HOUSE OF ASSEMBLY

Wednesday 28 September 2011

The SPEAKER (Hon. L.R. Breuer) took the chair at 11:00 and read prayers.

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (11:02): 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.

FISHERMAN'S BAY SUBDIVISION

Mr VENNING (Schubert) (11:03): I move:

That this house instruct the Environment, Resources and Development Committee to fully investigate and report on the proposed Fisherman's Bay subdivision and make recommendations to the parliament to ensure a quick resolution to this long-term problem.

The issue of freeholding shacks at Fisherman's Bay has been ongoing ever since the Liberal government allowed freeholding of leases in the mid-1990s. There are approximately 380 shacks and shack sites at Fisherman's Bay and the land is owned by the Fisherman's Bay Management Pty Ltd, a group of shack owners who bought the land from a local farmer way back in the early 1970s. It was a public transaction back then. An invitation was extended to anybody who wanted to partake in that to be part of it. It was a public purchase from a farmer. They did it to ensure the future of this lovely shack and beach area, a very family friendly holiday destination.

On 16 February 2000, the land division and development approval was granted for the creation of 405 additional allotments, the majority of which were allotments to reflect the existing licence to occupy within the township. That application has been subject to a number of extensions. A wastewater treatment plant, to be sited on the balance of the land outside the township zone boundary, has been granted full development approval. There has been very much protracted dispute between the District Council of Barunga West and Fisherman's Bay Management Pty Ltd (FBM) regarding the subdivision of the land comprising the development.

The settlement of Fisherman's Bay exists and has existed for some 80 years. It would be naive to suggest that Fisherman's Bay will not continue to exist for an indefinite period. The town definitely needs proper provision for the disposal of waste. The town definitely needs replacement of deteriorating housing stock. The division of land on which the town sits, so as to create a title for each shack dwelling site, will not necessarily create a risk of inundation. Whatever the risk, it exists now and will continue to exist whether or not there is a land division.

An application for development approval of the division of the land on which the existing township of Fisherman's Bay sits was lodged on 29 July 2010, including the offer of a bank guarantee of $1.625 million to be applied by the authorities toward the planning and construction of the appropriate infrastructure within the settlement and to absorb any impact from coastal processes and sea level rise. The previous manager of Environmental Services, Mark Marziale, points out, in a letter to the minister, that FBM's proposed contribution to infrastructure of $1.625 million was better than 50 per cent of council's annual revenue.

A specialist coastal process engineer, Dr Dean Patterson, provided recommendations to FBM that an engineering solution involving sand levee works would protect the township from inundation. As there is insufficient room for such a levee bank to be wholly constructed on FBM's land, the FBM has now had to enter into further discussion with state government regarding the use of the crown land, and council in relation to the crown land under the care and control of council. Upon investigation of the levee proposal, Coast Protection Board staff noted that the construction of a levee was likely to interfere with native vegetation in the vicinity. So, here we go again.

The EPA and DAC have been involved in the situation and this has resulted in further delays regarding the proposed subdivision. Now native vegetation issues are also a factor in the matter. At FBM's own expense, they engaged a consultant accredited by the Native Vegetation

Council for a formal assessment for the purposes of a formal application for consent to clear native vegetation. FBM has now received clearance consent from the Native Vegetation Council—now what? The matter is now resting with the minister and his determination on whether the Development Assessment Commission or the development assessment panel is the appropriate authority to assess both the application for land subdivision in Fisherman's Bay and construction of a levee bank.

An exceptionally strong response to the current pre-sales of proposed allotments in the town has resulted in over 73 per cent of licensees entering into pre-sales contracts with FBM. These ongoing delays are causing angst for the licensees. Their lives and finances are put on hold while they patiently wait for the situation to be finalised. Many are now of the belief that their individual freehold titles will never happen.

I understand the dispute has caused rifts within the council, and accusations of personal vendettas have arisen, when the situation could have been straightforward and this drawn-out dispute prevented and all dealt with many years ago. Another impact of this subdivision taking so long is that many planning and development rules have changed, so particular aspects of the matter have to be continually revisited. The longer it goes, the more red tape we seem to encounter. Fisherman's Bay Management Pty Ltd's development package will provide that:

- the land division will fully fund a waste treatment plant employing modern vacuum technology at a cost in excess of $6 million—a state-of-the-art facility. The waste treatment plant has received full development approval. There will be sewerage service to council public toilets and a number of freehold dwellings outside FBM's land;
- the land division will fully fund an engineered stormwater management plan, including the sealing of roads within the town, out of the guaranteed amount of $1.625 million;
- the land division will fund 83 per cent of the cost of construction of a levee to protect the town from the threat of inundation, based on current costings, out of the guaranteed $1.625 million. This is an engineered solution to the threat of inundation—the levee. There will be levee protection of council foreshore public toilets, playground, boat ramp and car park, together with freehold dwellings outside FBM's land;
- the land division project has already provided significant funds for professional fees for the design and engineering of the waste treatment plant, stormwater management plan and the levee; and
- the land division will provide the residents of the town with the opportunity to purchase their own title, which in turn will provide the residents of the town with the ability to offer their titles as security for a finance for upgrading or renewing building stock within the tow

I believe that the residents of Fisherman's Bay deserve a prompt resolution to this matter which has now taken well over a year and even in the final stages still appears to be far from resolved—remembering approvals were originally granted in February 2000.

Why am I raising this issue here today? It is because I was a member of a government that made it possible for shack owners all over South Australia to own and upgrade their own shacks, and to make greater assets from them—be encouraged to do it, especially sewerage—and to generally improve the visual and physical amenity of these communities.

I have been involved in several successful arrangements on the River Murray where it was imperative that we fix up the sewerage, and they were all finalised at least five years ago. I am aware of the situation at Fisherman's Bay and I personally know many of the residents—friends and family. Even though this freeholding exercise was complicated, it should have been all wrapped up at least two or three years ago.

I am aware of the frustrations and the accusations made by frustrated residents and others. Leadership has certainly been questioned in this matter, but mayor Dolling has been excluded from all negotiations because his sister is the wife of a director of Fisherman's Bay Management Ltd. I do not believe this is conflict enough to exclude him from all discussions and negotiations—in fact, to lead the council—but it has and this has added to the problem.

The council officers need to be questioned as to some of the decisions that have been made, and the subsequent delays. I recognise the efforts of the previous members: Rob Kerin; particularly, the Hon. Rob Roberts MLC; now, more particularly, the Hon. John Dawkins; and the current member, Mr Brock. They have all had a go at this and they all share my frustration as to

why this is all taking so long, and the chronic bureaucratic roundabout that it has been on. I note that yesterday—in hearsay I heard in the corridor—apparently there has been some movement on the minister's desk. If this motion does nothing else other than that, it has been worth it.

I urge the house to support this motion to use this committee of the parliament to have a good look at this. It would be a great result for this to first pass the parliament and then for the committee to be told by a letter from the minister that the matter has been resolved, it is all fixed and we do not even need to hear it. That would be the best possible news. In the interim, I look forward to the support of the house to use one of the committees of the house purely to call some people in and to ask a few questions. I urge the support of the house.

The SPEAKER: Member for Schubert, just for clarification, where is Fisherman's Bay—I may have missed it in your speech, but which Fisherman's Bay are we talking about, because I am sure there are a number of Fisherman's Bays around the place?

Mr VENNING: It is the one just north of Port Broughton, Madam Speaker.

The SPEAKER: That one; thank you, that's what I thought.

Mr BROCK (Frome) (11:13): I thank the member for Schubert for having some concern. When I got into parliament at the 2009 by-election I was only in the system for about six weeks when I got a phone call regarding the Fisherman's Bay management looking for funds to put a water treatment plant and a sewer system in there.

This whole project has become a nightmare, quite frankly. It has been going on for over 10 years. I am very surprised and disappointed that the previous member, and members, have not rectified this issue well and truly prior to this. I have come into this house and I have tried to get this through the system.

The development application from Fisherman's Bay management was sent in, and I have had discussions with the previous planning minister, the Hon. Paul Holloway. I have also enlisted the support of the Hon. John Darley and the Hon. John Dawkins from the other house, because I do not have the expertise and experience to deal with these things so I have enlisted their help and they have been invaluable to me.

Before he relinquished his position the previous minister indicated to me that he had signed it off and sent it back to the District Council of Barunga West (under the Development Assessment Panel) to be dealt with locally. With the new minister coming in, that letter was not sent out and it has now been backwards and forwards with the minister. In the interim period, the Hon. John Dawkins, the Hon. John Darley and I have had meetings with the Fisherman's Bay management, the licence group up there and members of Planning SA.

I want to clarify one issue raised by the member for Schubert. He indicated that mayor Dolling should not have a conflict of interest. Mayor Dolling elected to declare a vested interest in this application. Whether he has a financial return or not, he has elected to exclude himself from this, and that is the mayor's prerogative. We must also clear up that issue.

The strange thing about this application is that it is on one title of land and, as the member for Schubert indicated, over a period of time people were allowed to have little allotments in there. These people want those allotments to be freehold. One application was put in 10 years ago and on 29 October 2010, as the member has indicated, an additional application was put in. So, we have had two applications for development.

The first application has now expired because they did not ask for an extension, and the minister is making a deliberation on the second application as to whether the minister should give them permission under the Planning Act to freehold that land. I have had meetings with the department, and even yesterday I was told that it is just about on the minister's desk now for signing off. I would hope that the minister will sign that off in the next couple of days and either send it back to the District Council of Barunga West for them to deal with locally or send it through to the DAC.

The other issue is that these shacks, properties or residences in Fisherman's Bay are owned by the owners, but the land is not. At the moment, people do not have any security to go forward and build a new facility there or do any extensions. There are a lot of other concerns about this application that are away from the planning issues. As the member for Schubert has already said, it was indicated in the application that they were going to put about $1.6 million towards infrastructure.

The roads within the Fisherman's Bay management application area just north of Port Broughton are very low-lying. It is well and truly below the 3.4 AHD for the flood level. They also have to build a retaining wall, which would be far in excess of the $1.6 million—it has to be made out of rocks. There are a lot of unusual circumstances or issues confronting this application and I believe that the minister and the planning department are trying to understand where this should go. People with expertise, like the Hon. John Darley and the Hon. John Dawkins from the other place, have been invaluable, as I said earlier, and even they are at a loss to understand how we can get this through.

I have not been able to verify if 73 per cent of contracts have been signed. In regard to the price of the freeholding of the blocks, when they do go through, Fisherman's Bay management went out and elected to use two licensed valuers. In one location, the valuation varied from $160,000 to $300,000. There is a lot of variance, and the Fisherman's Bay licensed shack owners themselves had no recourse to be able to get their own independent valuation on any of these blocks. So, there are lots of issues here.

I would like the minister to make the decision, send it back to the District Council of Barunga West for them to make the decision locally through their Development Assessment Panel, or refer it to the Development Assessment Commission. As the member for Schubert has indicated, this has been going on for many, many years and we need to get it fixed up. I certainly do not take on board the member's statement saying that there has been any shonky work by members or staff of the District Council of Barunga West. I would like to see this one way or the other go back to the District Council of Barunga West for it to deliberate, or to refer it to the Development Assessment Commission.

Debate adjourned on motion of Mr Sibbons.

ECONOMIC AND FINANCE COMMITTEE: FRANCHISES (SUPPLEMENTARY REPORT)

The Hon. M.J. WRIGHT (Lee) (11:22): I move:

That the 75th Report of the committee, entitled Franchises (Supplementary Report), be noted.

The Hon. M.J. WRIGHT: I am pleased to present to the house the 75th report of the Economic and Finance Committee entitled Franchises. I also note that this speech deals with the legislative landscape as it appeared at the time of the report's publication. I note that the Small Business Commissioner Bill was introduced during the last sitting week and will be debated in this chamber. I look forward to the details of that bill contributing to a wider debate that includes the findings of the committee's report.

In December 2010 the committee resolved terms of reference that invited written submissions from interested parties to comment specifically on how the changes to the Franchise Code of Conduct have addressed the recommendations made by the committee in its 2008 inquiry on franchises. The inquiry received 71 submissions, with a mix of private individuals, businesses, government agencies and industry peak bodies responding.

By way of history, in 2008 the fifth Economic and Finance Committee published its 65th report entitled Franchises. The 2008 franchises report contained 26 recommendations. These recommendations covered a variety of issues raised during the inquiry including: enhancing disclosure across a range of areas; statutory definitions of unconscionable conduct' prescribing good faith and fair dealing in the code; wider, more enforceable, alternative dispute resolution processes; and a more active role for the Australian Competition and Consumer Commission as the industry watchdog.

The report coincided with a series of reports into franchising at state and commonwealth level. In July 2010 the Franchising Code of Conduct was amended, with 12 areas subject to alteration, including franchise failure, payments to third parties, unilateral variation, confidentiality, end of franchise agreements, notice of renewal, good faith and mediation. In addition to changes to the code, the Competition and Consumer Act 2010 provided further changes to the regulatory landscape for franchises.

The report I speak to today is the Economic and Finance Committee's analysis of these reports and the changes made at a national level and whether any issues remain in the wake of these reforms. The committee notes that, of the 26 recommendations in the 2008 Economic and Finance Committee report, 21 were, on its analysis, not acted on as a result of the 2010 changes. Of the eight that were, the majority were addressed, on the committee's analysis in part, meaning

some element of the recommendation, perhaps even just the spirit of it, was implemented but not the full effect as intended.

In reviewing the condition of the code and the franchise sector in the wake of the 2008 reports, the 2010 changes to the code and the introduction of the Competition and Consumer Act 2010, the committee notes the emphasis on disclosure mechanisms at the expense of the more far-reaching recommendations from this committee. For all this, the committee considers the changes made to the regulatory regime to be generally positive, if marginal in places. The committee is of the view that those recommendations not acted on, those dealing with good faith and alternative dispute resolution, as opposed to mediation or litigation, are likely to remain live in the minds of those interested in improving the sector.

The committee notes the introduction of a small business commissioner in South Australia is designed, in part, to provide further resources to supporting the provisions of the franchise code, among other industry regulations. Evidence considered by the committee suggests that, over time, the commissioner's office may provide an adjunct to existing national franchise regulation dealing in a local context with some of the problematic issues affecting franchises. Examples might include the interface between franchising and retail tenancy legislation, targeted advice for franchisees and prospective franchisees, franchise registration, and interface with the ACCC on franchise matters.

The committee is of the view that the volume of franchise related activity dealt with in the commissioner's office should be monitored. Should volumes increase, there should be consideration given to allocating resources to ensure the office is not constrained from performing its functions. Should state-based legislation be introduced, specifically dealing with franchises in South Australia, the small business commissioner may play a role in the regulation of any state-based system. It may be, however, that the commissioner's proposed powers make such legislation unnecessary. Given the above and pursuant to section 6 of the Parliamentary Committees Act 1991, the Economic and Finance Committee recommends to parliament that it note this report.

Mr GOLDSWORTHY (Kavel) (11:27): I am pleased to make a brief contribution in relation to the motion moved by the member for Lee, the chairperson of the Economic and Finance Committee, that the 75th report of the committee into franchises, entitled Franchise (Supplementary Report), be noted. Going back over some history concerning this matter, it dates back quite a number of years—I think about four or five years, if my memory serves me correctly—to the parliamentary term between 2006 and 2010, when the matter was first brought before the committee. It has been a longstanding matter that the committee has been dealing with.

I was a member of the committee in that parliamentary term. When we were first looking at that matter, I think the Minister for Correctional Services, the member for West Torrens, was the chairperson of the committee at the time. He was one of the chairpersons of the committee; I think we had two or three through that parliamentary term. If my memory serves me correctly, it dates back to 2006 or 2007, when we had a franchisee come and give evidence to the committee about some issues that business person had with their particular franchising system.

As the member for Lee has provided information to the house in relation to the specific reference concerning this particular report, I do not need to traverse that. It is all here in the report. In terms of some introductory information (and it is also highlighted in the report), the committee did not intend that this report be exhaustive or to re-examine in meticulous detail many of the prevailing issues in contemporary franchising law or practice.

As the committee's previous report, which the member for Lee spoke about and the two reports to which I have alluded, as well as several other reports, bills, discussion papers, media campaigns and regulatory changes in the last decade testify, the franchising industry is as much a generator of debate as it is of economic activity. While this report intends to add to the debate, it does so with some circumspection.

In relation to some further background concerning the deliberation on the evidence provided, and as the member for Lee also highlighted, in 2008 the fifth Economic and Finance Committee published its 65th report, entitled Franchises. As I said previously, all the evidence and the work the committee did over those two or three years was finalised in that 2008 report, which received 46 submissions and held 10 hearings.

The inquiry commenced as a result of concerns within the community—not least amongst franchisees—about the manner in which the franchising sector was regulated, with a particular emphasis on the perceived entrenchment of a power imbalance between franchisors, who arguably

hold most of the power, and franchisees, who carry most of the losses. The previous comments highlight that, which is why the committee was, in the first instance, prepared to investigate the issue and take evidence.

The chairperson of the committee, the member for Lee, when speaking to the motion, highlighted part 6 of the report, which includes 61 pages. The member for Lee spoke to the conclusions, and addressed every one of the conclusions the committee deliberated and decided upon. However, there are a number that I would also like to highlight, really reinforcing what the chairperson has highlighted in the house. That is, the committee notes that, of the 26 recommendations in the 2008 report, 21 were, on its analysis, not acted on. Of the eight that were, the majority were addressed—on its analysis—in part, meaning that some element of the recommendations, perhaps even just the spirit of them, was implemented but not to the full extent intended.

Moving through some of the other conclusions, from two parliamentary committee reports in 2008, with a combined total of 36 recommendations, barely a third were implemented or effected in some way. For all this, the committee considers the changes made in the regulatory regime to be generally positive, if marginal in places. The committee is of the view that of those recommendations not acted upon, those dealing with good faith and alternative dispute resolution, as opposed to mediation or litigation, are likely to remain live in the minds of those interested in improving the sector.

Furthermore, evidence considered by the committee suggests that, over time, the commissioner's office (and this is in relation to the potential for a small business commissioner being established) may provide an adjunct to existing national franchise regulations, dealing in a local context with some of the problematic issues affecting franchises. Examples might include the interface between franchising and the retail tenancy legislation (and we took some evidence in relation to that over a number of weeks, if I can cast my mind back a number of years in relation to that), targeted advice from franchisees and prospective franchisees, franchise regulation and interface with the ACCC on franchise matters.

That is highlighting a number of the conclusions (not in their entirety) but the chairperson, the member for Lee, did that in his contribution. It is not appropriate, in speaking to the motion, that we traverse those issues that were raised in the debate here only a couple of weeks ago in relation to the Small Business Commissioner Bill because that is still before the parliament in the other place. However, as a member of the Economic and Finance Committee, I certainly support the motion from the member for Lee in relation to the 75th report entitled Franchises (Supplementary Report).

The Hon. M.J. WRIGHT (Lee) (11:35): I welcome the support from the member for Kavel, and I am happy to conclude on that note.

Motion carried.

PUBLIC WORKS COMMITTEE: SOUTH PARA DAM FLOOD MITIGATION AND REMEDIAL WORKS

Mrs VLAHOS (Taylor) (11:36): I move:

That the 408th report of the committee, entitled South Para Dam Flood Mitigation and Remedial Works, be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: GAWLER BIRTH TO YEAR 12 SCHOOL REDEVELOPMENT

Mrs VLAHOS (Taylor) (11:36): I move:

That the 410th report of the committee, entitled Gawler Birth to Year 12 School Redevelopment, be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: ADELAIDE CONVENTION CENTRE REDEVELOPMENT

Mrs VLAHOS (Taylor) (11:37): I move:

That the 411th report of the committee, entitled Adelaide Convention Centre Redevelopment, be noted.

The expansion and redevelopment of the Adelaide Convention Centre (ACC) in 2010 is part of the $394.208 million investment to revitalise the Riverbank precinct. A budget of $350.32 million has been allocated for the redevelopment of the ACC. The prime objective of the redevelopment is to

re-establish the ACC as one of the world's premier conference centres, ensuring its continued competitiveness and contributing significantly to South Australia's tourism and economic growth for the future. It is also to assist in unlocking the full potential of the city's Riverbank precinct. The key objectives for the project in terms of the asset's functionality and design include:

- the ACC will integrate with the Riverbank precinct and assist it to realise its full potential;
- the development will also be a world leader in operational functionality and flexibility of use;
- the design will reflect the operator's requirements for accessibility, functionality and commerciality; and
- the design will ensure that there is seamless connection between the existing ACC and the new components and an impression of a single building for the visitor to the redeveloped ACC.

Over the next 25 years, the project will generate around $1.92 billion in economic benefit for the state from delegate spend and associated pre and post-event tourism. It will also generate around 1,784 additional jobs in South Australia (both directly and indirectly) per year over the same period. The project is anticipated to commence in October 2011, with stage 1 complete in April 2014 and stage 2 complete by June 2017. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr PENGILLY (Finniss) (11:39): Quite clearly, the opposition supports this project; there has been no argument about that whatsoever from day one. We actively supported this project in the committee. However, I think that it needs to be put on the record that the opposition is far from satisfied with the approximately $40 million that is unaccounted. The $350 million for the Adelaide Convention Centre is one thing, but the $40-odd million for the bridge to connect the Convention Centre to the other side of the river is a debatable point. Nowhere was it satisfactorily explained to the committee where this bridge would be. It was suggested that it may come in somewhere between the Convention Centre and the Festival Theatre.

Any questions that were asked by the member for Waite or myself received a fairly scant answer, and I have to say there is a lack of accountability about this issue. The diagrams that went with the project for the Convention Centre did not indicate in any way, shape or form where that bridge may or may not come in. We tried to discover whether they wanted to have a Y-shaped bridge so that one section went to the Convention Centre and one came down to the Festival Theatre, and just what was the upshot of it.

We think it is an important matter that needs to be put out sooner rather than later to get some clarification on this. This matter, quite clearly, garnered quite a bit of media interest from television, radio and print media. I think the government is hiding something here, and it was of great concern to us that we could not get any straight answers on it. I would go to the extent of saying that public servants involved, and employees of various departments and the Convention Centre were put in a difficult spot, because I am of the view that they probably knew more than they let on but were not allowed to do anything about it.

