is to ensure the transparency of decisions made by the council and that the sale of assets given to it by generous benefactors will not be possible without cabinet approval. Why was this not raised in the 2003 debates? In short, this is because the university—and I say 'the university' and not the minister because I think I can safely say this was not at the behest of the then minister—failed to give a full and frank disclosure of what assets this would apply to. It did provide a list and it did not have these very significant assets, which I will refer to, on the list.

Thirdly, how does cabinet approval help in these circumstances? I suggest it is there because it requires a submission to be put by the council of the university to cabinet disclosing the basis of its proposition and, ultimately, that process involving these very important decisions, in a small way via this parliament, lets the sunshine in on disclosure and accountability to the people of South Australia.

I will try to summarise the history of this matter. First, in late 2009 it became public that the University of Adelaide proposed to sell three Mid North rural properties—Martindale Farm, near Mintaro; Mundunney Station, near Jamestown; and Moralana, north of Hawker. The estimated value of these properties (I will not give the full figure) was in the tens of millions of dollars, and they were earmarked for sale. In 1950 John A.T. Mortlock bequeathed Martindale Farm, and John Stanley Davies bequeathed Mundunney and Moralana stations. These were subject to certain trust terms, and it should be noted that there was a minority interest to other beneficiaries, including Prince Alfred College. Substantially, however, these assets were left to the university.

It is also to be noted that not only did the Mortlock family leave a very substantial bequest of property but also annually over many decades there were bequests from John Mortlock, his mother before him and also his widow. Then media outlets covered concerns that were raised in the rural community, particularly in relation to the proposed sales, and elicited comments such as, 'Surely this will be the last nail in the coffin of philanthropy.'

In the 2003 debates these assets were not disclosed for consideration during our deliberations. These issues were raised in the parliament, and I refer members to the contribution I made on 12 May 2010 which sets out the chronology of the events that occurred at that time, which assets were disclosed, and confirmation that these very substantial properties were not disclosed.

Subsequently, at a meeting with the Vice Chancellor, Professor James McWha (a person for whom I have enormously high regard), and also others (including a former Treasury official who now works for the university), it was confirmed to me that the university had investigated my inquiry as to why this had not been disclosed, and it seemed they simply, and I quote, 'forgot' to list these properties. I do not know how you can possibly forget tens of millions of dollars worth of property, but that was their answer.

I then turn to the properties themselves. They have been operating as going concerns over a number of decades, largely in livestock and cropping. They have secured a very significant tenant, BTG Australasia (associated with and wholly owned, in fact, by a British pharmaceutical company), which is part of the Martindale property, and these properties together are operated by a controlled entity of the university, namely, Martindale Holdings Pty Ltd.

Over the last 60 years, these properties have continued to increase in value and have provided a healthy annual income to the university—and, again, I refer members to the financial accounts. The university's response to all this is as follows. I am summarising this and I hope that I do so accurately. First, it is confident that this action on its part will not adversely affect further donations to the university.

The university also says that, in financial terms, it considers these assets to be 'lazy assets' of the university. It also says that it remains committed to agriculture and the education and research thereof. It says, essentially, that times have changed and that there need to be new amalgamated undergraduate agricultural degrees. Part of that process of modernisation has taken place. The university maintains that it is committed to building new infrastructure at the Waite and Roseworthy campuses, including the plant genomics centre and the veterinary school; the latter, of course, being at the Roseworthy campus.

These are impressive new facilities, I might say, and I have no direct criticism of them. The university also says that it has applied the proceeds, in part, to the benefit of students in this discipline for scholarships, research opportunities and the like. I also note a recent announcement by the vice-chancellor that the council has decided that 60 per cent will be applied to capital works and 40 per cent to the aforesaid aspects that I have outlined.

Personally and in writing I have had conveyed to me disquiet about these decisions and considerable distress, particularly with respect to the secrecy in which they have been made. I remind members that this is a public university, these are public assets and this is public money. As a member of this parliament, in the correspondence that I have received from the public, former and current academics, former and current students, family members of benefactors, other members of the parliament and members of the community in general, they have expressed concern which has graduated into outrage.

University decisions have been based on premises which are controversial, and I will list a few of them. There are highlighted concerns (which were announced in the *Stock Journal* recently) of the decision that is underway to amalgamate SARDI (the research and development aspect of PIRSA) with the Adelaide university. I think this is code for a difficulty for future applied research and development for this industry. I think it indicates the government's abandonment of its commitment to primary industry and its expectation that industry is going to foot the bill for any of this in the future, notwithstanding the fact that nine out of the 10 income earners for South Australia in this state are in primary industries, with the 10th being the car industry.

Secondly, never before has the food industry been under such enormous pressure, obviously because of water restrictions and other issues which are well known to members, such as climate change and the need to be able to operate within modern sustainable principles and those sorts of parameters as part of the education of our future students. In this regard, the

University of Western Australia is taking the lead and has bought another rural property to enable it to operate within those principles.

Thirdly, there is a case, which I think is worthy of consideration, that, at a time when the government is selling out of this area, the university should be buying up. One idea that has been put to me is the Flaxley Research Centre, which is about to be flogged off by the government. We want that to be retained. I should say that a number of people want this to be retained, and I think that, in light of the new dynamics here, there is a case for that to be pursued.

There is clearly dispute over whether there is a need for soil classrooms, not just test tube research. The varieties of soil and climate across the state need to be recognised, and it is simply not adequate to rent or lease private land for periods of time, or just to say that everything can be done at Roseworthy, when all the practical and field aspects of agriculture could not possibly be developed in those restricted circumstances.

There is controversy about the fact that these properties have actually been used. From 1965 to 1986, as the Mortlock Experiment Station, the Martindale Farm (contrary to recent publications, which I note even in the recent literature published by the university) has hosted hundreds of projects in this area over a number of decades. Sixthly, I mention that Roseworthy is about to have housing developments, if the 30-year government plan goes ahead, where there will be tens of thousands of people built up all around it. How we are going to continue to operate on that campus for these requirements is beyond me.

The university is already in the middle of a \$400 million capital works program for which, I tell members, they have borrowed \$200 million from the bank. Clearly, they are expecting to recover from the sale of assets and receive government grants to be able to bankroll this. Some of this development is very meritorious. I am not here to criticise that, but I simply say that to sell off assets for the short-term relief of their financial circumstances will produce a long-term issue. How you can possibly go from an appreciating asset together with a healthy income stream and invest it into depreciating assets (buildings) to prop up the income stream that is necessary for the expenses is beyond me.

I also register recent concerns of the university, which surely must be facing this. Notwithstanding the mantra of the government as to the success of international students, the reality across Australia and across the world is that there is a reduction in international students, which in the case of some universities in Australia will have a devastating impact on the revenue base. I am told that for one it now amounts to about a third of that university's income, and even a 5 or 10 per cent shift could be devastating.

I have had assurances here in the house that this is all running according to Hoyle—the universities in South Australia. Why that is any different from anywhere else in Australia is beyond me. Frankly, if the government were really serious about this, the Premier would be over in Canberra making sure that we turn around what have become oppressive requirements for visa applications for international students and do something useful to try to arrest this problem.

This bill comes at a time when the university has already sold part of the Martindale property and received \$13.7 million. They sold to BTG Australasia, which is the pharmaceutical company and the tenant on the property. Moralana has also recently been sold. The balance of Martindale remains, and Mundunney remains, to the best of my knowledge, not yet sold.

With the passage of this bill, I am reliably informed that it will ensure that these assets will be protected and, very importantly, that it will protect future bequests. Whatever the merits of the arguments that have been put by the stakeholders on these issues, they need to be discussed, they need to be disclosed and we need to have a transparent process in which that can occur. I would urge the members to support it.

Can I say in closing that when the Premier ultimately retires, whether he is shoved out of this place or goes of his own volition, I have no doubt that he will be lining up to the universities, probably looking to the University of Adelaide to provide a degree, an honorary doctorate for his service to politics. Let me place on the record that the only thing he will be entitled to receive is a master's degree in synchronised spin.

Debate adjourned on motion of Mrs Geraghty.

VALUATION OF LAND (NOTIONAL VALUATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 July 2010.)

Mrs GERAGHTY (Torrens) (10:52): The Hon. Iain Evans indicated that the motivation for the bill derives from the valuation of the Flagstaff Hill golf course and the notion that it has been valued at a level comparable to the sale of the Cheltenham Racecourse.

The Valuer-General has advised that a review of the Flagstaff Hill golf course and similar recreational sports properties was undertaken for the 2008-09 financial year general valuation. At this time the values were considered to be very conservative. As a result of the subsequent revaluation, the Flagstaff Hill golf course capital value was amended from \$2.675 million to \$4.65 million.

The Valuer-General has advised that while the valuation increased, it had regard for the property being subject to an open space proclamation. The effect of the open space proclamation on this property results in a significant reduction in the land valuation, with the potential for subdivision being ignored; that is, resulting in a value similar to a notional value being applied.

An objection to the capital value lodged by the Flagstaff Hill Golf Club resulted in the capital value being amended to \$3.75 million for the 2009-10 financial year. In analysing these value levels of 2009-10, the valuation of the Flagstaff Hill golf course equates to \$6.80 per square metre, including the value of improvements. In contrast, the sale of the Cheltenham Racecourse, which has residential development potential, reflects a value of \$140 per square metre for the land only.

If the Valuer-General were to apply evidence from the sale of the Cheltenham Racecourse to a parcel of land with residential development potential located at Flagstaff Hill, this would result in a value of approximately \$120 per square metre, a value far in excess of the \$6.80 per square metre currently applied to the golf course. The Valuer-General has valued the Flagstaff Hill golf course land considerably lower, due to an open space proclamation.

I also understand that senior staff of the Office of the Valuer-General met with the Hon. Iain Evans to explain the valuation approach applied to the Flagstaff Hill golf course and to clarify the basis for identifying properties and land uses that would be granted notional values under this bill. It is understood that the proposal by the Hon. Iain Evans is to ensure selected sports and recreational associations become more viable through reduced rates and taxes as a direct result of the land they occupy being eligible for a notional value.

Under the Valuation of Land Act 1971, the proposed amendment will require that the Valuer-General value land that meets the criteria for a notional value under this bill and disregard any existing divisional potential for subdivision or for any higher or better use. The Valuer-General has advised that provision for similar rating and taxing valuation outcomes already exist as a result of current valuation policy and practice. In addition, rating and taxing exemptions and concessions are available and applied through other existing legislation by rating and taxing authorities.

With respect to the Flagstaff Hill golf course, its eligibility for a notional value through changes proposed by the Valuation of Land Act 1971 will not result in any significant valuation change. This is due to the current valuation approach taking into account that it is restricted by way of an open space proclamation. The proposed changes to the Valuation of Land Act 1971 may however, have wider implications for the valuation of other properties.

Introducing notional values to properties used for sport and recreation, as proposed by the bill, has the potential to result in a reduction in the valuation base utilised for rating and taxing purposes. Although this amendment would not only apply to properties that are potentially already exempt from land tax, no analysis has been undertaken to quantify the loss of revenue for the state government or any potential redistributive effect on council rates. It is likely that shortfalls in rates on properties receiving a notional value would need to be recovered from other remaining property owners.

The full effect of introducing the bill requires further analysis by rating and taxing agencies to assess the impact, together with analysis to establish the number and types of properties likely to be granted notional values under this amendment and any redistributive effects on remaining property owners. Under this bill, the Commissioner for State Taxation would be required to provide a list of properties that are currently exempt from land tax under section 4 of the Land Tax Act 1936. Properties matching the criteria contained in the bill would need to be identified from the dataset provided by the commissioner and reviewed for any variation to values.

With the current provisions in place for similar rating and taxing valuation outcomes, and lack of analysis and consultation undertaken to determine the wider implications to stakeholders or potential loss of revenue, the government's position is to oppose the bill. In conclusion:

- current valuation processes by the Valuer-General, and rating and taxing authorities, generally provide for similar valuation outcomes as those provided for in the bill;
- existing legislation currently provides for a range of rating and taxing concessions;
- the impact on rating and taxing has not been analysed;
- the potential loss of revenue, as a result of the bill, has not been quantified;
- redistribution of rates may occur as a result of the bill;
- the number of properties affected by the bill has not been determined; and
- consultation with key stakeholders, including property owners, has not been undertaken.

Due to the current valuation practices, the lack of supporting evidence and analysis of the impact of the bill, the government is opposed to it at this particular time.

The Hon. I.F. EVANS (Davenport) (10:59): The contribution from the member for Torrens is, of course, a contribution given to her by the appropriate minister's office to put on the record the government's view. So, the argument I am about to put is not against the member for Torrens personally, it is more against the Treasurer whose office, no doubt, wrote the brief.

The government's contribution is quite extraordinary. The Flagstaff Hill Golf Club approached me, as their local member, and the member for Fisher because they received letters from the government agency that said that, because of the sale of Cheltenham, the valuation of the Flagstaff Hill Golf Club increased. For the government to come in here and say that it had nothing to do with the sale of Cheltenham is extraordinary.

If the government had looked at my contribution they would see that I referred to the letters about the sale of Cheltenham in my contribution to make it clear. However, what happened was that the Cheltenham property was sold and the Flagstaff Hill Golf Club's valuation increased as a result. I do not have the documents in front of me but, from memory, it was from somewhere in the high two millions to around \$4 million.

The resulting impact of that was that their tax take from local government and the various government agencies that have property-based valuation went up by about \$10,000 or \$12,000 extra each year. It was quite a significant tax increase. The purpose of the bill was to guarantee that the properties of sporting organisations and recreation grounds, like golf courses—and I use Flagstaff Hill as the example—would be based on a notional valuation; that is, basically a non-development valuation.

The government officers, to their great credit, came to Blackwood and had a coffee and talked to me about it. I thank the Treasurer for sending his officers to talk to me about it, because they wanted to be crystal clear what I was trying to achieve. I indicated to the officers, as I have on all of my bills before the chamber, that I am happy to accept government amendments to improve the bill, because we all know that the government has the Department of Treasury to look at these matters and we have one staff member to look at these matters. While we can sometimes catch the Department of Treasury out, they are generally better at modelling these things than Her Majesty's loyal opposition.

The government has decided not to look at it; that is fine, but the reality is the Flagstaff Hill Golf Club did have an increase in tax charges as a direct result of a revaluation, and I will bring the letters in another day and remind the house. I will read the letters again to the house, because it definitely raises the issue of the sale of Cheltenham. Why the government would want to make it harder for sporting clubs to exist is beyond me. Why they seek to make no change to this issue that increases charges to sporting clubs is beyond me. The government have decided their position—

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: The ghost of defamation past is back, Madam Chair. It is good to see him here. I know he is excited; he has gone nearly two weeks without defaming anyone. Aaron Fornarino says hello.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: Yes, he's a good lad. He says hello, and he is back in Davenport, I understand. However, I will take this matter up behind the scenes with the government again. I think the principle is right. I think the government's position is wrong on this. All the government have done today is make it harder for sporting clubs. I think that is a shame.

Second reading negatived.

SHOP TRADING HOURS (RUNDLE MALL TOURIST PRECINCT) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 September 2010.)

Mr ODENWALDER (Little Para) (11:08): I rise to oppose this bill and to indicate the government's opposition to the measure. While I and the government share the sentiments of the member for Adelaide regarding the benefits of having the CBD as a tourism and cultural hub that is vibrant and attractive to visitors, we oppose the member for Adelaide's bill to amend the Shop Trading Hours Act 1977 to create a special shopping precinct around Rundle Mall.

The current trading hours for non-exempt shops in the Rundle Mall precinct allow trading from midnight to 9pm on weekdays, from midnight to 5pm on Saturdays, and from 11am until 5pm on Sundays. These shops cannot trade on 25 and 26 December, 1 January, Easter Sunday and other public holidays, excluding Easter Saturday. It is abundantly clear, therefore, that there are very few times of the year that these shops cannot open.

Members may recall that in 2003 the most significant shop trading hours reforms in South Australia's history were delivered by this government, which provided over 700 extra hours per year for shopping in the suburbs. These reforms applied to shops across the entire metropolitan area and provided more choice for retailers and consumers, while retaining some restriction on trading hours to support shop workers and small business. These reforms allow retailers more freedom to meet the needs of their customers, while protecting workers and their families from fully deregulated trading hours.

The government considers that the current trading hours prescribed in the act achieve the right balance of flexibility and protection for the retail industry and does not support the further deregulation of shop trading hours. However, we will continue to put in place special arrangements, where justified, for shop trading hours at the appropriate times of the year, such as Christmas, Easter and ANZAC Day.

In recent years, the Minister for Industrial Relations has also approved exemptions for shops within the Rundle Mall precinct to trade additional hours to support tourism associated with the combined effects of the Clipsal 500, the Adelaide Festival and the Fringe Festival. One of the important outcomes of the amendments to the act passed in 2003 was the removal of the inequitable differences in trading hours applying to non-exempt shops located in the central shopping district and the Glenelg tourist precinct in comparison to other areas of metropolitan Adelaide.

The government does not support the re-establishment of discriminatory, anti-competitive trading hour differences between the Adelaide metro area retail sector as proposed by this bill. In this context, the Shopping Centre Council of Australia has expressed its concerns about the proposed trading hours. The Shopping Centre Council is opposed to restrictions on competition based on geographic location and believes that governments should create level playing fields for businesses to operate within.

Clearly, this bill would significantly disadvantage retailers and retail workers in suburban shopping centres. Elizabeth City Shopping Centre, which is the largest retail centre in my own electorate and among the largest in the metro area, contains many of the same retailers and franchisees as the proposed tourist precinct—Myer, Woolworths and many smaller retail outlets. To open Rundle Mall at the proposed times will surely result in an overall reduction in the money being spent in centres like Elizabeth. It is anti-competitive and may ultimately disadvantage retail workers, especially young retail workers who do not have the option of extra hours in the city.

As part of the reform package delivered in 2003, the government made a commitment to review the provisions of the act after three years' operation of the expanded trading hours. In 2007, retired judge Alan Moss completed an independent review of the existing legislation. Mr Moss found that the act provides some protection to small business and shops, which was in the community's interest. Mr Moss recommended that the current trading hours be retained as they

strike a satisfactory balance between the competing interests of the various sectors of the retail industry and the larger interests of the community.

The Moss report dealt in some detail with the issues of trading on public holidays, tourism and the CBD. In his report to the government, Mr Moss recommended:

While general public holiday trading is not desirable, the Minister should from time to time consider exempting the CBD from the operation of the Act in special circumstances, such as when major events are occurring in Adelaide where there are a large number of interstate or overseas visitors. Such exemptions should not involve the 'iconic public holidays' identified in 6.7 of this report.

The 'iconic public holidays' identified were Christmas Day, Good Friday, Easter Sunday and the morning of ANZAC Day.

The government supports the tenor of the Moss report and, at this point in time, has no intention to further deregulate shop trading hours on public holidays. It considers that the current trading hour regime achieves an appropriate balance for small retailers and workers and their families who also deserve a break from working excessively long hours to enjoy the holidays.

This bill has implications beyond the intentions of the member for Adelaide to assist in the promotion of the CBD as a tourist hub. It would remove protections on most public holidays for retail workers, small traders and their families. It would reduce the social and industrial significance of public holidays. It would discriminate against non-exempt retailers outside the Rundle Mall precinct and it would complicate the uniform trading hours for non-exempt retailers across the metro area by establishing a special zone. For these reasons, I and the government oppose this bill.

Mr GARDNER (Morialta) (11:13): I am very happy to speak on this bill because to me it is an argument about freedom of choice for people in South Australia. It is a bit of an embarrassment for people to come to Adelaide, the thriving heart of the city at times, and not expect to be able to buy goods and services, when in any other capital city around Australia that we would like to compare ourselves with they would. In Adelaide we cannot. The city heart of Adelaide suffers as a tourism destination and as an opportunity for people to exercise their free will through commercial conduct because of this historical anomaly that leaves it shut. It is an embarrassment.

I commend the member for Adelaide for bringing this bill to the attention of the house because, in doing so, she reflects the aspirations of the traders in the city square. Thousands of businesses are forced to be shut at a time when they would otherwise like to be open. The fact of the matter is that it hurts their commercial prospects. There is an opportunity to increase the net sum of money spent in these shops, and the law as it stands holds against that.

I have a number of relatives who live overseas, and it is unfortunate that when they come to Adelaide sometimes we get labelled with that tag of 'backwater'. I am very proud to live in this city and I am very proud to live in South Australia, but sometimes we do not help ourselves. When John Brumby called South Australia a backwater last year (the Premier of Victoria for, hopefully, no more than a few more days), the outrage was palpable, yet we constantly hear this refrain. Our newspapers report on this, and our interstate newspapers are always happy to take those shots that the shops are shut while there are people lining up in queues to get into Myer in Melbourne. In Adelaide that is just not possible.

We have heard the government's position from the member for Little Para—the government's position today, anyway. I believe they have a state conference on the weekend and who knows what their position will be next week on all sorts of things? I guess that is why we are not using the extra optional sitting week next week. The Labor Party stands against this again. It stands against progress and against Adelaide being the capital that it could be.

That is not surprising, and it is probably one of the reasons it lost the seat of Adelaide at the last election. I guess thousands of traders were fed up with having a member who would not speak in their interests. They should be proud now to have a member for Adelaide who is acting in their interests and advocating with a strong voice for the residents in Adelaide and also the people who do their business in Adelaide.

The people who work in those businesses will surely be advantaged by the opportunity to have increased salaries and increased opportunities to earn more money as more money flows through the system. It is embarrassing when, in certain parts of Adelaide that are not tourism destinations, people could buy those goods and services that they might need.

I remember in the member for Adelaide's initial contribution she talked about a cruise ship docking in Adelaide and the people from that ship turning up in Rundle Mall to find that shops were shut. I imagine they could have gone to any number of shopping centres around Adelaide to purchase their goods and services, and the Labor Party does not seem concerned about the retail workers in those shops.

That would leave those cruise ship passengers—those tourists to Adelaide who could spend a lot of money here and help our economy—with fond memories, I am sure, of those other destinations. When we have our city heart, with everything that we are so proud of about the city, available to these people but they actually are not going to spend any time there, they are not going to be remembering the Adelaide that they could otherwise be remembering. When my family members come here, they are really not the memories that I want them to have.

I think the image of Adelaide is important. Most people when they come to South Australia do have a good time, and I think that people who enjoy our museums, art galleries and the State Library (which is looking resplendent at the moment) are very happy to enjoy Adelaide's facilities but, at those times when the city is shut, they are not going to go there. When you are going somewhere to pursue your tourism destination, you avoid an area if you expect it to be shut, and it is very embarrassing when we have the situation where they find out later, when they arrive on the steps of the mall, that actually they are not supposed to be there—they are there at the wrong time; they are there on the wrong day; their cruise ship docked in Adelaide on the wrong day—and that leaves us in the situation that we are in.

This is something that I remember being discussed quite a lot when I was at university, of course. I went to Adelaide University, and I am very proud of that, as is Madam Deputy Speaker. I share with her the honour of obtaining a bachelor of arts from that great institution, that great sandstone university that adorns North Terrace. I am sure that, if the shops were open, more people from that cruise ship would have done their shopping in Rundle Mall and then maybe crossed the street and had a look at the Mitchell building and the classics museum, which, I am sure, Madam Deputy Speaker, you would remember on the first floor of the Mitchell building, as well as the Elder Conservatorium and all the other things that the Adelaide University had to offer—but they do not, because they have to get back on their bus and go back to their cruise ship.

That is a crying shame, quite frankly. The member for Adelaide has done a wonderful thing in bringing this bill forward, and when this comes to a vote in February next year, the Labor Party should have a good hard look at itself, quite frankly. I think that it needs to consider where it is coming from.

Mrs Geraghty interjecting:

Mr GARDNER: Sorry?

Mrs Geraghty interjecting:

Mr GARDNER: Well, maybe it will not come to a vote on 24 February. It is interesting that the Labor members interject that they do not wish this to come to a vote, and I can understand why, because they are embarrassed about their position on this.

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order! The member for Morialta will take his seat. The member for Torrens.

Mrs GERAGHTY: The member for Morialta has just made a very misleading statement, saying that we do not want to vote on the bill. That is not the case at all. My understanding is that the mover is not ready to vote on the bill.

Mr Gardner interjecting:

The DEPUTY SPEAKER: Order! Sit down, member for Morialta. Yes, I uphold that point of order.

Members interjecting:

The DEPUTY SPEAKER: And I do not need any of that peculiar chuckling.

Mr Williams interjecting:

The DEPUTY SPEAKER: Oh dear, member for MacKillop, would you like another point of order?

Mr WILLIAMS: No, I ask for clarification of your ruling. What was the point of order, and did you rule that—

Mrs Geraghty: He was misleading. He made a misleading statement.

Mr WILLIAMS: Madam Deputy Speaker, if someone is accusing a member of misleading the house, they can only do that, on my understanding, by substantive motion.

Mrs Geraghty: I've actually taken a leaf out of your book.

Mr WILLIAMS: They can only do that by substantive motion, and there was no substantive motion so there is no point of order.

The DEPUTY SPEAKER: Will you remember that in future? Have we got you on record? Yes, we have; we have Hansard. I think the member for Morialta should continue with his remarks.

Mr GARDNER: I am very pleased to hear that the Labor Party is so excited about bringing this to a vote, and I look forward to further discussions with many members opposite over the next few months as we get to that opportunity. I was misled by a call from somewhere that someone suggested that, when I said that it might be voted on in February, that might not be the case. Obviously, it is a grave misfortune that we have been led down this track, and I am sorry about that.