This is an issue that is not going to go away. We will support the project, we want it to get going, we want it to be a great success for the state—absolutely no question about that whatsoever—and we want it moved on, but the opposition notes in supporting this motion that it is far from satisfied with the subject of a footbridge across the Torrens.

Motion carried.

PUBLIC WORKS COMMITTEE: NEW MURRAY BRIDGE POLICE STATION

Mrs VLAHOS (Taylor) (11:42): I move:

That the 412th report of the Public Works Committee, entitled the New Murray Bridge Police Station, be noted.

Over the past decade, Murray Bridge and the surrounding district has seen strong growth in population and an increase of between 14,000 and 20,000 people in eight years from 2001 to 2009. It is forecast that the growth will continue, with the expectation that there will be around 30,000 people in the district by 2025.

The existing police station at 11 Bridge Street, Murray Bridge is of a 1960s vintage, with an office extension and cells constructed in 1985. It is not capable of accommodating anticipated staff

increases or the need to improve functionality from integrated policing units that will come to the district over the foreseeing years.

In 2008, the funding for the new police station at Murray Bridge was approved. The facility will house operational support facilities from SAPOL, which include an expanded patrol base, a CIB, a crime scene investigation unit, forensic services and a criminal justice service. It will also house a new police station fronting Swanport Road with direct public access.

The proposed new station is designed to accommodate expanded police resources comprising of 70 sworn officers and six administrative positions. The station is further designed for future integration, with an adjoining court building and allowing the sharing of cell facilities to reduce cost.

The police station anticipates the need of the Murray Bridge community based on these population forecasts up to 2030. The pre-tender estimate for the project capital cost is $12,613,776. The project is due for completion in October 2012. Given this, pursuant to section 12(C) of the Parliamentary Committees Act, the Public Works Committee reports to the parliament that it recommends the public works.

Mr PEDERICK (Hammond) (11:44): I rise to support the work that the Public Works Committee has done in regards to the new Murray Bridge Police Station, and it cannot come before time. It certainly came to the fore in the debate following the announcement of the proposed Mobilong Prison in September 2006, that was announced on the front page of *The Advertiser,* as I indicated in a speech yesterday.

Murray Bridge has been in need of a new police facility for some years and, with the proposal to have the new high security prison built at Mobilong, it certainly came to the fore that it was absolutely essential that upgraded facilities be placed in Murray Bridge. It will be on an excellent site with good access off Swanport Road, one of our main thoroughfares through Murray Bridge.

I note from the site plans that there is room to build a new courthouse, and I hope that that happens sooner rather than later, because I can see some logistical problems with the issues of prisoners or people who need to be between the police station and the courthouse, which is on Bridge Street, next to the current police station. So, the sooner we have everything in one place, the better. This will become the headquarters for the local service area for the Riverland and Mallee and it will be a great boom for Murray Bridge. In fact, it would be better if we did not have crime; we would not have to build these great stations to combat crime. However, the reality is that we do have crime throughout the state and, sadly—

Mr Goldsworthy: Throughout the world.

Mr PEDERICK: —throughout the world, as the member for Kavel indicates. We have to make sure that we have the appropriate facilities, the appropriate staff and the appropriate number of police officers in place to combat crime. I note the $12.62 million of expenditure and the forecast for 2025, that the building would be able to accommodate up to 102 staff. I also note that the population forecast for Murray Bridge will bring the population up to 35,000 by 2030. That is quite an upgrade from the 22,000-odd people who are there currently.

There are some exciting developments happening around Murray Bridge. We have the Gifford Hill development, with the proposed 3,500 houses, in conjunction with a new race track next to the freeway. Essentially, that is 40 per cent of what is currently at Murray Bridge being built there over time, so we will need centres like this to support the growing town.

As I indicated, the site does allow for future collocation with the courthouse. I repeat to the parliament: the sooner this happens, the better. I hope the government has a good look at this to make sure that we can get all the facilities needed to combat crime and ensure that justice prevails.

The station is designed to accommodate an expanded patrol base and specialist areas, such as, a criminal investigation branch, a crime scene investigation branch and criminal justice services, and it will have a compliant cell complex. I note that the member for Taylor has outlined some of these issues. The project is due for completion in October 2012 and should be up and running soon after that, so, well done. There is some good news for Murray Bridge and surrounding areas with regard to making sure that we can combat crime in a far better way.

I urge the government to have a close look at what can be done about relocating the court facilities in Murray Bridge as soon as possible, because that will obviously assist the process. I was pleased to be given the opportunity to present to the Public Works Committee.

Motion carried.

PUBLIC WORKS COMMITTEE: RAIL REVITALISATION ELECTRIFICATION

Mrs VLAHOS (Taylor) (11:49): I move:

That the 413th report of the committee, entitled Rail Revitalisation Electrification, be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: ELIZABETH RAILWAY STATION UPGRADE

Mrs VLAHOS (Taylor) (11:49): I move:

That the 414th report of the committee, entitled Elizabeth Railway Station Upgrade, be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: ELIZABETH SOUTH AND GAWLER RAILWAY STATIONS UPGRADE

Mrs VLAHOS (Taylor) (11:50): I move:

That the 415th report of the committee, on the Elizabeth South and Gawler Railway Stations Upgrade, be noted.

The Elizabeth South and Gawler Railway Stations Upgrade projects are important to the seats in the north and to the people in the north. They are currently being undertaken at a total cost of $9.803 million. The station upgrades will incorporate the following elements: an architecturally designed shelter at the Elizabeth South station, which is badly in need of an upgrade within my electorate. The heritage listed shed over the main platform at the Gawler station within the seat of Light will not be affected by these upgrades.

An Exeloo public toilet at the Gawler station will be provided. Improved lighting and closed circuit television surveillance will be included. Passenger information display systems on all platforms will inform commuters about train running times. A public address system will facilitate real-time passenger information announcements, and an emergency telephone system will be available at all platforms.

The key objective in the Elizabeth South and Gawler station upgrade projects is to provide improved facilities for commuters and to support and encourage increased patronage on the train services in these areas that are going through the electrification projects. The project will also improve commuter comfort and convenience, public safety, security and general amenity, and accessibility in line with the DDA Disability Standards.

The project will commence in December 2011 and the committee is of the opinion that the proposed Elizabeth South station upgrade is of value to the community and it will be a great enhancement to the local area. Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Motion carried.

PUBLIC WORKS COMMITTEE: OAKLANDS PARK STORMWATER HARVESTING AND REUSE SCHEME

Mrs VLAHOS (Taylor) (11:52): I move:

That the 416th report of the committee, on the Oaklands Park Stormwater Harvesting and Reuse Scheme, be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: EASTERN COMMUNITY MENTAL HEALTH CENTRE CLINICAL ACCOMMODATION FIT-OUT

Mrs VLAHOS (Taylor) (11:53): I move:

That the 417th report of the committee, on the Eastern Community Mental Health Centre Clinical Accommodation Fit-out, be noted.

Ms CHAPMAN (Bragg) (11:53): I support the Public Works Committee's reporting of this matter to the parliament and welcome this initiative. This is to have purpose-built clinical accommodation at 172 Glynburn Road, Tranmere and will effectively consolidate three current mental health services from College Park, Enfield and Adelaide into one purpose-built facility. The importance of mental health services to the some 10,000 people in South Australia who use mental health services cannot be underestimated.

I note with interest, and am pleased to note, that there will be further reporting to the committee quarterly and also in the event of any substantial change to the nature of the project or evidence given to the committee. The reason this is particularly important is that it is one thing to approve a project, but it is the other second aspect of the responsibility of the Public Works Committee to continue to monitor these projects to ensure that they actually do fulfil the initial threshold and terms of reference as to the scope of the projects.

This is particularly important given that this is a mental health facility, which will clearly have to take up some of the slack as a result of the 42 per cent of the Glenside Hospital campus being sold under a government proposal—a large portion to public housing, which is yet to be sold; a portion to the Chapley group of companies to introduce new retail and supermarket facilities; and, of course, the $2.5 million heart of the hospital, which has already been sold to the Premier's office for his redevelopment of the film hub or now to be called the Adelaide film 'something' (or whatever it is).

In any event, we are to hear more about it as it continues, not only about the $20,000 publicity campaign for the open day just recently but also the $68,000 gala dinner which is to take place on 20 October. In any event, as these projects progress, it is very important that we keep an eye on it. I hope that this will be completed promptly. I look forward to the opening of this service. It is desperately needed in South Australia. Sadly, the continued reduction in mental health beds has meant that services such as this will be even more in demand.

I note that the Minister for Health recently announced that there will be a shortfall. He presented a statement to the parliament that there will be a shortfall and that he will be introducing some extra interim beds for mental health patients. This is going to be a much needed service. The haste at which it could possibly be introduced I would endorse, having now been approved through the Public Works Committee. I thank the committee for its efforts and look forward to ensuring that it is monitored to ensure that we have the services that will be in high demand.

Motion carried.

ECONOMIC AND FINANCE COMMITTEE: ANNUAL REPORT

The Hon. M.J. WRIGHT (Lee) (11:56): I move:

That the 76th report of the committee, entitled Annual Report 2010-11, be noted.

During the reporting period, the Economic and Finance Committee tabled two reports and conducted the bulk of another follow-up report to its 2008 franchises inquiry. The committee tabled its report into the emergency services levy 2011-12 in June 2011. The committee found that the projected expenditure on emergency services in 2011-12 was $225.3 million.

The committee noted total expenditure for 2010-11 was expected to exceed the original estimate by $8.3 million, reflecting: remission and pensioner concession costs on fixed property exceeding budget by $4.7 million, mainly due to higher than expected growth in properties value; and contributions from fixed property owners exceeding budget by $3.6 million, also mainly due to higher than expected growth in property values.

The committee noted that cash balances in the Community Emergency Services Fund were expected to reach $8.8 million by 30 June 2011. There would be no increase in levy rates for owners of fixed property or for owners of motor vehicles and vessels in 2011-12.

The committee also heard evidence from the Office for Recreation and Sport regarding its grants system, including evidence relating to the non-disbursement of the Recreation and Sport Fund over recent years. As a result of the committee's actions, and following an internal assessment of the grants program, the Office for Recreation and Sport has embarked on a review of its grants process, which will involve wide consultation with the community and, notably, members of parliament. The Office for Recreation and Sport conducted interviews with Economic and Finance Committee members in the reporting period and is keeping the committee apprised of the progress of that work.

During the reporting period the committee further continued its work of reviewing passenger transport contract tenders under its obligations outlined in section 39 of the Passenger Transport Act. Tenders reviewed in the reporting period included the expressions of interest for the Adelaide metropolitan bus contracts, central booking service for Access Cabs and a number of regional passenger transport services.

The committee began a supplementary inquiry into franchises in December 2010 to ascertain the breadth and effectiveness of recent changes to the Franchise Code of Conduct by the federal parliament. The committee took over 70 submissions during the period and also included information relating to the Small Business Commissioner Bill, at that time just presented to the parliament. A full discussion of this report will be in next year's annual report.

On other matters, in April of this year, the deputy presiding member, Ms Thompson, and the Hon. Iain Evans attended the Australasian Council of Public Accounts Committees biennial conference in Perth. Ms Thompson presented to the conference on the committee's recent events, including the franchises inquiry. The focus of the conference was 'Seeking improved performance for PACs'. Of particular interest to the committee was its visit to the Adelaide Hills and Fleurieu Peninsula areas of the Regional Development Australia Adelaide Hills, Fleurieu & Kangaroo Island region. This body, supported by federal, state and local governments, aims to provide support to businesses and enterprises trying to grow in our regional areas.

Debate adjourned.

EDUCATION AND EARLY CHILDHOOD SERVICES (REGISTRATION AND STANDARDS) BILL

Adjourned debate on second reading.

(Continued from 14 September 2011.)

Mr PISONI (Unley) (12:01): I rise to speak in support of the bill. Before I start, I will explain to the house that I intend to test an amendment in this chamber during the committee process. I advised the minister of that earlier. As you know, the minister's second reading explanation has only been on the table for just over a week, so I apologise for the late notice of the advice to the minister. I know that he may very well need to consider that between the houses, but I would like of course to use this opportunity to flag that we will seek to add one small amendment to the bill and I will explain the details of that later.

This bill seeks to set up a new framework for the registration and regulation of education services here in South Australia and to support nationally consistent standards agreed at the COAG in 2009 and articulated in the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care, enacting national changes for the regulation of preschool, family day care, long day care and out of school hours care.

The bill as presented will repeal provisions of part 5 of the Education Act 1972 designed to regulate what was previously a much smaller non-government sector—and I might touch on that a little bit later—and sections, of course, of the Children's Services Act 1985 relating to the regulation of early childhood services affected by the national partnership agreement.

The national quality framework will become operational from 1 January 2012, and this bill is designed to provide the application in South Australia of the federal Education and Care Services National Law. In addition the bill seeks to establish a new statutory authority—the education and early childhood services registration and standards board of South Australia.

Under this arrangement, all education and care services, including schools and non-government schools, would come under one regulatory authority replacing functions currently undertaken by the Department of Education and Children's Services and also by the Non-Government Schools Registration Board of South Australia.

This change is perhaps particularly overdue. I know that when I began speaking to stakeholders about the initial consultation of this bill, one of the biggest areas of contention for the non-government sector, of course. was that the Department of Education and Children's Services was a competitor and also their regulator. What this bill will address is the fact that that will change.

Notably, under the new proposed arrangements, although states maintain their role as the primary regulator, accreditation approval will now be valid in all participating jurisdictions. So, in other words, if you are opening a second office in another state and you have done that in South Australia for example, then your accreditation approval will flow through. The should be seen as a positive for the operation of private providers and businesses in the sector.

I know that we have seen a number of these processes happening over the years through COAG, where we have seen a breakdown of barriers, and it does remind of the days when we had—and the member to Hammond might be able to help me here—eight or nine different rail gauges in Australia—

Mr Pederick: There were at least four or five.

Mr PISONI: —and there was a time when even travelling from Adelaide to Sydney meant you had to change trains at Broken Hill. We have come a long way since then, of course, and in layman's terms, you could argue—the train buffs, anyway—that this bill has a similar effect to the standard gauge rail system that we have now adopted since the 1980s.

The national law was passed by Victorian Parliament in October 2010. New South Wales passed legislation to apply the national law in November 2010, and the ACT has introduced a bill to apply this legislation, as has Queensland, with Tasmania and Western Australia planning to do so soon.

I have had some brief discussions with the office of the Minister for Education in Victoria, and they know that they do have some concerns about federal funding issues. Of course we do know the bill will increase the cost of child care, and the last thing we would like to see here in South Australia is child care being denied to more families, obviously knowing that it is a very important part of a child's education. I will touch on that little bit later.

The opposition notes the substantial consultation efforts undertaken with stakeholders and the efforts of the DECS Legislative Review Unit, and I congratulate the Department of Education and Children's Services on their process. The feedback I have had in contacting stakeholders was that they were pleased with the consultation process, and I know that, certainly, the major stakeholders such as independent schools and the Catholic school system were certainly pleased. The Association of Early Childhood Centres was also pleased that the consultation process. However, there were still some concerns and I will touch on a little bit later.

Stakeholders consulted by the opposition confirmed that they were pleased with the consultation process. Key elements of these changes relate to staff-to-child ratios, and higher staff qualifications, i.e. a minimum Certificate III by 2014, and some additional changes by 2016. There has been some commentary regarding the inevitable increase of child care costs, as I mentioned earlier, including by the Productivity Commission. This is an area that I believe will be a challenge for governments, as more parents will rely on early childhood care, particularly when both parents are working.

The possible shortages of staff in a transition period, as I understand, will be addressed through application. These are areas of concern for the opposition, and an element of the implementation of changes to early childhood education that the government will need to monitor and be held accountable for. We will certainly be keeping in contact with stakeholders as this is implemented to ensure that the process is working as designed.

Stakeholders have indicated to the opposition that this bill is in need of an overhaul or modernisation of the relevant acts in terms of a new board. They are, in general, satisfied with the greater autonomy from the direction and authority of the Department of Education and, in this regard, the Department of Education and Children's Services will no longer be both a provider and its own regulator but will be subject to the same independent regulatory body as the non-government sector.

That was always a major contention for the non-government sector in regard to early childhood regulations—that there was one rule for the government sector and another rule for the non-government sector. This bill goes a long way to addressing that although there are still some concerns which I will address a bit later in my remarks.

Stakeholders are satisfied that the membership of the new board is broadly reflective of the education services that it will oversee and they believe that their input during consultation has improved the bill. In other words, the stakeholders are confident that the bill has improved because of the consultation process.

However, there are some elements of the implementation and the universal access scheme that remain of concern to the childcare industry and are relevant to raise in the course of debate on this bill. I am sure that the minister's office is aware of it but just for the record I will refer to some of the concerns that were raised and perhaps even some questions that the minister might wish to address as a result of the universal access scheme to child care.

With regard to this, the childcare sector has expressed concerns. The minister has offered the commonwealth subsidy to non-government sectors with a different set of rules to those of government centres—for example, in non-government centres there is a requirement to have a second trained early childhood teacher (that involves a four-year degree) once a limit of 10 children is reached. This potentially means that if there are 11 children in a group of four year olds receiving the universal access subsidy, then there must be at least two early childhood education teachers present. This is simply not a financially viable position.

I would like to hear the minister's comments or views on this position and whether he might be able to inform the parliament as to who might be responsible for the additional cost to parents in that situation and whether there has been anything negotiated with the federal government in the way of childcare funding or, alternatively, fees or rebates for parents in covering the extra costs. The alternative is to select one child who will not be eligible to receive the funding and, of course, it is a choice of which child will it be.

As this rule does not apply to government centres, is the minister, in fact, hoping that these additional imposts will act as a disincentive for non-government service providers to take up the subsidy? They are legitimate concerns that have been raised by early childhood centres, particularly smaller centres that offer early childhood services.

Part 4, Division 2(1)—the composition of the board: if we go back to the legislation we can discuss the detail of the composition of the board. I think that is important for those who might be referring to this debate at some later stage if I discuss that composition for *Hansard*. The board will consist of a presiding member who will be:

...a person who has, in the opinion of the Minister, extensive knowledge and expertise in the education and care of children—

I assume that will be an appointment of the minister—

...(b) 2 must be nominated from a panel of 4 persons submitted by the Director-General—

Again, I assume that the minister will make that decision. Thirteen members will be appointed to the board. Two will be nominated from the Association of Independent Schools here in South Australia; two from Catholic education; and two from childcare bodies (the issue that was raised there, which I will cover perhaps in the committee process, is the explanation of the childcare bodies, whether that is for private, public or community—what the balance is through there); and the last person must be a legal practitioner. On the surface, it looks like a well balanced board, but we do need to clarify paragraph (e) of the composition of the board.

The childcare sector is made up of government and non-government, which are mainly privately-owned small businesses—it is my understanding that it is about half of the early childhood sector—and a lot of those are family businesses. I note that the member for Waite has experience in early childhood centres, and I am sure that he will be contributing to the debate as the bill moves through the parliament. Of course, the smaller businesses, the family-owned businesses, are all faced with different issues; for example, one issue is that payroll tax applies to the private centres, as does other government taxes, which is something that the government sector does not necessarily need to work into its costings.

We all know the importance of early childhood. If you look at where NAPLAN is taking us, since 2008 we have had four NAPLAN testing results here in South Australia, and I have to say that, as the shadow minister for education, it is very disappointing that in South Australia we have actually gone backwards in each one of those tests. We had our best result in 2008.

I happened to get out a press release from the previous minister for education on NAPLAN just to see what the government might be doing to address the poor NAPLAN results we had back then. We were then sitting, where the minister claims we are now, in the middle of the pack. Since then, we have slipped to bouncing on the bottom.

However, back in August 2008, there was an announcement of intervention plans and literacy and numeracy workshops that were to be held later that year to help key teachers with interpretation of the results (of course, we all know that you cannot manage what you do not measure, so it is important that we interpret the results), and new performance analysis reporting officers. But there is very little there to deal with the issue of numeracy and literacy in schools and targeting those students who are having difficulties.

We know what is happening in other states, such as New South Wales. The minister was quite right when he said on radio the other day that New South Wales has a very centralised system, but it does break down its NAPLAN results region by region, school by school, and it tailors and targets the programs it puts in place. We do not see any of that here in South Australia. As a matter of fact, unfortunately, I believe the minister has taken advice from his own department that blames the students.

Last year, we heard the minister saying that we have a lower score here in South Australia simply because we have a higher proportion of lower socioeconomic students. We saw that again this year as an excuse for the even worse results we received in the NAPLAN scores this year, where we saw South Australia slip in 14 categories—we fell behind in 14 out of the 20 categories. We had a worse result this year than we had last year. I have some statistical data that I seek leave to insert into *Hansard*. It compares the NAPLAN results in South Australia in 2010 with 2011 and the 14 negative figures are displayed in the graph.

The DEPUTY SPEAKER: Member for Unley, you are seeking leave. Can you establish for me that those tables are entirely statistical and nothing else?

Mr PISONI: Yes, these tables are entirely statistical.

Leave granted.

		SA	SA	SA	Aust	Aust V SA	
		2010	2011	2010 V 2011	2011	diff%	
Year 3	Reading	401.6	402.8	0.30%	416.2	0.97	3%
Year 3	Writing	410.8	399.3	-2.80%	415.5	0.96	4%
Year 3	Spelling	387.9	392.4	1.16%	406.3	0.97	3%
Year 3	Grammar	398.9	404.1	1.30%	421.6	0.96	4%
Year 3	Numeracy	379.9	379.6	-0.08%	398.4	0.95	5%
Year 5	Reading	476.4	478.5	0.44%	488.4	0.98	2%
Year 5	Writing	479.5	469.4	-2.11%	482.5	0.97	3%
Year 5	Spelling	479.2	474.4	-1.00%	484.3	0.98	2%
Year 5	Grammar	486.9	486.2	-0.14%	499.7	0.97	3%
Year 5	Numeracy	472.7	471.4	-0.28%	488	0.97	3%
Year 7	Reading	543.1	534	-1.68%	540	0.99	1%
Year 7	Writing	537	529	-1.49%	529.3	1.00	0%
Year 7	Spelling	539.3	533.6	-1.06%	537.8	0.99	1%
Year 7	Grammar	532.3	529.3	-0.56%	533	0.99	1%
Year 7	Numeracy	538.2	535.3	-0.54%	544.9	0.98	2%
Year 9	Reading	567.2	573.2	1.06%	579.6	0.99	1%
Year 9	Writing	566.3	562.1	-0.74%	567.7	0.99	1%
Year 9	Spelling	572.4	575.2	0.49%	581.5	0.99	1%
Year 9	Grammar	573.8	567.7	-1.06%	572.8	0.99	1%
Year 9	Numeracy	573.2	572.3	-0.16%	583.7	0.98	2%

Mr PISONI: The statistical table goes on to explain that where we are really suffering as a state is in our early years. In year 3 reading we are 3 per cent below the national average; in year 3 writing we are 4 per cent below the national average; in spelling we are 3 per cent below the national average; in numeracy we are 4 per cent below the national average; and in reading, despite all the hype of the Premier's Reading Challenge, we are 5 per cent behind the national average. These are fairly shocking figures, and I will talk about some improvements that other states have made in the NAPLAN testing shortly.