The fact is that the Labor Party has a few months to think about this—to think about whether it is interested in economic advancement in the City of Adelaide; whether it is interested in the image that the City of Adelaide leaves for its visitors, tourism operators, the shops, and everyone else who benefits from the commerce and trade that is generated by people going through the City of Adelaide and using its facilities.

It can think about the effect that it has on Adelaide's reputation and the effect that it has on the prosperity of our businesses. Upon reflecting on all those matters that are so important for those businesses and for the way that we all feel as people who live in Adelaide, I would hope that, in February or whatever other month this bill comes to a vote, the Labor Party will come around and use its numbers in this house to ensure its passage so that it can then pass the Legislative Council, the only result of which will surely be that no longer can Adelaide ever be considered a backwater, which it should not be considered now.

No longer will anyone be able to say that with any credibility at all. No longer will any Melbourne newspaper be able to run a photograph of Adelaide shops shut while Melbourne traders are making money, making a killing. I look forward to the Labor Party's soul searching in the months ahead, as they are soul searching for so many things at the moment.

Mr BIGNELL (Mawson) (11:25): I rise to oppose this bill and point out—

Members interjecting:

Mr BIGNELL: Well, I have no problem with the member for Adelaide sticking up for her constituency, but there are some other constituencies in this state that also should be looked after. We should not be looking at shopping hours to be the be all and end all of a tourist experience in South Australia. In fact, if a cruise ship comes in and the shops are closed, perhaps they might come to McLaren Vale for the day, or go to the member for Schubert's electorate for the day, and actually get out and explore South Australia and the great things that we have got here in South Australia.

I tell you what, people are not going to go back interstate or overseas and say, 'Gee, wow! I had a great experience in a store in Rundle Mall that is a national chain store that I could have gone to in Sydney or Melbourne.' They are not going to go back to France or Germany and say, 'Gee, I really enjoyed going to the Body Shop in Rundle Mall.' However, they might go back and tell everyone to come to Adelaide South Australia because they had a great experience at a winery in McLaren Vale, or a winery in Barossa Valley, or somewhere up in the Adelaide Hills, or perhaps they went to Cleland and patted a koala.

People are not caught up on going shopping 24/7. The other thing about the retail side of things is that when people get back overseas or interstate, and they have been to an Adelaide Hills winery, a McLaren Vale winery, or a Barossa Valley winery—

Mr Williams interjecting:

Mr BIGNELL: —or even a Coonawarra winery, when they get back to their home base they can go online and order some more wine; so the economy keeps ticking over for South Australia's benefit. I also point to comments from the member for Morialta who sort of thinks that Adelaide is a backwater. Well, that is just not the case. Changing Sunday trading is not going to make—

Mr GARDNER: Point of order!

The DEPUTY SPEAKER: Could you sit down, please, the member for Mawson, because the member for Morialta has a point of order.

Mr GARDNER: The member for Mawson has clearly imputed motive and intent on my behalf, and he knows what he said. I ask him to withdraw and apologise.

The DEPUTY SPEAKER: Is that 127?

Mr GARDNER: I am sure it must be.

The DEPUTY SPEAKER: Now, member for Mawson, so that we can carry on in the spirit of—

Mr BIGNELL: Yes, I will quickly withdraw and apologise and clarify what the member for Morialta said. He was saying that, because we are not going to be open, people can continually point to South Australia as being a backwater because our shops are not open on Sunday.

The DEPUTY SPEAKER: And are you happy with that reading of what you said, member for Morialta?

Mr GARDNER: It is better than it was.

The DEPUTY SPEAKER: Excellent! Carry on, member for Mawson.

Mr BIGNELL: I am not going to change what you said, so that's the truth. If you go to Paris on Sunday you will find the shops are not open. This is the greatest tourist destination city in—

Mr Pederick: Rubbish!

Mr BIGNELL: It's not rubbish, member for Finniss; and perhaps you want to get out and have a look. I lived in Switzerland for two years. The shops there are not open on Sundays, and guess what? People survive. Switzerland, one of the most visited countries in the world; Paris, the most visited city in the world—it makes no difference whether the shops are open or closed on a Sunday.

You are not going to save South Australia's reputation by opening the shops in Rundle Mall on a Sunday, and to suggest so is just an absolute furphy. People on the opposition benches need to get out and have a look at the big wide world out there. This is the way of the world, and what you want to do is have some sort of excuse for opening up the shops on a Sunday.

There are plenty of things to do in this great state in close proximity to the city. Let's let people have some time off, so that they are not working seven days a week and having split shifts with the rest of their families, so that sometimes you will have either the mother or the father working and they do not get time to see each other and spend time together with their families. This is a very important thing.

If you get around the stores over the Christmas break, you hear—as I have heard in the Christmas break in recent years, when you go into local shops and department stores—people complaining about the fact that the husband is away with the kids at the shack, or down at Victor, or over on the Yorke Peninsula having a bit of time off and, yet, the other member of the family is working because they are being forced by an employer to do so or they lose their job.

When you talk about the newspapers printing pictures of empty shops and saying that it is a disgrace that the shops are not open, we also need to look at where the great revenue source of newspapers is: it is from the retail sector. I do not blame the newspapers for sticking up for their constituents, who are the retail owners. It is fair enough for them to do that, but we need to take a balanced view of this and we need to look at the issue of Sunday trading in the context of what happens in the real world, and not come up and say that we will be a backwater if we are not open on Sundays. We need to have time when family can spend time together. There are plenty of opportunities for people to go shopping. There are shopping precincts in South Australia that are open on Sundays, so opening up in the mall is not the be-all and end-all.

I would be quite happy if this came on for a vote. Obviously, the member for Adelaide is not keen for it to be voted on today and we will have to wait until next year.

Mr GARDNER: Point of order, 127; again, in the same way that the member for Torrens was concerned when I suggested that the Labor Party did not want to vote. The Liberal Party is very much looking forward to a vote on this. We are, first, looking forward to having many contributions. The member for Mawson has imputed improper motive.

The DEPUTY SPEAKER: So, what is your actual point of order?

Mr GARDNER: No. 127: the member has made personal reflections on other members.

The DEPUTY SPEAKER: He has made a reflection on the member for Adelaide? I do not think there is any point of order, but the time is up.

Debate adjourned.

WYATT, MR K.

Mr MARSHALL (Norwood) (11:31): I move:

That this house congratulates Liberal member for Hasluck, Ken Wyatt, on being the first Aboriginal member elected to the House of Representatives.

It is my great pleasure to rise today to propose the motion. Ken Wyatt was elected at the most recent federal election and took his place at the opening of the 43rd parliament of the Commonwealth of Australia on 28 September this year.

Ken Wyatt is the son of Don and Mona Wyatt, who raised a total of 10 children. Ken Wyatt's father served in the RAAF towards the end of World War II as a driver and left to work for the Western Australian government railways, where he worked as a ganger. His mother was one of the Stolen Generation and spent her childhood years in Roelands Mission near Bunbury in Western Australia. This is where she met her husband, Don. Ken Wyatt was born on the Roelands Mission, south of Perth.

Ken Wyatt graduated as a schoolteacher in 1972. He started his working career as a primary school teacher at the local school. He had a very positive career in the education department, eventually leading to the role of director of the Swan education district. He also has very strong credentials in the health sector and has, until recently, held the role of Director of Aboriginal Health in New South Wales.

Hasluck covers an area of approximately 227 square kilometres. It is home to over 93,000 residents, and includes the City of Gosnells, the western portion of the Shire of Kalamunda and parts of the Shire of Mundaring and the City of Swan. It is geographically and economically diverse and includes a range of industries, including retail, transport and service industries.

Ken Wyatt made his maiden speech on 29 September 2010, watched from the gallery by many Aboriginal elders, including our very own Lowitja O'Donoghue, who he described as an inspiration. Wyatt made his maiden speech wearing a kangaroo skin cloak, called a bookha, the traditional kangaroo cloak of the Nyungar people of Western Australia, which he also wore at the opening of the 43rd parliament the previous day. The cloak was given to him by Matilda House. In his maiden speech, Ken Wyatt said:

The apology to the Stolen Generation has been a powerful instrument in the healing of both our people and our nation.

Of course, South Australia was the first parliament in the commonwealth to apologise to the Stolen Generation. In fact, it was Liberal premier, the Hon. Dean Brown, who moved this motion some 11 years before the federal parliament managed to match our apology—South Australia leading the way yet again.

Mr Piccolo interjecting:

Mr MARSHALL: I will deal with him later. Mr Wyatt mentioned in his maiden speech that his mother and her siblings, along with many others, did not live to hear the words delivered in the apology which would have meant a great deal to them all.

Another major theme of his maiden speech was that of education. Mr Wyatt said that education was responsible for putting him into parliament. I strongly endorse those sentiments. It is incumbent on all governments of whatever political persuasion to recognise the importance of education and to fund it accordingly. Wyatt called on all MPs to be 'pathfinders', to accelerate

change, and he described education as the 'great engine' of personal development. His maiden speech went on to recognise some of his colleagues. He states:

I have appreciated the personal support given to me since the campaign by the Hon. Tony Abbott and the Hon. Julie Bishop. My patron senator, who has walked very closely with me, Senator Judith Adams, was the mainstay of support that resulted in me standing here as the member for Hasluck in the chamber today.

The federal parliament has had Aboriginal members in the past. The first, of course, was Neville Bonner, who was elected as a Liberal member of the Senate from 1971. Aden Ridgeway was then elected from 1999. In his maiden speech, Wyatt lamented that nothing had significantly changed since these two Aboriginal senators had outlined their aspirations for Indigenous Australia in their own maiden speeches.

It is truly significant now to have an elected member in the House of Representatives. Tony Abbott said that Mr Wyatt deserves to be honoured. He said 'almost nothing gives me more pride than having in the ranks of the Liberal Party an Aboriginal member of the House of Representatives'.

Both major parties have made contributions to addressing Aboriginal disadvantage. Both parties have had some highlights and both parties, of course, have had their low lights, but it is incumbent on all of us to work in a bipartisan way to address Aboriginal disadvantage. This takes more than acknowledging country, it takes more than flying the Aboriginal flag; it requires parliamentarians to roll up their sleeves and address this huge disadvantage which is, of course, a national shame. I would like to conclude by reading a small extract from Ken Wyatt's maiden speech. He states:

I hope that all governments continue to embrace new solutions to enduring problems where old approaches have failed, where enduring approaches need to change and where the future we all influence is based on mutual respect, mutual resolve and mutual responsibility. Aboriginal and Torres Strait Islander people and the agencies of government need to jettison the old mindsets that embody Indigenous Australians as passive recipients of government programs and services, and to instead truly regard people as equals and allow them to be equal partners in developing their solutions.

I therefore ask the house to join with me in congratulating Ken Wyatt on his achievement in becoming our first Aboriginal member of the House of Representatives in the federal parliament. I am sure all members will wish him well, and we hope he is the first of many Aboriginal people to take their place in the House of Representatives.

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (11:38): I rise to support this very important motion and I commend the member for Norwood for putting it forward. The government would also like to extend its congratulations to the new member for Hasluck, Ken Wyatt, on his election to the federal parliament. His election is a significant step forward in Aboriginal parliamentary representation. It is outstanding to see Mr Wyatt join the ranks of democratically elected Aboriginal representatives in our parliaments.

This is an important statement of reconciliation and inclusion of the first Australians. It is, in my view, an expression of the maturing of the electorate that they see, first, the qualities of their candidates and make a choice based on skill and ability rather than race or background.

The Labor Party has, around the country over many years, promoted a number of Aboriginal candidates for election. In fact, in the last federal election we were very proud of the work that Mr Tauto Sansbury did as the candidate for the seat of Grey. In parliaments around the country, there are a number of Aboriginal members representing the ALP, for instance. Further, we were the first political party to elect an Aboriginal person as a national president of the ALP when Mr Warren Mundine was one of the first three national presidents chosen by rank and file members. He served in this role in 2006 and 2007. Mr Wyatt has achieved, undoubtedly, the historic position of being the first Aboriginal person elected to the commonwealth's lower house.

We should also acknowledge the other outstanding Aboriginal Australians who have taken their place in the parliaments of our nation. Neville Bonner, as the member for Norwood mentioned, from Queensland was the first Aboriginal person elected to the federal parliament. He served as senator from 1971 to 1983. Until Mr Wyatt, the only other Aboriginal person elected to the federal parliament was Aden Ridgeway of New South Wales, who served as a senator from 1999 to 2005. Of course, Senator Ridgeway was also deputy leader of the Australian Democrats in 2001.

There have been several Aboriginal people elected to the Northern Territory's Legislative Assembly. Since Ms Hyacinth Tungutalum entered the assembly as the member for Arafura in

1974, other Aboriginal members of the Northern Territory assembly included Mr Maurice Rioli, elected in 1992 to the same seat, and Mr John Ah Kit, who became the member for Arnhem in 1995. Mr Eric Deeral was the first Indigenous person elected to the Queensland parliament when he became the member for Cook in 1974 until 1977. Ms Carol Martin was the first Indigenous woman to be elected to a state parliament when she won the seat of Kimberley in the WA parliament in February 2001.

Mr Ernie Bridge—in fact, I met with his son yesterday—who was elected to the seat of Kimberley in 1980, became the first Indigenous person to serve as a minister in any Australian government in 1986 when he was appointed as honorary minister assisting the ministers for water resources, the north-west and Aboriginal affairs. Mr Bridge then held various ministerial portfolios until 1993. Of course, we are all familiar with Ms Marion Scrymgour who was elected in 2001 to the Northern Territory parliament and was appointed to the Northern Territory ministry in 2002. She was also deputy chief minister from 2008 to 2009.

Finally, the first Indigenous person to serve in the New South Wales parliament was the Hon. Linda Burney, who is very familiar to many of us. Elected as the member for Canterbury in 2003, she is currently the Minister for the State Plan and Minister for Community Services.

In South Australia, the first Aboriginal candidate for this parliament was Ms Ruby Hammond in 1990. While there have not been any Aboriginal parliamentarians in South Australia—a fact we are all very disappointed about—in 1976 Pastor Sir Douglas Nicholls was appointed as governor, and he was the first Aboriginal governor of any Australian state.

I join with the member for Norwood and with everyone, I am certain, in this place on congratulating Mr Ken Wyatt, and commit to working with all South Australians and all members to correct this deficiency certainly in this place. I congratulate Mr Wyatt and I wish him and his family all the very best, and join with the member for Norwood in wishing him an outstanding parliamentary future.

Mr GARDNER (Morialta) (11:43): I will be very brief in joining the member for Norwood and the minister and, I believe, the member for Stuart and others who may wish to speak as well. Mr Ken Wyatt AM, of course, is the first self-identifying Aboriginal Australian elected to the House of Representatives, and that is a great honour. I reflect the accolades on that achievement that the members for Norwood and Hartley have already contributed, and acknowledge the previous elections of Senators Neville Bonner of the Liberal Party and Aden Ridgeway of the Australian Democrats prior to that.

Ken Wyatt is a man of Nyungar, Yamatji and Wongi heritage, and his mother Mona was a member of the stolen generation. If anybody here has not seen Ken Wyatt's maiden speech on YouTube, it is certainly worth looking up to reflect on the incredible passion with which he spoke of the apology to the stolen generations and the other matters relating to that.

The only thing I really want to add to the debate is to say that Ken Wyatt would make a very good member of parliament even if he were not an Aboriginal Australian. It is right that we honour this particular achievement, but we should not forget that he is a representative of the people of Hasluck, and he is going to be a very good one, and I am sure that in due course he will be set for higher honours.

His background is as a primary school teacher before working in public policy in both the education and health areas, particularly for the Aboriginal communities with which he has had involvement. His service to his communities was such that he was made a Member of the Order of Australia and he was also a recipient (as was, of course, the member for Norwood, who moved this motion) of a Centenary of Federation Medal for the work he has done in his communities.

It is right that we honour his achievement as the first self-identifying Aboriginal member of the House of Representatives, but I would like to add my congratulations to him as a fine Australian citizen who has been elected to the Australian parliament.

Mr VAN HOLST PELLEKAAN (Stuart) (11:45): I thank the member for Norwood for putting forward this motion and thank others who have spoken on it, as well. This is great news. This is really tremendous news, to have an Aboriginal man elected to the House of Representatives. Of course, we on this side are particularly proud that he is a member of the Liberal Party and representing the Liberal Party in federal politics.

One of the most important aspects of this man's election, which the member for Morialta just alluded to, is the fact that he was not elected because he is Aboriginal. He was not elected

because he is Aboriginal but because he will be a very good member of parliament. He has been a community leader, he has been an exceptionally strong capable person in his own right and he displays all the characteristics of leadership and community support, which I am sure we all agree are the most important things of what we all try to do here. So, it is very important to point that out.

This is a quality, capable, high-capacity individual who has been elected to parliament, and it is also wonderfully symbolic that he is the first Aboriginal person to be elected to the House of Representatives. This is an important issue with regard to the electorate of Stuart, of course, where 6 or 7 per cent approximately of the people who live in the electorate are of Aboriginal background. I hope that this man, Ken Wyatt, serves to be a very positive example for many people in Stuart and certainly not just the Aboriginal people.

While I certainly do not intend to relinquish my position as the member for Stuart any time soon, I would be thrilled to think that one day an Aboriginal member of parliament could represent the electorate of Stuart—hopefully, not any time soon, as I just said, and, hopefully, he will be a Liberal representative. This will be a wonderful example for people all through the electorate of Stuart and South Australia as well.

One of the things that is really important is that, clearly, Aboriginal people often make up large numbers of what we consider to be disadvantaged people throughout South Australia. I would like to put a personal view. While that is certainly true, I think one of the most important ways of removing anyone from disadvantage is to help that person recognise opportunities and find ways to get advantage. I am sure that Ken Wyatt, as we would all ourselves like to do, will endeavour to do that for Aboriginal people all over Australia.

With respect to local government, we have all had local government elections throughout South Australia just recently, and one of the things I have said in my travels as a brand-new member of parliament over the last seven or eight months is that it would be wonderful to have an Aboriginal person on Port Augusta city council. I think that would be tremendous. Aboriginal people, or people with some Aboriginal background, represent 17 or 18 per cent of the Port Augusta population broadly, and I think that we would all agree that it would be quite fair if 17 or 18 per cent of the councillors could be Aboriginal people. Certainly, no Aboriginal person put themselves forward as a candidate, although I did encourage a few people to do so.

I also point out that, when I did that, I made it very, very clear that, while it would be wonderful to have at least one Aboriginal member of council in Port Augusta, I would not be encouraging anyone to vote based on race. I would not want Aboriginal people to vote for an Aboriginal candidate just because the candidate was an Aboriginal person. I think that would not be helpful.

In the vein of Ken Wyatt, I know there are some very good and capable Aboriginal people who could get elected and who could perform extremely well based on their own skills, background and capacity. I think that is an important thing drawing back into local government and I am sure that is the case in local government throughout South Australia.

Again, thank you to the member for Norwood for moving this motion. I wholeheartedly support it and I unreservedly congratulate Ken Wyatt not only for being the first Aboriginal person in the House of Representatives but, most importantly, for being an incredibly capable member of parliament in the House of Representatives.

Ms BEDFORD (Florey) (11:51): I regret that I did not spend a lot more time reflecting before rising today to support the member for Norwood's motion, which, of course, we all celebrate and wish Ken Wyatt the very best in his parliamentary career. Listening to the names of the Aboriginal people who have gone before him, whom the minister mentioned in her contribution, it occurred to me how many women were on that list. Of course, Emily's List (which you would have all heard of) has a very definite and deliberate strategy to promote Aboriginal women wherever they can.

Just as affirmative action made sure that women had significant numbers within the Labor Party, it is time, I think, that we thought of affirmative action across a whole broad range of issues in Australia to make sure that Aboriginal people are amongst the leaders of this nation, as they should be. We all know how difficult it is to enter a place like parliament. I think it is beholden on us all to be involved in a far more concerted effort to mentor Aboriginal people into places throughout all levels of society.

I particularly spoke with the Minister for Education yesterday about promoting Aboriginal people within the teaching hierarchy of this state, and the importance and impact it will have on Aboriginal people as they grow. I feel that an affirmative action policy is well overdue for Aboriginal people in Australia. I support all the sentiments expressed this morning and hope to do my bit to make sure that affirmative action becomes a reality for Aboriginal people throughout all levels of Australian society.

Dr McFETRIDGE (Morphett) (11:52): I was listening to the debate on the motion by the member for Norwood in my office upstairs and I thought I had better come down to say one thing about this motion that I find disappointing; that is, that we are actually debating this motion today. We should not need to single out Ken Wyatt because he is Aboriginal. We should not need to single out any member of parliament because of their racial or cultural background, or anything like that.

However, having said that, I think it is absolutely fantastic that Ken Wyatt is there and he is participating. He is not only representing Aboriginal people in his own electorate but he is also acting as a role model and inspiring Aboriginal people across the whole of this nation, including Torres Strait Islanders as well. There are many, many people, both white and black, who could and should be in this place, but the determinants of whether they stand are many and very complex.

I describe this place as a parallel universe. We only have to look at the current situation with the tensions within the Labor Party being played out in the media. We see it so many times in other parties as well—

Members interjecting:

Dr McFETRIDGE: I am not being party political. I am just making the point that the exposure that you get as a member of parliament, in many cases completely unfair, is a complete disincentive for people to stand for parliament. Someone who does come from a different background is obviously going to be given a bit more scrutiny—and we are doing that in this motion. It is very important that we do make sure that anyone who comes from a different background and who may be put under the spotlight or given a bit more scrutiny is given the extra assistance and any protection they might require from any undue scrutiny and certainly unfair criticism.

It is very important that we recognise that Ken Wyatt is not in the federal parliament because he is an Aborigine; it is because he is a very experienced businessman and community member, and a man of high intellect. He was able to convince the people of his electorate that he is the best representative that they could have chosen in the last election. He got there—and he got there quite well, I understand. The best thing we can say about Ken Wyatt is that he is going to be a terrific member of parliament, not just that he is Aboriginal. He is going to be a terrific member of parliament because of who he is, not what he is. That is what we need to recognise here.

I wholeheartedly support this motion and I congratulate the member for Norwood on his passion for Aboriginal affairs. As everyone in this place knows, I have had my bit to say over the years about Aboriginal affairs, and I remain as passionate now as I was when I first went to Davenport mission in 1972 and met Aboriginal families and saw some of the issues there.

The gap that I saw between my living conditions and their living conditions was as wide then as it is today in many areas, unfortunately. I hope that the gap that exists between white men and women in this place and people of other backgrounds (including Aboriginal backgrounds) is going to close, and close dramatically, to represent what Australia is today, and that is a multicultural society.

We are all Australians and we all want this nation to continue to prosper—not because we are white or black, or from an Asian or African background, or many of the other cultures we have. Australia is a better place because of people such as Ken Wyatt and all the other people. I look forward to watching Ken Wyatt progress through his parliamentary career, and I hope it is not too long before he is joined by other Aborigines, Torres Strait Islanders or people of African background. The Hon. Jing Lee is the first Malaysian member of parliament in this state, and I congratulate her.

Mr Gardner: Malaysian-born.

Dr McFETRIDGE: The first Malaysian-born member in this parliament, and I congratulate her. It is important that we get everybody from the whole spectrum of what is Australia now involved in the democratic process; and also, at the same time, look at what we are doing

ourselves in the democratic process, how we are portraying ourselves as members of parliament, and, by doing that, attract people of all backgrounds and experiences.

I support the motion. I congratulate the member for Norwood, and I look forward to watching his rise in this place, not only Ken Wyatt.

Mr MARSHALL (Norwood) (11:58): I will be very brief. I thank the members of the house and, of course, the minister for supporting this motion. It is great that both sides support this motion. I hope it ushers in a new paradigm of bipartisan support for this most important portfolio.

Motion carried.

MINDA INCORPORATED

Ms CHAPMAN (Bragg) (11:59): I move:

That this house—

- (a) congratulates Minda Incorporated for its commitment in implementing the United Nations Convention on the Rights of People with Disabilities; and
- (b) calls upon the Minister for Disability to explain why the government has failed to do so.

It is with pleasure that I speak to this motion. The good news about this motion is that the board of Minda Incorporated in South Australia provides both accommodation and services at an exceptional level to many of the young people who are challenged with intellectual disabilities—and older people but, particularly, in moving this motion I want to recognise their work with younger people.

The United Nations Convention on the Rights of Persons with Disabilities sets out a number of principles, and they include: respect for everyone's inherent dignity and freedom to make choices and independence; non-discrimination; full participation and inclusion in society; respect for differences and accepting people with disabilities as part of human diversity; equal opportunity; accessibility (this is access to transportation, places of information and simply not being refused because you have a disability); equality between men and women (having the opportunities whether you are male or female); and respect for the evolving capacity of children with disabilities and their rights to preserve their dignity.

No-one, frankly, in their right mind in my view, would take any objection to the precedence which should be given to these principles, but it is important sometimes to enshrine this as a commitment in writing in what we apply. Nothing is less important than not only being a signatory—and that South Australia should be a signatory—to ensure the rights of citizens with disabilities but also ensuring that it is the fundamental foundation to the provision of services, whether they be in the government sector, the non-government sector or any volunteer organisation which provides the same to a person with a disability.