These are shocking figures and, of course, they relate to early childhood development. We know that it is important to invest in the early years. The unfortunate problem that governments have in spending money on the early years is that you do not necessarily see the results within the

electoral cycle, and I think the challenge for all political parties is to acknowledge that we need to break that cycle to improve numeracy and literacy, which of course is the key to anywhere you want to go as a child, student and adult. The first thing you need to be able to do is read and write. If you are struggling in year 3 to read and write, that is going to reflect in years 4, 5 and 6 unless it is addressed.

One of the reasons I support the new Education and Early Childhood Services (Registration and Standards) Bill is I believe that no longer can we sit back and say that early childhood centres are simply about minding children. There is an opportunity to invest in the children's future from the very early stages.

I know I am very fortunate in living in Unley. I know that if I go to Unley High School it is a school of very high demographics and very high financial means. We have 9 per cent of students at Unley High School, for example, on School Card, and that is reflected right through the electorate. We are one of the wealthiest high schools—the wealthiest school, from what I understand—in South Australia based on simply the recipients of school cards.

Of course, our primary schools are category 7, which means that they have the lowest funding per student; and that funding of course is based on the fact that there is a lot of family, community and parental support for the schools and, consequently, schools do not need to buy in as many services in order to educate their children.

We also know through the work that many researchers have done that a connection with the family and a student's parents is a very important role in education. If education is not supported at home, then it makes the job of teachers in schools much more difficult. It does not matter what a teacher does at school if the parents are not engaged in that child's education. It is like taking two steps forward and one step back. It is very important that we engage children in education and that is why I see an opportunity for an improvement in the standards of early childhood centres and where I see an opportunity for self management of schools here in South Australia.

We know that we have a very regulated, very centralised system here in South Australia. We know the union likes it that way because it means that it is easy for it to manage. It is easier for the minister to manage and it is easier for the department to manage. It is just the way things have always been done, but I believe that it is time that we re-evaluated that process. I do not think it is feasible in this day and age that, year after year, we keep doing the same thing and expect a different result.

When I was in business, particularly when I was making a prototype piece of furniture, if it did not work the first time I did not go ahead and use the same process, the same materials, the same design the second time and expect a different result. I think that is where we are at in education here in South Australia. That is the point that we are at in South Australia. We have seen the centralised model. We have seen the fact that one size fits all does not work.

A school in my electorate, in the member for Bragg's electorate or in the member for Norwood's electorate would receive, according to the My School website, and according to the school resource entitlement statement, just over $7,000 per student into the school bank account. We know a lot of that is already committed for teachers' wages, but basically that is the amount of money. Despite the government's claim that more than $13,000 is allocated to each child's education, the school will only receive about $7,000.

We know that the My School website will tell them that that figure is more like $10,000 or $11,000, so somewhere in the vicinity of 33 to 35 per cent of the money allocated to that school is not controlled by the principal. It is being spent on behalf of that school community, but decisions are made in Flinders Street. Whether that school is in regional South Australia, whether that school is in the CBD, or whether that school is in the suburbs of Adelaide, the decisions about how that money is being spent are made not by the school community, not by the school principal, but by bureaucrats in Flinders Street.

I think we need to ask ourselves whether that system is working here in South Australia. If we go back to the NAPLAN tests, we can see that something is crook in Crystal Brook when it comes to NAPLAN scores here in South Australia. I will leave that here for insertion into *Hansard*, Madam Speaker, for the benefit of those who feel compelled to read my contributions to the South Australian parliament.

Mr Pederick: Which will be many.

Mr PISONI: Which will be many, the member for Hammond says. Thank you very much. I am very pleased to have one fan here in the chamber. I am sure that, if the minister himself does not read my *Hansard*, one of his many ministerial advisers will read the *Hansard*.

Mr van Holst Pellekaan: We like to hear it live.

Mr PISONI: The member for Stuart said he likes to hear it live, so I am very pleased to be able to contribute. As I said earlier, I think that it is almost unbelievable that the first or second set of NAPLAN results have come back under minister Weatherill, who just a few weeks ago said that he was going to make education a central plank of his premiership. We heard that from the lame duck premier, Premier Mike Rann, who is leaving on 20 October. We heard that when he was in opposition. He said he was going to be the education premier.

This is old Labor Party: they are the bleeding hearts of education if you listen to their rhetoric, but not if you look at their results, if you look at what has happened here in South Australia with this government running the education system. I am actually lucky to be here because I went through the education system when it was run by the Labor Party in the 1970s, and I can just read and write. I can just read and write. It was an experimental time, back in the 1970s, with the open plan—

Mr Pederick: I am not sure if it worked.

Mr PISONI: It didn't work, the member for Hammond said. Open plan was the big—

Mr Pederick: Open space.

Mr PISONI: The open space schools, no walls. Also at that stage there was a shift from a teaching 'profession' to a teaching 'job'. That is what is sad about what has happened to teaching over the years: it was a very respected profession but, unfortunately—due to the fact that it has evolved into an industrial system rather than an education system—we have seen that affect professionalism. There are still many very professional teachers out there. My two children at public school are commentators on the teaching profession, as students and as consumers of teaching.

I have been on the governing councils of public schools ever since my children started school. I am in my 12th year of membership of the governing council—as a parent, in no official capacity—because I took this role up when I was a mere business owner. It is an experience that all parents should have. It gives you a good understanding of how hard teachers work and how frustrating it can be for school leaders when dealing with the bureaucracy, but you do see an enormous sense of dedication of teachers here in South Australia and I do not think that is recognised. It takes more than an $800,000-odd advertising campaign to lift the spirits and the professionalism of the teaching profession.

There are many competing factors that school leaders need to deal with. There have been situations that, as a governing council member, I have had to deal with. You get very frustrated, as a governing council member, when you join that governing council because you are looking at the greater good of the school and you discover that the person sitting next to you has only joined because they want to push the best outcome for their child or their children, so that is always a competing issue that principals and governing council members need to deal with. It is a rarity but you do see it occasionally. Usually those people do not last very long.

The worst offenders are those who do not participate in the school community at all and who are very critical of decisions that the school community makes, despite the fact that they have been given the ability to participate and have a say. That is something that evolves over time.

In studies that have come out of Utah in the United States, where they moved to the super-school experiment in the seventies and eighties—not only the amalgamation of school districts in Utah but also the amalgamation of schools, so small community schools being closed and large schools being developed—the outcome of this particular study was that there was a boom in the non-government sector in Utah because parents were pulling their kids out of these large, bureaucratically-run schools and moving them to smaller independent schools where they felt, as parents, that they were being heard.

That is also happening in the northern suburbs of Adelaide. There has been a boom in the non-government sector ever since the affordability of choice in education was addressed by the former Howard government. The barrier that was there for many families, in the way of school fees, has been minimised by the SES distribution of funding for non-government schools (where those

schools in areas of most need have the highest amount of funding from the federal government) which has brought fees down to very manageable levels.

Something the government has failed to address in dealing with the competition it has faced, in the northern suburbs in particular, is that it has lost a lot of aspirational families out of the government school system. They have decided that they are sick of not being heard, they are sick of a system that is too big for them. They want to be part of a school community and the local government school has not offered that to them, so they have moved because it has been made affordable for them in the non-government sector. As much as I am a strong supporter of choice in education, we need a balance of both the private and public sector.

It is important that we have innovation in the education sector, and what has happened with the very central system we have been running in South Australia for the last 10-odd years is that innovation has been stifled. We in South Australia used to be leaders in education. I know that South Australia used to lead in social reform, in education and in the arts, but now not only are we not leading but we are being dragged behind in a lot of those areas. That is a sad indictment of the last 9½ years of the Labor government we have had here in South Australia.

Getting back to the bill, as I digressed a little and I thank the minister for his patience, and to get back to the implications of not getting it right in those early years—and we have seen what has happened with STEM subjects in year 12 here in South Australia—that in turn has reflected in one industry, in engineering for example, where, in every other state, we have actually seen more engineers graduate every year over the last five years but in South Australia we have seen fewer engineers graduate in the last five years. That is despite the fact that we have been promised a mining boom, for which one would think engineers would be needed, and a defence boom, where electrical and mechanical engineers would be required, along with civil engineers also. But we are not training them here to the same level we have seen in other states.

If we go back to why that is, a few weeks ago the Premier who is retiring in a couple of weeks actually launched the updated Strategic Plan. Before he updated the Strategic Plan the goal from the 2004 Strategic Plan was an increase in the number of students getting a pass mark in maths, chemistry or physics in year 12. The benchmark there was 39 per cent and they wanted to increase it by 15 per cent to 45 per cent by 2010. In the year 2000, 44 per cent of students were getting a pass mark in the subjects of maths, chemistry and physics in year 12, and when they set the benchmark in 2003 it was down to 39 per cent. In 2010 we are now suppose to be hitting 45 per cent, but that figure has reduced to 37 per cent.

What we saw in the announcement from the Premier who is soon to retire is that the target for a 15 per cent increase, based on the 2003 benchmark, is now 2020 and not 2010, so we have shifted the goalposts. Again we are doing the same things the same way time and again. That is more evidence that this government has ignored the promises made from the Premier soon to be retired and the vision and promises we heard from the premier who is soon to be that education will be up-front and centre.

What we have seen from our NAPLAN results, from our maths and science results, at the beginning of the school process in year 3 and at the end of the school process in year 12, is that we have gone backwards. These are statistics that cannot be twisted or spun in any way. These are the raw, hard figures as to what is happening in those very important areas here in South Australia, and that has been happening under this Labor government.

In South Australia we also have a poor participation rate for NAPLAN. Why is that? Why do we have continually the worst participation rate in mainland in South Australia, with 17 out of 20 categories, when it comes to NAPLAN? We have fewer students. Even though there are exempt students, do not confuse exempt students with those who participate, because the participation rate is made up of those who are eligible to sit the tests. There are many processes in place to deal with children with disabilities, who can still sit the tests. Adaptions of tests are available for them, but here in South Australia it is almost as though we do not have a commitment from this government or from this minister to NAPLAN testing.

For two years the minister has spun that we are in the middle of the pack with regards to NAPLAN testing, but now we are bouncing on the bottom with the Northern Territory and Queensland. Other states, of course, have not been as complacent. I touched upon that a bit earlier. They have assessed the results and used targeted and tailored responses to the issues or problems that they have highlighted through analysing their NAPLAN testing. The sort of things that

the minister promised four years ago, they have put into play, and we have not seen it here in South Australia.

It is worth comparing results in South Australia with those of Queensland because they have much in common: both states have primary years finishing in year 7. That is something else that we will need to address in South Australia as we move to the national curriculum. It appears at this stage that South Australia will be the only state to have year 7; in other words, non-specialist teachers in primary school.

We all know that when students move to high school they move from lesson to lesson. They go to see the maths teacher, they go to see the English teacher, and they go to see the art teacher. In primary school it is generally the same teacher who is with you all day, certainly in the government school system. That is what my kids experienced. However, this minister has ruled out even exploring the option of moving in line with other states. I think it will be difficult for us when we move to a national curriculum not to have the same education system that the other states have.

Maths, science, physics, English, music and art will be taught by specialist teachers in year 7 in every other state in Australia, but in South Australia there will still be primary school teachers giving a general overview of those subjects. Certainly, the Maths Teachers Association is very concerned about that process.

When NAPLAN testing started (it began in Queensland) it was performing even worse in South Australia. The major difference has been the seriousness with which Queensland addressed its poor results and began concrete action to support teachers and schools to improve outcomes for students. In a very short time the results were visible.

Likewise, in Western Australia the Liberal government has moved to a system of greater local school management in public schools in what they call independent public schools, which has given them greater ability to manage targeted solutions. Principals and school communities are in a position to resolve problems identified in the performance of students in their schools and not simply wear the responsibility for the results.

Of course, that is what happens in South Australia. Principals say, 'Well, you are responsible for these results but, by the way, you're going to manage the school by having a single hand tied behind your back.' A classic example there is the new EDA requirements that this government just let roll through because it was during the lead-up to an election. A principal, on a minor decision such as a classroom change, now has to consult the personal advisory committee, which, of course, is made up of the principal, a union rep and the occupational health and safety rep.

They all sit around deciding whether there should be a classroom change for that teacher based on whatever reason, whether that could be a change in class size, whether it be to help accommodate a student with difficulties, or whether it be the fact that it is the only classroom that has an electronic whiteboard and the teacher is very good at using those products. Those sorts of decisions, instead of being made by the principal in an efficient manner, are now made by the policy advisory committee, which used to be a purely advisory committee. Now, through the EDA, those decisions need to be agreed upon.

In Western Australia, with its system of giving principals the ability to manage their schools, there was a targeted program where we saw that state move forward in 14 out of 20 categories in the NAPLAN scores, whereas here in South Australia we went backwards in exactly the same number of NAPLAN scores. I again refer the house to the purely statistical table that I tabled earlier for insertion into the *Hansard*.

Given these results here in South Australia, where we have a worse result this year than last in the NAPLAN testing, I suspect that the minister must be saying, 'I really regret the fact that I have cut $8.1 million from numeracy and literacy in our schools simply to help save the budget.' If you look at the funding savings that were made through the Sustainable Budget Commission's recommendations in education, $100 million of those savings came out of schools, and numeracy and literacy was one of them.

The explanation in the budget papers tells us, 'Look, don't worry about it; a federal program has replaced that now,' but in the following budget, in May this year, the feds cut that because they overspent on all sorts of other things and mismanaged the economy. They are now turning to the school system to take funding out to manage their budgets.

So it is the same old Labor, whether it is the Rann government or the Weatherill government, or whether it is the Rudd government or the Gillard government; when they fail in managing their budgets they take the easy option. Instead of looking at the way they are managing their departments they go straight to schools or service areas and cut those.

One of the first examples of that I can remember was when Don Dunstan had the great idea of nationalising the bus services here in South Australia. I remember that Frank Potter, a family friend out at Salisbury where I grew up, ran the Salisbury and Elizabeth bus service. He built it up from a one-bus company, where he would drive the bus during the day and maintain it at night. He had a very effective and very well-run bus service, but that was compulsorily acquired from him in the seventies; purchased by the state government.

We then saw an implosion of wages for bus drivers, simply because of the industrial might of publicly-employed bus drivers. We saw bus drivers' salaries going through the roof; in some instances they were being paid more than school teachers and others, simply because of the industrial might there. The then Bannon government's answer to deal with that was, 'We'll have to cut savings in the transport budget; we can't afford the same bus routes that were running via the private sector just 10 years ago.' So they cut services.

We had higher cost and less efficiency, less service; and that is exactly what we are seeing in the way this government is dealing with its poor management of the budget at the moment, with easy targets. It says it is making tough decisions, but I do not think that taking $100 million out of our schools, rather than looking at your own department, is a tough decision. As a matter of fact, I think that is a lazy decision. South Australians could be forgiven for having the impression that their minister and Labor in this state are not entirely supportive of the NAPLAN tests, and fail to recognise them as an important diagnostic tool not only of student achievement but also of the system here in South Australia.

We spoke earlier about how one of the roles of the bill we are discussing today is to replace a regulatory system that was set up when we had a much smaller non-government sector. I have discussed in my remarks since then that we have seen a drift from the public system to the private system, particularly over the last eight or nine years, and I would like to talk about that drift, which is really more of a stampede than a drift if you look at the DECS' figures.

I spent sometime inserting—as purely statistical data—a table that shows the drift from the government sector to the non-government sector since 2002 to 2010. What is interesting is that, if we look at total enrolments in the government sector in 2002 (when the education Premier came to office), we had 170,463 students in South Australia in the government system. In that time, we have reduced that figure by over 9,000 students, which has resulted in the closure of 31 schools under this government.

That might surprise some members in this chamber that the government has actually closed 31 schools when it ran an election campaign in 2002 opposing school closure. However, 31 schools have closed and 21 more schools have closed through the school amalgamation process—another tough decision that this government made to manage the budget. That is a reduction of 5.3 per cent in students from the public system here in South Australia when we have seen a growth in population in that time. But where have they gone?

If we look at the total number of students in the same year (2002), in the non-government sector we had 79,031 students. The last Department of Education and Children's Services report in 2010 reported a figure of 92,132. That is more than 13,000 additional students in the public sector—a 16.6 per cent increase. Let us just have another look at those figures. If you compare those figures, there are 9,000 fewer students in the government system and 13,000 additional students in the non-government system.

I do not know how Labor education ministers can continue to look at those figures, keep doing the same thing in the way they run their education departments and then hope for a different result. It is staggering to see the difference. I will concede that we have seen a drift in other states but not to the same extent that we are seeing here in South Australia. In South Australia we have seen an enormous drift in non-government school enrolments. I will seek leave, if I may, to insert into *Hansard* that purely statistical table.

Leave granted.

Government School Enrolments						
	1st Term			Mid-year		
	R-7	8-12	Total	R-7	8-12	Total
1996	114,146.3	62,255.1	176,401	120,689.6	59,466.0	180,156
1997	112,185.3	63,646.8	175,832	118,854.3	60,478.1	179,332
1998	111,224.9	64,601.2	175,826	117,727.8	61,275.0	179,003
1999	110,322.5	65,968.0	176,291	116,675.7	62,534.6	179,210
2000	109,077.9	65,420.1	174,498	115,415.8	62,061.6	177,477
2001	108,018.9	64,932.9	172,952	114,286.9	61,934.7	176,222
2002	106,141.4	64,321.7	170,463	112,128.0	61,215.9	173,344
2003	104,053.8	63,601.2	167,655	110,229.5	60,778.2	171,008
2004	102,654.7	62,876.0	165,531	108,802.0	60,276.6	169,079
2005	101,385.9	62,490.4	163,876	107,590.8	60,057.7	167,649
2006	100,695.0	62,223.0	162,918.0	106,832.0	59,990.0	166,822.0
2007	100,335.0	62,588.0	162,923.0	106,396.0	60,500.0	166,896.0
2008	99,208.0	62,647.0	161,855.0	105,091.0	60,214.0	165,305.0
2009	98,071.0	62,963.0	161,034.0	104,116.0	61,447.0	165,563.0
2010	97,376.0	64,032.0	161,408.0	103,520.0	62,335.0	165,855.0
From 2002						
Difference	8,765.4	289.7	9,055.1	8,608.0	1,119.1	7,488.9
Difference	-8.3%	-0.5%	-5.3%	-7.7%	1.8%	-4.3%

Non-Government School Enrolments			
	R-7	8-12	Total
1996	40,656.8	28,230.4	68,887.2
1997	41,889.6	29,723.5	71,613.1
1998	42,686.2	30,637.2	73,323.4
1999	43,023.8	31,074.8	74,098.6
2000	43,996.3	31,386.3	75,382.6
2001	45,172.4	31,706.8	76,879.2
2002	46,427.5	32,603.7	79,031.2
2003	47,762.3	33,481.8	81,244.1
2004	48,712.3	34,255.6	82,967.9
2005	49,740.0	35,261.6	85,001.6
2006	50,077.0	36,320.0	86,397.0
2007	50,762.0	37,136.0	87,898.0
2008	51,221.0	38,186.0	89,407.0
2009	52,077.0	39,148.0	91,225.0
2010	52,658.0	39,474.0	92,132.0
From 2002			
Difference	6,230.5	6,870.3	13,100.8
Difference	13.4%	21.1%	16.6%

Mr PISONI: When the original non-government school board was set up, educating children outside the public system was more of an exception than the rule, being more the preference of those choosing a faith-based education option (for example, the Catholic school sector) and, of course, usually people of greater financial means—although I have to say that the Catholic sector has a history of having schools right across the state both in regional South Australia and, of course, in most suburbs here in Adelaide.

I have to say that that does bring me to a slight segue. Last night I enjoyed the Catholic Schools Music Festival at the Festival Centre. I was invited as a guest of Paul Sharkey, the Director of Catholic Education, and I have to say that it was a lovely experience to see the ability both in voice and in instrumental musical ability. I am a very strong supporter of music in the school system and I was very pleased to see it on display last night through the Catholic education system.

That prompts me to inform the house that the previous week, I also enjoyed the Festival Of Music, the government primary school's music concert which runs over four or five nights at the Festival Centre, where I was a guest of the president, Peter Scragg, and he is also a principal of a primary school, I think, in the member for Fisher's electorate. I was invited to attend and certainly enjoyed the performances of our primary school students.

There were special appearances from Marryatville High School and Brighton high school, and it was great to see those students showing the younger students what they could achieve if they stuck with their passion of music. Jeff Kong, the music director at Brighton high school, who will never retire, was there—and every time I see him he looks younger than the last time. He loves the job and he is a great asset. I am sure that the Deputy Speaker is aware of Jeff's work at Brighton high school, and the magnificent contribution he makes to music in the government school system.

If we look at where we are now—and I have tabled the figures for *Hansard*—we have approximately 34 per cent of students being educated in South Australia in the non-government sector. If we move up to years 11 and 12, we are closer to about 44 per cent of students who have moved into the non-government sector. I have experienced that as a parent where a number of my children's friends at their government school have moved on after year 10, in particular, into the non-government sector. Whether that be a church-based school, the university entry school run by the University of Adelaide, Eynesbury College or a similar school, we have seen a shift out of the government system into the non-government system.

If I were the minister, I would be asking: what is the motivation? Why are people who have been devoted to the government system all their lives (or parents for all of their child's schooling life) decided that what we are offering in years 11 and 12 in the government system is not good enough and moving into the non-government system? I would want to ask those parents what the motivation is. I would want to see what I could do as an education minister to improve those outcomes. I seek leave to continue my remarks.