What is heartening to see is that Australia is a signatory to the convention. It is fair to say that, whilst there is no evidence yet that that is being applied across its activity in respect of securing the recognition of people with a disability in the services that it provides, I recognise that it has been acknowledged in the issues paper associated with the Productivity Commission's current investigation into a national insurance scheme, which is to report to the federal minister by 1 July 2011.

Similarly, in South Australia, commissioner Cappo has been asked by this government to undertake an investigation of services and the provision of services. He made, in fact, some rather critical comment of the government in the publication of his questionnaire/issues paper on this matter, which is now out for public consultation; and, in particular, I think he was indicating that it had about a one out of 10, from memory (was his public comment), in the provision of services to South Australians.

However, in that, the recognition of the United Nation's convention and the adoption of this is how we actually serve, provide for and facilitate the opportunity for people with disability to enjoy all these principles, and that they be abided by when we design and make provision for services and accommodation for the future.

The board of Minda has incorporated by passing a resolution to commit to the convention, and this has had the direct effect of placing some direction on the board as in the decisions it makes and in the application of its future services. It has since undertaken an audit of how its services match up with this; and, as I understand it, is now developing an action plan consistent

with that compliance. That is great news, and it should be applauded as being in the advance of South Australia in this regard.

What is concerning is that the state government here, though, has made little attempt to ensure that the principles of the convention are implemented, and it has no reporting structures to ensure compliance. I ask the minister, as part of this motion, to explain to us why that has not occurred and what she is going to do about it. That is the import of this. I would welcome her contribution to the parliament, particularly if she is to indicate to us that at the very least it is under consideration and expects it to be applied.

It is important because Disability SA is part of the Department for Families and Communities, which she represents in the government as the minister. It has a very significant role in policy development, regulation of service providers, financial management and accountability and in itself it is also a service provider.

Members will recall the restructure under former minister Weatherill, who essentially caused a number of the services provided by, formerly, NGOs and private operators to be brought in-house. I am not here to discuss the merits of that today, but as a result the department itself is also a very significant service provider. It is all the more reason why the government should sign up to this convention. I look forward to the minister's explanation and I hope that it will be supported by an indication that it is to be progressed, and the sooner the better.

Debate adjourned on motion of Mrs Geraghty.

SOUTH AUSTRALIA, SETTLEMENT CELEBRATIONS

Ms CHAPMAN (Bragg) (12:07): I consider it a great honour to move:

That this house urges the state government to ensure preparation and funding for the state's 175th birthday celebrations during 2011 occur and further recognises—

- (a) Aboriginal occupation of South Australia has existed for many thousands of years;
- (b) European habitation in South Australia occurred early in the 19th century;
- (c) Kangaroo Island as the first South Australian Company settlement in the province of South Australia on 27 July 1836; and
- (d) the inauguration of government at Glenelg, as proclaimed on 28 December 1836.

I will not foreshadow an amendment, as I think the comments that I am about to make should cover the matter. I encourage all members of the house to support this motion. Members would be aware that we will celebrate the 175th birthday of South Australia during 2011.

Whilst this motion urges the government to ensure preparation and funding are made available and are underway for the purposes of our celebrations, I acknowledge and appreciate that the government has made an announcement since notice of this motion was given; that is, in 2011 there will be a month-long history festival. So, instead of the usual week of History Week in May next year, we will have a month, and the state government has allocated \$175,000 to assist with that.

Some \$50,000-odd is already available for people to apply for small grants to help with local celebrations, but this will help. The government has also announced that it intends to have a major colonial art exhibition in the Art Gallery and an exhibition in the Migration Museum. These are all important things, and I acknowledge the government's commitment in that regard.

I am also aware that the Premier has committed to convene a meeting of cabinet in July 2011 on Kangaroo Island in recognition of the celebration, part of which I am about to refer to today. That is to be acknowledged. Obviously, we would have liked a bit more money for the celebrations—this is a very important occasion for the state—as we did for the 150th birthday, but, in any event, that is where we are at.

In relation to the preparations generally, I, and I am sure other members on this side of the house, would welcome any other initiatives that the government might wish to announce, either the Premier or the minister, to support any activity across the state, in our electorates perhaps, to facilitate those celebrations.

I move now to the recognition of, firstly, the Aboriginal occupation of South Australia for many thousands of years. These recognitions are almost exactly the same as those recorded at the passing of a very similar resolution which recognised the occupation in this manner. That resolution was passed in the Legislative Council. It was moved by the Hon. Ian Gilfillan MLC and

amended by a member of both the Liberal Party and the Labor Party: the Hon. Jamie Irwin and the Hon. Anne Levy, respectively.

This took place a number of years ago, and one of the reasons I have replicated the wording is because much effort was put into that resolution when it was dealt with in another chamber and I am hoping that, by replicating the wording, all members will be persuaded to support this motion and speak with pride as South Australia approaches its 175th birthday.

Firstly, I recognise the Aboriginal occupation of South Australia for many thousands of years. It is fair to say that the South Australian colony established under a British act of parliament was not to be a convict colony but, in fact, a place of freedom and opportunity for prosperity for all, one which recognised the Indigenous inhabitants of South Australia and that our attitude as white settlers towards the Aboriginal community has not always been a pretty piece of history.

One thing that I think we need to recognise is the death of a very large number of the Kurna people on the Adelaide Plains arising out of influenza and small pox, which are white man's diseases. In the Burnside area of South Australia, which I represent, I think only 800 Indigenous people were left after significant plagues of these diseases.

In another way, but at a different level, when people read of the capture and conquest and, in some circumstances, the unconscionable slaughter of members of the Ngarrindjeri tribe, who are, I think, colloquially known as the 'keepers of the Coorong', those also are not very nice aspects of the history of our relations with the Indigenous community that has occupied South Australia.

I place on the record my appreciation to all of the communities who were here before white settlement, occupying South Australia for thousands of years, on the good way in which they managed and protected the territory within South Australia's borders before our settlement.

The European habitation of South Australia from early in the 19th century is to appreciate that from about 1801 to 1802 we had regular visitors, American whalers and other fishermen, and people who were exploring our waters, sometimes en route to other places, such as Tasmania, and that those settlements occurred during that time. I think it is important to recognise that in our history.

Kangaroo Island, as the first South Australian Company settlement in the Province of South Australia on 27 July 1836, is personally one on which I feel very proud to speak. My granddaughter, Adelaide Grace, and those who are to follow—there is another one on the way, I am told—is an eighth generation South Australian. She, of course, carries the heritage from the first settlement on Kangaroo Island via the Calnan family, and later, the Chapmans who arrived in July 1836.

I am a proud member and patron of the Kangaroo Island Pioneers Association. Wherever I can, I promote the importance of the history—not just the political history of our state, but of settlement and the pioneers who have made our state great.

Similarly it is important, I think, for all of us to recognise the inauguration of government at Glenelg, as proclaimed on 28 December 1836. South Australia pioneered in many things. Our form of government was carefully prepared when the South Australia Company settlement discussions were underway in England, preceding the settlement in South Australia and the courageous travel of many to South Australia after that act had been passed.

These are many, but I will just mention a few, as I think it is important that we recognise them with government. This colony was founded on a freedom of speech, a freedom of association, a freedom for people to apply for office, the opportunity to have accessibility to education and certainly a freedom of religion which brought a number of waves of settlement to this state which it is important to acknowledge in our history.

In 1840, we were the first place in Australia to convene democratically held elections by a secret ballot for what was the predecessor to the Adelaide City Council. They were followed in later years in other areas across the country. I think we should be proud of the fact that, in 1857, our Constitution had been drawn up and passed and the first parliament had been sworn in and sat.

It is interesting to read about this. If members have not, then I urge them to go to the rare books collection in our library where these can be viewed. There are interesting topics such as the responsibility between states to make sure that there were no dead trees and branches through the River Murray so that we could have a good system of transport, and that was its value in those

days, way before we ever understood the significance of the water provision for the state. These are all important aspects to recognise.

Women got the vote in 1894 in this parliament—the second place in the world. This parliament was the first place in the world though, where women had the opportunity to stand for parliament. It did take 65 years before Mrs Joyce Steele, who is represented here in a portrait, became the first female member of this house, together with Dr Jessie Cooper, who became a member of the Legislative Council in 1959. It has been a pioneering state with the development of democratic government, something of which I think we should be extremely proud.

Equally, I wish to conclude my remarks with some recognition of the territory that we represent. Certainly, it is a large portion of desert, but it has been very productive, with a very significant agrarian and mining history that I would like to recognise today. This has been enhanced with the development and maturity of areas such as the fishing industry. We have participated in great feats in this state with our colleagues next door. For example, the building of the longest dog fence in the world, I think, is just one small feat, not to mention the infrastructure that we have developed in this state, that was born and prospered under a free and elected governance.

I wish to say that I personally am disappointed that, in the formation of South Australia, we did not immediately acquire the Northern Territory. England did give us the opportunity to have responsibility for it and it was passed to us as our responsibility. Sadly, in 1907, it was decided by the South Australian parliament that they would hand that over to the commonwealth. It was to be an exchange for a railway, which successive prime ministers refused to do anything about, before John Howard finally put the money on the table for it to happen, 85 years later.

We did agree to transfer that region from our province of responsibility after Federation, and this year is the 100th anniversary since the commonwealth received it in 1910. I think that was a sad day, and the sooner South Australia has the opportunity to negotiate its return the better. I wish the Northern Territory well in their aspiration to become a state. It has been a difficult road for them. They may have some more hurdles to overcome, even internally, but when they do and they achieve that (and I hope it is in my lifetime) I think we should join together and become a significant state.

Some people ask me when I go on about this about what we might call ourselves. That is obviously a matter for the people to decide but, if I had my way, we would be calling it 'Australia' and make all the other states simply hang off us. I ask all members to take the opportunity to reflect and remember, even if they do not speak on this motion—I would certainly welcome their support—so that we in this chamber (as the Legislative Council has previously) recognise this important event for South Australia and, in particular, those in our community who have made a splendid contribution in different ways, together with all who have been welcomed into the state since and have made an outstanding contribution to our state, pioneering in all sorts of areas of activity for the betterment of us all.

Mr GOLDSWORTHY (Kavel) (12:21): I am pleased to speak in support of the motion that the member for Bragg has brought to the house. I will pick up on a couple of remarks that the member has made in the contribution she has so eloquently delivered in the house, and that is in relation to the splendid contribution that many people have brought to South Australia.

It is obviously very important that we do prepare and celebrate the 175th anniversary of the state's establishment in 2011. We all recognise that the state has a very rich, deep and proud history, I just want to touch on for a few minutes the contribution and the development that we have seen as a consequence of one particular person's arrival to South Australia, and I speak specifically in relation to Pastor Kavel.

I have always regarded it as an honour to represent an electorate named in honour of Pastor Kavel, who was the very first Lutheran pastor to arrive here to the shores of South Australia in December 1838. Only some 2½ years after the proclamation of the colony of South Australia, Pastor Kavel arrived on the ship named the *Zebra*, captained by Captain Hahn. We fully understand the significance of Captain Hahn arriving also in South Australia, with the very well-known and iconic township of Hahndorf named in honour of Captain Hahn.

Hahndorf is actually where the first Lutheran church was established by Pastor Kavel here in South Australia, and in Australia. We have clearly seen the development, expansion and the significant contribution, to the benefit of South Australians, as a consequence of the establishment of the Lutheran Church. Notwithstanding its contribution, obviously other Christian denominations—Roman Catholics, Anglicans, Methodists, Presbyterians; all the Christian denominations—have

played a significant role, particularly in regard to the stability that we all benefit from within our society in this state and right across the nation.

I hope in the course of the celebrations in 2011 for the 175th anniversary that there is some significance and some recognition given to the role of Pastor Kavel, the very first Lutheran pastor to arrive on our shores. It was my pleasure only a number of weeks ago to be involved in the celebration of the 150th anniversary of the church building at the Birdwood Holy Cross Lutheran Church. We had a splendid service and then a photo opportunity and a lunch at the church and the adjoining church hall, just a number of weeks ago. It was an outstanding event, where we celebrated a significant milestone in the history of that particular Lutheran church in South Australia, in the Adelaide Hills.

The church congregation was established, from memory, only 14 years previous to the actual church building being constructed so, if you do your arithmetic, that church congregation was formed only some 10 years after the colony of South Australia was proclaimed. That was as a consequence of the work of Pastor Kavel and the subsequent pastor, Pastor Fritzsche, who came, I think, a year or two after Pastor Kavel arrived here in South Australia. I just want to mention those issues. The Lutheran church obviously plays a significant role in South Australia. It has in the past, it does in the present, and no doubt it will in the future.

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (12:26): It gives me great pleasure to support the motion brought here by the member for Bragg. I, too, urge the state government to ensure preparation and funding for the state's celebration of the 175th birthday which will occur next year does indeed happen.

I rise to add a few words to the debate here, with particular regard to paragraph (b) of the member's motion, in regard to recognition of the European habitation in South Australia that occurred early in the 19th century. That encourages me to make a couple of comments about that occupation, principally that occupation that occurred in the South-East of the state around 175 years ago, when the colony was established here in Adelaide by the South Australian Company.

Members may or may not be aware—and I suspect most of them are unaware—that certainly there were whalers plying their business in the Southern Ocean south of the Australian continent at that time and in the years preceding the establishment of the colony of South Australia. The port and town of Hobart encouraged whalers to come to this particular part of the world. A lot of whalers out of the Americas were operating down here, and obviously they were using parts of the coast of the mainland and parts of that coast that later became part of the colony of South Australia.

There was a whaling station at the northern end of Rivoli Bay, which is where the township of Beachport in my electorate is now situated. Whalers had a camp there, a seasonal camp, where they camped for probably a few months of the year. They brought whales in and cut them up and rendered them down ready to ship back to the northern hemisphere and to the known world at that stage. That was occurring around the 1830s, probably some years before; I do not know that anybody really knows exactly when the first whalers landed on that part of the coast of South Australia.

Certainly, other people were interested in that part of the state. The Henty brothers were originally farmers in England and the family established a business operating in the Launceston area in Tasmania, and then they branched out from there and established Portland in western Victoria. They established a settlement and farming business in the Portland area. In the mid-1830s, the Henty family also established a presence across the border in South Australia.

I am not sure of the exact date. I think there is some conjecture about when they first went to the Mount Gambier area, but certainly the Henty family, their business partners and employees would have been the first people in the Lower South-East as occupiers and farmers, and that would have been around the time, if not just before, the settlement of the colony on the Adelaide Plains.

There were other people, particularly in that part of the state at that time, and I am delighted that the member for Bragg has sought to recognise occupation around that time in other parts of the state, but principally down there. I think that whalers were also operating out of Kangaroo Island—

Ms Chapman: American River.

Mr WILLIAMS: —American River, exactly—at that time as well. I did not hear all the member's contribution, but I am not sure whether there are any firm dates of when they first started operating out of American River or off Kangaroo Island, but it was probably many years before the colony was established. There were certainly people from various parts of the world and probably a significant number of people had visited South Australia and were aware of the potential for a colony in South Australia, certainly on Kangaroo Island and the Lower South-East of the state. With that, I will conclude my remarks and commend the motion to the house.

Dr McFETRIDGE (Morphett) (12:32): I cannot let this motion go past without inviting everyone in this place to come to Glenelg on 28 December this year, Proclamation Day, and celebrate the 174th birthday of this state. It is a great time down there—

The Hon. A. Koutsantonis: What is the Latin term?

Dr McFETRIDGE: The question from the minister for corrections is: what is the Latin term for the 150th? I understand it is the—

The Hon. A. Koutsantonis: One hundred and seventy-fifth.

Dr McFETRIDGE: I couldn't actually tell you, Tom. You can help me out there, if you like. I know the sesquicentenary is the 150th. The terquasquicentennial—that sounds like some Aboriginal word. That is really quite interesting. How many letters in it? There are quite a few. It is almost 175! It is a very important occasion, and with a word that long to describe it, obviously it is extremely important.

I remind the house that in my electorate of Morphett (named after Sir John Morphett) is the site where the proclamation of this state was read out on 28 December 1836 under the Old Gum Tree, or close to the Old Gum Tree. There is a lot of argument about that as well, just as I am sure we will argue about whether the real birthday of South Australia is 27 July or 28 December. I assure the house that it really is 28 December because that is when the proclamation was read out and the colony formally established.

The 175th anniversary of the proclamation is a very important date for this state. Having read about some of the hardships that our early settlers went through and the things they endured to make this state the great state that it is, we really do need to make sure that we do acknowledge and celebrate what has happened over the last 175 years.

I know my electorate of Morphett has changed dramatically. The home I used to own, Stormont, we had the plans from 1884 for that house. The northern elevation plan showed the line of the sand dunes. It is quite a high house. Both storeys have 15-foot ceilings in the rooms, and you have cellars and attic spaces as well.

The thing that amazed me was where the sand dune line went to, and that was almost to the gutters. The way we have changed this state really hit home when I saw that. We have pushed all the sand back from the sea to fill the swamps. The River Torrens never emptied into the sea: it went into swamps and emptied on Lefevre Peninsula.

The trek from Glenelg to Adelaide was via a goat track. In fact, I should say, it is probably not a whole lot better now—it is a bit of a goat track now—and I urge the Minister for Transport to do something about it, particularly before next year. The tracks that came from Glenelg to where Adelaide now is were really goat tracks and it would have been a pretty rough ride for the early settlers in those days.

That is all in the past now but let us not forget it: let us celebrate it. I support this motion and ask that the government put politics aside and do what all South Australians want, and that is to celebrate this great state we live in.

The Hon. S.W. KEY (Ashford) (12:36): I move to amend the motion:

to delete: 'urges' and replace with 'notes';

to delete 'government to ensure and' and replace with 'government's';

to delete 'preparation' and replace with 'preparations';

to delete 'occurs'; and

to delete 'recognised' and replace with 'recognises'

The amended motion would thus read:

That this house notes that the state government's preparations and funding for the state's 175th birthday celebrations during 2011 and further recognises—

- (a) Aboriginal occupation of South Australia has existed for many thousands of years;
- (b) European habitation in South Australia occurred early in the 19th century;
- (c) Kangaroo Island as the first South Australian Company settlement in the province of South Australia on 27 July 1836; and
- (d) the inauguration of government at Glenelg, as proclaimed on 28 December 1836.

Ms CHAPMAN: I have a point of order, Madam Speaker. I want to seek some clarification. I think the only amendments were in the preamble. I have no objection to the amendment, on the basis that I have acknowledged in the contribution that I have made that the government has made commitments in a number of areas already since this notice was given. So, whilst I would not choose that wording specifically, in the interests of encouraging unanimous support for this motion, I am happy to accept the amendment.

The Hon. S.W. KEY: I acknowledge the member for Bragg's graciousness in accepting those amendments, because I think we are all here to support what might be called (and we had some advice earlier) the terquasqui-centennial. I understand from the Minister for Correctional Services, the member for West Torrens, that there are a number of terms that we may use. It is spelt T-E-R-Q-U-A-S-Q-U-I-C-E-N-T-E-N-N-I-A-L. I think some abbreviation may be in order, but maybe that is just me.

Honourable members have covered a lot of the points that I wish to make, but I think that it is important that we do mark the 175th anniversary of European settlement. I always feel slightly uncomfortable about these celebrations, but I am really pleased that, in all the contributions that have been made, we have acknowledged the first inhabitants of Australia, certainly in South Australia. We also acknowledge that we have archaeological research that indicates that Aboriginal people have been present in the area for at least 40,000 years, possibly longer.

I understand that, in some of the dating of sediments, thermo-luminescent dating from Allen's Cave on the South Australian Nullarbor Plain indicates that Aboriginal people were living about 40,000 years ago, while the rock art at Koonalda Cave (about 50 kilometres east of Allen's Cave) has been radiocarbon dated at about 26,000 years. I think that the Aboriginal people, our Indigenous people, certainly do rate as being our first Australians.

What we are actually celebrating in some people's view is white invasion 175 years ago, but I think that we have moved on from that view. Certainly, some of our elders say that we do not forget the past but we need to move into the future at the same time. As I said, I think that it is important not only to acknowledge our white history but also to acknowledge the people who were here before white settlement.

I am also told that radiocarbon dates from other sites in South Australia include 18,000 BP (before present) from Roonka, near Blanchetown on the lower Murray River and 16,000 years before the present from Seton Cave on Kangaroo Island. The member for Bragg has certainly talked about Kangaroo Island and its significance, and I know that the member for Finniss certainly understands the significance of Kangaroo Island for a whole lot of reasons.

Also, 15,000 before the present years has been carbon dated from the Hawker Lagoon in the Southern Flinders Ranges. Wooden boomerangs, spears and other artefacts preserved in a peat bog at Wylie Swamp near Millicent have been radiocarbon dated at 10,000 years before present. There is very good data that supports the comments that I am making about our first Australians.

The month-long 2011 History Festival and a host of community commemorations will mark the 175th anniversary of European settlement of our state. Members opposite have graciously acknowledged that the state government has also put funding into these celebrations—some \$175,000 of state government funding, and also additional funding of \$54,000, has been set aside by government for History SA's 175th Community Grant Program.

It is important that there is a public response to celebrating this important milestone. I guess that it is even more important that people have the opportunity to have some funding to assist with those celebrations. History SA, which is more and more providing an important role in education in South Australia, will be able to expand the annual South Australian History Week into a month-long history festival in which it is expected that over 90,000 South Australians will take part in more than 400 events during May 2011.

The additional funding will also be used to expand the 175th Community Grant Program, which has been met by overwhelming enthusiasm from communities in the state. South Australians, I am pleased to say, are passionate about telling their story and celebrating the role their communities have played in South Australia's diverse, vibrant and multicultural community.

The additional funds that have been set aside mean that more South Australians can get involved. The funding program for projects explores all aspects of South Australian history, including the vital and continuing contribution of Indigenous South Australians.

As well as the History Festival and the government-funded community projects, a range of other activities will reflect important moments in the history of South Australia. These include the establishment of the South Australian Company settlement in Kangaroo Island (already mentioned by the member for Bragg) on 27 July 1836, and then the later arrival (again mentioned by the member for Morphett) of Governor Hindmarsh at Holdfast Bay in December. There are also other events to mark the 175th anniversary of European settlement.

We have also heard about the major colonial art exhibition in the Art Gallery of South Australia, and that is due in late 2011. This exhibition will be curated by Jane Hilton, who has had a long and distinguished history as a curator in South Australia and has recently been appointed to the National Gallery of Australia Council. An exhibition at the Migration Museum will explore population identity and generational changes.

I think it is important to note that applications for the 175th anniversary community grants—I must say that is easier to say than the other term I mentioned—closed on 13 October, and History South Australia is currently considering the applications it has received.

I have mentioned the fact that part of the acknowledgement will be for Aboriginal occupation of South Australia and how that has existed for many thousands of years. There is also a focus on European habitation in South Australia that occurred early in the 19th century and the usual commemoration of landmark events that have happened in South Australia since European settlement. I am very pleased to see what I would describe as a renaissance in history in South Australia, and I think the History Trust helps us with that.

Mr PENGILLY (Finniss) (12:47): I am strongly in favour of the member for Bragg's motion, quite obviously. Unfortunately, I have missed some of the contributions due to other appointments this morning; however, I think this is really important.

My electorate of Finniss is named after the first premier of South Australia, Boyle Travers Finniss, whose daughter is referred to as the first white child born in South Australia. She was born in Kingscote. They then moved to Rapid Bay. The landing at Rapid Bay is well remembered in that area before they moved the capital from Kingscote to Adelaide.

I understand quite clearly that other members in this chamber and in the other place do not have the same affinity with the celebrations for 175 years as the people in my electorate, particularly those on Kangaroo Island. The Advance Kingscote organisation for many years has been urging this, and I have written to the Premier on a couple of occasions seeking to get some finance. It is probably important to note that the Premier and cabinet—whoever the Premier and cabinet may be in July next year; that might be subject to some conjecture—have promised to conduct cabinet at Kangaroo Island on 27 July next year, or around that date, when the 175th celebrations seriously commence.

There is a very active committee working towards that. Both the Pioneers Association in Adelaide and the local branch of the Kangaroo Island Pioneers Association on the island are actively involved. I seriously commend the efforts of the Advance Kingscote group in pushing and pushing for funding and trying to ensure that this goes off very well.

I do not know how many members have ever been to Kangaroo Island, but every year on 27 July there is a ceremony at Flagstaff Hill in Kingscote, just above where the first settlers landed from the *Duke of York*. Schoolchildren from the Kingscote campus come up in numbers. The Young Achiever of the Year is given an award. The mayor of the day generally makes a few remarks. It is quite a significant occasion which is totally overlooked by the vast majority of South Australians; they are just not aware that it takes place. Everything seems to focus around 28 December, Proclamation Day, when there is pomp and ceremony and all sorts of things, but not many people take an interest on the 27th of July.

I recall former premier John Bannon and some members of cabinet coming to the island, for the 150th anniversary, where there were considerable festivities and celebrations during the course of that year. The first cemetery in the state is in Kingscote. It is interesting to go there and wander around. People take a lot of pride in the history of the place. Quite a number of the first settlers who arrived on the *Duke of York* and the *Signet*, etc., did not live for that long: it was a dreadful place.

I do not know what the member for Bragg said, but I urge members on the other side, and my side as well, to go down to that area, what they call the Reeves Point historic site. I am focusing on the island, with no excuses or apology, because that is where it actually started. Of the three houses that were on the hill: *Faith*, *Hope* and *Charity*, *Faith* and *Hope* are still there. There is no *Charity* any more; that has gone. *Hope* is the national trust museum, with a lot of material from the early settlers.