Leave granted; debated adjourned.

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

VISITORS

The SPEAKER: Members, I understand we have a group of students here from the Charles Campbell Secondary School, years 11 and 12, who are guests of the member for Morialta; good to see you here. Also, we have a group from Highgate Primary School, years 3 to 7. I guess that is you up the top there; nice to see you here and we hope you enjoy your time here today. I think there is also a group of people from the Enfield Baptist Church, who are guests of the Treasurer.

LEGISLATIVE REVIEW COMMITTEE

Mr SIBBONS (Mitchell) (14:02): I bring up the 30th report of the committee.

Report received.

Mr SIBBONS: I bring up the 31st report of the committee.

Report received and read.

NATURAL RESOURCES COMMITTEE

The Hon. S.W. KEY (Ashford) (14:04): I bring up the 59th report of the committee, entitled Little Penguins Report: Away with the Fairies.

Report received and ordered to be published.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. S.W. KEY (Ashford) (14:05): I bring up the 12th report of the committee, being the annual report for 2010-11.

Report received and ordered to be published.

QUESTION TIME

ADELAIDE ZOO

Mrs REDMOND (Heysen—Leader of the Opposition) (14:06): My question is to the Treasurer. Why was the government able to find millions of dollars for Puglia but not able to increase the grant to the Adelaide Zoo for the last eight years?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:06): My advice is the current funding arrangements to the Zoo are sufficient to cover the operating costs of the Zoo. The reason why the Zoo has come into financial problems is because of the very large loan it has undertaken with Westpac; it has absolutely nothing to do with the annual funding grant which the government gives to the Zoo.

OZASIA FESTIVAL

Mr SIBBONS (Mitchell) (14:06): My question is to the Premier. Can the Premier inform the house about this year's—

Members interjecting:

The SPEAKER: Order! The member for Schubert, behave! Member for Mitchell, you will be heard in silence.

Mr SIBBONS: I will start again. My question is to the Premier. Can the Premier inform the house about this year's OzAsia Festival?

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) (14:07): I know of the honourable member's strong interest in the arts, and I appreciate the question. The popularity of this year's OzAsia Festival shows that it has really started to come into its own as a festival of national as well as regional significance. This has been in no small part due to the Adelaide Festival Centre's Douglas Gautier and the Artistic Director of the OzAsia Festival, Jacinta Thompson, as well as to the support of its major sponsor, Santos, and other sponsors, and also to the terrific support and mentoring of its patron, our Lieutenant Governor and Chairman of South Australia's Multicultural and Ethnic Affairs Commission, Hieu Van Le.

The OzAsia Festival was introduced in 2007 as one of several annual initiatives developed by the Adelaide Festival Centre and the government. The festival concept was developed to celebrate the changing dynamics of the cultural and social importance to Australia of our growing relationship with our Asian Pacific neighbours.

It is a platform to promote cultural understanding and tolerance through collaboration. It recognises the long and important contributions of Asia, and to the people of Asia to Australia, and showcases outstanding cultural and artistic works, both traditional and contemporary in nature. It also aims, through the expression of cultures, to promote cooperation and shared understanding and shared prosperity.

This year, about 20,000 people came down to Elder Park on a cold Monday night to take part in the spectacular Moon Lantern Festival, and that was up from about 18,000 last year. I was particularly impressed by the number of schools and schoolchildren who took part in making the fantastic and, in many cases, quite elaborate lanterns and participated in the parade that wound its way through the crowds in Elder Park—and right on cue the clouds parted and a full moon rose to shine down on the festivities.

Notably, this year's festival saw new partnerships forged with the Samstag Museum of Art, the Contemporary Art Centre of South Australia, and the Art Gallery of South Australia for visual arts exhibitions. The Festival Centre's Artspace also mounted an exquisite embroidery exhibition. Together these exhibitions attracted nearly 25,000 people, bringing the grand total of people who engaged with the 2011 OzAsia Festival to more than 60,000. This means audience engagement with the festival has effectively doubled since last year.

This year the festival program featured 446 artists from Japan, China, Hong Kong, India, Indonesia, Korea, Malaysia, Tibet, Thailand and Vietnam, plus the best from Australia. There were six world premieres, nine Australian premieres, seven South Australian premieres and 14 Adelaide exclusives. Six performances and three films were sold out.

Highlights included the Shaolin Warriors featuring 22 kung fu masters—it is a bit like seeing the 16 Liberal and deputy leaders chopping themselves, tasering each other on the other side—gifted songwriter and instrumentalist Shugo Tokumaru; the Edinburgh Fringe smash hit *Continent; Rhinoceros in Love,* a masterpiece of Chinese experimental theatre; and a guided tour in Mandarin and English of the White Rabbit contemporary Chinese art collection at the Samstag Museum—

The Hon. J.D. Hill: Brilliant.

The Hon. M.D. RANN: —which the Minister for Health describes as brilliant. The state government provides additional recurrent funding of $250,000 a year to the Adelaide Festival Centre Trust, specifically to support OzAsia. Foreign governments, their trade offices and arts bodies, including film councils, have also provided support for their major arts and cultural companies, or individual artists, to attend and participate in the festival.

I am delighted that Santos was this year's major festival sponsor. The festival enjoys strong support from community groups, as well as the education and corporate sectors. There has been success in involving Adelaide's overseas Asian students in this festival, as volunteers and as patrons. For many of them, it is their first point of contact with the Adelaide Festival Centre.

The event won a national Helpmann Award in 2008, the South Australian Ruby Award in 2009 for Best Work or Event and an AbaF Award in 2011 for its partnership with Santos. It has also won various Asian regional awards. The 2012 OzAsia Festival, next year, which will run from 14 to 30 September—

Ms Chapman: Next year Jay will be in town and he'll probably axe it.

The SPEAKER: Order!

The Hon. M.D. RANN: The only axing I know of is what you're planning for the Leader of the Opposition, Vicki. We all know what you have been saying about her. You're about to move back up, you and Marty. They're on their way back!

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: So, the 2012—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Come on! The member for Bragg: she's gone from deputy, she's gone down this row, and then she's gone down at the back. She's back alongside the next true leader. He's still got—he's a lieutenant colonel but with a field marshal's baton—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —in his knapsack.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: And we look forward to his return.

Members interjecting:

The SPEAKER: Order! We will now go back to listening to what the Premier is saying.

The Hon. M.D. RANN: Do you want any more interjections? In 2012, OzAsia Festival which will run from 14 to 30 September, will put the spotlight on the great cultural diversity of India. I know there are great arts lovers like the deputy leader. He is still looking forward to meeting James Thurber, even though he's been dead for decades, but never mind.

I know that the artistic director, Jacinta Thompson, is already working on bringing some of the very best Indian cultural events into Adelaide for that festival, which I'm sure we are all looking forward to. So, congratulations to the Adelaide Festival Centre, and to all those involved in an outstanding festival that is every year getting bigger and better, and now achieving international acclaim.

Members interjecting:

The SPEAKER: Order! We will have some order and listen to the leader in silence.

ADELAIDE ZOO

Mrs REDMOND (Heysen—Leader of the Opposition) (14:13): Thank you, Madam Speaker. My question is again to the Treasurer. Why was the government able to find $85 million to repay the debt of the private organisation SACA but not able to find any increase in the grant for the Adelaide Zoo for the last eight years?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:14): It is essentially the same question repeated twice. Gracious me! They are completely different things. The $85 million for SACA was to assist with the total redevelopment of the Adelaide Oval. I know the opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: The opposition is like the Japanese soldier on the island who did not know that the war was over and was still conducting a battle which had long been lost. The simple fact is that, on the question of the Adelaide Oval, the membership of the South Australian Cricket Association voted overwhelmingly in favour of the redevelopment.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: I know how disappointed the opposition was. I know how heartbreaking it was for them.

Members interjecting:

The SPEAKER: Order! Treasurer, will you sit down. I can't hear a word that the Treasurer is saying. Would you please be quiet or leave the chamber. Treasurer.

The Hon. J.J. SNELLING: They are quite separate issues. With regard to the zoo, the government is completely committed to assisting the zoo in every way it possibly can. We have a 100 per cent commitment to the zoo to make sure it can meet its operating costs, the animals are fed, its obligations to its employees are met and it remains open. What we are not interested in—and, given the line of questioning from the opposition it seems the opposition does want us to go down this path—is corporate welfare for Westpac.

Westpac gave a loan to the zoo with its eyes wide open, and they need to deal with the consequences of a bad loan. I am not going to take the advice of the opposition and throw hard-earned taxpayers' money towards a major bank which makes billions of dollars profit every year. However, I and the government are committed to the zoo and to assisting the zoo in whatever way we can through these particular financial problems which it is facing.

AGED SUPPORT

Ms BEDFORD (Florey) (14:17): My question is to the Minister for Ageing. Can the minister please advise the house of upcoming events and initiatives to celebrate older South Australians?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:17): Since coming to government,

this Labor government has listened to seniors and delivered on a range of initiatives to support older people to stay safe and remain independent for as long as possible.

Ms Chapman interjecting:

The SPEAKER: Order! The member for Bragg, please behave.

The Hon. J.M. RANKINE: It appears it is all right to be ageist on that side of the house but not appropriate for anyone on this side of the house to talk about age. It is interesting.

The SPEAKER: I would have thought a number of the members on that side of the house would have been very interested in this issue of ageing.

The Hon. J.M. RANKINE: That's right. Our $2.9 million personal alert systems rebate scheme, which started in April, has been one of the most successful initiatives. We have had a very positive response to the scheme, with around 475 applications approved to date. But we are going to do more. Until now, monitoring services have been available for personal alert systems purchased on or after 1 July 2010, and I am pleased to advise that we will be backdating monitoring rebates so eligible people who bought and installed an approved alarm system before this date will now also be able to receive the subsidy.

This announcement will give many older South Australians another reason to celebrate as communities across the state come together for the annual Every Generation Festival. Run by COTA SA and proudly sponsored by our state government, the festival kicks off with the International Day of Older Persons celebrations and the announcement of the state's Positive Ageing Awards finalists on Friday. This occasion is always a huge success, but this year it is set to be the biggest and best yet, with 1,800 registrations received for what will be another fantastic day out.

It will also provide a great opportunity for older people to connect with a range of supports and services that are available for them. The *Better Information for Seniors* booklet will be among the resources available on the day, and this booklet follows on our government's election promise to provide seniors with more information to help them plan for their future, including retirement. The booklet covers topics such as career changes, financial matters, healthy living, volunteering, physical activity and concessions.

At the festival launch, I will also be announcing almost $400,000 in grants for seniors and Positive Ageing Development Grants, which will be distributed to 99 South Australian organisations and community groups across the state. In further support of our seniors and the festival, many government attractions open their doors to allow Seniors Card holders free entry. This year, 7 October will allow seniors free entry into museums, art galleries and national parks, to name a few. Together with the free travel on buses, trains and trams between nine and three, seniors can have a great day out without having to dip into their pocket.

The state government's support for South Australian seniors has never been stronger and neither has the community's. This year, right across the state, there are a record 205 festival partners hosting 1,350 events as part of the Every Generation Festival; that is 150 more partners and almost 1,250 more events than when the festival started in its current form eight years ago. A big thank you to everyone involved in this year's Every Generation Festival. I encourage South Australians of all ages to get out and about and enjoy everything this month has to offer.

Ms Chapman: They can't afford to pay their water bill.

The SPEAKER: Order!

ADELAIDE ZOO

The Hon. I.F. EVANS (Davenport) (14:21): My question is to the Treasurer. When the Adelaide Zoo undertook the recent upgrade, did the government, through then treasurer Foley, meet with Westpac about the Zoo and, if so, why? Did the government give Westpac any assurances or undertakings, verbal or otherwise?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:21): I don't know whether there were any meetings between treasurer Foley and Westpac at the time. I would have to check, but I have repeatedly checked that there were no undertakings given to Westpac and been reassured that that was not the case.

Members interjecting:

The SPEAKER: Order!

DIGITAL EDUCATION REVOLUTION

Mrs VLAHOS (Taylor) (14:21): My question is to the Minister for Education. Can the minister advise the house about the progress of the Digital Education Revolution and the impacts this program is having on South Australian schools?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (14:22): I thank the honourable member for her question and thank her for her real commitment to education in her electorate. I had the pleasure of travelling around her electorate with her recently to visit a number of her schools.

The Digital Education Revolution is, of course, a $2.4 billion program announced in 2007. It is a commonwealth program to provide every year 9 to 12 student with a laptop or computer by the end of this year. The program is due to reach the one-to-one ratio, as part of its program initiative, by the end of this year, and along the way the department has reached many milestones. Schools have met the round 1 and round 2 milestones of one computer for every two year 9 to 12 students, and South Australian schools are on target to meet the final milestone.

The department has ordered 40,268 DER computers and installed 36,202 in secondary schools across South Australia up to this point. This leaves a small 796 computers to be ordered for the DER program. To handle the extra computers installed in secondary schools, 162 school computer networks have been upgraded to meet the increased computer capacity. Computers have been ordered, and the department will continue to work with schools to ensure the DER computers and laptops are installed at a time that suits the needs of the school and doesn't disrupt the learning.

The DER truly is a revolution in the way in which we teach in our schools. Our students are inundated with technologies like iPods, iPhones, MacBooks, laptops and PCs outside of school, and it is crucial that school also be an environment where they have access to the latest technology, otherwise school is just going to look like black-and-white TV versus a very coloured digital environment outside of school and it will cease to engage students. This is so vital if we are to get the sort of results we expect in our schools.

It is really breaking down the barriers between what is the classroom and what is outside of the classroom, with access to the World Wide Web engaging students from around the world and enabling them to embrace technologies which, of course, are going to be so important for work and life. Schools are moving away from the blackboards and chalk of the member for Unley's day, when he was kicking around the schooling system.

An honourable member: What about your day?

The Hon. J.W. WEATHERILL: No, I am a much younger man.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Ann Prime, the Principal of Salisbury High School, has seen a tremendous shift in the way students engage with learning and teaching in schools. She pointed out that the DER—

Mr Pisoni: I was a blackboard monitor at Salisbury High School.

The Hon. J.W. WEATHERILL: Were you really?

Members interjecting:

The Hon. J.W. WEATHERILL: Congratulations! She pointed out that the DER funding provided us with the ability to create virtual learning environments and social network—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —to support anytime learning, which is a really powerful part of this new technology. She also reports that at her high school, since the introduction of this new technology, there has been a substantial increase in the number of A grades across all year

levels. She attributes that to the additional engagement that is consequent upon the new technology. The DER has provided a strong foundation for our schools to encourage the use of learning technologies to really excite the imagination of our students and to add to their learning.

APY LANDS, INCOME MANAGEMENT

Mr MARSHALL (Norwood) (14:26): My question is to the Minister for Aboriginal Affairs and Reconciliation. Is the minister embarrassed that her federal government counterpart, the Hon. Jenny Macklin, has had to step in and force the South Australian government's hand to respond to numerous requests relating to income management dating back as far as 2009, all rejected by her and the previous minister, the Hon. Jay Weatherill; and can the minister now outline to the house what the scope, budget and legislative time frame for the implementation of this long-awaited program will be?

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (14:26): I thank the honourable member for this very important question. Absolutely not. I welcome—

Members interjecting:

The SPEAKER: Order!

Mr Marshall: Last week you didn't know what it was.

The Hon. G. PORTOLESI: Well, I disagree with the premise of your question, which is that we are now heading down this path of income management. No, we are not, and that is because you fail to understand, as you do with so many things, what income management actually means.

Ms CHAPMAN: Point of order.

The SPEAKER: Point of order, member for Bragg.

Ms CHAPMAN: With the minister continuing to reflect on you, Madam Speaker, in reference to 'you'—

The SPEAKER: Thank you. I do not uphold your point of order, but I understand what you are getting at. But, minister, back to your question.

The Hon. G. PORTOLESI: But I am very happy, again for the benefit of the member for Norwood, to go through the various understandings that people have about income management. In fact, today minister Macklin and I held a press conference where we talked about these various issues. What are some of the facts in relation to this matter? Fact No. 1: income management is a federal government initiative.

Members interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The SPEAKER: Order! You have asked your question, member for Norwood; you will listen in silence to the response.

The Hon. G. PORTOLESI: Income management is a federal government initiative and I have always maintained that, if the APY executive and communities on the lands and the commonwealth want to go down this path, then I am very happy to work with them, because they will need the state's assistance in going down that path, but this is a federal government initiative. The other fact is this: what we are doing with communities and with the commonwealth is supporting families and communities on the ground with programs, advice and information about how to better manage their money, because what we know is that we have stores full of food and products, for instance. People do have—

Mr Marshall interjecting:

The SPEAKER: I warn the member for Norwood.

The Hon. G. PORTOLESI: —an income—and this is not particular to the APY communities. Wherever you have a community that is going to struggle with disadvantage, that is experiencing poverty and poor levels of education, you are going to get from time to time

people who use their income (however limited that might be) unwisely. So, we are working. We are working very hard, and we have been for a very, very long time in relation to this matter. There is no question—

Members interjecting:

The SPEAKER: Order!

The Hon. G. PORTOLESI: There is—

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley, you are warned.

The Hon. G. PORTOLESI: There is—

Members interjecting:

The SPEAKER: Order!

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley, you are warned for the second time.

The Hon. G. PORTOLESI: It is interesting, Madam Speaker: we had the member for Norwood heading up to APY lands last week hoping to uncover—

Members interjecting:

The Hon. G. PORTOLESI: Have the courage to say your own. He does not want people out there to know that he did is very best to stop me from going. He did not have the courage to say that on Sunday night at a very big Italian community event. We had the member for Norwood coming—

Mr PENGILLY: Point of order: the minister is clearly debating the matter and not answering the substance of the question.

The SPEAKER: I think the minister is responding to interjections from across the floor. I ask the minister to get back to the question; however, stop interjecting.

The Hon. G. PORTOLESI: What I can say is that there is no question on any measure, on any indicator, that under this government, under the leadership of our Premier, with the good work continued by the late Terry Roberts and then minister Weatherill when he was minister for Aboriginal affairs, we have police officers, child protection workers, record investment in infrastructure that never existed when they were in government. I am very proud of that.

Mr MARSHALL: Point of order: relevance. My question specifically was: can the minister outline the scope, budget and legislative time frame for the implementation of this long-awaited program? She has not gone near that topic so far.

The SPEAKER: Thank you; you do not need to explain yourself. I do not uphold that point of order. The minister is answering the question, and what she's talking about is related to the question.

The SPEAKER: Madam Speaker, I was asked if I agreed, and I said, 'Absolutely not.'

RESOURCE PARTNERSHIPS

Mr ODENWALDER (Little Para) (14:32): My question is to the Minister for Mineral Resources Development. Will the minister inform the house of action taken to build partnerships between the minerals sector, communities and landholders?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (14:32): I would like to thank the member for Little Para for his question. The outlook for South Australia's resource sector remains very positive. The diversity of our resource base, competitive production costs, a multitude of recent world-class discoveries, and South Australia's global reputation as a good place for mineral investment all bode well for our future resources.

As our mining industry continues to gain momentum, it is essential that mining proponents work towards effective and respectful engagement with local communities. This government

believes and puts in practice that maintaining a social licence to operate is the key to any successful exploration program or mining operation. Striking the balance between the expectations of mining proponents, farmers and regional communities is imperative, and to the continued growth of the sector—

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: I'm not sure if the deputy leader has been around for the last three months, but perhaps with this hefty salary he could buy a newspaper and work out that this government is the one that banned mining in Arkaroola. We banned mining in Arkaroola, but if the opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: If the opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: If the opposition wants us to remove—

Mr PENGILLY: Point of order: the minister is launching into debate, not answering the question.

The SPEAKER: Thank you, member for Finniss, but I think he has answered about seven questions from your side and he was responding to them. I ask him to go back to the original question and ignore those on the left.

The Hon. A. KOUTSANTONIS: Two lines of questioning today from the opposition: one about bailing out Westpac and now about removing a right that Marathon has to explore that will put the taxpayer at jeopardy. They are the two things the opposition wants to do today. Madam Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —it was this government that implemented important legislative and regulatory changes to ensure the best outcomes for the state, industry and our communities. The changes recognise that landholders and communities require clear and timely advice about their rights and about the responsibilities of exploration and the mining companies which are seeking to access their land. The exploration of the mining sector requires world-defining procedures for access to land, security of exploration and mining tenure and predictable regulatory processes. This assists companies to commit to higher risks for investment in mineral resource exploration, new mine development and, of course, life-of-mine operations.

Legislative and regulatory amendments reflect the state government's commitment to its principles of effective and efficient regulation of our mineral resources sector through best-practice management. One key change now requires comprehensive and relevant information to be supplied to landholders by explorers. This forms a critical part of the formal 'notice of entry' and the consultation on access to landholders' property.

The feature story heading on the front page of the Saturday *Advertiser* dated 27 August 2011, 'Miners and farmers work hand-in-hand', illustrates that South Australia's regulatory framework and policies facilitate good working relationships. It shows that we have the policies and government processes which help ensure our communities are well informed—

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: —on the rights and obligations of the mineral resources sector. And if anyone wants to mine in Bragg, I am sure they will consult with you well in advance. Furthermore, it recognises that the right balance of multiple land use—

Ms Chapman interjecting:

The SPEAKER: Order! Member for Bragg, you are warned. Minister, resume your answer.

The Hon. A. KOUTSANTONIS: Furthermore, it recognises that the right balance of multiple land use interests can create social and economic benefits for all stakeholders. Through open and honest communication, suitable templates for land access, compensation and land remediation can be agreed to by all interested parties in advance.

The government has listened to the legitimate concerns of landowners, the mineral industry and the community and implemented reforms to assist the mining industry in working with the rest of the community for the best outcome for all South Australians. South Australia is recognised as arguably the world's best mining jurisdiction, and I am confident that this government, through the outstanding work of PIRSA, will continue to hold that title.

APY LANDS, SAFE FACILITIES

Mr MARSHALL (Norwood) (14:36): My question is to the Minister for Aboriginal Affairs and Reconciliation. Why, three and a half years after Commissioner Mullighan made his key recommendation to establish safe house facilities for women and children on the APY lands who need short-term protection from abuse, has the government not yet built one such facility, and what is the time frame for responding to this recommendation, a recommendation accepted by this government with a facility at Alice Springs as requested by the NPY Women's Council?