I recall quite clearly 25 years ago when the *Falie*, which is languishing at Port Adelaide these days, had been restored to serious status as a sailing ship, with diesel propulsion as well, being actively involved, and a lot of other things. We want next year to be good. The member for Bragg's motion will support that being good. I would like to see the government attempt to commit more money to this, if possible.

The Hon. A. Koutsantonis: Of course you would.

Mr PENGILLY: Of course I would, the minister says. Well, he would probably feel the same way if he was in my shoes: \$175,000 for the 175th birthday is one grand a year for nearly two centuries, so it is not a lot to ask.

The South Australian Company, which is referred to, under the direction of Samuel Stevens, is what started the first settlement in the state: they came out and established it. The history is well known that there was little or no water on the island around the Kingscote area, they had to row across the bay and get water from the Chapman property. Beg your pardon?

Mr Goldsworthy interjecting:

Mr PENGILLY: Yes. The South Australian Company eventually moved up here. It is a great way to remember (next year) the inauguration of the government of South Australia at Glenelg on 28 December. I look forward to it. Once again, I congratulate the member for Bragg, and I acknowledge the contribution of the member for Ashford just a while ago. It is pleasing that the government will, apparently, support this motion. I think it is a step in the right direction. With those few words, I urge the house to support the motion.

Mr TRELOAR (Flinders) (12:54): I rise to support this motion, as all others have in the house today. In the few minutes before lunch I would like to encourage the state government to ensure that these birthday celebrations are memorable and exciting. All members have touched on the key points in this motion: the Aboriginal occupation of South Australia that has existed for many thousands of years.

In fact, in my own electorate of Flinders we still have a significant Aboriginal population and presence. Many of them are struggling as a culture in transition but, certainly, the visit of the Aboriginal Lands Parliamentary Standing Committee during last week, which I was very grateful to join, looked to address some of the issues that are ongoing. Can I just say, though, that many state and federal governments right across Australia have attempted to address these issues, for the most part unsuccessfully. I hope that in the future we are able to make a difference to the Aboriginal situation here in South Australia.

We are talking, in particular, about the year 1836, and the member for West Torrens informs me that it is a dodrans bicentennial, or a dequas bicentennial. Is that right, minister? We will go for two out of four. In fact, there was a visit to the shores of this state in years previous to that, of course. A fellow by the name of van Nuyts bumped into the West Coast of South Australia and made some very early maps of the areas around Streaky Bay and Murat Bay where, of course, the American whalers, who have been referred to already, made camp in those early days and sought out the whales swimming past our southern shores.

Matthew Flinders, in 1802, mapped the shoreline of South Australia. In fact, my electorate has been named after Matthew Flinders and is the only electorate to retain its original name from that first parliament in 1857. He bumped into Nicolas Baudin—

The Hon. A. Koutsantonis: Is that right?

Mr TRELOAR: Yes, I believe so. In 1836, there was a settlement firstly on Kangaroo Island and in Adelaide. Can I just say that I am very fond of history and local history in particular, and what always strikes me is how quickly this colony developed following that first settlement.

Madam Speaker, you may be interested to know I have just finished reading the journal of Ernest Giles, covering his exploration around the north and west of the state. What really strikes me is the endeavour of the early settlers to really discover and learn about the land they were living in and open it up for settlement, which brought along the surveyors.

The surveyors who went out and surveyed the towns, roads, farms, and the railways of this state, are often the unsung heroes of the development of this state. To head out into the scrub with a gang of axemen, a theodolite and a chain measure, and carve out what they did in such a short time, is really to their credit.

I notice we are almost out of time, but I will mention that, in 1839, just three years after the first settlement here in South Australia, there was a settlement at Port Lincoln in the seat of Flinders, followed soon after, up that West Coast towards Streaky Bay and Murat Bay, by the American whalers, followed soon by pastoralists. In the early days, the state's economy was based on agriculture and mining. Once again, the wealth of the nation, the state and the colony was built on primary production.

South Australia has been at the forefront of agricultural and scientific development since those very early days. Before I close, I want to make particular mention of one family who live now in my hometown of Cummins, and that is the Hill family. The first John Hill arrived at Glenelg on the *Buffalo* in 1836. I guess it is about the eighth John Hill who now resides and farms as a direct descendant of that original John Hill on the *Buffalo*. They farmed in the Mid North; they farmed inside Wilpena Pound and they finished up farming wheat at Cummins. They still have a presence in this state, and I am sure there are a number of families who can trace their history in this state and this colony back to those very early days.

Amendment carried; motion as amended carried.

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

DIAGONAL ROAD OVERPASS

Dr McFETRIDGE (Morphett): Presented a petition signed by 322 residents of South Australia requesting the house to urge the government to construct an overpass at the Diagonal Road, Oaklands Park railway crossing to improve traffic flow and increase the safety of pedestrians.

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government—

Tatiara District Council Annual Report 2009-10

Wudinna District Council Annual Report 2009-10

By the Premier (Hon. M.D. Rann)—

Premier and Cabinet, Department of—Annual Report 2009-10

Public Sector Employment, Commissioner for—State of the Sector Annual Report 2009-10

State Emergency Management Committee—Annual Report 2009-10

By the Minister for Economic Development (Hon. M.D. Rann)—

Project Coordination Board—Annual Report 2007-08, 2008-09, 2009-10

By the Minister for the Arts (Hon. M.D. Rann)—

Art Gallery of South Australia—Annual Report 2009-10

JamFactory Contemporary Craft and Design—Annual Report 2009-10

Museum Board, South Australian—Annual Report 2009-10

By the Treasurer (Hon. K.O. Foley)—

Essential Services Commission of South Australia—
Metropolitan and Regional Water and Wastewater Pricing Process—Government
Response November 2010

Metropolitan and Regional Water and Wastewater Pricing Process Report October 2010
Potable Water and Sewerage Prices SA—Transparency Statement—Part A Report
2010-11

RESI Corporation—Charter

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

Health, Department of—Annual Report 2009-10

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

Adelaide Park Lands Act 2005—Partial Transfer of National Wine Centre Land Report
Environment Protection Authority—Annual Report 2009-10

Radiation Protection and Control Act 1982, Administration of—Annual Report 2009-10

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

Forestry SA—Annual Report 2009-10

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

Courts Administration Authority—Annual Report 2009-10

Criminal Investigation (Covert Operations) Act 2009—Annual Report 2009-10

Public Advocate, South Australian Office of—Annual Report 2009-10

Serious and Organised Crime (Control) Act 2008—Review of the Execution of Powers
Annual Report 2009-10

State Coroner—Annual Report 2009-10

By the Minister for Multicultural Affairs (Hon. G. Portolesi)—

Multicultural and Ethnic Affairs Commission, South Australian—Annual Report 2009-10

VISITORS

The SPEAKER: I welcome to our gallery today some students from Our Lady of the River, year 7, who are guests of the member for Chaffey. It is lovely to see you here, and we hope you enjoy your time here today.

I also understand that we have the daughter of the Hon. Thomas Playford here today in our presence. It is lovely to see you. She was telling me some memories of when she used to come here when her father, of course, was premier. Welcome; it is nice to see you here.

NEW ZEALAND MINING DISASTER

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) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: On behalf of all members of this parliament and the people of South Australia, I wish to express my deep sadness and profound sympathy in the wake of yesterday's devastating news from the Pike River mine in New Zealand. As members are aware, it now appears that all 29 miners, including Australians Willy Joykson and Josh Ufer, have lost their lives in a series of tragic underground explosions.

As the family, friends and colleagues of the missing men gathered at the mine site earlier this week, I am sure that all of us shared their hope and unwavering belief that fate would deliver their loved ones safe from harm, as it did recently in Chile and, of course, a few years ago for those miners rescued at Beaconsfield in Tasmania.

We share their grief and send them our thoughts and prayers as they come to terms with this heart-rending outcome. As a mark of our respect, flags on government buildings will be flown at half mast here in Adelaide today.

The folk who live and work on the west coast of New Zealand's South Island (Coasters, as they are known) have a well-earned reputation for their resilience, their gritty courage and their deep sense of community, and those qualities are being tested like rarely before as a result of this terrible event.

I have no doubt that the neighbourhoods and communities of the Greymouth region—indeed, throughout the South Island and all over New Zealand—will band together to provide support, understanding and hope in the days, weeks and months ahead. As they do so, they can be assured that the hearts and best wishes of South Australians are with them.

Honourable members: Hear, hear!

PUBLIC INTEGRITY

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) (14:05): I seek leave to make another ministerial statement.

Leave granted.

The Hon. M.D. RANN: The government is today releasing a white paper that seeks to establish a new and improved system of public integrity designed to strengthen confidence in our state's institutions. This discussion paper—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Wait and see. Just wait and see. This discussion paper lays out the framework for a better, more integrated public integrity system in this state. The 31 recommendations contained in this white paper include a proposal to create a commissioner for public integrity with the standing powers of a royal commission, and an office of public integrity to act as a single gateway for receiving complaints. It also proposes to enhance the operations via legislative reform of South Australia's existing investigative bodies.

A public integrity office would be a one-stop shop for the initial presentation of complaints from members of the public. It would assess the nature of the complaint and channel it to the appropriate existing agencies, including the Ombudsman, Auditor-General, Police Complaints Authority, Police Anti-Corruption Branch and the Government Investigations Unit.

The proposed commissioner for public integrity would have far-reaching powers to oversee the work of these agencies and, importantly, have the powers to direct and conduct investigations into allegations of criminal corruption where necessary. In the past few years, there has been a call to establish an ICAC in South Australia.

I am not convinced the models we have seen operating in other states are a cost-effective or efficient means of preventing or revealing instances of corrupt activities. I am told that one costs more than \$40 million a year to operate. In other states, ICACs have proven not to be a cure-all in upholding and maintaining public integrity in government bodies. Most of them cost tens of millions of dollars a year to run, spend far too much time investigating vexatious claims, and are inefficient.

It would be silly for us, having seen the way other ICACs operate, to blindly follow the same path. South Australia has a range of agencies that deal directly with allegations of maladministration, misconduct or corruption. It is worth reminding the house that since the year 2000, I am advised, there have been charges brought against more than 670 people involving more than 1,300 offences of public corruption, of which many involved convictions and, of course, prison sentences.

I am confident that this blueprint for reform that we are releasing today is the right model for improving the delivery of, and access to, an efficient and effective public integrity system for South Australia. I have made it clear in the past that I believe there should be a national anti-corruption body established by the commonwealth and other states and territories, because corruption, like all crime, does not respect state borders. I still believe that that would be the best model to adopt. However, this was not supported by the Standing Committee of Attorneys-General.

So in May this year, the Attorney-General announced that he would be reviewing the effectiveness of our existing agencies that deal with matters of corruption and public integrity. The result of that review is this white paper, which identifies ways in which the current system can be improved that are designed to give far greater confidence to the public than any—

Mr PENGILLY: On a point of order, I just bring to your attention the fact that the television cameras are not following the only person on his feet, who happens to be the Premier, apart from me at the moment, but following the member for Bragg around the corridor just then.

The SPEAKER: I have warned the television cameras on a number of occasions that I am getting concerned at the amount of footage that is being shown that is not showing members on their feet, and I would ask them to please abide by the conditions under which they are filming in here. If there are further instances today, then we seriously need to look at whether we allow them into the chamber. Thank you, member for Finniss.

The Hon. M.D. RANN: The result of that review is this white paper, which identifies ways in which the current system can be improved and it is designed to give far greater confidence to the public that any possible corruption in our institutions is dealt with thoroughly and comprehensively. I am informed that the cost of implementing these proposed reforms to the system are estimated to cost just under \$4 million a year.

During the review, the Attorney-General sought the opinions of a number of statutory officers and bodies which have led to many of the 31 recommendations in the white paper that will now go out for public consultation over the next four months. Following the close of the consultation period, each submission will be reviewed and their input considered in the preparation of a final report and drafting of legislation to present to this parliament.

It is anticipated that a bill will be debated in the second half of next year. That bill will contain a provision that the legislation is reviewed after two years to assess its effectiveness and referred back to parliament. Copies of the white paper are now available on the Attorney-General's Department website and the closing date for submissions from the public will be 25 March 2011.

COOPER BASIN GAS PROJECT

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) (14:11): I seek leave to make yet another ministerial statement.

Leave granted.

Members interjecting:

The SPEAKER: Order! We will listen to the Premier in silence.

The Hon. M.D. RANN: Today it was announced to the Australian Stock Exchange that there would be a joint investigation by Beach Energy and Japan's Itochu Corporation into a potential billion dollar project to export unconventional liquefied natural gas from South Australia's Cooper Basin to Japan. The project is slated to create hundreds of jobs and extend the life of petroleum production from the basin. This LNG project, proposed by Beach Energy and Itochu Corporation, has the potential to create more than 1,000 jobs during the construction phase and hundreds of jobs during its ongoing operations.

Conventional natural gas reserves in the Cooper Basin will naturally decline over time, and I am reliably informed that the potential to harness what is known as non-conventional gas, as this project proposes, could dramatically extend the longevity of supplies of this important energy resource. Beach and Itochu are examining the Upper Spencer Gulf region as the potential site for a future \$1 billion LNG plant, which would provide significant employment and investment potential for the region.

Madam Speaker, as a local member for the area, you would appreciate today's announcement, given that it follows the selection by Arafura Resources of Whyalla as a preferred site for its separate \$1 billion Rare Earths Complex and OneSteel's commitment to an export enhancement program using iron ore sourced from the Middleback Ranges. It was great to be able to make the announcement of the state's 13th mine just a week ago.

Beach Energy and Itochu Corporation will be subject to the usual regulatory and statutory approvals for this potential project. The selection by Beach and Itochu of Upper Spencer Gulf as a potential site for its LNG plant again underlines this government's ability to attract international

investment. The employment generated by this project, should it be given the green light, will, of course, assist the government in reaching its employment target of 100,000 new jobs by 2016—that is, 100,000 more than the 125,000 already created.

Honourable members: Hear, hear!

STATUTORY OFFICERS COMMITTEE

The Hon. S.W. KEY (Ashford) (14:16): I bring up the report of the committee, entitled Annual Report 2009-10.

Report received.

QUESTION TIME

The SPEAKER: I now call on questions without notice. As it is the last question time for the year and emotions seem to be running high, I am perhaps still not prepared to give warnings if people misbehave badly. I ask you to remember that, while some healthy debate is okay, please do not degenerate into a menagerie. Please remember where we are, who we are and that the rest of the state is looking at us and our behaviour. The Leader of the Opposition.

MINISTER FOR FORESTS

Mrs REDMOND (Heysen—Leader of the Opposition) (14:17): My question is to the Treasurer. Will the Treasurer now retract his statements made in the house yesterday concerning the Minister for Forests?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:18): Madam Speaker, that issue of a disagreement between the minister and me is amicably resolved. We are good mates.

Members interjecting:

The SPEAKER: Order! The member for Ashford.

YUENDUMU FAMILIES

The Hon. S.W. KEY (Ashford) (14:18): My question is directed to the Premier. Can the Premier update the house on any developments relating to the support provided to the people of the Yuendumu community during their time in Adelaide?

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) (14:18): On 12 November, approximately 90 people from the Northern Territory community of Yuendumu departed the Fort Largs Police Academy to return to the Northern Territory. The members of the Yuendumu community returned to the territory of their own accord—it was their own decision—and worked with the territory government on transport arrangements.

Since their arrival in Adelaide in September, the South Australian government provided for their accommodation, health care, educational and other support, despite being given virtually no notice of their arrival. Our concern was always the safety and wellbeing of these members. I was very pleased to go out to the northern suburbs to meet with leaders of the community and some of the children involved shortly after their arrival.

When the South Australian government first became aware that this group would be arriving, we organised emergency accommodation at an Anglicare facility in Elizabeth, which I then visited. On 1 October 2010 the Yuendumu community members moved to the Fort Largs Police Academy where they were provided with 24-hour support. SA police were very accommodating in making the Fort Largs academy available and in providing access to caterers and cleaners.

To provide for the educational needs of the children, I am advised that the Department of Education and Children's Services established a classroom at Fort Largs. The Education Department also liaised extensively with the principal of the Yuendumu school in relation to educational needs and requirements—21 children participated in the education programs and four preschool children also attended a nearby children's centre.

Health issues were managed by a health team provided by the Central Northern Adelaide Health Service who had a regular presence at the site. There were also three adults who received dialysis treatment at the Royal Adelaide and also, I understand, at Hampstead.

Despite the extensive support provided by the South Australian government, Adam Giles, the Northern Territory member for Braitling, has made some offensive, hypocritical and simply untrue comments about my role in this matter. Today he has accused me of being a racist. This is the same member of parliament who, apparently, called asylum seekers 'scum' and then denied that he had used a four-letter word, which he was later forced to reveal.

The South Australian government support for the members of the Yuendumu community is absolutely clear. What is not clear is Adam Giles' involvement in the matter. Perhaps Adam Giles should tell us about his role in the situation, which saw about 100 people from Yuendumu given a one-way ticket out of the territory with virtually no notice.

When they arrived in South Australia with virtually no notice and no planning, the South Australian government went to extraordinary trouble to arrange accommodation, health care, education and other support for the families for nearly two months. That is a lot more than Adam Giles did. I am told he is not the territory's best and brightest, and the word that I hear most in the Northern Territory is that he completely lacks any substance. When he played football, I think that his IQ was printed on his guernsey.

MINISTER FOR FORESTS

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:22): My question is to the Minister for Forests. Will the minister now retract his statement made in the house yesterday that the Treasurer's comments about him were 'bloody nonsense'?

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for the Northern Suburbs) (14:22): The Treasurer and I met yesterday evening—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. M.F. O'BRIEN: Coming up to the end of the year, the festive time, and I thought it was appropriate that we shared a little Christmas joy.

The Hon. K.O. Foley: Not too much.

The Hon. M.F. O'BRIEN: Not too much, no; we're saving that up. I made a statement on radio this morning that the disagreement, if it could be described that way, came down to a communication glitch between our respective offices. The Treasurer was aware of certain information of which I was unaware, and vice versa. I was aware of certain—

Members interjecting:

The Hon. M.F. O'BRIEN: We have sorted out that particular issue of inter-office communication. All has been resolved and, as the Treasurer said, we are good mates.

Members interjecting:

The SPEAKER: Order!

Ms Chapman interjecting:

The SPEAKER: Settle down.

Ms Chapman interjecting:

The SPEAKER: Member for Bragg, settle down. No, you are not getting a question. No, member for Bragg, it is not your question. I am just telling you to settle down. I know you're keen, but I call the member for Torrens.

PUBLIC INTEGRITY

Mrs GERAGHTY (Torrens) (14:24): My question is to the Attorney-General. Can the Attorney-General inform the house about the discussion paper on integrity structures in South Australia and how he will progress this review?

The Hon. J.R. RAU (Enfield—Attorney-General, Minister for Justice, Minister for Tourism) (14:25): I thank the honourable member for her question.

Mr Williams interjecting:

The SPEAKER: Order! We will listen to the Attorney-General.

The Hon. J.R. RAU: On 6 May this year I announced to the parliament that we would be pursuing the development of a national body to look at anticorruption through SCAG. As all of us know, subsequently it came to pass that other Attorneys were not of the same mind. At that time we decided to proceed with a review of our own domestic structures with a view to seeing what could be done to improve those.

The review, which has been conducted since that time, has culminated in a report, which was distributed following the ministerial statement made by the Premier. In the course of that review there were consultations with a number of parties inside and outside of government, all of whom were asked to express views about their opinions of and difficulties with, if any, the existing public integrity structures in South Australia.

I am able to report that many of the comments that were made to the review were quite positive. However, because of the fact that there were clearly some areas that could have been improved, the review focused on dealing with those identified matters. One matter that came through very clearly was that members of the public are confused as to where they should go with a complaint. There are any number of people who do not understand whether a matter should properly go to the Ombudsman, or to the Police Complaints Authority, or to the Anti-Corruption Branch, or where it should go. So, it has been—

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: The first of the major recommendations—

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: The first of the major recommendations of the review is to create a front-office for the receipt and processing of all complaints. This office would operate in such a way as to—I think the term used is triage—to distribute those complaints to the appropriate agency. Members might be interested to know that a large percentage of the Ombudsman's time presently is spent sorting out complaints which should properly be with the Ombudsman from those that should not be there at all.

The second element in the package, which came again through the recommendations of the people with whom we had consulted, was that a number of existing agencies could be improved. When members have an opportunity to read the review document, they will see that the position of the Ombudsman and the position of the Police Complaints Authority have both been the subject of recommendations to enhance and to make more effective the powers that are reposed in those two existing bodies.

In addition to that, some additional power in the nature of oversight of local government is being conferred upon the Auditor-General. That is a matter that I know the member for Fisher has been very concerned about for some years, and I hope he reads the report with some interest, because he may see some of his own long held opinions being echoed in some of the recommendations.

The final element in the proposal, as the Premier mentioned, is the establishment of a commissioner for public integrity, whose primary role is the oversight of the existing organisations, a reporting function to this parliament, and an investigative function in the event of any of the other agencies failing or in some way falling short of their statutory requirements, or in the event of some conflict in relation to police investigations. I will not labour the detail of that, but I would invite members to read and consider it.

The process from here is that this paper is now out for public consultation. It is available on the Attorney-General's website. Members leaving the chamber today will have copies in their boxes, and I would encourage them all to have a look at them. The consultation period, given the fact that we have the Christmas break, has been extended to 25 March 2011. I would encourage members opposite that, if they have views—however at odds they might be, however different they

might be—their contributions are welcome. In fact, all of the agencies that are affected by the recommendations have already been consulted about them and they will obviously be welcome to make further contributions by way of recommendations or suggestions.

The intention is that following the close of those, on 25 March next year, a final report to cabinet will be prepared, which will then result in a bill. As the Premier said, it is our expectation that that would be before this parliament and dealt with before the end of next year.

Finally, I commend all of those people who made contributions to the review. All of them were very well considered, and many of them took the time to come and speak to me personally in order to further explain or help me understand their points of view. I thank the officers of my department, who worked very hard on this project. I would like to thank my personal staff, and I would also like to thank the Hon. Bernard Finnigan of the other place, who also did a tremendous amount of work, which was of great assistance.

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: I commend those members opposite, in particular, to include the review as part of their Christmas reading.

MINISTER FOR FORESTS

The Hon. I.F. EVANS (Davenport) (14:31): My question is to the Premier. Given that the Minister for Forests will not retract his comments about the forestry sale, and the Treasurer has not retracted his comments about the Minister for Forests, who should the public believe?

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) (14:31): The one thing they will not believe is you, because we resolve things amicably. I have just had a look at the figures: since I have been leader of this party, you have had 16 leaders and deputy leaders. I remember those glorious days when I used to get phoned up—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —and they used to give me the drop points to pick up cabinet submissions to do in each other. The great thing is that there there was mutual respect and, can I say, mutual affection.

CHILDREN IN STATE CARE

Mr BIGNELL (Mawson) (14:32): My question is to the Minister for Families and Communities. Can she update the house on what is being done to provide safe and secure housing for children in state care?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:32): In a perfect world there would be no need for alternative care because every child would be able to live at home safely with their mum and dad until they became adults. Unfortunately, it is not a perfect world, so we need to do what we can to look after these young people who are not as lucky as most. The first step is to ensure that they are safe, and this is closely followed by providing them with the opportunity to live in a stable environment in which they can grow and thrive.

I am pleased to inform the house that by Christmas the state government will have opened its new 12-bed medium to long-term accommodation home in Adelaide's south, and by the end of the financial year we hope to have no children in long-term emergency accommodation; that is, no more children in bed and breakfasts or apartments.

The Noarlunga facility has been constructed to provide three four-person units, and the first children will be moving in next week. These children are aged between eight and 14 and include four Aboriginal children who have been living in emergency accommodation. The Noarlunga units are in addition to the Queenstown residential community units, which came into operation in April of this year, and now 12 young people aged between 11 and 17 live there, with 24-hour care, and eight of these children have come from emergency accommodation.

I have previously informed the house of 24 places that have become available at the new Tregenza Villas earlier this year. I know that the member for Bragg thinks quality accommodation

such as this is a waste of money, but we clearly have different values and expectations for our young boys and girls. The eight Tregenza homes over two sites have been remodelled to accommodate three children in each, which assists us in keeping siblings together.

In addition to Tregenza, Noarlunga and Queenstown, 18 large additional homes will also be provided under the economic stimulus package; four are already occupied and the remainder will become available in the next six months. These houses are not emergency accommodation, they are stable long-term housing for South Australian children who would not have had this kind of security, in some cases, ever before in their lives.

This Christmas, I am pleased that more young people will be given this chance. I am very pleased that, within the next six months, I am very hopeful we will not have any children in long term emergency accommodation.

CHILDREN IN STATE CARE

Ms CHAPMAN (Bragg) (14:35): I have a supplementary question. Given the minister's answer in respect of alternate care, will the minister then indicate whether she is going to give back the \$27 million that she proposes to allocate in this financial year for hotel accommodation for these children? Are you going to give it back to the Treasurer?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:35): For the clarity of the member for Bragg, that \$27 million is to cover accommodation for children in state care. Very hopefully, I will not be giving it back to the Treasurer.

The SPEAKER: Member for Bragg, you can now ask your question.

MINISTER FOR FORESTS

Ms CHAPMAN (Bragg) (14:35): Thank you, that is a beautiful answer too. My question now is to the Minister for Forests. Given that the Minister for Forests told the media this morning that the Treasurer, 'knew things that I didn't and vice versa', can the minister please tell the house what he didn't know but now does and whether that changes any of the statements that he has made publicly or in the house?

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for the Northern Suburbs) (14:36): My learned friend to my left reminded me of a situation with Donald Rumsfeld. I am supposed to explain what I don't know.

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: It is a matter that the Treasurer and I have resolved. It was immaterial to deliberations in relation to public comments that have been made.

Members interjecting:

The SPEAKER: Order!

SCIENCE INITIATIVES

Ms BEDFORD (Florey) (14:37): My question is to the Premier. Can the Premier inform the house—I can't think in here—what the government is doing to encourage the state's young people to pursue further study and careers in science, particularly inspiring those from disadvantaged backgrounds?

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) (14:37): I must say, I would like to say what I know, and that is that the member for Bragg is a lot further back in the pecking order than she was 18 months ago. Now, I am very delighted to get this question from someone who I know has a very, very strong interest in science. I thank the member for the question, which I believe is an important one, because investing in the state's young people—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —is critical to developing the state's future leaders in science, industry and the broader community. The government is proud to support opportunities for young people to experience first-hand the wonders and possibilities that science and scientific research can contribute to the world.

Inspired by the former Adelaide Thinker in Residence, Baroness Professor Susan Greenfield, who was here this week—apprised by the member for Waite—the SpiRit of Science: Maurice de Rohan scholarship program started in 2005, and is named in honour of our former agent-general in London, who we had hoped would take up the position of governor of this state. The scholarships enable 10 young South Australian students to visit the world-renowned Royal Institution of Great Britain to attend its annual Christmas lectures.

Students are chosen on the basis of their passion for science and their communication, social and leadership skills. Each group includes a mix of girls and boys, aged 15 to 16, from regional and metropolitan areas, with a priority on the participation of Aboriginal students, girls and young people under the guardianship of the minister. The government is pleased to support the SpiRit of Science scholarships with funding of \$50,000 per year since 2005.

This initiative has been designed to maximise the impact on students and their school communities, with students sharing their experience with their school mates and neighbourhood schools on their return to Australia. This year, another 10 students from Craigmere High School, Peterborough High School, Valley View Secondary School, Para Hills High School, Ardrossan Area School, Salisbury High School, Gepps Cross Girls High School, and two teachers from Grant High School and the Australian Science and Mathematics School, will attend the Royal Institution's Christmas Lectures and visit a series of London's key scientific institutions. I understand they will go to the Science Museum and the Natural History Museum.

Past scholarship winners have gone on to be the first in their families ever to pursue university studies in science or science-related fields. One testimonial by a student said that the SpiRit of Science initiative gave them their first proper peek into what the world of science had to offer and became a building block in the development of their scientific aspirations. This is just one example of a number of students who were inspired by the SpiRit of Science program to go on and undertake further study in the sciences.

Building upon the links between the Royal Institution of Australia (RiAus) and the Royal Institution of Great Britain, management of the SpiRit of Science: Maurice de Rohan Scholarships has been transferred from the government to the RiAus. As part of this development, the RiAus is in the process of forming an alumni comprising 50 past students and 10 South Australian high school students to build on the learning outcomes from this important program.

The government congratulates this year's 10 scholarship winners, who leave on 9 December to attend the 2010 Royal Institution Christmas Lectures for young people. I am someone with a passion for science, which is why I did a masters degree in science—political science!

MINISTER FOR FORESTS

Mr HAMILTON-SMITH (Waite) (14:41): My question is to the Treasurer. Given the Minister for Forests' statement to the media this morning and to the house today that the Treasurer 'knew things that I didn't and vice versa', could he please tell us what he knew that the minister did not and what he does not know, and how that changes his statements, both publicly and to the house?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:42): I will tell you what I do know: I know how to pick a forged document.

Members interjecting:

The SPEAKER: Order! Before we go onto the next question, can I just remind the photographer in the gallery, who I hope is from *The Advertiser*, that she is also under the same provisions as the camera people. I have had a number of complaints about where you are snapping.

SA AMBULANCE SERVICE

Ms THOMPSON (Reynell) (14:42): My question is to the Minister for Health. I am very pleased to be able to record in asking this question, minister, that my niece has recently graduated as a paramedic. I would be pleased if you could give the house some recent examples of ambulance officers and volunteers who have gone above and beyond the call of duty in their work.

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:43): I thank the member for Reynell for her question and I know her niece. I did not realise she had finished. I did meet her niece, who was in training, a couple of years ago in one of our country ambulance stations.

Mr Pisoni interjecting:

The Hon. J.D. HILL: What did he say? I have no idea what he is talking about it. Madam Speaker, I am very pleased to be able to answer this question. As members would know, the most important part of any service—and this is particularly true, of course, of the Ambulance Service—is the quality of the personnel who work within a particular organisation. While all ambulance staff, both volunteer and professional, are to be commended for their dedication and hard work, sometimes individual stories are worthy of special commendation.

The recent graduation and presentation ceremony of the South Australian Ambulance Service happened last weekend, and it was the first one I have missed in a number of years. It was my wedding anniversary, so I was able to get a leave pass from that particular ceremony, but I was disappointed that I was not able to be there, because it was an opportunity to celebrate the great work of people who provide services to our community.

Ray Creen, the chief executive officer, presented his Chief Executive Officer Commendations for outstanding level of service to SA Ambulance Service and the South Australian community. I would like to share with the house some of the people who received those awards. Marla ambulance officers John Charlton and Rosemary Hearne received awards for dedication and commitment to the remote community of Marla. Let me just tell you what they did to achieve that.

At 9.45pm on 28 August 2009, John and Rosemary attended a case 40 kilometres north of Marla in the South Australian Far North. John and Rosemary assisted with the search, and the car that they were looking for was located at 12.30am on 29 August 2009. One patient was deceased and the other was unconscious and seriously injured. After stabilisation at the Marla clinic, the patient was transported to Coober Pedy (that is 230 kilometres to the south) to meet a MedSTAR retrieval team.

At 2.50am, en route to Coober Pedy, Rosemary and John had a tyre blowout, and replaced the tyre with the assistance of truck drivers who stopped to help. The patient was then delivered into the care of MedSTAR at Coober Pedy at 4.45am. At 6.10am Rosemary and John started their return journey back to Marla, finally arriving home at 8.30am, nearly 11 hours after the initial case commenced.

The efforts of Rosemary and John in seeing the case through to the end were well and truly above what the ambulance service expects of its volunteers and in particular highlight the dedication, skill and commitment of remote area staff to literally go that extra mile in what are challenging and often complex situations.

Port Kenny volunteer ambulance officers Liz Guerin and Barbara (known as Polly) Hull and regional team leader Paul Coombes received awards for selflessness, courage and commitment in assisting a patient in hazardous circumstances. Terry Paul, a bystander, and Lee Amey, a CFS volunteer, also received awards for selflessness, courage and outstanding support to the patient and SA Ambulance Service staff, and I will just go through that story.

On 4 January this year, a patient who had fallen approximately 40 metres off a cliff at Venus Bay on the West Coast was severely injured and in an extremely difficult position to reach. It was decided that the Port Kenny volunteer crew of Liz and Polly would walk down to the patient. They were guided down by a local surfer, Terry Paul, who knew the area very well. It took approximately one hour for the crew to reach the patient, after locating a safe section on the cliff top from which they could descend.

In darkness, Terry went up and down the cliff face three times to direct ambulance staff safely and played an important role in assisting the SA Ambulance Service in the treatment of the

patient. Sadly, the patient succumbed to serious injury and passed away in the early hours of the morning. Given the conditions, this was a very demanding and challenging case for all who attended, due to the remoteness and difficult access to the patient.

Paramedics David Oldman and Libby Bennett received awards for composure, courage and skill in averting a tragic accident in hazardous circumstances. On 21 August 2010, Libby and David were in the process of transferring a patient to another hospital when they came across a vehicle accident which had just occurred in Modbury.

They stopped to investigate and discovered a patient trapped inside a vehicle, with two bystanders trying to rescue her. One of the rescuers was in the rear seat and was later transported to hospital himself with smoke inhalation. Smoke was coming from the car, and there was a very real fear of fire or an explosion. David quickly grabbed the fire extinguisher, while Libby and the second bystander struggled to remove the patient from the car wreck.

The crew recognised that they were putting themselves at risk and also knew that they may have to retreat at any moment if the fire threat could not be controlled. After they got the patient out of the vehicle in less than a minute, the car and adjacent tree were in flames.

Ms Chapman interjecting:

The Hon. J.D. HILL: I am disappointed that the member for Bragg would interrupt my statement about heroism from real South Australian people to make a puerile point by way of interjection.

As I was saying, after these heroic ambulance officers got the patient out of the vehicle within a minute, the car and adjacent tree were in flames. Had it not been for their bravery, the bravery of the crew and the bystanders, the patient most likely would have succumbed to injuries as a result of entrapment in a burning vehicle.

Jennifer O'Hehir, a paramedic with the SA Ambulance Service for approximately 18 months, and paramedic intern, Katie Spencer, received awards for outstanding courage, selflessness and dedicated response to a patient following their own involvement in a vehicle accident. I had the pleasure of having morning tea with Jen and Katie this morning, when they told me about what they had done. On 13 October this year, Jen and Katie were on their way to an alleged hit run, when they themselves were involved in a vehicle accident—a car pulled out in front of them. The accident occurred about 120 metres from the patient.

The officers checked that the occupants of the other vehicle were injured, and then, their vehicle being disabled, they ran on foot to assist the patient, carrying the heavy equipment that they needed to do that. The courage and spirit shown by all involved in the treatment of this patient is exemplary. Jen and Katie are acknowledged for carrying on in the face of adversity to assist their patient and their peers after themselves being involved in an accident.

These are all heroic actions undertaken, in some cases, by volunteers who are making our community a stronger and safer place. I for one am extraordinarily proud of the efforts which not only these officers take but which all the officers of our ambulance service regularly take on our behalf. These officers and all emergency services personnel who face confronting, tragic cases and put their own lives at risk to help others deserve the praise and gratitude of all South Australians.

MINISTER FOR FORESTS

Dr McFETRIDGE (Morphett) (14:51): My question is to the Premier. Does the Premier agree with the Minister for Forests, who believes he was right to make public information about the sale of the state's forests, or does he agree with the Treasurer who believes the minister was wrong to make public information about the sale of the state's forests?

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) (14:51): I have already made myself perfectly clear. I met with the Deputy Premier and the minister last night and the issues at dispute were resolved amicably and with respect and affection.

INNOVATIVE COMMUNITY ACTION NETWORKS

Mrs VLAHOS (Taylor) (14:52): My question is to the Minister for Education. Can the minister advise how the Innovative Community Action Networks (ICANs) are helping young people improve their future pathways?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:52): The ICANs are a demonstration of how—

Members interjecting:

The SPEAKER: Order! The member for Unley and the member for Morialta will be quiet.

The Hon. J.W. WEATHERILL: —when communities come together they can achieve real results for our young people. Just a decade ago, under those opposite, almost a third of students did not complete their high school.

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: It is a shameful record and I would be shamefaced if I had that record in government. This stands as a damning indictment of the priorities of those opposite. We now have, in the most recent figures, an 84 per cent retention rate to year 12. It is a dramatic turnaround during the life of this government—the highest level since 1994. One of the things that has played a huge role in that has been the ICAN program. I want to give you some examples of what this means for real young people. Jill had left home after suffering abuse. To support herself, she was working at a takeaway shop—

Mrs Redmond: You must have been up all night writing these.

The Hon. J.W. WEATHERILL: These are actually the stories of the lives of young people who have benefited from this government's policy.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: If those opposite could perhaps listen to them rather than disrespecting these stories, they might learn something. Jill left home after suffering from abuse. To support herself she was working at a takeaway shop until 9pm, then cleaning until 1am, until she fell pregnant at the age of 15. Determined to get a better life, she decided to go back to school, and after googling her options, discovered ICAN.

The flexibility and support that ICAN offered her as a single mum allowed her to successfully re-engage in schooling. In fact, I am advised that, this week, Jill has sat for her university entrance exams, and if she falls short this time around, she is planning on undertaking a couple more subjects next year to push her over the line. So, a great story of perseverance.

James had not attended school for three years. He had been kicked out of three schools, but was re-engaged through ICAN. With the confidence he gained through the program he undertook, he got his literacy levels up to scratch and won a part-time job. He has now enrolled in an entry certificate in veterinary care at TAFE. In James' own words, 'I've always wanted to be a vet, but I couldn't spell or read, so I didn't think I'd ever do it,' but his involvement in ICANs is getting him there.

Amanda was a student who stopped going to school after she found it too hard to connect with her fellow students. Enrolled through the Flexible Learning Options in ICAN, Amanda found, through her involvement with the outdoor education program, leadership skills that she never knew she had. Engaged through V-Tech, Amanda excelled and was awarded a scholarship to attend the Australian Technical College. She has commenced a four-year automotive apprenticeship and is now excited about her future.

The reality is that many young people face very complex lives. The truth is that, for them, school feels as if it is really for children, and many of these young people have had to experience things that many of us have not had to confront in our lives. Many of them need extra help to overcome the challenges they have had to re-engage with their schooling. That is what this program does. It sits alongside the school but allows them to complete high school and connects them to a range of options that they may not have been able to see for themselves.

I am very pleased to say that, yesterday morning, Riverland ICAN was officially opened by the acting chief executive of the department, and this continues a \$32 million statewide rollout of

ICANs that began earlier this year and we now see ICANs in 10 regions across the state. I have no doubt that the successes that we have just heard about will be replicated across the state.

MINISTER FOR FORESTS

Mr PISONI (Unley) (14:56): My question is also directed to the Minister for Education. Is the fact that the government has only now announced a regional impact statement, after having factored a forward sale of forests into the budget since 2008, an example of the 'announce and defend' syndrome of this government that was criticised by the minister during his keynote speech at the Pagans of Semaphore winter solstice dinner?

Members interjecting:

The SPEAKER: Order! There is a point of order. The Treasurer will sit down.

Mr PISONI: The Treasurer cannot answer for words that have come out of the minister's mouth.

The SPEAKER: Sit down, member for Unley. Any minister can answer the question. The Treasurer.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:57): One thing, Madam Speaker, is that I reckon I would have prepared a lot better questions to make fun of the events of yesterday than this lot. What a silly suggestion.

Members interjecting:

The SPEAKER: Order! Member for Croydon.

INTERNATIONAL STUDENTS

The Hon. M.J. ATKINSON (Croydon) (14:57): Can the minister—

Members interjecting:

The SPEAKER: Order! The member will be heard in silence.

The Hon. M.J. ATKINSON: Can the Minister for Employment, Training and Further Education tell the house—

Mr Pengilly interjecting:

The SPEAKER: Order, member for Finniss!

The Hon. M.J. ATKINSON: —whether his recent trip to Vietnam improves our state's chances of increasing numbers of international students?

The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (14:58): Last week I was pleased to be in Vietnam to make possible a new agreement between TAFE SA and the Da Nang Vocational Training College to deliver TAFE SA diploma courses in Da Nang in Central Vietnam. The agreement aims to further boost the number of international students who come from Vietnam to study in South Australia.

For the first time, three TAFE SA programs—a Diploma in IT (Software Development), a Diploma of Business Administration and an Advanced Diploma of Tourism—will be delivered in cooperation with the Da Nang Vocational Training College. This new arrangement with the Da Nang college builds on an already long association with education providers in Vietnam where, for more than 10 years, TAFE SA has been delivering information technology and business programs in Hanoi and Saigon.

About 1,300 Vietnamese students have come to South Australia to study this year, an 8 per cent increase on the 2009 figure. Vietnam is the fifth largest source country for overseas students in South Australia and the fourth largest nationally, and we want to continue to build on those numbers. The government hopes that young people studying these TAFE SA courses in Da Nang will be encouraged by their positive experience and subsequently decide to extend their studies and travel to South Australia.

On my trip to Da Nang last week, I met with dozens of key educational representatives and was greeted at the Da Nang Vocational College by over 500 students who attended to witness the

formal signing of the agreement. I am grateful for the warm hospitality of the Da Nang Vocational College, the People's Committee of Da Nang and the Centre for High-Quality Human Resources. I also want to acknowledge the good work of Austrade and, in particular, the South Australian government representative of Vietnam, Miss Thao Nguyen.

During fruitful meetings with officials I highlighted Adelaide's reputation for providing world-class educational opportunities in a safe and supportive city which welcomes students from overseas. Vietnam has many opportunities. For example, the current surge of restaurants, hotels and resorts being built in Da Nang has created a demand for training programs in tourism, hospitality and accounting, business administration and information technology.

We are keen to showcase our excellent vocational education courses and facilities in hospitality, tourism and English language to encourage even more Vietnamese students to come to South Australia. Students coming to Da Nang can study English language courses and move directly into hospitality and tourism programs at the Regency International Centre in Adelaide, which delivers professional training in cookery, hospitality management, tourism, cookery, patisserie, bakery, butchery and food processing.

During the visit, TAFE SA also held a free English language seminar for Vietnamese students in Saigon. This was well attended. I also visited an education expo while in Saigon. Despite the closed regime and the protracted war, the spirit and ambition of the Vietnamese is not quelled; and, like our successful Vietnamese community in South Australia, families left in Vietnam are seeking a better future through education. I hope that, through opportunities like vocational training, a bridge can be built between the Vietnamese people and South Australia.

MINISTER FOR FORESTS

Mr GOLDSWORTHY (Kavel) (15:01): My question is to the Minister for Education. Have a go at this one, Jay.

Members interjecting:

The SPEAKER: Order! The member will remember not to address members by their name.

Mr Venning interjecting:

The SPEAKER: Order!

Mr GOLDSWORTHY: Does the minister believe that the Treasurer's criticism of the Minister for Forests in the house yesterday over comments he made to the Mount Gambier forestry forum is an example of why the minister called for a change of leadership style following the March state election?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (15:02): Thank you, Madam Speaker.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: I love it when Goldy fires up. I love it when he—

The Hon. P.F. Conlon: He's the only one that frightens us.

The Hon. J.W. WEATHERILL: That's right. He might have gone to that staid Methodist college that we were celebrating the other day, but he does have fire in his belly. There are some unkind people who say that there are certain parts of the Adelaide Hills that remind them of the backwaters of some of those southern states, but I would never join in that criticism.

It is an impertinent question. If they want to ask questions about something serious, like the \$203 million education budget—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —if they want as to ask questions about what we are doing in this state to improve the standards of teaching and learning in our institutions, in our schools, I am more than happy to answer those questions, but they continue to pick away at the nonsense that they do—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —because they have nothing to offer the people of South Australia. They have nothing serious to offer the people of South Australia. I tell you where they get their material from: they roll out of bed (some of them a bit after breakfast time), they tune into radio and they pick up what they hear there, or they read what is in the paper. That is the extent of their research—no individual ideas, nothing new. They just tack onto whatever they think is going around to make a cheap political point.

If they want a serious discussion about something that is important, like education or health, or some of the other issues that are important for the people of South Australia, we will be there to debate it.

STORMWATER HARVESTING

Mr SIBBONS (Mitchell) (15:05): My question is to the Minister for Water.

An honourable member interjecting:

Mr SIBBONS: A bit better than all you guys today, I think. I guess this is important to South Australia, this one. How is South Australia tracking on the national scale with respect to stormwater developments?

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:06): I thank the honourable member for his question. Contrary to the view of those on the other side, South Australia leads the nation in stormwater re-use. The government of South Australia appreciates the importance of stormwater in reducing the pressure on—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: —potable water demand. Our respect for this valuable resource is evidenced by the number of strategic actions relating to stormwater management and re-use in the Water for Good plan. Under the guidance of Water for Good we are funding nation leading—nation leading—stormwater initiatives, working with local councils and key stakeholders to identify harvesting opportunities, developing a stormwater master plan for Greater Adelaide and supporting stormwater quality research. These initiatives will help to ensure that we secure our water future.

The SPEAKER: Order! Point of order, member for Mitchell.

Mr SIBBONS: I am really struggling to hear the water minister speak here. I just can't hear.

The SPEAKER: Thank you, member for Mitchell. I was just about to stand on my feet. If people do not want to be here I suggest they go for a walk. As I said, it is the last question time for the year; we should be full of Christmas cheer. And this is important for our state. The Minister for Water.

The Hon. P. CAICA: Would you like me to start again?

An honourable member: Yes, please.

The Hon. P. CAICA: Okay. I do thank the honourable member for his very important question. Some might have heard, but obviously my friend the member did not.

South Australia leads the nation—leads the nation—in stormwater re-use. The government of South Australia appreciates the importance of stormwater in reducing the pressure on potable water demand. Our respect for this valuable resource is evidenced by the number of strategic actions relating to stormwater management and reuse in the Water for Good plan.

Under the guidance of Water for Good, we are funding nation leading stormwater initiatives, working with local councils and key stakeholders to identify harvesting opportunities,

developing a stormwater master plan for Greater Adelaide, and supporting stormwater quality research. These initiatives will help ensure that we secure our water future.

South Australia's innovation in stormwater re-use has now been recognised through national awards. The Stormwater Industry Association National Awards for Excellence were held as part of Stormwater 2010—the National Conference in Stormwater Industry Association—on 10 November in Sydney. The awards encourage, recognise, promote and celebrate excellence in innovation, development, completion and management of stormwater projects and the people involved.

At these awards South Australian initiatives were successful across numerous categories, including Excellence in Strategic or Master Planning, Excellence in Infrastructure and Excellence in Research, Innovation, Policy and Education. I would have thought that the opposition might like to join in recognising and celebrating the achievements of these outstanding South Australians.

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: Well, your policy is run it through reeds for 10 days and it is good enough to drink.

Members interjecting:

The Hon. P. CAICA: Your policy is run it through reeds for 10 days, then it's clear, almost good enough to drink.

Members interjecting:

The Hon. P. CAICA: I am doing my best, Madam Speaker.

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, member for Davenport!

The Hon. P. CAICA: The winner in the Excellence in Strategic or Master Planning category was the Water Proofing the South: Christie Creek upgrade—

An honourable member interjecting:

The Hon. P. CAICA: —that's right—which incorporates a whole-of-catchment based approach to stormwater harvesting. The project is a partnership between the City of Onkaparinga, the Australian government, the Mount Lofty Ranges Natural Resources Management Board and the South Australian Department of Planning and Local Government.

This project was designed to secure water for non-potable use, while at the same time significantly contributing towards reducing nutrient and suspended sediment loads to Gulf St Vincent, as recommended by the Adelaide Coastal Waters Study. A master plan for a water re-use scheme was developed.

The winner in the Excellence in Infrastructure category was the Adelaide Zoo entry precinct, where Wallbridge & Gilbert engineers worked within a multi-disciplinary team to create a stormwater management scheme that was based on delivering water-sensitive urban design outcomes. The project features a number of water-sensitive urban design techniques, including vegetated swales, biofiltration swales, infiltration—

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: But not to drink it after 10 days, Iain; not to drink it, as is your policy, after 10 days—gross pollutant traps—and they know a lot about gross pollutant traps, Madam Speaker—and underground rainwater tanks. The work was regarded by the judges to be—

Members interjecting:

The Hon. P. CAICA: Why don't you celebrate it? The work was regarded by the judges to be innovative, translatable and reproducible. The winner in the Excellence in Research, Innovation, Policy and Education category was a book entitled *Adelaide: Water of a City*. The book had contributions from 130 predominantly South Australian authors, from universities, government, industry and private enterprise. The book explores Adelaide's water problems and potential solutions from a range of perspectives, including: historical, environmental and climate related,

engineering and social. The book shows that water management in Adelaide needs a balance of many solutions.

These national awards have recognised achievements in South Australia that relate to stormwater re-use. I will continue—despite the opposition—to inform the house of future achievements as we undertake further initiatives and work towards producing a comprehensive strategy for the future management of stormwater in South Australia.

I met today with Austrade representatives, who are working very closely with members of the water industry in the United States and, importantly, members of the water industry here in South Australia. There is no doubt in my mind that, despite what might be the view held across the chamber, we lead the nation in stormwater management and we lead the nation in wastewater management.

Underpinning all of this is some outstanding research which will result in advanced manufacturing products that are going to be not just the envy of what happens elsewhere around the world but, importantly, are going to underpin what is a water industry here in South Australia that has relevance, not just nationally but internationally, with respect to how we engage those other nations and the ongoing economic development of this state. It would be very nice if the people on the other side got behind some of these initiatives instead of always just bagging them.

Members interjecting:

The SPEAKER: Order! No quarrels across the floor, please. Member for Goyder.

TREASURER

Mr GRIFFITHS (Goyder) (15:14): My question is to the Premier, and, given the actions of the Treasurer today in choosing to answer a question from the member for Unley directed to the Minister for Education, it is quite relevant. Is the reason that ministers do not answer questions addressed to them in question time because they are afraid of being criticised by the Treasurer?

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) (15:14): Here is the former deputy leader, who came out on the last days of the campaign and shot the Leader of the Opposition in the foot by saying that what he was saying on hospital costings was just spin.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Because I like a bit of Christmas cheer, and it sort of fuses with last week-itis, the deputy leader, of course, is the only deputy leader in history who was elected by three votes—and he could not remember who he voted for.