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (14:37): Whether you like it or not, the fact is that we were advised by other people on the lands that, if we built a safe house on the lands, it would not get used.

Mr Marshall interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The Hon. G. PORTOLESI: What are we doing?

Mr Marshall interjecting:

The SPEAKER: Member for Norwood, you have asked the question; listen to the response.

Members interjecting:

The SPEAKER: Order!

The Hon. G. PORTOLESI: We have not built a safe house on the lands because our advice is that it would not be used. That is very important advice, and we have taken that seriously. So, what we are doing, what my agency is doing—and this matter was the subject of discussion this morning with minister Macklin—is working with the commonwealth and with the Northern Territory government, because our advice is that Alice Springs is probably the best place for such a facility. However—and minister Rankine can augment this—we have not been sitting on our hands in relation to this matter. We have augmented—

Members interjecting:

The Hon. G. PORTOLESI: They do not like the answer.

Members interjecting:

The SPEAKER: Order!

The Hon. G. PORTOLESI: They do not like the answer, because they refuse to acknowledge that these are complex matters.

Mr Marshall interjecting:

The SPEAKER: Order! Member for Norwood, you are warned for the second time.

The Hon. G. PORTOLESI: I have to say that 45 out of 46 Mullighan recommendations were accepted. I think we are doing very well, but the task is a difficult one and we do not shirk our responsibilities. The fact is that the community has told us, 'We're not going to use a safe house if it is built on the lands. We think it should probably be in Alice Springs.' We are working on that but, in

the meantime, we have augmented the service delivery we have so that women are not vulnerable, so that women and their families can access support services.

DENTAL SERVICES

Ms FOX (Bright) (14:40): My question is to the Minister for Health. How will changes to dental infrastructure improve oral health?

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) (14:40): I thank the member for Bright—

An honourable member interjecting:

The Hon. J.D. HILL: Thank you. I thought you made some comment. I was trying to get it. I thank the member for Bright for her question. I am pleased to provide information about the major investment under way in our public dental infrastructure right across South Australia. The move of our public dental services from old, small and frequently poorly located clinics to new larger consolidated clinics located with other health services is one of the most important steps in public dental services that have occurred in the last 30 years.

What we are doing is upgrading and consolidating public dental clinics. The SADS service (the South Australian Dental Service) by doing this achieves two important goals. Firstly, staff can work in a service which complies with contemporary models of care and relevant standards. Secondly, clients are provided with a family friendly modern environment which offers timely, effective dental care. By improving dental services, we improve the general health and wellbeing, including oral health, of our communities so that people can avoid hospital admissions.

Many of these changes are the result of clinics moving into GP Plus Health Care Centres or GP Plus Super Clinics where oral health can be better integrated with other health services, and oral health students can participate in clinical placements during their training. The total number of public dental chairs will change from the 239 both full-time and part-time (if I can put it that way) chairs to 238 full-time chairs. In reality, this will move us from 180 full-time equivalent old dental chairs to 238 fully used new dental chairs, so there is a big improvement in capacity as a result of going through this process.

In the past, many small school dental clinics only had sufficient children in an area to be open a few days a week, sometimes only one day a week. When the new dental clinic opens in the Modbury GP Plus Super Clinic early next year, it will have 14 chairs and will be open full-time. This clinic is located at a transport hub, and consideration is being given to an extension of the hours of operation for the dental clinic and even more flexible access for parents.

While most children's dental treatment needs can be handled by dental therapists, a proportion of course do need input from a dentist. The dentist only needed to visit each of the small dental clinics infrequently for this treatment, which generally required an additional appointment often at inconvenient times for the parent. So, in the past, you would have a dental therapist at the school, the dentist would come periodically, and that would mean a second appointment for the family. Under the model that we are creating where we have all of the chairs and all of the services together, we can have dentists there the whole time who can provide their input at the place and time of the original appointment, which of course produces productivity benefits but also is more convenient for the patients.

The new clinics offer a range of oral health services for both children and adults in a contemporary family friendly environment by offering one location which will be more convenient for the whole range of customers. The Noarlunga GP Plus Super Clinic, for example, is scheduled to open in February next year and will provide state-of-the-art dental facilities with 24 dental chairs. Some clients in the southern suburbs will also be able to attend the new 24-chair dental clinic, which opened in May at the new GP Plus Health Care Centre at Marion.

Dental care, of course, is free for all preschool children. The service is also free of charge for children who are dependants of a concession card holder. Children who are not dependants of a concession card holder pay a $39 fee for a course of general dental care. Children aged between 12 and 17 years who qualify for a Medicare Teen Dental voucher can receive free school dental care on presentation of that voucher. There will be no changes to the current fee arrangements when school dental services relocate. These relocations will result in minimal disruption to our services as clinical records of these clinics will be transferred across. A newsletter insert will be

provided to each of the schools allocated to the school dental service clinics to inform parents and clients of these changes. I am—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I am letting the house know because members may well receive correspondence from people about this issue, and what I am telling you—and I am sure you will pass on to them—is that, as a result of these changes, these services will be better. The location of dental services with other health services in the GP Plus environment is a fundamental change that is aligned with our overall state healthcare agenda. Oral health is a key component of general health—

Members interjecting:

The SPEAKER: Order! Members on my left will listen quietly. It is getting harder and harder; you are just mumbling away there. Minister.

The Hon. J.D. HILL: They probably need some dental health care, Madam Speaker, to allow them to articulate more clearly.

The SPEAKER: I think they need more than that—a good sedative.

The Hon. J.D. HILL: Oral health is a key component of general health, and many public dental patients have medical conditions that interact with their oral health needs, so the GP Plus model offers many opportunities for both dental and non-dental health needs to be met in an integrated way. Already we are seeing the impact of the GP Plus model: since the 20-chair SA Dental Service clinic opened in the new Elizabeth GP Plus Health Care Centre in October last year, waiting times for public dental patients in the Elizabeth area have been reduced from 15 months, in September last year, to just 5½ months in June. I must say that, when we came to office, the waiting time for dental care was 48 months. This is massive productivity improvement, and one of the reasons we are getting that improvement is that we have the consolidation of services and we are also able to attract staff who like to work in new facilities.

SOLAR FEED-IN SCHEME

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:46): My question is to the Minister for Energy. Given the dramatic uptake of the government's solar feed-in scheme before this week's cut-off, has the government modelled what cost of living increases will accrue through increased household electricity prices as a result of the feed-in scheme? If so, what are the results of that modelling and, if not, why not?

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (14:46): We have, but unfortunately I don't have the figures at my fingertips.

Members interjecting:

The SPEAKER: Order!

An honourable member: World's best energy minister.

The Hon. M.F. O'BRIEN: Thanks for that.

Members interjecting:

The Hon. M.F. O'BRIEN: Yes, I've expanded since then—additional responsibilities. From memory, deputy leader, I think we put the increase at around 8 per cent of electricity bills, but I will look at that. However, one of the things we did establish (and one of the things that was a concern for me initially) was that that additional cost impost was falling on low income households and that the uptake was strongest in the eastern suburbs of Adelaide, so the poorer suburbs and poorer regions of South Australia would be subsidising the wealthier.

An honourable member: Springfield.

The Hon. M.F. O'BRIEN: Yes, Springfield being one of those and me a potential beneficiary. One electricity company had done some modelling that indicated that on a national basis this was the case. We did an analysis of postcodes, which actually indicated that the uptake of panels was in the mortgage belt, particularly the newer suburbs to the north and south of

Adelaide, and then the next ranking of older suburbs in which a large proportion of individuals were still paying their mortgage, so this 8 per cent—and I will get back to the deputy leader with a firm figure—is actually falling not on the mortgage belt or low income earners; it is actually being picked up by wealthier residents in South Australia. I will return with a specific figure. We do know what it is, but I just don't have that particular figure at my disposal.

STATE FINANCES

The Hon. I.F. EVANS (Davenport) (14:48): My question is to the Treasurer. Following the downgrade of South Australia's AAA credit rating to a negative outlook, will the Treasurer rule out putting further pressure on household and business costs by introducing new taxes, fees or levies or indeed increasing existing taxes, fees or levies above the budgeted rates?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:49): Finally, a question on this issue. We have gone almost to the end of the second question time and, finally, I get a question about Standard & Poor's announcement on Friday. Can I make it quite clear that, contrary to what the member for Davenport has been saying, and indeed what he has just said, South Australia has had its AAA credit rating reaffirmed, not downgraded as the member for Davenport repeatedly says.

Our AAA credit rating has been reaffirmed, and to quote Standard & Poor's the reason why our AAA credit rating has been reaffirmed is because of our demonstrated fiscal discipline—demonstrated fiscal discipline. So, I am very, very proud that South Australia has been able to retain the AAA credit rating, particularly in a very difficult economic environment; an economic environment which has seen the largest economy in the world, the United States of America, for the first time in its history, downgraded from AAA to AA+.

Any sub-national jurisdiction which is able maintain a AAA credit rating in those sorts of circumstances is doing extremely well, and it demonstrates, as Standard & Poor's says, the government's demonstrated fiscal discipline. I will continue that proud record that we have as a government of fiscal discipline.

Members interjecting:

The SPEAKER: Order! Member for Davenport.

STATE FINANCES

The Hon. I.F. EVANS (Davenport) (14:51): Thank you, Madam Speaker. My question is again to the Treasurer. After 10 years of running the state's finances, why has the government got the budget into such a position that South Australia is the highest taxed state in the nation and, with the budget already including the revenue from the forward sale of the forests and the Lotteries Commission, Standard & Poor's have still downgraded the AAA credit rating to a negative outlook?

Members interjecting:

The SPEAKER: Order! Treasurer.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:51): Again the member for Davenport repeats his error—his sort of stubbornness—in insisting that South Australia has had a downgrade, when it hasn't. Our AAA credit rating—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —has been reaffirmed.

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order, deputy leader!

Members interjecting:

The SPEAKER: Order! Members on my right also will behave. Treasurer.

The Hon. J.J. SNELLING: I am very proud of our AAA credit rating—reaffirmed AAA credit rating, as I've just said. To maintain the AAA credit rating in circumstances where the largest economy in the world, the United States of America, was downgraded to AA+, as a sub-national jurisdiction it says a lot about the demonstrated fiscal discipline of this government, and it is fiscal discipline which I am completely determined to see continued.

KNIGHT REVIEW

The Hon. M.J. ATKINSON (Croydon) (14:52): Can the Treasurer—

The SPEAKER: Order!

The Hon. I.F. EVANS: Point of order, Madam Speaker: he must direct the question through you to a minister.

The SPEAKER: Yes, I am sure the member for Croydon is starting again.

The Hon. M.J. ATKINSON: Madam Speaker, can the Treasurer outline the government's response to the Knight Review into international education in Australia, recently released by the commonwealth?

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:53): It is a bumper read. I encourage all members to read the Knight Review. It is an excellent read, and Michael Knight has written a very concise—

An honourable member: The Knight Rider.

The Hon. J.J. SNELLING: 'The Knight Rider' indeed—a very concise report with some excellent recommendations. I would like to thank the honourable member for Croydon for his question. South Australia's international education sector has continued to go from strength to strength, in no small part due to the legislative reforms that were made by this parliament recently, designed to promote the integrity and quality of our system.

As South Australia's second-largest export earner and one of its most important industries, international education generates more than $1 billion for our economy and supports 6,500 local jobs. The importance of the sector to our economy is not lost on this government. South Australia has continued to track favourably in comparison to national trends during this period despite major impacts on the international student market and a sustained Liberal opposition attack on the sector's performance.

As most of you would be aware, one of the major impacts nationally has been the constraints of Australia's student visa program. On 16 December last year, in response to representation by the states, industry and the international education sector, the commonwealth government announced the appointment of Hon. Michael Knight, AO, to conduct a strategic review of the student visa program. This was the first independent review of the program, and it examined how the program can best support Australia's international education sector while at the same time preserve the integrity of Australia's migration program.

In March 2011, Mr Knight released a discussion paper and encouraged interested parties to make written submissions to the review, which the South Australian government did. On 22 September 2011, the Minister for Immigration and Citizenship, Hon. Chris Bowen, and the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Chris Evans, released Mr Knight's report, the Strategic Review of the Student Visa Program 2011.

The commonwealth government supports in principle all of Mr Knight's recommendations; however, some will be modified in places to enhance the performance of the Australian education sector and better safeguard the integrity of the visa system. The majority of the recommendations are expected to be implemented between October and mid-next year, with some other changes expected to commence in early 2013. The review makes 41 recommendations, which are intended to form part of a package of initiatives, along with proposed additional integrity measures for the international student visa program.

South Australia welcomes the federal government's response to the review. We see it as a step to improving our nation's ability to attract international students. The reforms will have an

impact on the Australian university sector as a whole, but of great interest to us, of course, is the impact on the three public universities here in South Australia. We have an excellent reputation in our state for providing a welcoming and inclusive 'home away from home' to these young international students and for the quality of our education. But it is no secret that the restrictive visa requirements, combined with a high Australian dollar, have made it very tough for the sector.

We need a change to make our country more competitive, and it looks like we are now getting that change, particularly for the university sector. Students enrolling in bachelor degrees or higher will be treated in a lower risk category, consequently reducing their financial requirements before coming to Australia. Prospective students who think they would like to stay in Australia after they finish studying, to work here, helping us address our future skills shortages, will find the prospect of a post-study visa for up to four years very attractive. It is positive to see the commonwealth is willing to consider the development of a provider risk-based model, which will reward quality VET providers and private universities with the same visa requirements. This is great news for South Australia with so many high-quality VET providers.

STATE FINANCES

The Hon. I.F. EVANS (Davenport) (14:58): My question is to the Treasurer. How will the government now meet its promised savings targets, including the $100 million shortfall in its Shared Services savings target, and the $281 million shortfall in its annual health savings target, given that Standard & Poor's, in giving the state a negative credit outlook, raised concerns that 'the state government will not achieve its ambitious savings measures'.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:58): I am determined to make sure that we do make those savings measures. There is no doubt, as I have said publicly from the very day I walked into the office of Treasurer, that those savings targets are very ambitious. It is arguably the most ambitious round of savings measures—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —ever undertaken by a South Australian government but, nonetheless, we are determined to see those savings measures through to see that the savings targets are met. I know that I have the combined commitment of my fellow cabinet members to see that through. We have had to make some very difficult decisions to make sure those savings targets are met, but we believe that the AAA credit rating is important for South Australia, and we are determined to make sure that we retain it.

CONNECTING ABORIGINAL PEOPLE TO MINING PROGRAM

Ms THOMPSON (Reynell) (15:00): My question is to the Minister Assisting the Minister for Employment, Training and Further Education. Can the minister advise the house of training assistance given to Aboriginal job seekers who want to enter the mining industry?

The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan, Minister Assisting the Minister for Employment, Training and Further Education) (15:00): Up to 150 Aboriginal job seekers will soon have the opportunity to undertake training leading to job opportunities in the booming South Australian mining sector at sites across the state through a $1 million joint state and federal program.

The second round of the Connecting Aboriginal People to Mining program has now opened for South Australian businesses to partner with registered training organisations in this important training and employment initiative. The state government provided $500,000 for the inaugural round of the program in 2010-11, when Aboriginal job seekers undertook training in vocations related to the mining sectors, leading to job opportunities.

The inaugural program, which ran earlier this year, received a strong response from industry, with training undertaken in Mount Willoughby, Port Augusta, Prominent Hill and some Iluka mines as well. Mining companies involved included BHP Billiton, OZ Minerals and Iluka, and they have worked with registered training organisations, such as Access Working Careers, Trainway, Career Employment Group, Port Augusta TAFE and Xceptional Recruitment, to make this happen. As a result of training in Certificate II in Surface Extraction Operations, participants gained skills to enable them to work in geology, laboratory work and administration positions.

In response to the success of the inaugural round of the program, the commonwealth has now partnered with the state government in the 2011-12 financial year to deliver this program and, as a result, the commonwealth government has matched South Australia's funding of $500,000 to deliver this second round. In 2011-12, it is anticipated that this program will assist 150 Aboriginal job seekers in training, with around 100 people expected to gain employment in the mining and supporting industry sectors.

Businesses are invited to work with registered training organisations to apply for these funds, and projects need to provide Aboriginal job seekers with industry training (accredited and/or non-accredited) relevant to employment opportunities in the mining or supporting industries. They also need to support Aboriginal job seekers overcome barriers to employment and to provide employment commitment to participants upon successful completion of the project. The Connecting Aboriginal People to Mining initiative is important for a number of reasons:

- it provides further training and employment opportunities for Aboriginal communities;
- it provides Aboriginal South Australians with the skills to work in the mining sector; and
- the jobs this program will help create will go towards this government's commitment to 100,000 jobs and 100,000 training places over six years.

Applications for the second Connecting Aboriginal People to Mining program close on Friday 30 September this year (that is, this Friday), and I encourage mining businesses and registered training organisations to work together to be part of this program and to help provide training and employment opportunities in the mining sector for Aboriginal communities across South Australia.

GOVERNMENT LIABILITY

The Hon. I.F. EVANS (Davenport) (15:02): My question is again to the Treasurer. Is the Treasurer concerned that the government liabilities will exceed $20 billion in 2014, even after receiving the revenue from the sale of the forests and the Lotteries Commission?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:03): I presume that the member for Davenport is also including the superannuation unfunded liability and the WorkCover unfunded liability as well as the debt.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: I think he is drawing a long bow. The fact is that the government is committed to paying down the unfunded superannuation liability. We pay a certain amount every year, and we are on track to have that unfunded superannuation liability (which has existed for many, many years) fully funded by 2034. We also undertook significant reforms in 2008 to the WorkCover scheme to address the unfunded liability faced by WorkCover.

The other issue is with regard to debt, and the government has undertaken significant borrowings to expand the productive capacity, the economic capacity and the social infrastructure of this state. For that, I make absolutely no apologies. The fact is that the borrowings which we have undertaken are responsible borrowings. We are not borrowing to fund the day-to-day expenditure of government: we are borrowing—

The Hon. I.F. Evans: $736 million over the last four years.

The Hon. J.J. SNELLING: That includes depreciation. It includes depreciation.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: It is not a cash deficit.

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: The simple fact is—

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order! The member for Davenport, you are warned.

The Hon. J.J. SNELLING: Like a screaming banshee. The simple fact is that the government has undertaken borrowings to build critical infrastructure: the redevelopment, the electrification of the state's metropolitan rail network, the duplication of the Southern Expressway, the South Road Superway—any number of projects which the government has undertaken borrowings to finance. We are incredibly proud. We have seen $9.1 billion in capital expenditure between now—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —over the course of the forward estimates. I make no apology for that. It is a reasonable amount of borrowing for a state government in our situation. We believe it is financially sustainable. We are committed to making sure we retain the AAA credit rating, in very difficult global economic circumstances.

The SPEAKER: Supplementary, member for Davenport.

GOVERNMENT LIABILITY

The Hon. I.F. EVANS (Davenport) (15:06): Can the Treasurer confirm that the WorkCover liability is not included in the $20 billion liability?

The SPEAKER: Order! I take that as a separate question. Treasurer.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:06): It is a question the member for Davenport needs to ask himself. I don't know where he cooked up the $20 billion figure from.

Members interjecting:

The SPEAKER: Order! I understand there is a photographer in the gallery who has been taking photos of people not on their feet. Can I just remind you that you are only to take photos of people on their feet.

GRIEVANCE DEBATE

ADELAIDE CAR PARKING

Mr VAN HOLST PELLEKAAN (Stuart) (15:06): I rise today to talk about an important issue to the people of regional South Australia. I firstly refer to an article from *The Advertiser* from 14 September this year, titled 'Too many carparks'. I will just quote a little bit from the beginning of it:

> The state's chief transport official wants Adelaide City Council to reduce car parking places and increase prices to ease city traffic congestion.
>
> Transport Department chief executive Rod Hook said Adelaide commuters had become too used to driving their cars into the city because of the cheap and large number of public parking spaces available.

Now, it is fair to say that Rod Hook is a public servant who is held in high regard by both sides of politics, but I would like to caution him, the transport department and certainly the government and transport minister about the very detrimental effect that this would have on country South Australians.

I certainly understand the benefits of trying to ease people onto public transport and away from driving themselves. I certainly understand that one car with one person clogging up all the roadways heading in and out of Adelaide every day is not ideal, but to take a measure that would make it exceptionally difficult for country people to then come into the CBD would be dreadfully unfair—terribly unfair on people not that far away from Adelaide, I have to say.

People visit Adelaide from country areas for shopping, for visiting friends and relatives, for medical attention and many other reasons and very often have to go into the CBD. Country people certainly do as much of their shopping as possible in their local areas, but a lot of country people are not from large towns like Port Augusta, Whyalla, Port Lincoln or Mount Gambier and do have to come to Adelaide, for a range of reasons.

Essentially, if they are locked out of travelling easily into the Adelaide CBD, not only they but also the CBD will miss out on the very positive economic impact from country people and, in fact, city commuters who do a lot of shopping in the city, if they are not able to do that. If they are onto buses and trams, they are far less likely to take a bit of extra time to get a bundle of goods and take them home.

Adelaide has many natural advantages, compared to other capital cities in Australia. I quote again from that same article:

> Adelaide [has] twice as many car parking places as it [needs], when compared [to] other Australian [capital cities].
>
> ...we are literally the car parking capital of the nation.

When that article says 'as it [needs]', I think it is very important to put into context the fact that we have some natural advantages in Adelaide and I would say that this is one of them. The fact that people can get into their car, get around the city and, very importantly, come from country areas into the CBD is a natural advantage that should not be taken away.

We have beautiful parklands. They are a wonderful natural advantage compared to other capital cities but, if they were to be taken away because there was some economic imperative that says the land could be better used, we would be cutting off our nose to spite our face. Adelaide is a very, very liveable city. All South Australians, whether they live in metropolitan Adelaide, country or even remote outback areas, benefit from the liveability that Adelaide offers. One important aspect of that liveability is very easy access around in your private car. To take advantage of an artificial economic lever to make life easier for the transport department I think will make a great number of South Australians suffer unnecessarily.

I ask the transport minister very genuinely: please, do not squander one of our greatest advantages. Please do not lock country people out of our city. Country people do not have the chance to come down to the urban fringe, jump onto a park-and-ride type of outfit, then go into the city and do all their shopping. Country people will not be familiar with all of the public transport options. Given that they do far more of their shopping and naturally have to carry far more on public transport back to their cars when they do that shopping, it would be a great shame for them to be locked out. They will miss out, CBD traders will miss out, and I think our state and our city will be far worse off for that move.