FORESTRYSA

Mrs REDMOND (Heysen—Leader of the Opposition) (15:15): My question is for the Treasurer. Is the forward sale of the forests one of the now controversial issues which the Minister for Education was intimately involved in preparing as part of the budget?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:15): I don't recall the actual membership of the 2008 budget committee, but that decision was taken two years ago.

Members interjecting:

The SPEAKER: Order!

SPENT CONVICTIONS LEGISLATION

The Hon. R.B. SUCH (Fisher) (15:15): My question is to the Attorney-General. What progress has been made in drawing up the regulations under the Spent Convictions Act?

The Hon. J.R. RAU (Enfield—Attorney-General, Minister for Justice, Minister for Tourism) (15:15): As all members here would know, the honourable member for Fisher has long been an advocate for spent convictions legislation. He has championed this cause, and I think all members in the chamber would be aware, from correspondence and phone calls that we have

received, that there are many people out there in the community who share the concerns of the honourable member. It is an important change that is going through.

I am advised that the position in relation to the legislation that is in presently is that we want to make sure that the police are in a position to actually do what they have to do in terms of their IT equipment and so forth. I believe that will probably be ready to go by about February 2011—that is my understanding. I expect the regulations to be in place as soon as the equipment and the capability within the police is available to deliver the outcome. It is not much good promising people a spent convictions regime if there is no opportunity or capacity in the system to deliver it.

The other matter that might be of interest to the honourable member is that we are considering whether there is some opportunity for further refinement of the arrangements to deal with some convictions which presently are not able to be dealt with under those arrangements but arguably should be. There will be more about that perhaps earlier in the new year. The honourable member can rest assured that the regulations are not far away, and all of those people in the community who have been looking forward to this will be able to take advantage of it.

MURRAY-DARLING BASIN PLAN

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:17): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P. CAICA: Over the next 12 to 15 months, the long-term future of the Murray-Darling Basin will be determined.

Mr WILLIAMS: Point of order, Madam Speaker.

The SPEAKER: Point of order, I am not sure what your point of order would be.

Mr WILLIAMS: It is a convention of the house that, when a minister makes a ministerial statement, he hands out a copy of his statement.

The SPEAKER: There is no standing order there. Sit down—I can see that he is about to hand them out. Thank you, minister.

The Hon. P. CAICA: As I said, over the next 12 to 15 months, the long-term future of the Murray-Darling Basin will be determined. On 8 October 2010, the Murray-Darling Basin Authority released a guide to the proposed plan. The South Australian government has been preparing a response to the guide and has engaged with the public at valuable community meetings held in Murray Bridge, Renmark and Adelaide.

Following consultation on the 'Guide to the Proposed Basin Plan', the proposed basin plan will be released. This is due to be released early next year, which will initiate the formal minimum 16-week public consultation process required under the Water Act 2007. This will be followed by the final basin plan by the end of 2011 or early in 2012.

As I and others have stated before, this is a once in a lifetime opportunity to fix the environmental problems facing the basin. Whether we achieve our goal of a healthy river system, capable of supporting vibrant and productive communities, or whether through inaction or too little action we condemn the basin to a slow or possibly rapid decline, all hang on the outcome of deliberations over the next 12 to 15 months.

I do not need to remind the house that South Australia, in its position at the bottom end of the system, has the most to gain or lose, depending on the final outcomes of this process. I believe it is vital that South Australia present a strong and unified front in our response to the proposed basin plan, once it is released.

For this reason, consistent with my numerous calls for a bipartisan approach across the political divide on this important issue, I notify the house of my intention to move a motion requesting that the Natural Resources Committee inquire into and report on the proposed basin plan when it is released next year on behalf of the South Australian parliament.

The Natural Resources Committee will inquire into and consider the following aspects of the proposed plan when it is released, with particular reference to community views on:

- the environmental impacts of the provisions for environmental flows in the River Murray system, in particular the Coorong, Lower Lakes and Murray Mouth;

- the impact of proposals on the social, cultural, environmental and economic needs of the South Australian community;
- whether new sustainable diversion limits have been fairly and equitably devised and applied across the Murray-Darling Basin; and
- associated community adjustment issues.

Work on the referral will commence on the date that the proposed basin plan is released by the Murray-Darling Basin Authority. A response will need to be provided within the time outlined by the authority, which will be a minimum of 16 weeks from the date of release of the proposed basin plan.

I trust all members of the house will welcome this move and use this opportunity to work together for an outcome that is in the best interest of the basin, of those that rely on it and, of course, of South Australia. I also hope that this spirit of bipartisanship will be embraced by our federal South Australian representatives so that we are in the strongest possible position to get an outcome for our state and our nation.

GRIEVANCE DEBATE

GOVERNMENT PERFORMANCE

Mrs REDMOND (Heysen—Leader of the Opposition) (15:21): I thought it was appropriate on this last day of sitting—not knowing, of course, before that it was going to be the last day of sitting, because there was an optional week we could have sat to get us up to nearly 30 days of sitting instead of the few that we have had—to have a look at where we have been since the election, since this government was returned to office in March.

The Hon. M.J. Atkinson: Returned to office with an absolute majority!

The SPEAKER: Order!

Mrs REDMOND: In anyone's language, you would have to say that this is a government that has lost its way. If ever the phrase 'Nero fiddled while Rome burned' should apply, it is to this government. This government has completely lost its way; it has taken its eye off what it is meant to be concentrating on, which is 'the good governance for the true welfare of the people of this state', according to the prayer that we say in this chamber every single day that we are sitting. But they have forgotten about that because they are so busy with their internal ructions that they are focused on themselves and not on the good governance of this state.

Why do I say that? I say that because we now have a debt in this state blown out to \$8.6 billion. It will cost the taxpayers of this state about \$2 million a day in interest. Some interesting statistics have come out: not only do we have the lowest wages and the highest taxes and highest youth unemployment; we have exports still in decline—they still have not got back to where they were when we left office, in spite of the government's grand strategic plan—but also, after the mining boom that the Premier has talked about for 8½ years, mining jobs are at a six-year low, after this government has been in office all this time. What they are on about is themselves and their own self-interest.

How do we know they have lost their way? Because every single week since we have been back here we have had protestors on the front steps of Parliament House, and they are not your average rent-a-crowd. They are not people who would normally be out protesting. Indeed, what we have had is, amongst others, the PSA, Janet Giles from Unions SA, Wayne Hancock, Brad Coates—we have had all sorts of unionists. What about Jan McMahon, who stood on the front steps of this chamber and said, 'You can't trust this government'? Even the unions know that you cannot trust this government.

Let us look at the decisions they have made that have caused people to come here to protest, so blind are these people to what really matters in this state. They decided to close the Parks Community Centre. They were going to sell off the Parks Community Centre, which has 20,000 users every month, without realising that closing the swimming centre alone would mean that, with the North Adelaide Aquatic Centre closing for renovations next year, there would be nowhere for anyone in the north to swim, not one swimming pool between Elizabeth and Marion—and the Marion pool, of course, was an initiative of the then minister, Iain Evans.

What about the community hospitals, the paltry \$370,000 cut from Keith, \$140,000 from Ardrossan, \$300,000 from Moonta. I went down to Keith on 22 October. Of course, you guys have a very different idea. Your Premier said, just after the election—

The Hon. M.J. ATKINSON: On a point of order, the Leader of the Opposition referred to us as 'you guys'. I would ask her to refer to us by a name that is in order.

The DEPUTY SPEAKER: I uphold the point of order, but it is a moment of excitement.

Mrs REDMOND: I will simply say that the Premier indicated after the election that you were going to reconnect with the community. Remember that? Reconnect. The Minister for Forests thought that that meant putting a staffer into a ministerial car to go out to his electorate in case he did not know the way. He went out to his electorate to go doorknocking for him for a couple of hours. If that is your idea of reconnecting with the electorate, then shame on you!

Let's talk about Puglia and about the fact that the government has pulled \$200,000 from the funding for the umbrella organisation that funds the 40 chambers of commerce for all the different organisations around this state, that bring some \$80 million into this state by way of exports of our products to other places—

An honourable member: Time is up.

The DEPUTY SPEAKER: Order! Sit down, please, member for Reynell. There has been so much interjection during the end of that grievance that I am inclined—

An honourable member: Another five minutes.

The DEPUTY SPEAKER: Oh no, not another five minutes. That's a little too generous, but I am inclined to give you another minute.

Mrs REDMOND: Thank you, Madam Deputy Speaker. So how does a government get to the point where they have taken \$200,000 away from the Council for International Trade and Commerce for South Australia—\$200,000 for organisations that bring into this state some \$80 million of export value for this state's benefit. They pull the funding from that and yet they manage to send to the Puglia Trade Fair, Fiera del Levante, \$185,000 per annum. The special envoy, Nicola Sasanelli, whose wonderful book cost the taxpayers of this state \$17,500, and if you see the book—which you cannot borrow from any public library and you cannot find to purchase anywhere—you will know that it is a piece of rubbish.

Mr Williams: A waste of money.

Mrs REDMOND: An absolute waste of money. And government officials, so no actual exporters going to our trade fair, no actual businesses, but the government is prepared to support all of that rather than support our organisation in this state.

SCHOOL RETENTION RATES

Ms THOMPSON (Reynell) (15:28): Something that amazes me in this place is the problem that members opposite have with history. They do not seem to remember anything that happened before 2002, and—

Mr PISONI: On a point of order, the member is reflecting on other members. I ask her to withdraw: 127.

The DEPUTY SPEAKER: Take your seat, please, member for Unley. I think you will find that there is no individual slur whatsoever. She was referring to a collective memory and, as such, she is not particularly choosing to reflect upon any member.

Ms THOMPSON: Thank you, ma'am. One of the points of history that I want to talk about and the consequences for today is the appalling decline in school retention which occurred immediately on the Liberal government's coming to office in 1992.

Members interjecting:

The DEPUTY SPEAKER: Excuse me, member for Reynell. Members on my left will respect the member for Reynell. She has the right to speak for five minutes on this matter and, at the moment, it is very hard to hear her. Thank you.

Ms THOMPSON: Madam Deputy Speaker, I know you are aware that the school retention rate in South Australia plummeted from 90 per cent in 1992 to below 60 per cent by about 1997—

Mr Williams: Because they changed the way they counted it, you know very well, Gay.

The DEPUTY SPEAKER: Member for MacKillop, member for MacKillop, member for MacKillop, member for MacKillop, what I did I say?

Mr WILLIAMS: You said, 'Member for MacKillop, member for MacKillop, member for MacKillop, member for MacKillop.'

The DEPUTY SPEAKER: I said it four times in an attempt to call you back into line. So now that I have said your name four times, let her carry on.

Ms THOMPSON: The members opposite fudge and suggest that this has to do with school counting methods. That was very clearly demonstrated not to be the case and the standard method has applied, we know, since 2002, and we have gradually clawed the retention rate back. If members opposite had been paying attention during question time, they would have heard that we have now recovered to a retention rate of 80 per cent. That is still not enough, as the retention rate now is quite disparate.

I would like to thank the Smith Family, the Adelaide university and the previous minister for education for the production of the social atlas, which shows us how the school retention rate and other school benefits, unfortunately, are poorly distributed in this state. It is a clear map for us to see that we need to focus special efforts in education on areas of greatest need, rather than just destroying everything as was done between 1993 and 2002.

Schools in my area are working with me to look at how we as a community can improve educational outcomes for children in our area. I want to thank the parents who joined me last week at a governing council's forum where we heard from the Smith Family about some of the issues in the inequities in education and the barriers that some children and their families have to face in being able to really engage in education.

We heard from the ICAN southern manager who told very heartfelt stories of the achievements that have been made during the time of this government to enable children who are struggling with education to re-engage and be successful. I was very pleased that so many parents were prepared to start thinking about how our schools can work differently to achieve success for all our children.

They pointed very clearly to the need to improve the NAPLAN scores. They are not satisfied with the fact that most schools in our electorate do not achieve state school average. I have long been dissatisfied with the fact that the education department even has something called 'alike school average', which means that children in my electorate are not expected to achieve to the state average. This is a very long held practice, which I hope is gradually diminishing.

Parents want to see excellence for their children. They want to see more support for teachers to develop their skills. They did recall that Malcolm Buckby, when he was minister for education, shortened the school year to save money on electricity, but provided no staff development for teachers.

Mr Williams interjecting:

The DEPUTY SPEAKER: Over the year, member for MacKillop, I have been quite generous during grievances—I have let people finish their sentences, you included. You are not here to make a call about when the member's time is up. Member for Norwood.

GOVERNMENT PERFORMANCE

Mr MARSHALL (Norwood) (15:39): In the dying hours of this particularly short parliamentary year, it is useful to reflect on where we are as a parliament and who's who in the zoo. Let me tell you, Madam Deputy Speaker, that it is very difficult to tell what is going on at the moment. On 891 radio this morning Matthew Abraham said that, yesterday's debacle, was the tipping point. The war has actually started. He quoted senior members of the Labor Party who had already leaked to him that they had never seen anything quite like it in this parliament. It was a debacle, it was humiliating, it was embarrassing.

The Premier must be sitting there saying to himself, 'What is actually going on? What is actually going wrong?' It was only a short time ago that he won that historic third term election for them but, suddenly, it is starting to crumble. The people who have been such strong supporters of the Premier in the past—the party faithful—have turned on him. Everyone has turned on him, including his own state parliamentary team. He knows that the end is near.

The Premier is the Bruce McAvaney of the state parliament because he loves statistics and he can see a milestone approaching. He wants to be the longest serving Labor premier we have had in this state. He is so arrogant and delusional that he thinks he should be here longer than John Bannon and longer than the hero of the Labor Party, Don Dunstan. But, guess what? He is not going to make it. The party has turned on him. He is toxic, his government is toxic, his policies are toxic, and they are going to hear about it at the state ALP convention on Saturday.

The Hon. M.J. Atkinson: Have you finished?

Mr MARSHALL: No, I haven't finished. Not only does the Premier know it, but his colleagues also know it. They can smell it. They are walking around the corridors here at Parliament House smelling that something is rotten here, so there is going to be a coup. And who are we going to be faced with moving forward?

Well, the Treasurer, of course, wants a go—the self-proclaimed 'not the sharpest tool in the shed'—thinks he is ready for the job. He has already told us he is 'not the sharpest tool', but he still wants the job. He quotes the fact that he still has a AAA rating. He says, 'I have got us the AAA rating despite the global financial crisis.'

He wants to tell us all about how he has manoeuvred us through the global financial crisis, but he does not tell us about the rivers of gold of GST money that have come into this state. He does not tell us that we are the highest taxed state in the entire country. He does not acknowledge any of those things. He does not acknowledge, of course, the huge amount of money that has come into this state by ripping the people of South Australia off through property taxes. No—he just wants to tell us that he has manoeuvred his way to a AAA credit rating.

But let me tell members that that is a man who is completely drunk on spending. He has taken the spending of this government to Olympic proportions. He has outspent in each and every single one of his eight years as Treasurer, and the spending spree goes on. And yet he still he thinks he is the man for the job—but would the public wear it?

In the other corner, of course, we have the member for Cheltenham. He certainly wants the job. In fact, straight after the historic third term election of his party, he got up and said, 'I don't like the leadership of this party and I'm putting my hand up to take over the job.' Well, guess what: he did not get that job. However, ever since that time he has been quietly but determinedly undermining this government and, of course, we were reminded of that today. Announce and defend—it was a deliberate attack on the leadership of the Labor Party. He is sick of it, we are sick of it, the people of South Australia are sick are it and, hopefully, on Saturday, they get their just desserts.

As we have heard from our leader on many occasions, unfortunately for the member for Cheltenham, they have not got the numbers. As our leader has pointed out, the talent is on the left but, unfortunately, the numbers are on the right. We could talk and talk about the talent on the left, but let me tell members that it is bad news for the member for Colton, it is bad news, of course, for the member for Cheltenham, and it is bad news for the member for Hartley. They just do not have the numbers. That is, of course, why the member for Elder fled to the left. That is also why the member for Light got out—because he knew that his faction was going to take him absolutely nowhere.

On the right, of course, we have the member for Playford and we also have the member for West Torrens, who is here today. He is in a rush to get somewhere. He is in a devil of a rush to get somewhere. And, of course, we have got the Attorney-General—all very carefully watched by the former Attorney-General, who is up to something, I know he is. He is up to something. The right is fractured, and this will provide the left, hopefully, with the opportunity to make that coup that they need. Yesterday on the—

The Hon. A. KOUTSANTONIS: I would like to move an extension of time.

The DEPUTY SPEAKER: You move an extension of time? Well, to tell you the honest truth, I do not think there is such a thing for a grievance. I am very sorry, but you know what we could do—

Members interjecting:

The DEPUTY SPEAKER: Order! You know what we could do? We could always, in the Christmas cheer spirit, give the member for Norwood another minute. Shall we give him another minute?

Members interjecting:

The DEPUTY SPEAKER: Yes.

Mr MARSHALL: Thank you, member for West Torrens. I will wrap up my remarks.

An honourable member interjecting:

Mr MARSHALL: I will try to promote you. Yesterday, of course, we heard on the floor of the house about the fracture which exists. Yesterday, the minister said that it was 'bloody nonsense'; today it was a communication glitch. No doubt Jill Bottrall was working overtime on that one. What a mess. Whether the Premier goes now or whether he goes in 12 months, the Labor Party will be paralysed both from a legislative point of view and an executive point view, and we are the ones who miss out.

The government will be consumed by this leadership posturing, back stabbing, and all you members climbing that greasy Labor ladder over there trying to make your way to the top. Saturday is the ALP convention. Yesterday the member for Davenport wished you all a very merry Christmas. Well, I wish you a very, very happy ALP State Convention.

Honourable members: Hear, hear!

The DEPUTY SPEAKER: Thank you. The member for Torrens.

Mrs GERAGHTY: I have a question of you, Madam Deputy Speaker.

The DEPUTY SPEAKER: Yes, please.

Mrs GERAGHTY: My question is: given that you have been so exceptionally generous to give each of the members opposite an additional minute, could you please give the same to those members on this side?

The DEPUTY SPEAKER: I think I can, because, apparently, the timing of grieves is at my discretion.

Mrs GERAGHTY: Perhaps I may suggest that you might like to take them down—

Members interjecting:

The DEPUTY SPEAKER: The member for Torrens has a small voice.

Mrs GERAGHTY: I do, indeed. Yes, I am very sorry. I do have a question then. Perhaps, if it is at your discretion, if they are rowdy during the contribution of members on this side, you may like to reduce their following contribution to two minutes.

The DEPUTY SPEAKER: I think that they are allowed to have a minimum of five minutes. I think that everybody is allowed a minimum of five minutes, so we are not going to do that. The member for Mitchell, you have six minutes. Don't leave. Why are you all leaving?

RELATIONSHIPS AUSTRALIA

Mr SIBBONS (Mitchell) (15:42): Thank you, Mother Christmas. I must say that, one of the most eye-opening meetings I have had since becoming the member for Mitchell was—

Ms Chapman interjecting:

Mr SIBBONS: Okay, the shot clock has just gone up to seven now, so we're doing well. I will start again. One of the most eye-opening meetings I have had since becoming the member for Mitchell was with representatives of Relationships Australia, a non-profit charitable organisation, the purpose of which is to support people through a variety of relationship issues. These include: family dispute resolution, domestic violence, child abuse, general and mental health, and addiction, including problem gambling.

The organisation has more than 60 years of experience in the field and offers confidential counselling and education for individuals, couples and families. When I visited Relationships Australia's Marion office recently the focus was on problem gambling and, in particular, the Consumer Voice Project which connects community groups with speakers who have overcome gambling problems to raise awareness of the issue, and I believe that greater awareness is certainly needed in our society today.

When we think about problem gambling many of us think that it is an issue that will never affect us. Many of us think that a problem gambler is a stereotypical person, mostly unemployed

and undedicated and that they come from a low socioeconomic background, and that is simply not true. The picture fails to tell the full story. Problem gamblers may have highly-paid jobs, be very respected in our community and be in powerful positions. Most have a university education and live in lavish homes.

As gambling takes over their lives and impacts upon those close to them, they lose respect for their family, they lose respect for their job, and they lose respect for their home and assets. The debts which can be racked up may lead to a number of illnesses—depression and mental illness. They may turn to substance, they may turn to criminal activity, they may also be very deceptive with family members and, ultimately, it can lead to unfortunate suicide.

The Department for Families and Communities' problem gambling website explains that when gambling begins to consume more money and time than a person can afford it can affect many parts of their lives and, as I mentioned earlier, that includes the physical side, the emotional side, the financial side, relationships, work and also study.

The extent of problem gambling is difficult to measure, as people caught in its web are often very skilful in hiding their addiction from those close to them. However, over time the impacts may become increasingly obvious and very serious. The South Australian Gambling Prevalence Report 2005 lists our state's rate of problem at moderate or high risk gambling as 1.6 per cent of the population of 18 years and over. This number may seem small, but Relationships Australia believes this figure is just the tip of the iceberg.

Often, problem gamblers do not seek help until they hit rock bottom and lose all hope. Family members and friends often do not catch onto what is happening until the situation becomes dire. Also, when you take into account that, for every problem gambler a further five to 10 people are affected, you begin to grasp the true magnitude of the problem. So, with an estimated minimum of 290,000 Australians with a gambling problem, it means that there are more than two million Australians being hurt by this problem.

Importantly, Relationships Australia offers help and advice to everybody affected by problem gambling. Today I wish to commend them for their important work in this area. Our communities and our families benefit tremendously from their expertise and assistance. I also wish everybody in the house a very merry Christmas, and I certainly remind members opposite that they have another three more years at least still over that side.

SACKS, DR N.P.M.

Dr McFETRIDGE (Morphett) (15:47): I need to inform the house today of a matter of public importance. Two weeks ago very serious allegations were made to me concerning a senior surgeon at the Lyell McEwin Hospital. These allegations concern the competence and fitness to practice of Dr Nigel Philip Michael Sacks. The allegations came from several senior members of the medical profession who have asked me to speak about this matter.

Once I was aware of the allegations, I immediately wrote to the health minister, John Hill, to make him aware of my alarm and deep concern about the allegations. The letter, dated 11 November, is addressed 'Private & Confidential' to Minister Hill. It states:

Dear John,

I have been made aware of some alarming concerns of doctors at the Lyell McEwin Hospital over one of their colleagues, Dr Nigel Sacks, a professor of surgery at the hospital.

I understand that Dr Sacks has a history of mental illness and was found unfit to face court over 19 fraud charges in England brought by the National Health Service. He was then found unfit to face charges by the General Medical Council of England because of his mental condition.

In the meantime, I understand that Dr Sacks has been employed at the Lyell McEwin Hospital by the Department of Health and has been performing surgery there, some of which I understand has caused serious injury to patients.

I also understand that Dr Sacks and the Hospital are currently being sued by a patient who alleges that Dr Sacks was going to proceed with surgery whilst under the influence of either alcohol or medication. I am told that Dr Sacks performed a botched thyroidectomy on a woman who has undertaken legal proceedings against Dr Sacks and the Hospital.

I am also told that Dr Sacks has been reported to the Medical Board of Australia under the mandatory reporting conditions of the new national registration of health practitioners by a colleague because, in his opinion, Dr Sacks is not fit to operate or be practising in South Australia.

I ask you to look into his case with the utmost urgency and to inform me as to what your intentions are in allowing Dr Sacks to continue to operate in a public hospital.

The letter continues:

I quote from the General Medical Council findings in the minutes of 11 January—5 February of the Fitness to Practice Panel that examined allegations against Dr Sacks. In that part of the conclusions a psychiatrist who had been examining Dr Sacks said 'Mr Sacks is not well enough to undergo these proceedings fairly, and never will be.'

In other words, Dr Sacks is unfit to face court proceedings and would, in my opinion, be unfit to practise as a medical practitioner, let alone as a specialist surgeon.

Shortly after handing my letter to the minister in this chamber, minister Hill told me that Dr Sacks was no longer working as a surgeon, or words to that effect. Minister Hill later came across the chamber for a second time to tell me that Dr Sacks was still employed by the Lyell McEwin Hospital but was not seeing patients. As of yesterday, Wednesday 24 November 2010, I was told that Dr Sacks is, in fact, seeing outpatients and assisting in surgeries.

The comments in the minutes of the General Medical Council of England, at their fitness to practice hearing, on 11 January to 5 February 2010, should have alerted the minister as to the serious nature of Dr Sacks' history and mental state. Dr Sacks was to be charged with 23 counts of inappropriate and/or misleading and/or dishonest conduct. At page 13 of those minutes it states:

On 16 June 2008, His Honour Judge Rivlin, sitting at Southwark Crown Court, stayed an indictment alleging offences of dishonesty which are to all intents and purposes identical to the allegations before this panel on the grounds that Mr Sacks was medically unfit to undergo the trial...the prosecution offered no evidence and not guilty verdicts were entered on all counts in the indictment.

In March 2009, Mr Sacks returned to his native Australia where he was accorded conditional registration by the Medical Board of South Australia and he took up a senior surgical post at the Lyell McEwin Hospital in Adelaide, a post he has occupied until the present time.

The minutes continue on page 16:

...the panel concurs with the broad proposition that serious allegations regarding a doctor's fitness to practise should be ventilated in the public arena.

The minutes continue on page 19:

This case and the allegations against Mr Sacks arise from his employment as a consultant surgeon by the Royal Marsden Hospital NHS Foundation Trust, in particular during the period 2000-2004...he dishonestly sought...removed documentation...frustrated an investigation by lying about having done so.

On page 22 of the minutes of the General Medical Council, Dr Sacks' long-term treating psychiatrist gave evidence that in his opinion:

...that Mr Sacks is not well enough to undergo these proceedings fairly and never will be.

If Dr Sacks is mentally unwell and unable to cope with the stresses of proving his innocence on the fraud charges, then surely his ability to practise must be questioned. I think every South Australian would be vitally interested in Dr Sacks' ability to practise, as the assessment of life-threatening conditions and performing complex surgical procedures are particularly demanding and stressful.

I have spoken to a number of Dr Sacks' colleagues, who have described his current behaviour as 'he is a disaster' and 'he is a danger'. Minister Hill knows about this man, a man who should never have been employed by the Lyell McEwin Hospital. Despite minister Hill telling me that Dr Sacks is not seeing patients, this is clearly the case. I am now calling on the minister to immediately suspend Dr Sacks from all public hospitals and to conduct an inquiry into Dr Sacks' professional conduct and personal behaviour.

For the minister to not know that Dr Sacks poses a serious danger to South Australian public health patients is inexcusable, and for him not to have acted for at least two weeks is unforgiveable and he should resign.

THORPE, MS A.

Ms BEDFORD (Florey) (15:52): To continue my remarks of yesterday, Andy Thorpe was a sister-in-law to Denys and aunt of Janet as well as Andrena, and great-aunt to their children Hayden, Alexander, Madeline, Fraser and Fergus.

When I reached the airport, it was a lovely coincidence to bump into Peg and Andrena, by then on their way home. We were all able to spend some time together, sharing stories and

reminiscing about childhood fun and simple pleasures. It was a privilege to speak with them at that time and to condole. Peg's and Andy's was obviously a special bond and sister relationship.

Andy's last years were not what she would have wished, but all who loved her are grateful to Dr Michael Voin and the wonderful team at the Riverton Hospital for their skill, sense of humour and great care. Knowing Andy was well looked after was a great comfort and greatly appreciated by everyone who knew her.

I would also like to acknowledge, on Andy's behalf, the many special relationships and great friends who shared her life and who will keep treasured memories of her forever. In particular, Tony and Maggie Gwynne-Jones, Peter Ryan and Joan and Steele Hall and their families.

I know first-hand how Joan especially has been a most wonderful friend to Andy, overseeing her move to Riverton, taking care of major and minor details and devoting much time to Riverton visits and purchasing essentials and items of clothing, always under instructions re style and colour, etc., and making sure that all would be as Andy would have liked.

Joan and Andy's family and close circle of friends made sure that Andy had the best possible care and the send-off she would have wanted. Among the readings and musical interludes was the song *People*, one of Andy's favourites. Death, like birth, is a secret of nature, as are all our special relationships. There can be no doubt, as Barbra Streisand sang, 'People who need people are the luckiest people in the world.' Vale, Andy Thorpe, you will be remembered and missed.

In conclusion, I would like to mention an issue that has a great impact on far too many people: the excessive use of alcohol. It is particularly pertinent today, on White Ribbon Day, the United Nations International Day for the Elimination of Violence Against Women, when we focus on domestic violence, so often fuelled by alcohol abuse. It is the day when we personally pledge not to permit, condone or remain silent about violence against women.

I spoke about Andy's involvement in feminism, and South Australia has a proud history in this area through the early granting of dual suffrage. Much work went into this breakthrough, spearheaded by our own Catherine Helen Spence, Mary Lee and Elizabeth Webb Nicholls, who we all look at whenever we are in this chamber. The latter, of course, was leader of the Women's Christian Temperance Union.

The South Australian branch of the WCTU was established in 1889 following a visit by American spokesperson, Jessie Ackermann. By 1899, membership of the WCTU was over 1,100. The Women's Christian Temperance Union was active in the UK as well as the United States and Australia. It is no coincidence that the struggle for franchise was taken up by this group of women, so keen to improve the lives of other women in, apart from temperance, raising the age of marriage, equal pay and fair workplaces among many other issues. These issues were essential to providing better lives and living conditions and were pursued through fighting for the vote.

Still active today, the WCTU now has an office on Sir Donald Bradman Drive after moving from its long-time home in Hutt Street. Elizabeth Webb Nicholls was its first president and served two terms: from 1889 to 1897 and 1906 to 1927. In 1891, Mary George became its first paid secretary. Under Elizabeth Webb Nicholls' leadership, the union took an active role in the campaign for women's suffrage in South Australia. It had a suffrage department convened by Serena Thorne Lake in 1890 and became involved with the Women's Suffrage League. It is no coincidence that our own Muriel Matters, Adelaide's internationally regarded suffragist, worked with the WCTU and met with them on her return visit to Adelaide in 1910 when she met with the Women's Suffrage League.

Society still grapples with the irresponsible use of alcohol. We look at things from youth binge drinking to the dangers of drink driving and the harm caused by alcohol-fuelled violence, not only domestic violence, but road rage, brawling and, of course, sexual attacks on women. The WCTU continues to work hard to make these issues important to both men and women, something that we all work together to ameliorate and, we hope, eventually make a thing of the past. While speaking with Peg and Andrena at the airport, we talked about the importance of strong women and agreed to aspire to Andy Thorpe's fine example of working hard to make a difference.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (EXEMPTIONS AND APPROVALS) AMENDMENT BILL

The Legislative Council insisted on its amendments to which the House of Assembly had disagreed.

Consideration in committee.

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

That disagreement to the amendments be insisted upon.

Ms CHAPMAN: We remain deadlocked and I think we will now move to convene a deadlock conference. I indicate that the member for Morialta and I are happy to volunteer for that purpose and to meet whenever it suits the Attorney.

Motion carried.

The Hon. J.R. RAU (Enfield—Attorney-General, Minister for Justice, Minister for Tourism) (16:03): I move:

That a message be sent to the Legislative Council requesting a conference to be granted to this house in respect of certain amendments from the Legislative Council in the bill; 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 member for Mitchell, the member for Newland, the member for Morialta, the member for Bragg and the mover be the managers of the conference on the part of the House of Assembly.

Motion carried.

OCCUPATIONAL LICENSING NATIONAL LAW (SOUTH AUSTRALIA) BILL

Second reading.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (16:04): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Licensing of occupations is predominately a State and Territory function and is conducted by a range of regulatory bodies in each State and Territory. For historical reasons, licensing systems have developed in different ways in each jurisdiction which means that approaches to licensing are not consistent. While the Commonwealth *Mutual Recognition Act 1992* was introduced to improve the mobility of licensed individuals between jurisdictions, there are still a number of barriers which make this difficult. In addition, the Mutual Recognition Act does not apply to business licences. Licensees who want to move between jurisdictions must still apply for a licence, meet different non-skills requirements and pay a separate licence fee in each jurisdiction in which they wish to work. These arrangements are particularly onerous for individuals and businesses operating in multiple jurisdictions and for those working in border areas.

On 3 July 2008, the Council of Australian Governments (COAG) agreed to the development of a national trade licensing system in the context of its broader agenda for regulatory reform. COAG's objective in agreeing to establish a national licensing system is to remove overlapping and inconsistent regulation between jurisdictions in the way that they licence occupational areas. It is anticipated that the reforms will improve business efficiency, reduce red tape, improve labour mobility and enhance productivity. This will enhance consumer confidence and protection without imposing unnecessary costs on consumers and businesses or substantially lessening competition.

A national licensing system will make it easier for businesses and workers to operate across State and Territory borders, while continuing to provide the necessary protections for consumers and the community. For the first time, eligible licensees will be able to work across Australia without the need to hold multiple licences or pay multiple fees.

The *Intergovernmental Agreement for a National Licensing System for Specified Occupations* (IGA) was signed by all States and Territories at the April 2009 COAG meeting. The IGA provides for national licensing to apply initially in the following occupations agreed by COAG (with scope for expansion to other occupations if agreed at a later stage):

First wave occupations:

- Air conditioning and refrigeration mechanics
- Plumbers and Gas Fitters
- Electricians
- Property Agents (other than conveyancers and valuers)

Second wave occupations:

- Land transport (passenger vehicle and dangerous goods only)
- Maritime

- Building
- Conveyancers and valuers

It is intended that the first wave of occupations will transfer to the new system on 1 July 2012 with the remaining occupations to transfer from 1 July 2013. The IGA allows for the possibility of removing land transport and maritime occupations from the scheme in the event that they are included in other national licensing processes.

The IGA provides for the national licensing system to be established by the States and Territories through cooperative national legislation. It does not involve a referral of powers to the Commonwealth. The introduction of national legislation in a State or Territory Parliament for adoption by other participating States and Territories is a standard approach to implementing national schemes in areas, like licensing, where Constitutional powers rest with States and Territories, and not the Commonwealth.

The IGA states that Victoria will take the lead in passing the national licensing legislation ('the national law') and all other States and Territories (including South Australia) will pass legislation that makes the Victorian legislation become law in their jurisdiction. The national law was passed by the Victorian Parliament on 17 September 2010. The *Occupational Licensing National Law (South Australia) Bill 2010* seeks to adopt the national law by applying the *Occupational Licensing Law Act 2010 (Victoria)* as law in South Australia.

Any changes to the national law once it has been enacted must also be agreed by the Ministerial Council responsible for overseeing the reform. During the implementation phase of the national system, this responsibility resides with the Ministerial Council for Federal Financial Relations.

The national law has been designed to provide the governance and high-level framework for the national scheme. The operational aspects of the scheme and industry-specific licensing rules and procedures are to be covered in regulations, which are currently being developed. This will enable informed and detailed analysis on the risks, needs and safety requirements for both licensees and consumers, before each occupational area becomes operational under the national law. As such, the Government will subsequently be introducing consequential amendments to South Australia's existing occupation-specific legislation for the first wave of occupations by early 2012, to allow for the industry-specific regulations under the national scheme. Occupation-specific legislation will still exist in South Australia to regulate areas that fall outside of the national scheme, for example, conduct matters.

Interim Advisory Committees have been established for all of the first wave occupations to provide advice on the development of licensing policy for specific occupational areas, which will lead to national regulations to be made under the national law. Each of the Interim Advisory Committees comprise of members with a balance of expertise relevant to an occupational area including union, employer, regulator and consumer representatives. The Committees are assisted in this task by working groups of relevant regulators. After the national law is operational the Interim Advisory Committees will be replaced by Occupational Licensing Advisory Committees as provided for in the national law.

The national law establishes a National Occupational Licensing Authority ('the Licensing Authority') which will be responsible for developing (on the advice of the Committees) national licence policy for each occupational area, including licence categories, scope and eligibility criteria.

The Licensing Authority will have its own governing body, the National Occupational Licensing Board. The functions and operations of the Licensing Authority and Board will be overseen by the Ministerial Council for Federal Financial Relations, which has a Ministerial representative from the Commonwealth and each state and territory. The Ministerial Council's role will be to provide broad policy direction and approve licence policy for the occupational areas that are included in the system.

While the Occupational Licensing Advisory Committees will be the principal source of advice on licence policy for occupational areas, the Licensing Authority must also consult with stakeholders in relevant occupational areas to ensure the National Occupational Licensing Board is able to provide authoritative advice to the Ministerial Council.

Under a 'delegated agency model', the Licensing Authority will delegate the enforcement and administration of the system to existing state and territory regulators. State and territory regulators will enter into service agreements with the national body to ensure that consistent performance and service delivery standards are achieved across jurisdictions. State and Territories will also continue to regulate all aspects of conduct.

The national law provides for national consistency in the approach to disciplinary proceedings by providing for the types of disciplinary proceedings that can be instigated, when such proceedings can occur, the disciplinary action that can be taken, and the processes that the Licensing Authority must follow. In South Australia, disciplinary proceedings will continue to be heard by the Courts, as is the current situation. The national law also provides for monitoring and enforcement powers for authorised officers.

In addition, the national law provides for the establishment of a national register which will allow members of the public to access information about licensees and verify that a particular individual or business is appropriately licensed.

This Bill represents an important step towards improving national licensing regimes—by establishing the framework for the national occupational licensing system. However until the national licensing system's implementation date of 1 July 2012 for the first wave of occupations, current state based legislation will continue to apply for the licensing of occupational areas.

Reward payments available under the National Partnership Agreement to Deliver a Seamless National Economy are at risk if South Australia does not meet key reform milestones, including enacting this Application Act by December 2010.

Introducing the national occupational licensing system is expected to provide improved safeguards for consumers, reduce red tape and deliver improved administrative efficiency and consistency by moving from the current fragmented jurisdiction licensing systems to one national system.

I commend the Bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause sets out the short title for the measure.

2—Commencement

The measure will be brought into operation by proclamation.

3—Definitions

This clause provides for definition of terms used in the Bill. In addition, if a term is used in the measure and in the National Law, the term has the same meaning in this measure as it has in that Law.

Part 2—Adoption of National Law

4—Adoption of Occupational Licensing National Law

The National Law, as in force from time to time, applies as a law of the jurisdiction. The National Law is the Occupational Licensing National Law set out in the Schedule to the *Occupational Licensing National Law Act 2010* of Victoria.

5—Exclusion of legislation of this jurisdiction

This clause provides that a number of Acts that generally apply to South Australian legislation do not apply to the *Occupational Licensing National Law (South Australia)* or instruments (including national regulations) made under that Law. Instead, a number of specific provisions have been included in the National Law to deal with these matters for national consistency.

6—Relevant tribunal or court

This clause provides for the declaration of the District Court and the Magistrates Court as a relevant court for the purposes of section 13 of the National Law and the District Court as the relevant court for the purposes of sections 58, 59, 60, 93 and 94 of the National Law.

7—Corresponding prior Acts

It is necessary to provide for certain matters in connection with the operation of section 21 of the National Law so that relevant disciplinary action taken before this Act applies to a particular occupation can be taken into account when assessing the eligibility of a person to be granted a licence under the National Law.

8—Disciplinary proceedings before court

This clause will apply the scheme under Part 3 Division 5 of the National Law in relation to disciplinary proceedings under the National Law. This scheme provides for disciplinary matters to be taken by means to an application to the District Court in its Administrative and Disciplinary Division. (The alternative, which is not to apply in South Australia, is a 'show cause' scheme where disciplinary action is ultimately taken by the Licensing Authority rather than a tribunal or court.)

Part 3—Miscellaneous

9—Penalty at end of provision

This clause makes it clear that a penalty provision at the foot of a provision indicates that a contravention of the provision constitutes an offence (punishable on conviction by a penalty not exceeding the specified penalty).

10—Parliamentary scrutiny of national regulations

This clause ensures that national regulations will be provided to the Legislative Review Committee for their inquiry and report.

11—Regulations—saving and transitional provisions

This clause provides for the making of regulations in relation to matters of a transitional nature consequent on the operation of this measure (including in the future when additional occupations become subject to the operation of the Act).

Debate adjourned on motion of Ms Chapman.

DEVELOPMENT (ADVISORY COMMITTEE ADVICE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

FAMILY RELATIONSHIPS (PARENTAGE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

GAMING MACHINES (MISCELLANEOUS) AMENDMENT BILL

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

No. 1. New clause, page 20, after line 10—

After clause 44 insert:

44A—Amendment of section 69—Right of appeal

Section 69—after subsection (6) insert:

(6a) For the purposes of this section, a person who has objected to an application under this Act is entitled to be joined as a party to any proceedings relating to the application.

No. 2 Clause 49, page 21, line 7—

After 'subsection (3)' insert:

and substitute:

(3) The annual report of the Commissioner must include the following information in relation to the financial year to which the report relates:

- (a) the number of expiation notices issued for offences against this Act;
- (b) the number of prosecutions commenced for offences against this Act;
- (c) the number of persons barred by order under section 59 and the number of orders made under that section against each such person.

Consideration in committee.

The Hon. A. KOUTSANTONIS: I move:

That the Legislative Council's amendments be agreed to.

The government accepts the amendments of the upper house. The bill has been acknowledged as a solid and well thought through improvement to the gambling regulations in South Australia. This would not have been possible without the considerable work that the community and industry presenters have contributed, whether it be through submissions to the Independent Gambling Authority or directly on the bill itself.

In the other place two amendments were passed, and as I indicated earlier, the government will support both these amendments. The first one would make it explicitly clear that an objector would have the right to be heard at an appeal. It is considered that a court would accept that individuals and community groups have objected to an application for a grant or transfer of a gaming machine licence are entitled to be a party to any appeal proceedings. This amendment makes it explicitly clear, and I am glad that in the gallery today, even though it is unparliamentary to acknowledge it, I can acknowledge Garth Palmer, a newly elected councillor to the City of West Torrens, who has returned to that honourable high and lofty role. The government is willing to accept appeals to applications of assessment. Hopefully, councils will as well.

The second amendment relates to the commissioner's annual report. The amendment specifies that information about expiation notices issued, prosecutions commenced and information on barrings must be included in the commissioner's annual report. The Gaming Machines Act currently requires an annual report on the administration of the act, but does not specify any of the details. The government is confident that the annual report is comprehensive and it is not necessary to specify this level of detail in the act, nevertheless the government does not wish to quarrel with the upper house and its concerns about the details that are proposed and that is why the government is willing to support this amendment.

I would also like to take this opportunity to thank the relevant agencies: the Department of Treasury and Finance, the LGC, the IGA and the Office for Gambling and members of the house,

especially the shadow minister and his counterparts. Within my department, I would like to personally thank Kym Della-Torre and Bettina Venner who is someone Paul Holloway said to me the other day was exceptionally gifted at giving excellent advice to questions that were asked and he thought her very comprehensive in her work and her background, and said that she is someone to watch. I would like to thank, of course, my adviser on gambling, Mr Nick Antonopoulos, who is due to be a father very soon—hopefully, before Christmas. I can tell him now: his son must stay away from my daughter! I also thank Christine Walter, of course, and Brenton Sleep. I wish all members of the house a safe and merry Christmas.

Mr GRIFFITHS: I rise to confirm that the opposition appreciates the fact that the government has accepted the two amendments from the Legislative Council. It is obvious in reviewing the *Hansard* of the debate that occurred in the house and, indeed, in the other place, that a considerable amount of thought has gone into a variety of issues discussed in this bill. Some members certainly chose to make longer contributions than others in the other place—one very lengthy one. I do commend the amendments to the house and look forward to the swift passage of the bill.

Motion carried.

ROAD TRAFFIC (USE OF TEST AND ANALYSIS RESULTS) AMENDMENT BILL

The Legislative Council agreed to the bill without amendment.

CRIMINAL LAW (SENTENCING) (SENTENCING POWERS OF MAGISTRATES COURT) AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT DEBATE

VALEDICTORIES

The DEPUTY SPEAKER: While we are waiting on a message from the other place, it has been suggested to me that we have messages of good cheer. Should a person wish to give a Christmas message, he may do so. Member for MacKillop, do keep your remarks brief.

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (16:19): I note that the house is, dare I say, in a state of suspended animation for a few minutes while we are waiting for a message from the other place. Since it is the last day of sitting before we go into the summer break and, of course, before we enter the festive season, I thought I would take the opportunity to wish my colleagues on both sides of the house the compliments of the season and hope that they have the advantage of a well-earned break and are able to spend some quality time with their families.

One of the down sides to being a parliamentarian is that we do become very time poor, and I know that occurs to members on all sides of the house. There has been talk over the years about work-life balance, and that is something fairly hard to achieve in our line of work. We are on call 24/7, almost—it seems that way. I sincerely hope that all members have the opportunity to have a break and some quality time with their families.

Also, I would like to take the opportunity to say that it is not just the members who make this place work and work so smoothly, a considerable number of staff are performing all sorts of functions in this building and outside of the building, and I would like to take the opportunity, too, to wish them the compliments of the season and to thank them for their efforts throughout the year.

If I may, I will just run through (and I hope that I do not leave anyone out) the staff within this parliament: the Clerk and the assistant clerks, the table staff and the attendants in the house. Then outside the house there are many other people, all the way from the switchboard operator downstairs to the staff who maintain the air conditioning, for instance, and those who continue to move throughout the building changing faulty light bulbs, etc.

Obviously, and very importantly, I thank the library staff and the function they perform, as well as parliamentary counsel. A plethora of people work behind the scenes to make this place operate and operate on a daily basis. As a country member, one of the most important groups of people, obviously, are the catering staff. Over the years I have been in this place I have relied very heavily on them, and I would hate to think how many meals and snacks I have had in this place, and certainly how many cups of coffee I have had in this place. The catering staff do an absolutely fantastic job.

Speaking of people who do a fantastic job—Hansard. I do not know how many times I have picked up the *Hansard* on the morning after having delivered the occasional speech in this place and read it and thought, 'What a wonderfully written piece of work that was.' I am quite delighted at the work they do to convert what I deliver here orally into what anyone reading it in the future would think was a very well-delivered speech. Hansard does a fantastic job, looking after all the members and converting our version of the English language into something which is readable.

Outside the house, obviously, again there is a huge range of staff in our electorate offices, and, obviously, in the various agencies which we interact with. Obviously, as a shadow minister, I do not work as closely as the ministers do with the agencies, but I do appreciate the work that staff in the agencies do in briefing me as a shadow minister from time to time when important pieces of legislation come through the place.

Also, I have been privileged enough this year to be in a position where I am entitled to have a driver. Again, as a country member who has spent the last 13 years travelling anywhere between 60,000 and 100,000 kilometres a year, that is something which is really appreciated by me. I thank all those who, over the period, have driven me. Some of them had driven me, before I had a driver assigned to myself, to the odd event. I think that just highlights, in a small way, the array of people who support us in the work that we do.

I do not want to take up too much of the time of the house, but I do generally wish all members, all of my parliamentary colleagues on both sides of the house, the compliments of season. I hope that we take the opportunity to use it well and come back here reinvigorated for the benefit of the people of this state in the new year.

WORKCOVER CORPORATION

The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (16:25): I table a copy of a ministerial statement relating to WorkCover reforms given in another place by the Hon. Paul Holloway.

ADJOURNMENT DEBATE

VALEDICTORIES

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (16:25): I rise with the indulgence of the house to make a few customary remarks, those remarks we make at this time of the year. I think I am doing it for quite possibly the ninth time, which is a long time.

I greet the house with the news that Peter Siddle has just taken a hat-trick for Australia against the old enemy, which is outstanding news, and I am sure it will cheer up everyone to leave their first inning in tatters.

My job today, after a year of angst and anger, is to share good wishes with all those in the house and offer our thanks to those who help us. Of course, my thanks, first, to you, Madam Speaker, new in the job, the first woman Speaker, I believe. Congratulations on that, and I hope that you get a slightly less rowdy chamber next year than you have endured sometimes this year. For my part, I think my behaviour has improved out of sight in recent times.

Can I thank Hansard, who do a marvellous job under trying circumstances, as always. I thank all of those who make the parliament work: parliamentary catering, of course, and the library, which I use a great deal. Can I say I think there have been some very good improvements in the library in recent years, not that they have not always done a good job, but we enjoy the improvements as well.

I thank the building services staff; the finance manager; parliamentary counsel, who I think are outstanding; all of those who work to make it easier in this place; our drivers, of course; and our electoral staff. I thank the ministerial staff, in particular, my staff, and the prodigal son, Matt Clemow, my Chief of Staff, who has come home again after being away helping out others, and my electorate staff.

The electorate staff of a busy minister do a very fine job, because you simply do not spend the time there that you would have in times past. I thank all of my ministerial staff who put up with my wanting everything done perfectly and yesterday. It is not an easy job; I recognise that, so once

a year I like to say something nice about them, and for the rest of the year they can get back to work, frankly.

The Hon. M.J. Atkinson interjecting:

The Hon. P.F. CONLON: As Michael Atkinson said, once is enough. I thank our families who endure a great deal for our service in this place. I am pleased to say that we have managed to make rather more family friendly hours than we used to keep by starting earlier in the morning. I, frankly, would never go back. I know the Leader of the Opposition is in the house. It is not simply what occurs in here in or in the electorate office; the functions can be endless. With young children, and I only have two—I am not quite sure how my colleague, the minister for further education, does it with—what is it now? Six?

The Hon. J.J. Snelling: Six.

The Hon. P.F. CONLON: Six and counting, or—

The Hon. J.J. Snelling: It's the only reason we haven't got eight.

The Hon. P.F. CONLON: I am reliably advised that the parliament it is the only reason that he hasn't got eight. I thank our families, particularly my wife, Tania, and my daughters. I am sure that all members would like me to thank our families for what they endure on our behalf and on behalf of the people of South Australia.

I do not know if I have left anyone out. Please indulge me while I make sure I have not. I must thank the whip, who does a most difficult job. I think sometimes she feels that she is herding cats, but on other occasions I think that perhaps cats are not as difficult as a bunch of parliamentarians. I also thank the deputy whip, who has fitted into his job so admirably. For a person in his first year you would swear that he has been here forever.

The Hon. M.J. Atkinson: And who prevailed in the court.

The Hon. P.F. CONLON: And who prevailed in the court. My old friend, the former attorney, always helpful with advice. I do miss him next to me because we liked to point out other people's grammatical mistakes from time to time. I do not share that with John Hill; he thinks I am a bore. To all my backbench colleagues, to people on the other side, what people do not recognise is that there are good strong relationships that go on behind the scenes here. I have worked with many members of the opposition over the years, and where we do not need to be in conflict I do not see any reason why we cannot try to help each other, and I try to do that where possible.