GROUP BUYING SITES

Ms FOX (Bright) (15:11): Of late there has been considerable parliamentary interest in group buying sites. Group buying online works on the following basis: you, the consumer, sign up to a site such as Scoopon, Living Social and Ouffer; you will then start receiving deals at a fraction of their value—dinners for two, clothing, anything else that can be sold.

This form of bargain buying is becoming increasingly popular with online shoppers. As the Hon. Gail Gago has recently pointed out in another place, Consumer and Business Services has received some 22 complaints about group buying sites since 2009. That number is growing, and the Hon. Gago is right to warn consumers to be very aware of their rights when buying from these sites. However, perhaps a caution should also be extended to those small businesses in South Australia who choose to get involved with group buying sites.

I have recently been approached by a constituent who owns a very successful small business in the city centre. The website they dealt with was Scoopon, arguably amongst the most high profile of these sites. Scoopon negotiated with this business a deal that would see the business offering services for approximately $50 which ordinarily would have cost $400—a significant discount.

When the business owners met with a Scoopon representative they were advised not to cap the number of vouchers, not to limit the amount of vouchers to one client per voucher and not to make the vouchers available on certain days only. No suggestion was raised about advertising the opening hours of the business. I should add that it was the first time my constituents had ever dealt with a group buying site.

When the promotion began, my constituents were very worried about the number of vouchers that came flooding in, saying there were too many to handle. My constituents asked to have their promotion removed from the website but were told to 'just go with it'. This small business expected the following outcomes from their participation with Scoopon's scheme. The business owners wanted to: increase their business on Mondays and Tuesdays; increase their client base;

profit from repeat business; reach a larger audience through online advertising; and be able to accommodate all vouchers sold in the six-month time period.

However, as a result of this group buying exercise, the business had to extend the vouchers for 12 months, employ extra staff to cope with the demand and deal with abusive clients who were angry about the wait to get their services and the fact that the business did not open on the weekend. The business owners have been threatened with legal action by clients, and the business has now been running at a loss since May. As well as these pressures, Scoopon has been issuing some refunds to clients who are not entitled to them and then charging the business the full cost of reimbursing them, including the commission that has already been taken out.

My constituents are really worried that this series of events has affected their reputation. This is a business of some 10 years' standing which has never experienced anything like this before. They have had no follow-up from the representative in Adelaide, and queries to the head office have gone unanswered. This story is very important because it is the business point of view.

Often the stories about these sites are about the consumer's point of view, that they represent businesses badly or only focus on the benefits of buying services and products at a cheap, affordable price. The reality is that on the other end of this we have businesses who are really suffering. I think we all know in this place that small business in South Australia is the biggest industry that we have, and I just warn them to be very, very careful if they get involved with this kind of scheme.

UNITED NATIONS GLOBAL PEACE SCHOOL PROGRAM

Mr GARDNER (Morialta) (15:15): It always gives me great pleasure to talk about the activities that are happening in my local schools in the Morialta area. I often say that my favourite two parts of the job are the opportunity that we regularly get to talk to young schoolchildren, who have their whole futures in front of them, as well as, of course, our new immigrants and arrivals at citizenship ceremonies, who have their whole futures in Australia in front of them. It is something that makes this job worthwhile for me and I am sure for many other members.

There has been a lot going on in Morialta schools recently, and with five minutes I do not have a great amount of time to cover all of it, but I will see how I go. On 21 September, I was very privileged to take part in an accreditation ceremony at the Norton Summit Primary School, which 18 months ago made an undertaking that they wanted to take part in the UN's Global Peace Schools initiative.

In 2002, the special representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, launched a special program for schools to promote global peace and help younger people understand the situation of their peers in conflict zones. At the end of the day, the future is going to be built by the people who live in it, and at school they have the opportunity to learn and form their views on the world that are going to drive the passions they end up creating when they are running the show, so I think these sorts of initiatives are useful.

The initiative, run by Save the Children in South Australia, encourages the whole school community to get involved at some level. It can be built into parts of the curriculum and can be built into extracurricular activities as well. Norton Summit Primary School is a very special school. I enjoy giving school tours all the time. I was happy to give year 11 students from Charles Campbell today a tour of the house before question time. Their teacher, Chris Formby, is an excellent teacher and regularly brings groups of his students in here.

Part of the tour we like is to look at the busts outside this chamber, where there are statues of Charles Cameron Kingston, Don Dunstan and, of course, Thomas Playford. When I take Norton Summit Primary School students around and we get to that statue, of course, many of them look up and say, 'Oh, look, there's great-grandpa,' and you see the number of people with their little name tags on showing the surname Playford, which reappears over and over again. It is a special part of the community which has a great affection and affiliation with this house. I am sure that a number of Playfords in the group performed on 21 September. In fact, every child at the school performed to some extent to display their appreciation and enjoyment of this initiative that their school is undertaking as part of the Global Peace Schools Program.

The receptions and year 1s sang songs about peace, and that was lovely. The years 2 and 3 put on a quite touching display, talking about their experiences of learning about their contemporaries who live in very different circumstances just down the road at Inverbrackie. It was reassuring to see the level of understanding that these very young children were demonstrating

and the compassion they were showing for other children the same age, thinking about where they had come from. The years 4 to 7 performed their Wakakirri dance routine, A Shadow of Hope, they had performed in statewide competition and done very well.

The former principal of the school, Brenton Conradi, who has now gone further out into the Hills, came back to speak, and I was glad to see him being involved. Of course, I commend the current principal, Cheryl Bedford, the governing council and all the students involved who helped that to happen. In particular, a young lad in year 7 called Simon—maybe Simon Playford, the chances are pretty good; I am not sure what his surname is, but let us say it is Playford—put on a very good performance at very late notice, giving an explanation of the role that the children had played in forming the program.

Our schools are very important to our local communities. Not only is the role that the schools play in providing facilities for our local communities very important, but also the social infrastructure that our state is going to be built on cannot be underestimated. I think programs like this are useful. I note that there are now 11 schools that are accredited in South Australia as part of the Save the Children global peace schools, starting with Pennington Junior Primary in 2005, including Thebarton Senior College, Northfield Primary, Parafield Gardens R-7, Hackham West R-7, West Lakes Shore R-7, Seaton High, Virginia Primary, Masada College, Woodville High, and now Norton Summit Primary School, and I welcome Norton Summit to that list.

SERVICE CLUBS

Mr PICCOLO (Light) (15:20): On Monday night, I attended the combined dinner meeting of the service clubs of Gawler, which is an annual event. It is designed to showcase the activities of the service clubs within the electorate. The dinner this week was particularly important for two reasons. One is that this year is the International Year of Volunteers Plus 10, a year where we celebrate the work of volunteers generally. Secondly, Monday 10 October to 17 October is Service Clubs Week, where we have an opportunity to focus on the good work of service clubs throughout the community. Today is about acknowledging the contribution that service clubs make throughout our local communities.

The dinner was hosted by the Rotary Club of Gawler on this occasion, and it was attended by the Lions Club of Gawler, the Rotary Club of Gawler Light, the Apex Club of Gawler, the Kiwanis Club of Gawler and the Country Women's Association. Missing on the evening were the Zonta Club of Gawler, the Gawler VIEW Club and also the local lodge of the freemasons.

Service clubs in my community certainly—and I am sure right across the state and country—make a major contribution not only to the local area but also internationally, and they do quite a bit of fundraising to support international programs. Some of the programs in which service clubs get involved are: the Polio Eradication program, the Save Our Sight program, and the ShelterBox program. They support a number of international student exchanges. Another program that one of the clubs support is the maternal neonatal tetanus program. Obviously these programs are designed to assist developing countries with funds to help eradicate illnesses and diseases and improve the quality of life for those people.

While their work at the international level is well-known and very valuable, service clubs also do valuable work locally, and a lot of that is achieved through fundraising. It was estimated that, of those few clubs present at the dinner on Monday night, during the 2010-11 financial year, they raised probably about $234,000 from their various fundraising activities. In addition to that, the members of the clubs and their families contributed about 10,000 hours to community fundraising or direct community projects.

If we were to add up both the fundraising and the project work they do and cost it out at just a nominal $25 per hour, which is probably not very much—the clubs' presidents probably contributed about $500,000 to the well being of the community in that year—and combine that with all the other clubs that were not present, you get pretty close to $1 million worth of effort from the service clubs and their members in my electorate, which is a huge achievement. I want to obviously congratulate and honour the contribution that those good volunteers make.

Like I said, service clubs do a lot of their work in two ways: one is fundraising, where people make donations to various other organisations, and, secondly, they actually donate their time and make donations in kind. Despite an ageing and smaller membership, this small band of volunteers makes an enormous contribution to the community generally and their families.

Some of the activities they get involved in are, for example, in my local area, the Gawler Swap Meet, the Gawler Show, the Christmas Tree Festival, the Sunday markets, the Quality of Life Foundation. The Rotary clubs and the Freemasons, for example, are active in the men's health projects. Zonta supports women's projects, particularly those for women with cancer. There are youth projects, the river bank project, the Village Fair, Relay for Life, etc.

To give an indication of the contribution some people make through these clubs, I would like to acknowledge the passing of Norm Knipsel, a long-term service club member. Norm had been a member of a service club—that is, the local Apex and Lions club—for over 55 years prior to his death. He was a tireless community worker. He is an indication of the sort of support that some people give our communities. I express my condolences to his wife, Betty, and the family. Norm's passing will be greatly felt by the community. We support the community by supporting our service clubs.

Time expired.

RADIOACTIVE WASTE

Mr WHETSTONE (Chaffey) (15:26): I would like to speak on quite an alarming article I read in this morning's paper regarding the transportation of over 8,000 tonnes of nuclear waste that will potentially travel along the Sturt Highway and also alongside the River Murray on its way to its waste destinations. I think it would be appropriate for me to call on the premier in waiting, Jay Weatherill, to assure all South Australians that he will not put our food bowl and South Australia's water supply at risk. I think it is absolutely outrageous that we can actually put communities on the Sturt Highway, the main thoroughfare from Sydney to Adelaide, put them at risk of—

The Hon. P. Caica interjecting:

Mr WHETSTONE: —something that could potentially turn out to be a disaster in this state. And I am glad to see the minister for conservation, environment and water, because it is putting those three portfolios at risk, particularly crossing over the river three times in a journey coming from where it leaves New South Wales for its destination in the Northern Territory through South Australia.

What I would like to ask is: how many schools, how many hospitals and how many blackspots on the federal highway is that waste going to pass? Again, it is an unnecessary risk. There are ways of transporting that nuclear waste, but not along the Sturt Highway and crossing over the River Murray. I am not against the transportation of the nuclear waste but I am against the risk that it poses to the food security of the state and also the water security of this state.

We look at the excuse that rail cannot be an option because it cannot be monitored. The federal government has said that we cannot monitor the carriages and the containers. I think that is absolute nonsense. In today's world of technology we can monitor anything. We can monitor an ant running around the bush. We can monitor anything in space. So, the federal government's excuse that rail is not an option is absolute rubbish.

Again, I say that putting at risk the food security of this nation, this state and the water supply of every South Australian is absolutely ludicrous. So, what about the stored waste around South Australia? What about the stored waste at the RAH? What about the many other facilities around South Australia where we have waste stored? What will this government do about dealing with this waste over time?

Our Premier was bitterly opposed to the federal Liberal government's option on a waste dump in South Australia, and now he is looking at a federal Labor government's option of disposing of waste coming through our food bowl, coming through our waterways. I guess with 20 October looming, it proves that perhaps he just does not care. He is too busy looking at getting out of his job and leaving the baggage with the incoming premier Weatherill. I say to the incoming premier, Jay Weatherill, he must stop the risk. He must not put our food bowl at risk and he must not put our waterways at risk with this potential contamination.

Time expired.

NATIONAL BROADBAND NETWORK

Mr BIGNELL (Mawson) (15:29): A couple of weeks ago I had the good fortune to attend the launch of the National Broadband Network when it went live in Willunga for the first time. Willunga was one of five sites chosen throughout Australia for the NBN Co to roll out its network at trial sites, and the reason they picked Willunga as a first release site was that it allowed the

evaluation of construction in an established rural area. The historic town—a very beautiful town that was founded on the slate quarries of the area back in the mid-1800s—is one of South Australia's best towns.

There was a very large population there when slate was very much in demand and it was also the stop-off point—the watering hole—for horses and passengers when they would be making the trip from Adelaide down to Victor Harbor. It still has three pubs to this day which, although the population has declined, still stand proudly and once would have provided accommodation and refreshment to not only the many locals who lived in the area but those passing through.

Willunga was a 100 per cent underground new build for the NBN Co, making it the only first release site where the NBN Co installed new pits and pipes throughout the township, rather than using existing underground or overhead infrastructure. The communications minister, Stephen Conroy, was there, as was our finance minister, Penny Wong, and our hardworking local federal member of parliament, Amanda Rishworth (member for Kingston). I congratulate the member for Kingston on the hard work that she does for our local area and going in to bat to make sure that the money that the state government puts in is also complemented by millions and millions of dollars of funding from the federal government.

From Willunga, later that day, we went to inspect the bridge being built for the Seaford rail line over the Onkaparinga Valley, and the member for Reynell as well as the member for Kaurna were there that day with the member for Kingston. It is an amazing piece of infrastructure that is being built to make sure that the people in the south have access to the latest and greatest train system in South Australia.

By late 2013, the 5.7 kilometre extension from the Noarlunga railway station down to the Seaford District Centre will be operating and carrying passengers. To get there, one of the main obstacles was to get the rail line over the Onkaparinga Valley and Old Honeypot Road, so five bridges are being constructed along the course of the rail line to Seaford. One has already been finished; that is a road bridge over the rail line at Goldsmith Drive. There is the rail bridge over Old Honeypot Road and then, as I said, the 1.2 kilometre rail bridge over the Onkaparinga Valley which will be one of Australia's longest rail bridges and the equal third-longest incrementally launched bridge in the world.

We actually got to see how they prefabricate the spans of this bridge, and then they do it on the northern side and the southern side and push the prefab bits of bridge out until they will finally meet some time down the track. There are 21 spans and they will be spaced at approximately 53 metres. There will be no spans in the Onkaparinga River and the concrete piers range from 22 metres in height at the northern end of the structure to 13 metres at the southern end, an average height that is approximately that of a six-storey building. It has a design life of 150 years.

The Hon. J.R. Rau: You may not be the member by then.

Mr BIGNELL: Hopefully, I will be. We are all very excited about it in the south because we will have the electric rail that will get people into the South at least 10 minutes quicker than the current train trip, but it will also take a lot of people off the roads. There is more good news for the South, which is that the ExxonMobil site is to be torn down between now and the end of 2013.

Again, the member for Reynell and the member for Mitchell joined me as we toured the site for hopefully the last time a few weeks ago. ExxonMobil has let the contract for the Port Stanvac refinery to be torn down and that will take some months. They will start at the outside of the site and then move in, so the last things that come down are probably the tallest structures on the site. People in the south are very much looking forward to this eyesore being removed from the horizon.

STATUTE LAW REVISION BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:35): Obtained leave and introduced a bill for an act to amend the Criminal Law (Sentencing) Act 1988 and the Statutes Amendment (Victims of Crime) Act 2009. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:35): I move:

That this bill now be red a second time.

The Hon. J.R. RAU: In 2009, the parliament passed the Statutes Amendment (Victims of Crime) Act 2009, which made miscellaneous amendments to laws relating to victims, including the Criminal Law (Sentencing) Act 1988. The amending act by section 14 amended section 70L with the intention that when a youth applies to convert a pecuniary sum to a community service order, the part of the sum that represents the victims of crime levy cannot be converted.

All but section 14 of that act has already come into operation. Section 14 will come into force by operation of the Acts Interpretation Act, section 7(5) on 10 December 2011, unless it is sooner repealed. An error has, however, been found in the expression of section 14, with the result that it is not clear how the section is intended to operate. This is because the amendment is not specific about whether the change it makes applies to the phrase, 'pecuniary sum', only the first time it is used in the section, or whether it applies to each time it is used in the section.

Accordingly, it is necessary to make a minor amendment to that section so as to spell out what is intended. What is intended is that the first time 'pecuniary sum' is used, it includes the levy, but on the subsequent occasions when it is used in that section, it does not. That is to say, the ground for application is that the youth is unable to pay the whole of the amount that is owing, but the conversion of dollars into hours does not apply to such part of the amount as represents the victims of crime levy. This is what was always intended when the parliament passed the bill, and this amendment seeks to correct a minor drafting error before the new provision comes into force. I commend the bill to the house, and I seek leave to insert the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

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

3—Amendment of section 70L—Community service orders

Section 70L deals with the enforcement of pecuniary sums against youths by means of a community service order. An authorised officer is empowered to make a community service order if the youth does not have, and is not likely within a reasonable time to have, the means to satisfy a pecuniary sum without the debtor or his or her dependants suffering hardship. The section goes on to set out various rules relating to the conversion of a pecuniary sum to a number of hours of community service. The new subsection (6a) is designed to ensure that the amount of a victims of crime levy is not to be counted for the purposes of those conversion rules. The levy has to be paid up front.

Part 3—Amendment of Statutes Amendment (Victims of Crime) Act 2009

4—Repeal of section 14

This clause repeals the section of the amendment Act that contains the error.

Debate adjourned on motion of Ms Chapman.

CHARACTER PRESERVATION (MCLAREN VALE) BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:38): Obtained leave and introduced a bill for an act to provide measures to protect and enhance the special character of the McLaren Vale region; to make related amendments to the Development Act 1993; and for other purposes. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:39): I move:

That this bill be now read a second time.

The Hon. J.R. RAU: On 18 May 1907, the *Adelaide Chronicle* featured an article called 'Beauteous McLaren Vale', by our special commissioner—perhaps the member for Mawson, I'm not sure—which read:

Few districts in South Australia can boast of greater natural beauty and indigenous fertility than McLaren Vale. From the early days of settlement of the State, when the locality forged ahead as the centre of the wheat growing industry down to the present time, McLaren Vale has ever been conspicuous for its faculty of leaving a lasting and pleasing impression upon the minds of all visitors. Vines have long since superseded wheat, and thereby adding considerably to the scenic effect...

This was a quote from the McLaren Vale Grape Wine and Tourism Association in July of this year.

An honourable member interjecting:

The Hon. J.R. RAU: Got the almonds, indeed. McLaren Vale and the surrounding district is greatly valued by South Australians. It has natural beauty, history, recreation and tourism opportunities, agriculture, viticulture and primary industries. The natural characteristics and features of the area also add to the exquisite backdrop of the state for events such as the recently run Classic Targa Rally and the Tour Down Under.

In February this year, the Premier charged the Minister for Urban Development, Planning and the City of Adelaide with investigating how the government could protect McLaren Vale and the Barossa Valley. The latter is the subject of a separate bill. Fortuitously, the minister also has the portfolio of tourism, which is a significant factor in these two regions. The Premier asked that, as a priority, the protection of the integrity and culture of the Barossa Valley and the integrity and culture of McLaren Vale be investigated. The Premier also said that, if necessary, this be done by special legislation.

It was thought important by the minister that any protection or legislation also prevent inconsistent development in this region and stop urban growth from eating away at this significant area, both from within (that is, from expanding townships) and without (that is urban expansion into the region). As such, the intention of this bill is to protect the integrity and culture of the McLaren Vale region for future generations. There is another bill to be spoken on separately that is to achieve the same protection for the Barossa Valley. The government expects that these two bills could be the framework for other districts that have their own character and identity that require protection.

The government acknowledges that there has been some movement to protect this southern region. As such, the government recognises the work of Mr Leon Bignell (member for Mawson) and the Hon. Robert Brokenshire, who have both brought attention to protecting the Willunga Basin and the geographical indication area that stretches across a significant area of the South of Greater Adelaide.

The government also notes that Ms Pip Forrester and the McLaren Vale Grape Wine and Tourism Association have been working with others to protect this region, including the Friends of the Willunga Basin. Further, the minister also acknowledges the support and interest that representatives from the City of Onkaparinga showed when he discussed protecting the McLaren Vale district with them. I notice that I am speaking in the third person; I do not know why, but it should not be taken as a sign of anything odd.

It should be pointed out, however, that the initiatives of these individuals and groups to protect the McLaren Vale region, and in some cases the Barossa region as well, have had a similar but not identical focus to this one before you today. The government also wishes to bring to the parliament's attention that an interim development plan amendment has been gazetted and is immediately operative to complement this legislation while parliament considers the bill. This amendment will seek to slow any rush of development applications for things that would be at odds with the intentions of the bill.

The practical effect that is intended is that certain types of development applications that are within the affected area will require the concurrence of the development assessment commission should the local council wish to approve them. This includes things that are at odds with the intentions of the bill and some things that are not but that need careful consideration before they are approved. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without reading it.

Leave granted.

In June 2011, the Government released two draft maps and a discussion paper, Protecting the Barossa Valley and McLaren Vale, asking for community views. For just over six weeks people commented on the kind of development they wanted in the region and whether the draft district boundaries were appropriate. Information sheets were distributed to all the relevant council libraries and offices (including neighbouring councils), and advertisements were placed in The Advertiser and local newspapers. The City of Onkaparinga held two public

information evenings attended by senior staff from the Department of Planning and Local Government to explain the proposal and to listen to people's views.

More than 220 submissions were received on the discussion paper, from councils, Members of Parliament and a wide range of community and industry groups (including the Wine and Food Industry Bodies and the Building Industry). The Government has used suggestions and requests from these submissions to help draft the Bill and amend the district boundaries.

The Character Preservation (McLaren Vale) Bill 2011 has been extensively informed by input from the South Australian community. Generally, the submissions overwhelming supported the proposal to enact legislation to preserve and enhance the special character of the McLaren Vale district. Further and, in particular, there was also support to protect the region from potential future pressure to allow sub division of land for residential purposes, at the same time as achieving the population growth targets of the South Australian Planning Strategy. The community is well informed about the visual and physical impact of urban spread. The community is also concerned about the threat urban spread poses to the food, wine, hospitality, recreation and tourism economy of this illustrious wine and primary industry region with its rich culture and a culinary heritage linked to early settlement. The submissions also describe the hospitality, recreational and tourism potential of the region's scenic beauty, iconic sweeping landscapes, natural vistas and scattered homesteads located in agricultural settings.