Thank you, Madam Speaker. I thank the house. I wish everyone a merry Christmas and a happy new year. I urge you all to take some sort of a break. I am hopeful this year that it will not be too hot, that there will be no heatwaves, electricity blackouts, bushfires, or anything like that, and that we can get an uninterrupted week in Goolwa with the wife and children. I wish everyone a very happy new year. I know that we all have a lot of functions through to about 20 December, but after that I hope that everyone has a well deserved break.

Mrs REDMOND (Heysen—Leader of the Opposition) (16:31): I, too, rise to thank the very many people around this place who make our jobs so much better than they would be if they were not here. I notice the fact that the minister referred to a year of 'angst and anger'. I have to say that the government brought it on themselves.

Like the minister, on behalf of all of those on this side I would like to thank our families first of all because they do put up with a lot. I think a lot of people who are not in this job would not realise what the family members have to put up with. Last night I had the pleasure of the company of the former member for Heysen, David Wotton, for dinner in the strangers dining room.

He had quite a young family when he was first in this place; indeed, he had the sole care of some children for some time. There is no doubt that there are people with much more difficult family circumstances than mine who have to juggle quite a deal and forgo quite a lot of family life for the honour and great joy of being in this place, and their families make a significant contribution just in that sacrifice.

Happily for me, I only have one 27 year old at home these days, and if he cannot cope by himself then I have been an utter failure as a mother, so I do not worry too much about it. He has followed me into the law, so we have some interesting chats of a night, but like me he is not particularly a morning person; he is more of an owl than a fowl. Our only discussion in the morning

is usually, 'Good morning. Good morning.' That is the extent of our conversation in the morning before I leave for parliament.

I also thank my parliamentary colleagues, in particular my deputy, Mitch Williams; the Hon. David Ridgway, the leader in the Legislative Council; Michelle Lensink, his deputy up there; all of my shadow colleagues; and, indeed, all of my back bench, particularly those who came in at the election in March. We have six new members on this side of the house and one in the Legislative Council; no doubt they are still on a steep learning curve, but I thank them for the contributions that they have made, particularly the member for Norwood for his outstanding contribution this afternoon during the grievance debate. We have found that they have settled in pretty well, they are still on a steep learning curve, as I said, but they are doing extremely well.

The team, as a whole, needs to be congratulated, especially the member for Hammond, who is the whip for us; the new member for Flinders, Peter Treloar, who is the deputy whip; and in the upper house, the Hon. John Dawkins, and his deputy, the Hon. Jing Lee. As I said, I particularly want to mention the member for Adelaide, Rachel Sanderson; the member for Chaffey, Tim Whetstone; the member for Norwood, Steven Marshall; the member for Stuart, Dan van Holst Pellekaan; the member for Flinders, Peter Treloar; the member for Morialta, John Gardner; and the Hon. Jing Lee in the upper house.

I also make special mention of my staff not just here in the parliament but also in my electorate office. Nick and Gaynor have been there the whole time that I have been in parliament. Gaynor was my PA for several years before I came into this job, so she has been looking after me for some years now. Indeed, when I became Leader of the Opposition we suffered a great deal of separation anxiety because I was not used to not seeing Gaynor every day and having her run everything about my life, but I guess she is happy with some of that.

Can I also thank the Director of the Liberal Party, Bev Barber, who was, of course, my chief of staff until shortly after the election and has now moved up the ladder to become the director of our state division in this state.

An honourable member interjecting:

Mrs REDMOND: Yes. I also thank the President of the Liberal Party South Australian Division, Mr Grant Chapman. The parliamentary staff of the leader's office often have to work under a great deal of pressure. On the other side of the coin, the electorate staff of all members, I know, have to work under considerable constraint because often they just have to make decisions and get on with it in the absence of the member. Often, they have to take the flak and they are very much the front people who deal with the public day in and day out on our behalf. I think they need our thanks, as well as our congratulations, on how well they do it. On behalf of the opposition, therefore, I thank all opposition and government electoral and parliamentary staff.

I also make special mention of the drivers. As the deputy said, it is only since being in this job that I have had a driver. As a backbencher, I used to wonder how I would cope with having a driver because I am someone who actually likes to drive. I thought, 'I don't know whether I want this because I like driving.' It has always been the time when I got my headspace. I used to, in fact, drive my kids to school so I could have the drive back from the city to come back up and be able to think about things on the way.

I worried that I would miss that but, having now been in the job some 15 or 16 months, I know that I would not be able to do this job if I did not have the driver to help me, not only get to places and not have to think about how to get there, where to park and all those sorts of things, he obviously also enables me to do radio interviews and all sorts of other things. While I am travelling in the car, I don't have to think about the traffic or anything else.

Can I mention one other driver. I have had a number of people fill in this year, and I thank them all, but can I especially mention the young man who drove me yesterday whose name is Avdo. I want to mention Avdo because he has come to us from Bosnia, via 10 years in Germany, and then to Australia. He thinks he has gone to heaven, having a job working for us. He might not think that forever, but he thinks he has gone to heaven having a job as a driver in this parliamentary fleet. He is getting married on Saturday, so on behalf of us, I wish him all the very best and welcome to the service. I think he is still in his probation period but he certainly drove me very well yesterday. It was very pleasant and we do wish him well.

I also thank Perry Brook and the chamber attendants. I want to make special mention of Perry because, of course, Perry is leaving us before too long.

Mr Piccolo interjecting:

Mrs REDMOND: He keeps promising and he keeps staying.

Mr Venning: He has been here longer than I have.

Mrs REDMOND: Yes, he has been here some 30 years. I was having a chat to him last night and he said he has actually seen 154 members come and go in the time that he has been here. I have always looked up at Hansard and thought these guys must see people coming to this place and think they are full of it and the next thing they are gone and another lot are here. They probably have a better view of us than anyone else.

Similarly, Perry has watched people come and go over 30 years. So, as well as thanking the chamber attendants, I wanted to take the opportunity, on behalf of the opposition, to officially wish Perry Brook all our very best in his retirement, if and when he actually gets around to leaving.

I also thank Paul Collett, the Serjeant-at-Arms, and, of course, Malcolm Lehman, as our Clerk, and Rick Crump, as our Deputy Clerk. I know Gerry is sitting over there at the moment. Gerry is all the way from Scotland. We have got a very multicultural thing going on in the parliament.

I also thank all the committee members and staff and the table staff. I noticed that the Leader of Government Business mentioned them first, but parliamentary catering staff do a brilliant job. David Wotton, last night in the dining room, said, 'Things have improved since I was here.' He was very impressed with the menu, the staff and everything else.

Mr Venning: A better wine list.

Mrs REDMOND: As the member for Schubert says, a better wine list—not that that affects me since I drink water most of the time. Creon and the catering staff and the Blue Room staff do a magnificent job. Hopefully, we are mostly pretty polite, but I know there must be occasions when they put up with a fair bit from a number of people.

I thank Hansard, who every year manage to make us sound as though we are making sense.

An honourable member: They make great speeches!

Mrs REDMOND: Yes, they make great speeches. We might not necessarily make great speeches, but they make it sound as though our speeches are much better quality than they perhaps are.

There are so many people to thank. For a start, people do not realise how big this place is in terms of how many floors and rooms. In addition to Hansard, we have the procedures office, the cleaning staff, the switchboard staff, the maintenance staff, the security staff and, of course, the library staff. I was interested to hear the minister praise them and say how great they are, because I had just come from hearing that, in fact, our library staff are being cut. The government's cuts have cut into our own library staff. I am sad to hear that that is the case because the members opposite, if they are ministers, have the benefit of access to entire departments, but we rely very much on the research staff of the library. They are all, without fail, well qualified and do a wonderful job.

There are so many people in this place who work hard all the time. They are the soul of discretion and are unfailingly polite in spite of, sometimes I am sure, less than appropriate behaviour from members of this place. Sometimes we can get a bit restive, as you yourself would know, Madam Speaker, and I apologise for any shortcomings on the part of those on this side of the house.

Certainly, at this time of the year, we want to wish everyone a safe and a very happy Christmas. We hope that, as the minister said a short while ago, everyone takes a good break and hopefully a good deep breath and comes back mightily refreshed ready to join battle again in the new year.

Mrs GERAGHTY (Torrens) (16:42): I, too, wish all members in this chamber a very merry Christmas and safe and happy travel, if they do that. We have had a very torrid year this year for many reasons and I hope that we all come back next year happy and healthy. I thank our deputy whip, who has done a fantastic job. I particularly want to thank Carol and Wendy, our whip staff, and Val, who has retired, for their great service, and also my electorate staff, who are fantastic people.

To our Speaker, who is a great friend of mine and has been a great comfort to me this year, I apologise on behalf of us all if we give you a hard time and make life difficult from time to time, and also to our Deputy Speaker.

An honourable member interjecting:

Mrs GERAGHTY: We have members saying that they are perfectly well-behaved. I will not name those members in order of bad behaviour. Thank you to our Clerk, Malcolm, and his assistants; our chamber attendants; Hansard, who do a fantastic job; catering, who keep us moving around because we are well fed; and to all the staff of the house, including library staff.

As a member of the JPSC, I make mention that I was somewhat surprised to hear the Leader of the Opposition say that she has been told we have cut library staff. As a member of the JPSC, I can only tell you that that is surprising news to me. Perhaps there has been a misunderstanding in the information that has been given to her.

To our Opposition Whip, Adrian, who is representing us ably at a conference, I wish him and his family well, as well as our deputy whip.

Mr Venning: He is a good bloke.

Mrs GERAGHTY: Yes, indeed; a good bloke.

Mr Venning interjecting:

Mrs GERAGHTY: Ivan, you are always a favourite. We have a good working relationship based on trust and understanding, and that is extremely important. I wish everyone a very happy Christmas and I look forward to seeing all of us back here next year—perhaps not a few pounds heavier, but happy and healthy.

Mr TRELOAR (Flinders) (16:45): As Acting Opposition Whip this week, I will make a small contribution to this valedictory debate. I will not go over everybody who has already been—

Members interjecting:

Mr TRELOAR: We are. Is it not a valid—

Members interjecting:

Mr TRELOAR: Moving on, I would like to thank all those who have already been thanked. Certainly, our leader has listed them quite clearly and all those who are involved, but for me, as a new member, I would like to pay special tribute to the Government Whip, in fact. My relationship with her over this last week has been fair and plain speaking, and that is exactly as it should be. Also, the deputy whip, who, like me, has come into this place as a new member this year and taken like a duck to water to his role, no doubt. So, I would like to wish those two in particular a happy and safe Christmas.

In our whip's absence I thank the whip staff, Helen Dwyer and Todd Hacking, for their assistance and contribution along the way. I know it is a busy job; I have discovered that this week, and Adrian certainly appreciates their help. Incidentally, our whip is currently, as the Government Whip has indicated, busy on parliamentary business, and it just happens to be a long way from here. I spoke to him the other morning—afternoon our time, early morning their time. He actually answered the phone at 6.30 in the morning. It was pitch black and about three degrees, but they were already on the bus and heading west, so I know he is working hard at the moment. Our wishes go to him and his family, as well.

While we are on the subject of whips, I also acknowledge the Opposition Whip in the other place, the Hon. John Dawkins, and his deputy whip, another new member, the Hon. Jing Lee, as well as their staff. Madam Speaker, I commend you for what is a very challenging role. I wish you and your family a happy and safe Christmas, as I do all members in this place.

Dr McFETRIDGE (Morphett) (16:47): My first thanks—it is not every year, but it should be every year—is to Hansard. I remember being called 'machine gun McFetridge', 'the mouth of the south', 'motor mouth', and I think I speak in a very slow, calm, collected manner now, compared with then. Perhaps the griever today was not but, Hansard, I thank you very much for making my speeches look like they are from a very intelligent man and quite comprehensible. It is really a pleasure to work with the professionals in Hansard in this place.

There are so many people in here we should be thanking and certainly, Madam Speaker, it is great to see you in that role. I know we have had a close relationship on the Aboriginal Lands

Parliamentary Standing Committee and share a lot of passions and issues with Aboriginal affairs. I know this week particularly has been trying for you. I am sure you are looking forward to a good rest over Christmas, and I wish you the very best.

I thank all my colleagues, particularly the Leader of the Opposition, Isobel Redmond. Isobel and I came into this place at the same time. We seem to move around the benches together. She has actually taken that leap of faith and gone onto leadership. I am very pleased to see her in that position, being the person she is, with a mind like a steel trap and high integrity, and certainly as honest as the day is long. If you want to know what Isobel thinks, just ask her. You are never left in any doubt, but not in a nasty way.

To the rest of the Liberal Party team, can I say that it has been a terrific year this year working with them, particularly the new members, the bright, fresh young minds we have on this side. In this crazy place that we call the Parliament of South Australia, we all put our hearts and souls into doing what we think is the best thing to do for our constituents. As the minister for Transport said—and he and I have differed on many things but do agree on this particular thing—there are many members in here who you get to know not only on a political basis but on a personal basis through being on committees and going on various trips.

I had the pleasure of being with Lee Odenwalder and Leesa Vlahos on the recent trip to China. Can I say that they are two delightful additions to this place and I look forward to watching their progress, hopefully in opposition after 2014, but that's politics. We are looking forward to that. I would be very surprised if they are serving their same masters then.

It is Christmas and it is a time of goodwill. I will finish up by saying that I wish everyone a very happy and safe Christmas. I must not forget my electorate staff—Kate, Heidi, Andrea, Danielle and my volunteer whom I inherited from John Oswald, Shirley Whoston. Shirley is 85 now. She has been volunteering in my office now for 30 or so years. It is a hell of a long time. I thank my electorate staff for what they do to assist me to do the work that I do. I hope that they get a few days off between Christmas and new year because they do work very hard at all other times.

With those remarks, I wish everyone a safe and healthy Christmas, and I look forward to seeing everyone back on 8 February next year.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (EXEMPTIONS AND APPROVALS) AMENDMENT BILL

The Legislative Council agreed to grant a conference as requested by the House of Assembly. The Legislative Council named the hour of 5pm to receive the managers on behalf of the House of Assembly at the Plaza Room on the first floor of the Legislative Council.

The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (16:52): I move:

That standing orders be so far suspended as to enable the sitting of the house to be continued during the conference with the Legislative Council on the bill.

Motion carried.

PRINCE ALFRED COLLEGE INCORPORATION (VARIATION OF CONSTITUTION) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

[Sitting extended beyond 17:00 on motion of Hon. J.J. Snelling]

CRIMINAL LAW (SENTENCING) (SENTENCING POWERS OF MAGISTRATES COURT) AMENDMENT BILL

Second Reading.

The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (16:53): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

In 2006, the Rann Labor Government introduced legislative reforms that increased the penalty levels for breaches of the *Occupational Health Safety and Welfare Act 1986*. These amendments came into force on 1 January 2008. They reflected recommendations of the SafeWork SA Advisory Committee, made after a broad review of occupational health, safety and welfare penalties, which involved representatives of employers, workers and the Government.

Today I introduce into this house a Bill that supplements and is consequential to the 2008 reforms and that ensures the efficient administration of occupational health, safety and welfare matters in the South Australian court system.

The key changes proposed in this bill are:

- it allows Industrial Magistrates to impose penalties of up to \$300,000 when hearing criminal offences under the *Occupational Health, Safety and Welfare Act*.
- it ensures that Industrial Magistrates have the capacity to impose up to \$300,000 fines for offences committed after the penalty increases in 2008 but before the passing of this Bill.

These are important administrative and procedural changes that supplement the 2008 increases to penalty levels in the *Occupational Health Safety and Welfare Act*.

Under the penalty regime that became effective in 2008, Division 1 corporate offences have a maximum penalty of \$600,000 and Division 2 corporate offences have a maximum penalty of \$300,000.

The vast majority of convictions under the *Occupational Health, Safety and Welfare Act* are Division 2 corporate offences attracting a maximum penalty of \$300,000.

For a number of years, Industrial Magistrates have heard the majority of occupational health, safety and welfare cases in South Australia. During this time, they have developed the skill and experience required to deal with these matters. The current sentencing limit for Industrial Magistrates is \$150,000.

With the introduction of this Bill, Industrial Magistrates will be able to hear and sentence in relation to all Division 2 offences, providing consistency for the Court system as well as for employers and employees.

It should be recognised that the penalties only apply when there has been a criminal conviction where a corporation has failed to provide a safe working environment for employees and other persons engaged at the workplace.

If the sentencing capacity of Industrial Magistrates is not increased, OHS matters that might attract a potential fine over \$150,000 would need to be conducted in the District Court.

The District Court already has a large number of cases to deal with. Prosecuting occupational health, safety and welfare cases in the District Court would be considerably more time consuming for all parties concerned. If any party disputes the decision of an Industrial Magistrate, the option to initiate an appeal to a higher court remains available.

The Bill that I am introducing today will provide consistency and significant case management advantages for the South Australian court system into the future.

The proposed amendments to the *Criminal Law (Sentencing) Act 1988* were released for public comment on 24 December 2008 and in the period up to 13 March 2009, 35 submissions were received from Employer Organisations, Trade Union Organisations and Individuals.

The Government recognises the important contribution made by all organisations and individuals who engaged in the consultative process. The collaborative approach is testimony to the capacity of all stakeholders and demonstrates that a co-operative approach is the best way to achieve fair and effective change to occupational health, safety and welfare legislation.

This Bill plays an important role in ensuring the effective administration of occupational health, safety and welfare legislation. It delivers consistency to the administration of occupational health, safety and welfare offences and provides flexibility for the courts as we move to a national system of work health safety legislation.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Law (Sentencing) Act 1988*

4—Amendment of section 19—Limitations on sentencing powers of Magistrates Court

This clause increases the maximum fine that an industrial magistrate can impose for an offence under the *Occupational Health, Safety and Welfare Act 1986* from \$150,000 to \$300,000.

Debate adjourned on motion of Mr Williams.

ADJOURNMENT DEBATE

VALEDICTORIES

The SPEAKER (16:55): Before we finish, I also want to wish everyone a very merry Christmas. As Speaker, it has been a very interesting year for me. There were some difficult times. It has certainly been an experience for me, and I think I have earned my money. I know that some people have been upset by some of the decisions I have made but I have to say that they are done with the best advice I can get. I am sorry if I have upset people, but I am the Speaker and that is the way it is.

I particularly want to say a big thank you to all the staff who work in this building. Since becoming Speaker, I have learned to appreciate even more how much work they do for us in this building and how everything revolves around us as members.

I particularly thank the catering staff for the wonderful job that they do, from Creon right through the catering area. They are a pleasure to talk to and deal with, and they certainly look after us very well.

I thank the building management staff for the way things happen in this place. They happen quietly without us knowing most of the time. A big thank you goes to them because we would not function without them and the work they do.

I thank Hansard, of course. I was interested to hear the member for Morphett's comments. One of the terminologies he did miss out was the racetrack caller. Hansard does an excellent job under great stress, and it is always a pleasure to talk to them and see them. Philip, their leader, leads them very admirably. A big thank you goes to Hansard because they do make us sound good, even when we do not know what we are talking about. So, thank you to Hansard.

Thank you to the library staff. I have become chair of the Friends of the Library. I have been able to learn to appreciate what we have in the library. It is a wonderful asset for this place, and we have some incredible books there. I urge members to come along to some of our Friends of the Library meetings and learn what is there. It is a great asset for us and the staff do a great job.

I also want to pay a compliment to the staff and our colleagues in the other place. They keep to themselves, but we get on well and it is good to work with them. I mention, particularly, Jan Davis, the Clerk, and the President, Bob Sneath.

I particularly thank our attendants in this chamber—John, Joy and Kane. You look after us so well. I just have to look at John and I get a glass of water when I want it, or they go and get my glasses. They do all those wonderful things. They are an essential part of us and we would not function without them. So, thank you very much to them.

Perry, of course, has given us another date when he is leaving. I will believe it when I see it, but I do not think he will last the next 3½ years. I think he will be gone by then, so all I can say is, 'Ha, ha! I won'—I will last longer than he will. But it will be interesting to see him go and, of course, he leads the messengers admirably.

I thank the other people who work in this chamber. All of the clerks do a wonderful job. They certainly earn their money, too, on some days with the things that happen here. Thank you to all of them. It is a pleasure working with them. I enjoy working with them and really appreciate their work.

Thanks, particularly, to Malcolm who looks after me and gives me advice; and also to Rick, who does a wonderful job. I thank those two especially; they are just rocks in this place. Also, to Paul, the Serjeant-at-Arms, who I have a lot more dealings with than I used to. He leads me in admirably every day. A couple of times I thought he was not coming and that I would have to carry the mace in myself. He is great to have here.

If I have missed anyone in this chamber, I am sorry. You do a wonderful job and look after us very well. You are sort of hidden and you just do it quietly, not with any pomp or ceremony. You

sometimes do not get recognised by the public, but thank you very much for your efforts here. Corporate services do a great job as well. They look after us. They are on the first floor. I have quite a few dealings with Pauline and the staff there, and they do an excellent job as well. Finance also makes sure that this place functions well; so, thank you to all of them.

I thank the whips, especially the Government Whip, my dear friend. She keeps this place running, as well as the deputy whip, Alan. I know how difficult it is being deputy whip because you do not get paid for it but you have to do all the work.

Ms Bedford interjecting:

The SPEAKER: I'll get to you. I thank also the Opposition Whip. We have had a very cordial relationship this year. Adrian is a gentleman. Also, Peter Treloar, who is, of course, my neighbour, does a great job, too. He has certainly got stuck in and had to work hard this week. It is good to have a good relationship with the whips and to be able work with them. Of course, Ivan over there is shaking his head. I worked very well with Ivan, too, in the past.

To members on both sides, my colleagues, I have appreciated your efforts this year and the work that you have put in—and the backbenchers sitting back there and behaving very well. Some people are behaving very well. I thank you and also the opposition members. We have our agreements and disagreements, but you were very well behaved today compared with the rest of the week. It is very good.

I thank the Premier, of course, who I work closely with, as well as the ministers and other members. I thank my staff particularly. Josie has been a tower of strength for me this year, as well as my staff in my Whyalla office, who very seldom see me now and who have to work three times as hard because I am hardly ever there. So, I thank Tracy, Sherie, Linda, Eddie, Anouk and Hannah.

The Leader of the Opposition mentioned her driver; well, I could not do without my driver. He is like a husband. I have all the benefits of a husband without the disadvantages of one with him. He looks after me extremely well.

Members interjecting:

The SPEAKER: Some of the benefits of a husband! He looks after me extremely well. I can abuse him; I can treat him badly if I want to. He is a tower of strength for me. Of course, we spend so much time together we have to get on well, and we do. So, I thank him.

I want also to thank my family for their support of me over the years in my time in parliament. I particularly mention my son. I am feeling a bit sad tonight because my son, who I am very proud of, is probably right now, at 5 o'clock, being sworn in as a new councillor in the Whyalla city council. I cannot be there, unfortunately. It is the story of my children's lives. I was not there quite often on their important occasions because of commitments in this place.

One of the hard parts about being an MP is that your family sometimes misses out because you have other commitments, and those of us who have children or other family members know that it is a difficult choice for us. I thank my family. I mentioned the whips but I did not mention Carol and Wendy who have also looked after very well on our side here. I am sure I have forgotten people, however—

Ms Bedford interjecting:

The SPEAKER: We will not mention Muriel Matters. Can I just say to everyone: have a very merry Christmas. I think that we all do need a break. I think that we need to get away from this place for a while, rest and come back in February all ready to go again. I look forward to a good year next year. Merry, merry Christmas to you and all your family, and please drive safely. Please be very careful.

Mr VENNING (Schubert) (17:05): First of all, I just want to say thank you very much for the greetings extended to us, Madam Speaker. Please accept our greetings to you. It has been a pretty steep learning curve, and you have made a fair fist of it. Thank you for your consideration. Also, to all the other members in the house, I will not repeat it all.

To everybody in this place, we treat you as equals; we need you here. There is nobody any more important in this place than anybody else. We are all pivotal in this place. To me it is all family, because I am away from my family most of the time. It is lovely to be able to talk to each

and everyone of you, talk civilly, as part of an extended family. I extend greetings and thanks to you all.

Very briefly, I want to make some comments about the recent council elections a few weeks ago. There were some quite big surprises, as we saw. I want to start with the election of the Lord Mayor of Adelaide, Stephen Yarwood. As you would know, Madam Speaker, this gentleman used to work for me in this place as a research officer for the ERD Committee, and that was for four or five years. I have invited him back, and I think he is going to come to visit us. It just shows that hard work and single-mindedness can bring results. That is what he has done. He has really bent his back, and he kept to the point, and he is now Lord Mayor of Adelaide.

I just want to say congratulations and good luck to all those who won election at the local government elections. It is good to see a fair amount of generational change right across. I will put on the record, though, that in relation to the council amalgamations that occurred back in the '90s we were always going to finetune boundaries. Now I think there is an opportunity for us to look at this.

I am flagging publically for the first time that in the Barossa I am hopeful that we will see some boundary changes in relation to Marananga, Keyneton and Truro, which should all be in the Barossa. It would also mean that Hewett in Gawler would have to come into the calculation, as would Kapunda and Eudunda. If you look at the old Anderson report that was out years ago, it ought to be picked up and looked at again. There is a lot more to happen there. I also commend Mayor Hornsey and thank him very much. He was defeated at the election; I was quite shocked. He was a great mayor, and I pay tribute to him. To Mayor Hurn, congratulations, you're back and I look forward to continued cooperation.

At 17:08 the house adjourned until 8 February 2011 at 11:00.