The Government thanks the individuals, community groups, councils, businesses and industry groups that participated in this initial consultation.

The area protected by the Bill is defined by the district boundaries and the township boundaries, set out in numbered maps that have been deposited in the General Registry Office.

The McLaren Vale district map has had some changes since the consultation version. These changes were based on:

- The objectives of the Bill to protect the special character of the district.
- The content and number of submissions suggesting changes.
- The need to reflect the identification of future urban growth lands in the 30 Year Plan for Greater Adelaide.
- Wherever possible, ensuring consistency with current planning zones and existing land uses.

There was interest in including other separate and distinct pockets of land outside of the proposed McLaren Vale preservation area and for the preservation district to stretch further into the Adelaide Hills Council region. However, the Government has decided not to include these areas at this time.

One of these areas was Glenthorne Farm, and while it is understood that there is strong public sentiment to protect this area, it was never included in the consultation map and has not yet been discussed with the University of Adelaide. However, the Government is considering additional protection through a Development Plan Amendment to allow such discussions to occur.

The proposed preservation district included in the consultation map, covered some of the Adelaide Hills Council area but this has mostly been removed in the final preservation district. Arguably much of the region of the Hills could lend itself to its own specific preservation district and legislation and it is preferable to look at that area separately in the future, if there is public will to do so.

What the McLaren Vale preservation district map doesn't do — and this may not be to everyone's satisfaction — is that it does not replicate the Geographical Indication zone (GI) and it does not just replicate Local Government boundaries. While the map may follow Local Government borders here and there, it does so because in those locations it provides a sensible boundary for the preservation District. In terms of the GI, while the Government understands there is strong argument that this should be protected, the GI zone as a whole is already irrevocably compromised by existing developments.

This legislation will work to protect much of the remnant GI, as it is inseparable from the region and its traditions. However, the work of this Bill is not to recognize and isolate the GI as the protection area. While there are shared patches of land, the Bill and preservation district have a different purpose to the remnant GI zone. The GI zone focuses on production and the identification of produce within McLaren Vale and the Bill focuses on the preservation of the McLaren Vale District.

So turning to the Bill itself.

The Bill establishes an overarching policy framework that informs and works with the existing development and assessment processes. It does not duplicate the current system but complements the Development Act 1993 in a succinct Bill that recognises the importance of protecting the region through its own distinct legislation. When you are considering this region, you will need to look at this Bill, the Development Act and of course the local government planning policies in the relevant Development Plan. All persons or bodies involved in the administration of another Act, must act consistently with the objects and objectives of this Bill when exercising a power or acting in relation to the McLaren Vale district.

Once operative, this legislation will set out what is desirable and undesirable or prohibited in the preserved McLaren Vale District. No single council or State Government will be able to change the rules, nor allow incremental erosion of the landscape for urban development. In the future, changes must be considered by Parliament and so can be scrutinised by the community.

There are two powerful features of this Bill that the Government has secured to stall urban encroachment in the protected area. The first and perhaps most significant is to prohibit sub division for residential purposes in the district. Sub division in semi or rural areas is a danger to the landscape and primary production in this State. It is sub division in these areas that are the thin edge of the wedge — carving up our rural and agricultural lands so that they are no longer valuable or fit for their best purpose — sustaining crops and livestock. Land division will be able to continue within the townships, and development in the townships will be guided by the Township Objectives set out in the Bill and the local Development Plan.

The second powerful feature of this Bill is to prohibit sub division for industrial development that would be detrimental to the special character of the district. This is to ensure that land cannot be cut up for new industrial developments that are incompatible with the region.

It will be for the Development Assessment Commission to consider these two types of development applications. The Bill directs the Commission to refuse these two types of applications, so effectively land division for housing or inappropriate industrial development in the McLaren Vale district will not be permissible once the proposed legislation is operative.

The Bill has attached Schedules 1 and 2 containing District Objectives and Township Objectives and these are guidelines for assessment authorities when considering development applications. These Objectives are designed to help the region grow in a way that is consistent with its character and land uses. Like the specific prohibitions, the Objectives reflect the many suggestions from the public submissions during the first consultation period.

It is important to reiterate that land division in the townships will not be prohibited and not all land division in the districts will be prohibited. The townships are excluded from the restriction on land division for residential or industrial development in the districts. Applications for land division for other purposes in the districts will be assessed against the District Objectives and the relevant council development plans. Further, while land division in the townships is not prohibited, development in townships will be guided by the township objectives.

The Objectives include desirable development that should be encouraged in the McLaren Vale district. Development that may be detrimental to the district such as residential development, large scale retail development and fast food franchises should be prevented. The Objectives emphasise preserving landscape, protecting primary production and pursuing environmental sustainability.

As indicated, council Development Plans will continue to be the key planning and land use policy documents for the districts. The Minister for Urban Development, Planning and the City of Adelaide will ensure that the relevant Development Plans are reviewed and amended, as required, within six months of the legislation coming into operation. This is to ensure that all Development Plans are consistent with the objects and objectives of the new legislation: both the District Objectives and the Township Objectives will inform the review of the relevant development plans to occur within six months of the legislation coming into operation.

As soon as the legislation comes into operation, that is, even prior to the review of the Development Plans, the new Act will prevail to the extent of any inconsistency between the Act and any of the Development Plans in the district. The Department of Planning and Local Government did a preliminary review of the relevant Development Plans, prior to the current interim Development Plan Amendment. The Department advised that the operative Development Plans provisions were very similar in intent to the objects and objectives of the draft legislation. As discussed above, the interim Development Plan Amendment is to put a hold on inappropriate development pending the review of the Development Plans. Therefore, it is anticipated that to fully align the Development Plans with the objects and objectives of legislation will be a relatively minor task and the interim Development Plan Amendment will no longer be required.

As already stated, the legislation does not aim to replace, or replicate the Development Act processes for the McLaren Vale district. Applications for development will still go to a local council and their Development Assessment Panel (DAP) if necessary. The council and the DAP will then assess the application in accordance with the relevant Development Plan and the legislation, in particular, the District Objectives and the Township Objectives. The only exception to this process is that any proposal for land division in the district (outside of the township boundaries) must go to the Development Assessment Commission for assessment, as discussed above.

Existing businesses and industries in the townships and in the surrounding district will be able to continue. Specific to the McLaren Vale region, these include intensive livestock, waste management, food processing, and mining, such as the Maslins Beach quarry. However, as discussed above the Bill puts some limitations on land-divisions for industrial purposes. Further, the Objectives provide guidance for the assessment authority when considering development applications, which will include any that relate to existing industrial or business activities

Another achievement of this legislation, is that it secures the quality and quantity of one of South Australia's primary production areas. It is important to ensure that McLaren Vale and its surrounding region is retained as a primary industry area because locally grown food keeps transports costs that impact on the cost of products to the consumer to a minimum, and supports local producers and primary industries (South Australian Farmers Federation submission, July 2011). Activities in the region include farming, vineyards, wineries, crops and grazing land; as the community has pointed out the region currently has barley, oats, apples, pears, quinces, apricots, peaches, cherries, plums, citrus, figs, avocados, almonds, pistachios, olives, strawberries, vegetables, herbs, roses, native plants and cut flowers as well as meat (including lamb, beef and venison), honey production, dairying and raising poultry for meat and eggs (Friends of Willunga Basin, July 2011).

The major project provisions of the Development Act will not be available for development or projects in the preserved McLaren Vale District. This will not disadvantage developers in relation to developments or projects in the

character preservation area because the major project provisions are chiefly intended for developments of Statewide significance.

The Bill requires a review of the legislation within five years of commencement. In particular, the review should consider the objects and the Township Objectives and District Objectives and the responsible Minister will have to table a report of the review in both Houses of Parliament.

Limited power is provided in the Bill to make Regulations. The provisions are 'limited' in that there is no special power beyond the making of Regulations for prohibiting or restricting certain activities, imposing conditions on activities or prescribing fines for offences against the regulations. At this stage, there is no power for the Regulations to specify exceptions to the requirements of the Bill, that is, the Government will not be able to act without Parliamentary scrutiny to change the legislation.

Following the introduction of this Bill today, it will be released for public consultation for at least four weeks, facilitated by the Department of Planning and Local Government. Following consultation, the Government will advise if it proposes any amendments and will seek that the House then consider the Bill. Given the gravity of this legislation, it is important that it have the weight of Parliament's consideration while public consultation ensues. This will allow Members opportunity to canvas their constituents and give the Bill appropriate consideration.

The Character Preservation (McLaren Vale) Bill 2011 and the related initiatives provides a legislative framework and integrated development and assessment system to ensure that, as a society, we can preserve the McLaren Vale district, for future generations to enjoy and appreciate.

Finally, the Minister expresses his appreciation and thanks to the public servants who have assisted through the consultation, drafting and preparation of this Bill and its partner Bill for the Barossa Valley.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines certain terms used in the measure.

4—Interaction with other Acts

This clause provides that the measure is in addition to and does not limit or derogate from the provisions of any other Act (except as provided otherwise) and provides that this is to be a character preservation law for the purposes of the Development Act 1993.

Part 2—Objects of Act and statutory objectives

5—Objects

This clause sets out the objects of the measure.

6—Objectives

This clause provides for the district objectives and the township objectives (set out in Schedules to the measure).

7—Administration of Acts to achieve objects and objectives

This clause obliges a person or body involved in the administration of an Act to act consistently with, and to seek to further, the objects and objectives of the measure in exercising powers and functions in relation to the district or a township.

8—Review of Development Plans

This clause requires the review of relevant Development Plans under the Development Act 1993 within 6 months after commencement and provides that—

- Development Plans are to be read and construed so as to be consistent with the objects and objectives of the measure; and
- any provisions of those Plans that are inconsistent with those objects and objectives are to be disregarded to the extent of the inconsistency.

Part 3—Special provisions relating to district

9—Interaction of Part with other Acts

This Part of the measure is to have effect despite the provisions of any other Act.

10—Major project provisions not to apply

This clause disapplies the major project provisions of the Development Act 1993 in relation to developments or projects in the district.

11—Limitations on land division in district

This clause makes the Development Assessment Commission the relevant authority under the Development Act 1993 for developments involving land division in the district and prohibits—

- land division for residential development in the district; or
- land division for industrial development in the district that would be detrimental to the special character of the district or is otherwise inconsistent with the district objectives.

Part 4—Miscellaneous

12—Power to require information

A person or body involved in the administration of an Act may require further information for a person applying for a statutory authorisation or from a government or local government authority for the purposes of the measure.

13—Review of Act

This clause provides for a review of the Act 5 years after its commencement.

14—Regulations

This clause provides for the making of regulations for the purposes of the measure. The regulations may, without limitation—

- prohibit or restrict the undertaking of a specified activity, or an activity of a specified class, within the district, or a specified part of the district (despite any other Act or law)
- provide that a person undertaking a specified activity, or an activity of a specified class, or proposing to undertake a specified activity, or an activity of a specified class, within the district, or a specified part of the district, comply with any prescribed requirement or condition (despite any other Act or law).

Schedule 1—District objectives

This Schedule sets out the district objectives.

Schedule 2—Township objectives

This Schedule sets out the township objectives.

Schedule 3—Related amendments

This Schedule makes related amendments to the Development Act 1993. These related amendments apply in relation to all character preservation laws. The amendments would ensure that the objects, district objectives and township objectives under a character preservation law are incorporated in the Planning Strategy and make provision in relation to amendment of Development Plans to promote the objects, district objectives or township objectives under a character preservation law and allow for the Development Assessment Commission to act as the relevant authority in relation to proposed development in certain circumstances.

Debate adjourned on motion of Ms Chapman.

CHARACTER PRESERVATION (BAROSSA VALLEY) BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:44): Obtained leave and introduced a bill for an act to provide measures to protect and enhance the special character of the Barossa Valley region; and for other purposes. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:45): I move:

That this bill be now read a second time.

South Australians value the Barossa Valley and the surrounding region because of its natural beauty, the rich history of South Australian settlement that is still so apparent and the important agriculture, viticulture and primary industries that the region supports. The region has favourable and scarce resource conditions, including a cool climate, major investment in food and wine infrastructure, water options and access to labour skills and technology.

The unique potential of the Barossa Valley was first recognised in 1839 by mineralogist Johannes Menge who was employed by the South Australian Company when he wrote to George

Fife Angus in London describing the region as 'the Cream, the whole Cream and nothing but the Cream of South Australia'.

The second reading report of the Character Preservation (McLaren Vale) Bill 2011 outlined the consultation and development of that bill. This bill, the Character Preservation (Barossa Valley) Bill 2011, was subject to the same public consultation and was developed alongside the McLaren Vale region bill. Indeed, both evolved from the Premier's announcement in February that gave me responsibility for looking at how we can protect these two significant regions.

In general terms, the rationale for preserving the Barossa Valley region is the same as that for preserving the McLaren Vale district, as set out in the second reading report on the Character Preservation (McLaren Vale) Bill, that is, the need to preserve the unique culture and amenity of the Barossa region, while protecting it from urban sprawl and inconsistent development.

Further, the structure of the Character Preservation (Barossa Valley) Bill 2011 follows that of the Character Preservation (McLaren Vale) Bill 2011, and members are referred to the second reading report of this latter bill for a more detailed explanation of the legislative structure and operation.

In the context of this bill, the government acknowledges the work and insight of Maggie Beer, Margaret and Peter Lehmann, Jan Angas, and others, who have highlighted the importance of protecting the Barossa Valley. The region is a light for our state, attracting international attention and visitors to South Australia, and contributes not only economically but culturally to our state. The views of the Barossa Grape & Wine Association and other industry groups are also noted. However, it should be understood that in developing this bill the views and comments of many more individuals and organisations who participated in the public consultation have also been considered.

The Character Preservation (Barossa Valley) Bill 2011 has been extensively informed by input from the South Australian community. The government has used suggestions and requests from the public submissions to help draft the bill and to make some changes to the district's boundaries. The Character Preservation (Barossa Valley) Bill 2011 refers to the relevant map of the Barossa Valley district. A map of this area was proposed in consultation documents released in June this year.

A number of submissions to the government's consultation advocated for the boundaries of the district to match the boundaries of the local GI. As I understand it, the GI zones for the Barossa Valley and Eden Valley cover parts of the proposed preservation district. However, the bill has a different purpose to these GIs. The GI zones focus on production in these areas and the identification of produce. Further, I am of the view that the integrity of these GI zones cannot be maintained as a complete whole, as existing development and planned development have already committed some of this land.

Like the McLaren Vale district map, there have been some changes to the boundaries of the proposed map for this district. Perhaps worth mentioning is that the boundary now includes an important gateway into the region along Gomersal Road from the Sturt Highway. I seek leave to have the remainder of the second reading explanation inserted into *Hansard* without reading it.

Leave granted.

The long title of the Bill states that it is a Bill for 'An Act to provide measures to protect and enhance the special character of the region…'. This Bill is designed to create an historic and innovative policy and legislative framework, guided by objects and objectives, to protect and enhance the region's capacity as an evolving, viable and sustainable primary production area.

However, in short this Bill contains two significant provisions that prevent land sub division in the broader district area, that is outside of the townships, that are for residential purposes or industrial purposes that would be detrimental to the special character of the district. Such applications for land divisions in the preservation district will be considered by the Development Assessment Commission. Other applications, including for land sub division within the townships will be referred to the relevant council and their Development Assessment Panel if necessary. The councils and their panels will be guided by the objectives in the Schedules 1 and 2 of the Bill, which detail the Township Objectives and the District Objectives.

The Barossa district contains activities such as waste management facilities and mining. Current land uses will not be changed and any existing uses will continue unimpeded. However, any future change to the use of land will be subject to the legislation.

Other features of this Bill include:

- Exclusion of major project provisions of the Development Act from the protection district.

- A review of the legislation within five years of commencement.
- Limited power to make Regulations.

Following the introduction of this Bill today, as with the associated McLaren Vale Bill, it will be released for public consultation for at least four weeks, facilitated by the Department of Planning and Local Government. After consultation, the Government will advise if it proposes any amendments and then will seek that the House consider the Bill.

I commend this important Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines certain terms used in the measure.

4—Interaction with other Acts

This clause provides that the measure is in addition to and does not limit or derogate from the provisions of any other Act (except as provided otherwise) and provides that this is to be a character preservation law for the purposes of the Development Act 1993.

Part 2—Objects of Act and statutory objectives

5—Objects

This clause sets out the objects of the measure.

6—Objectives

This clause provides for the district objectives and the township objectives (set out in Schedules to the measure).

7—Administration of Acts to achieve objects and objectives

This clause obliges a person or body involved in the administration of an Act to act consistently with, and to seek to further, the objects and objectives of the measure in exercising powers and functions in relation to the district or a township.

8—Review of Development Plans

This clause requires the review of relevant Development Plans under the Development Act 1993 within 6 months after commencement and provides that—

- Development Plans are to be read and construed so as to be consistent with the objects and objectives of the measure; and
- any provisions of those Plans that are inconsistent with those objects and objectives are to be disregarded to the extent of the inconsistency.

Part 3—Special provisions relating to district

9—Interaction of Part with other Acts

This Part of the measure is to have effect despite the provisions of any other Act.

10—Major project provisions not to apply

This clause disapplies the major project provisions of the Development Act 1993 in relation to developments or projects in the district.

11—Limitations on land division in district

This clause makes the Development Assessment Commission the relevant authority under the Development Act 1993 for developments involving land division in the district and prohibits—

- land division for residential development in the district; or
- land division for industrial development in the district that would be detrimental to the special character of the district or is otherwise inconsistent with the district objectives.

Part 4—Miscellaneous

12—Power to require information

A person or body involved in the administration of an Act may require further information for a person applying for a statutory authorisation or from a government or local government authority for the purposes of the measure.

13—Review of Act

This clause provides for a review of the Act 5 years after its commencement.

14—Regulations

This clause provides for the making of regulations for the purposes of the measure. The regulations may, without limitation—

- prohibit or restrict the undertaking of a specified activity, or an activity of a specified class, within the district, or a specified part of the district (despite any other Act or law)
- provide that a person undertaking a specified activity, or an activity of a specified class, or proposing to undertake a specified activity, or an activity of a specified class, within the district, or a specified part of the district, comply with any prescribed requirement or condition (despite any other Act or law).

Schedule 1—District objectives

This Schedule sets out the district objectives.

Schedule 2—Township objectives

This Schedule sets out the township objectives.

Debate adjourned on motion of Ms Chapman.

WORKERS REHABILITATION AND COMPENSATION (EMPLOYER PAYMENTS) AMENDMENT BILL

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:49): Obtained leave and introduced a bill for an act to amend the Workers Rehabilitation and Compensation Act 1986 and to make consequential amendments to the Stamp Duties Act 1923, the WorkCover Corporation Act 1994 and the Work Health and Safety Act 2011. Read a first time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:50): I move:

That this bill be now read a second time.

The purpose of the bill is to enable a new approach to employer payments in the South Australian workers compensation scheme. As the house is aware, the WorkCover scheme is funded by employers to provide fair compensation to injured workers and to support them to remain at work wherever possible or return to work or the community, at a reasonable cost to employers.

In 2008, on the basis of recommendations made by Australia's pre-eminent workers compensation experts in the Clayton Walsh Review, the government implemented fundamental amendments to the scheme aimed at addressing the poor return-to-work rates of injured workers in South Australia. As noted in the independent review of the 2008 amendments conducted by Mr Bill Cossey in early 2011, there has been some trend towards improvements in return-to-work rates; however, it is too early to evaluate the impact of the 2008 changes. The government acknowledges there is still a way to go before the goals of the 2008 amendments are met.

The proposed new approach to employer payments will provide a financial incentive to employers to achieve the best possible work health and safety practices, leading to fewer workplace injuries. Where workplace injuries do occur, the system will provide a financial incentive to employers to support injured workers to stay at work wherever possible or to achieve an early and safe return to work. Improvements in injury prevention, management and return-to-work practices in the scheme will result in better outcomes for workers as well as lower costs to the scheme.

Registered employers currently pay a levy based on their industry classification and the amount of remuneration paid to employees. The industry levy rate reflects the expected cost of claims for that industry. On average, the total amount collected from registered employers is about 2.75% of the total remuneration paid to employees by registered employers. That is what is known as the average levy rate and is set by the WorkCover Board each year based on actuarial evaluations.

The allocation of how much each employer pays is currently dependent only on the industry they are in and how much they pay their employees. Improved performance of an industry

as a whole is required before employers within that industry benefit from a reduced levy rate. Clearly, where the cost of a claim has only a small impact on the amount an employer pays, there is little incentive to reduce the claim costs by helping injured workers to recover and remain at work or return to work as soon as possible.

The new approach to employer payments has been carefully developed and the framework incorporated into this enabling legislation. The full detail of the new approach is not incorporated into the bill, because the system is best served by including the design framework in the act, with supporting detail contained in the regulations and various gazetted documents, as is the case in the similar New South Wales, Victorian and Queensland schemes.

The regulations and gazettal documents will be developed for consultation with stakeholders, subject to the passage of the amendment bill through parliament. The new approach to employer payments can be summarised as incorporating:

1. a mandatory Experience Rating System for medium and large employers registered with the scheme;

2. an optional retro-paid loss arrangement for large employers registered with the scheme;

3. no change to the way in which premiums are calculated for small employers registered with the scheme;

4. minimal change to private and Crown self-insured arrangements; and

5. changes to terminology, definitions and practices within the scheme, aimed at achieving cultural change.

I seek leave to have the balance of the second reading report incorporated in *Hansard* without my reading it.

Leave granted.

Both the Experience Rating System and the Retro Paid Loss arrangements are forms of experience rating. Under an experience rating approach the amount an employer pays in premium is directly impacted by their own claims experience.

Experience rating aims to provide a financial incentive for employers to improve their claims experience through good work health and safety practices and injury and return to work management. The result is that if an employer has high claims costs it is likely that they will pay more in premium in comparison to similar sized employers operating in the same industry who have lower claims costs.

The premium calculation for the Experience Rating System is designed to take into consideration the employer's individual claims experience, as well as their size and the level of risk of their industry. A range of employer protections are built into the system to achieve a balance between 'insurance protection' with 'user pays' principles.

The design of the new approach to employer payments has been based on similar systems in New South Wales, Victoria and Queensland, independent actuarial modelling of the appropriate scheme framework for the South Australian market and a comprehensive consultation process undertaken by WorkCover and the Government.

WorkCover in fact commenced a comprehensive consultation process on the new approach to employer payments in September 2010. Employers, employer associations and unions have been heavily involved in the design of the new approach and input has also been received from insurance companies and insurance brokers.

The Government believes that there is broad support across WorkCover's stakeholder base for the introduction of a new approach to employer payments in South Australia. The employer community looks forward to the opportunity to influence the amount of premium they pay and unions are fully cognisant of the potential benefits to workers when employers focus on reducing claims costs by assisting the recovery of injured workers and enabling them to remain at work or return to work as soon as possible.

Who will be experience rated?

The Experience Rating System has been designed to be fair and reflective of an employer's risk of a workplace injury, as indicated by the employer's claims experience, relative to their business activity and size.

Independent actuaries have modelled the new approach to determine the threshold at which point employers should be experience rated–this has been based on the likelihood of employers having a claim, relative to their size.

Small employers will be defined in regulation as those with a base premium of less than $20,000 or annual remuneration paid to their employees of less than $300,000 and they will continue to pay premium based on their remuneration and relevant industry premium rate.

All employers with base premium equal to or above $20,000 and annual remuneration equal to or above $300,000 will meet the threshold criteria for entry into the Experience Rating System.

Large employers will be defined as those employers with base premium of more than $500,000 and will be experience rated unless they apply for and are accepted into the separate Retro Paid Loss arrangements.

The effect of these categories is that only approximately 10% of registered employers will be above the threshold for entry into the Experience Rating System. While this percentage may seem insignificant, it is important to note that this same group are responsible for approximately 75% of claims costs and 75% of the levy currently paid by registered employers.

Approximately 90% of employers will be categorised as small and these employers will continue to pay premium based on their remuneration and industry rate. This is because the likelihood that small employers will have a claim is so low—in fact employers who currently pay less than $20,000 in levy are likely to have one claim approximately every 13 years. Clearly it is difficult to differentiate between 'chance' and 'performance' in understanding claims experience of individual employers in this size category.

Although all employers have the ability to have an impact on the number and costs of their claims through workplace safety, injury, and claims management practices, the objective of the Experience Rating System is to influence employer behaviour so that their performance improves. Therefore it is important that the new system be limited to employers who are of sufficient size so that their individual claims experience is a credible indication of their work health, safety and injury management efforts.

What is Retro Paid Loss?

Under the new employer payments approach, large employers (those with a base premium over $500,000) will also have the option of applying to enter into Retro Paid Loss arrangements. Retro Paid Loss is a form of experience rating that calculates the premium an employer pays in a manner that closely reflects the actual costs the employer has incurred. It has limited association with industry experience.

Employers within Retro Paid Loss arrangements can experience significant reductions in the amount of premium that they pay if they have good claims experience. However, employers can experience a high premium if they don't manage their claim numbers and costs effectively. For this reason, Retro Paid Loss arrangements are often referred to as 'burning cost'.

In this approach, the premium an employer pays is closely linked to their claims performance (that is, injury prevention and management practices), not only during the policy period but until the claim is closed, or for four years following the expiry date of the policy period, whichever comes first.

Because of the potential for significant volatility in premiums, Retro Paid Loss arrangements will be optional and restricted to large employers with demonstrated capacity and resources to manage the inherent risks of the approach.

Key aspects of the new approach to employer payments

Terminology changes

Within the new approach to employer payments the amount employers pay will be referred to as their premium instead of 'levy'. This terminology is more appropriate for an Experience Rating System and reflects a general insurance concept that implies some degree of influence over how much is paid.

Additionally, the Act currently refers to a physical or mental injury as a disability. Changing the terminology used within the Act to injury will more accurately reflect the contemporary workers rehabilitation and compensation Scheme in which the majority (79% in 2009-10) of injured workers either do not take time off work, or return to work within two weeks of an injury.

Claims estimates

A key part of the premium calculation within the new Experience Rating System is the inclusion of employer claims costs. An employer's experience will take into account actual paid costs and a manual estimate of the outstanding costs for the life of the claim. This will ensure that employers focus more on management of their claims with the aim of reducing the costs and this will directly benefit their injured workers.

Confirmation of registration

The current 'proof of registration' section of the Act is proposed to be replaced with a 'certificate of registration' – a hybrid model between the current proof of registration and the 'certificate of currency' similar to those issued in Victoria and Queensland. It will be used to prove registration to officers of industrial associations and will also need to be produced if requested by someone contracting with the employer to undertake work. This will support principal contractors by providing evidence that a sub contractor is registered with WorkCover

Transfer of business

The transfer of claims experience with the transfer of business is an important element of experience rating. Without this transfer, the opportunity to 'game' the system by selling and establishing new businesses would be increased. Claims experience and remuneration will follow where a transfer of business occurs within the meaning of the Fair Work Act 2009.

Other legislative changes

Consequential changes to other Acts

This Amendment Bill also makes consequential amendments to other Acts, including the Stamp Duties Act 1923, the WorkCover Corporation Act 1994, and the proposed Work Health and Safety Act 2011. These changes are largely substituting the terms 'disability' and 'levy' for 'injury' and 'premium' but also deal with references to the Occupational Health and Safety fee collected by WorkCover on behalf of SafeWork SA under the proposed Work Health and Safety Act 2011.

Excess waiver

This Bill proposes that employers who meet their notification and claim lodgement requirements under the Act within five calendar days of a worker reporting an injury will be exempt from paying the first two weeks of income maintenance for that worker. This is an increase from two business days and was based on employer feedback that circumstances can make it difficult for employers, even with the best intentions, to provide notification of an injury to the claims agent within the two day window.

By expanding the opportunity to be eligible for the excess waiver, those employers who previously missed the two day window and then had no incentive to lodge the claim quickly will focus on always meeting the five day window. This is critical because early notification of an injury can significantly improve claims management outcomes.

Death benefits

Where a worker dies as a result of a compensable injury the Act makes provision for compensation in the form of weekly payments to a dependent partner or child. The Act also provides for a lump sum payment to a dependent child, dependent partner, or to a person dependent on the worker's earnings, as determined by the Corporation.

Currently, where the worker does not leave a financial dependent, neither lump sum payment or weekly payments are made. The cost of the claim is negligible. In the new approach this would mean that a workplace death would have minimal impact on an employer's claims experience, and thus premium, which is not an appropriate financial response to the death of a worker.

To address this, the Amendment Bill proposes that where a deceased worker does not leave a financial dependent, the lump sum payment will be paid to the worker's estate. This will ensure that the death has an impact on the employer's claims experience and premium, and the deceased worker's estate receives compensation. This is also consistent with proposed changes being discussed by the SafeWork Australia workers compensation advisory groups.

Penalties, fines and supplementary payments

Employers have a range of premium related obligations under the Act. The objective of fines and supplementary payments is to influence employer behaviour and ensure that employer obligations are met.

The current Act provides for WorkCover to impose a supplementary levy on employers who do not meet their obligations. It permits WorkCover to take into account the incidence or cost of claims when imposing the supplementary levy. These provisions have been retained and expanded in this Bill to enable more than one remission to be granted each period, or more than one supplementary payment to be imposed.

It is important to acknowledge that for employers who are experience rated or participating in retro paid loss arrangements, the incidence and cost of claims will directly impact the amount of premium they pay. For this reason, WorkCover will not use the incidence and cost of claims to determine supplementary payments for these employers. An alternative approach will be established by WorkCover in consultation with employer associations and unions.

In addition to existing fines and supplementary payments within the Act a fine has been introduced in the Bill for employers failing to register. Employers may be required to pay both the appropriate premium and an additional fine of up to three times the amount of premium.

WorkCover will implement a program of education for employers on their obligations and support them to achieve effective work health safety and injury management outcomes. A 12 month moratorium will apply to imposition of fines by WorkCover.

Some new penalties have also been included in the Amendment Bill – an employer failing to provide information requested by WorkCover under relevant sections of the Act (relating to calculation of premium) will be able to be subject to a maximum penalty of $5,000 which will encourage timely and appropriate provision of information.

Contributory negligence and WorkCover recoveries from third parties

The workers compensation scheme in South Australia is a no fault system that protects employers from common law liability arising from work related injuries.

Workers can however pursue their common law right to sue a third party or parties whose negligence has caused or contributed to their injury. Where an injured worker brings an action against a negligent third party, the negligent third party can reduce its liability if it can establish that the worker's own negligence caused or contributed to the worker's injury.

WorkCover can bring its own action under the Act against the negligent third party to recover compensation paid and payable to the injured worker.

This Bill removes any doubt that WorkCover recovery actions are limited by a worker's contributory negligence.

This change will not impact on the level of compensation provided to injured workers.

Conclusion

In closing, WorkCover's current levy system offers little incentive for employers to focus on work health, safety and claim outcomes. Changes are required to the current arrangements to influence employer behaviour by rewarding good performers and penalising poor performers.

A system that responds to an individual employer's risk and experience is the most effective lever WorkCover can use to influence employer behaviour and improve outcomes for injured workers, employers and the South Australian community. Providing this incentive will increase the likelihood of improvements in return to work rates, reductions in the incidence of workplace injuries and ultimately contribute to reductions in the overall cost of the Scheme.

The new approach to employer payments as set out in this Amendment Bill is such a system.

The Government commends the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of Workers Rehabilitation and Compensation Act 1986

4—Amendment of section 3—Interpretation

A number of these amendments relate to a proposal to refer to 'injuries' under the Act rather than 'disabilities'.

Another amendment will continue the ability of the Corporation, if it so determines, to regard 2 or more workplaces in close proximity to each other to be regarded as a single workplace (see section 65(2) of the current Act).

Another amendment will allow the Corporation to designate various forms for the purposes of the Act (rather than the Minister). It will also be possible for the Corporation to specify a form that is different to a written or printed form.

5—Amendment of section 45A—Compensation payable on death—lump sums

This clause will allow the Corporation to pay compensation where a deceased worker only leaves a partially dependent partner or partners. The clause will also insert a new provision to the effect that if a worker who dies as a result of a compensable injury does not leave any person as a dependent (or who is taken to be a dependent) under section 45A, an amount equal to the prescribed sum will be payable to the worker's estate.

6—Amendment of section 46—Incidence of liability

The relevant period for the purposes of section 46(8b) of the Act is to be altered from 2 business days to 5 days.

7—Amendment of section 54—Limitation of employer's liability

A right of recovery under section 54(7) of the Act will now also be subject to the express requirement that the amount to be recovered from the wrongdoer must be adjusted to take into account any contributory negligence on the part of the worker.

8—Amendment of section 62—Applications and changes in details for registration

This amendment will include an express requirement under the Act for an employer to provide appropriate information to the Corporation if there is a change in various details or information relating to the registration of the employer.

9—Amendment of section 64—Compensation Fund

This is a consequential amendment.

10—Substitution of Part 5 Divisions 4 to 7 (inclusive)

The new sections to be enacted under this clause will provide a new scheme for the calculation and collection of premiums, payments and fees by employers under the Act.

New section 65 continues the operation of section 65(1) of the Act as it currently stands.

New section 66 will enable the Corporation to establish a set of terms and conditions that will apply to employers in relation to the calculation, imposition and payment of premiums under the Act. These provisions will be referred to as 'WorkCover premium provisions'. Different sets of provisions will be able to be set in relation to different categories of employers. These provisions will underpin the new arrangements for the purposes of premiums under the Act.

New section 67 will establish the requirement for employers to pay premiums under the Act (rather than levies as currently provided by section 66(1) of the Act). An employer who is a self insured employer, exempt from the requirement to be registered, or exempt under the regulations, will not be required to pay a premium under this Division. A new provision will allow the Corporation to impose on an employer who is in default of the requirement to be registered under the Act a fine not exceeding 3 times the amount of premium that would have been payable under the Act had the employer been registered.

New section 68 will allow the regulations to divide employers into various categories for the purposes of these new arrangements (subject to the ability of the Corporation to assign a particular employer to a different category if it considers that it is appropriate to do so after applying any criteria or factors prescribed by the regulations).

New section 69 will continue the scheme that allows the Corporation to divide the industries carried on in the State into various categories (see section 66 of the Act as it currently stands).

New section 70 will facilitate the setting of a rate (an 'industry premium rate') that is to be applied in relation to each class of industry (compare section 66(6) of the Act as it currently stands).

The new scheme will be based on orders ('WorkCover premium orders') published by the Corporation by notice in the Gazette under new section 71 (and to the extent that such an order does not apply then an employer will pay premiums according to the base premium determined under section 70). A WorkCover premium order may—

(a) apply any principle relevant to the claims experience of a particular category or class of employer, or the size of an employer (after applying such principles or assumptions as the Corporation thinks fit); and

(b) fix and apply various principles, weights, adjustments, caps, assumptions or exclusions according to specified factors; and

(c) without limiting any other provision, specify any adjustment or assumption relating to the remuneration paid to workers over a particular period (including a period into the future); and

(d) allow employers who satisfy any specified criteria, on application and at the discretion of the Corporation, to pay a premium determined by the Corporation according to an alternative set of principles—

(i) specified in the order; or

(ii) specified in another WorkCover premium order that applies in the circumstances; or

(iii) agreed between the Corporation and the employer; and

(e) require that employers of a specified class must provide a deposit, bond or guarantee, or some other form of security, specified in the order; and

(f) make any other provision or impose any other requirement prescribed by the regulations.

New section 72 will establish various stages for the imposition and payment of premiums. These stages will be as follows (in relation to each relevant period for the payment of a premium):

(a) an initial premium calculated on the basis of estimates and assumptions made at, or in relation to, the beginning of the period after applying any principles specified by the Corporation in the WorkCover premium provisions or in a WorkCover premium order;

(b) an adjusted premium payable at any time during the period based on applying any principles or requirements specified by the Corporation in the WorkCover premium provisions or in a WorkCover premium order;

(c) a hindsight premium calculated on the basis of actual amounts and information known or determined by the Corporation at the end of the period after applying any principles or requirements specified by the Corporation in the WorkCover premium provisions or in a WorkCover premium order.

Each component will be payable by a date specified by the Corporation. The Corporation may agree that an initial premium or an adjusted premium will be paid by instalments. The Corporation will be able to grant discounts or other incentives in order to encourage the payment of a premium in advance.

New section 72A sets out a set of grouping provisions. A group will be determined in the same way as presently applies under section 65(3) of the Act as it currently stands. Where 2 or more employers constitute a group—

(a) unless the Corporation otherwise determines, each employer in the group will be liable to pay premiums in accordance with a WorkCover premium order (rather than on the basis of aggregate base premiums); and

(b) the Corporation may apply any claims experience, rating or other principle to all members of the group on a combined basis (rather than on an individual basis) in accordance with the provisions of a WorkCover premium order; and

(c) the Corporation may aggregate the employers in such manner (in any way or for such other purposes) as the Corporation thinks fit under a WorkCover premium order (including by treating 1 employer within the group as if the employer were the employer of all workers employed by the members of the group or by rating them together or according to a common factor).

In addition, the employers in a group will be jointly and severally liable for the payment of premiums attributable to the group.

New section 72B provides for a fee to be paid by self insured employers (just as a levy is currently payable under section 68 of the Act). The fee will be fixed by the Corporation with a view to raising from self insured employers—

(a) a fair contribution towards the administrative expenditure of the Corporation; and

(b) a fair contribution towards the cost of rehabilitation funding; and

(c) a fair contribution towards the costs of the system of dispute resolution established by the Act; and

(d) without limiting a preceding paragraph, a fair contribution towards the costs associated with the operation of Part 6C and Part 6D of the Act; and

(e) a fair contribution towards actual and prospective liabilities of the Corporation arising from the insolvency of employers; and

(f) a fair contribution towards any other costs of a prescribed kind.

Various elements of the current scheme for self insured employers will also be preserved.

New section 72C will revise the principles relevant to the remission of a premium or fee otherwise payable by an employer or the imposition of supplementary payments. The new section will accordingly replace section 67 of the Act as it currently stands. However, a number of new principles are to be established, including the following:

(a) the Corporation will be able to establish policies about the circumstances in which (and the extent to which) it will consider—

(i) an application to provide a remission of any premium or fee; or

(ii) the imposition of a supplementary payment,

(and the Corporation is not under a duty to consider, or to grant a hearing, in relation to any such application);

(b) the matters that will be relevant for the purposes of the section, insofar as they relate to a particular employer, will be able to be applied to another employer who is linked to the original employer through a transfer of business;

(c) the specification of the various matter under the section is not intended to limit the Corporation's discretion as to other matters that may be considered relevant to the operation of the section;

(d) the Corporation may grant 1 or more remissions, or impose 1 or more supplementary payments (or provide for a combination of both or any), in relation to any period.

New sections 72D to 72R (inclusive) will set out various ancillary or related provisions associated with the operation of the new scheme for the calculation and payment of premiums and other relevant amounts. Many of these provisions are based on provisions appearing in the Act as it currently stands.

11—Amendment of section 73—Separate accounts

These are consequential amendments.

12—Substitution of section 76

This clause will enact a new provision that allows the Corporation to issue a certificate with respect to—

(a) the registration of an employer under the Act; and

(b) the compliance of an employer with any requirement to pay premiums under this Part.

13—Repeal of section 76A

The section to be deleted by this clause is to be enacted as new section 72O.

14—Amendment of section 112A—Employer information

It is to be made clear that the information that may be disclosed by the Corporation under this section extends to information about a former employer.

15—Amendment of section 120A—Evidence

This is a consequential amendment.

Schedule 1—Further amendments of Workers Rehabilitation and Compensation Act 1986

These are consequential amendments.

Schedule 2—Consequential amendments and transitional provisions

This schedule sets out consequential amendments to other Acts (including the proposed Work Health and Safety Act 2011), and relevant transitional provisions.

Debate adjourned on motion of Ms Chapman.

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) 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. Clause 4, page 3, lines 11 to 13—Delete clause 4

No. 2. Clause 5, page 3, lines 15 to 17 [clause 5(1)]—Delete subclause (1)

No. 3. Clause 5, page 3, lines 19 to 28 [clause 5(3), (4) and (5)]—Delete subclauses (3), (4) and (5)

No. 4. Clause 5, page 4, lines 1 to 10 [clause 5(7)]—Delete subclause (7)

No. 5. Clause 7, page 4, lines 21 to 40 and page 5, lines 1 to 28—Delete clause 7

No. 6. Clause 8, page 5, lines 29 to 31—Delete clause 8

No. 7. Clause 9, page 5, lines 32 to 38—Delete clause 9

No. 8. Clause 10, page 6, lines 1 to 25 [clause 10(1)]—Delete subclause (1)

No. 9. Clause 12, page 6, lines 38 to 41 and page 7, lines 1 to 7 [clause 12(1)]—Delete subclause (1)

No. 10. Clause 14, page 7, lines 13 to 15—Delete clause 14

No. 11. Clause 15, page 7, lines 16 to 25—Delete clause 15

No. 12. Clause 16, page 7, lines 26 to 31—Delete clause 16

No. 13. Clause 17, page 8, lines 1 to 41—Delete clause 17

No. 14. Clause 18, page 9, line 5 [clause 18, inserted section 62A]—Delete 'Subject to section 59A but despite' and substitute:

Despite

No. 15. Clause 21, page 10, lines 6 to 11 [clause 21(3), inserted subparagraph (ia)]—Delete inserted subparagraph (ia)

No. 16. Clause 22, page 10, lines 17 to 38 and page 11, lines 1 to 6 [clause 22, inserted section 76A]—Delete inserted section 76A

No. 17. Clause 22, page 11, line 9 [clause 22, inserted section 76B]—Delete 'but subject to section 76A'

No. 18. Clause 33, page 14, lines 1 to 18—Delete clause 33

No. 19. Clause 34, page 14, lines 19 to 21—Delete clause 34

No. 20. Clause 35, page 14, lines 22 to 24—Delete clause 35

No. 21. Clause 36, page 14, lines 25 to 38 and page 15, lines 1 to 22—Delete clause 36

No. 22. Clause 38, page 16, lines 9 to 24 [clause 38, inserted section 224A]—Delete inserted section 224A

SUMMARY OFFENCES (TATTOOING, BODY PIERCING AND BODY MODIFICATION) 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. Clause 4, page 4, lines 28 to 33 (inclusive) [clause 4, inserted section 21C(2)(b)]—

Delete paragraph (b) and substitute:

(b) any other body piercing on a minor without the consent of the minor's guardian given in accordance with section 21D.

No. 2. Clause 4, page 4, after line 34 [clause 4, inserted section 21C]—

After subsection (2) insert:

(2a) Subsection (2)(b) does not apply if the minor on whom the body piercing is to be performed is at least 16 years old.

No. 3. Clause 4, page 5, lines 15 and 16 [clause 4, inserted section 21D(1)]—Delete '(other than an earlobe piercing)'

No. 4. Clause 4, page 5, after line 35 [clause 4, inserted section 21D]—

After line 35 insert:

(1a) Subsection (1) does not apply to an earlobe piercing performed on a person who is at least 16 years old.

No. 5. Clause 4, page 5, after line 38 [clause 4, inserted section 21D]—

After subsection (2) insert:

(3) In subsection (1)(b)(i)—

prescribed information means—

(a) information about how to care for the health and recovery of the area of the body affected by the body piercing or body modification procedure; and

(b) any other information prescribed by the regulations.

No. 6. Clause 4, page 7, line 24 to page 8, line 9 (inclusive) [clause 4, inserted section 21I]—Delete section 21I

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I can indicate that the amendments are accepted, and I understand from the member for Bragg that that is something that both sides are happy with.

Ms CHAPMAN: Yes, I indicate that the opposition is supporting the amendments as presented by the Legislative Council. I appreciate the minister's acceptance of the wise consideration by another place.

Motion carried.

APY LANDS, CHILD SEX ABUSE

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:57): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M. RANKINE: On 27 September, the member for Bragg said in a question to me that 16 per cent of the children reported as tier 1 child abuse notifications referred to the Coober Pedy office had not been located for investigation when the statewide average is just 1.8 per cent for the year 2009-10.

It is important to note that these are tier 1 reports allocated to the Coober Pedy office for the Coober Pedy region, not exclusively for the APY lands. I advise the house that the tier 1 notifications closed with the outcome 'not located' in Coober Pedy 2009-10 involved three families. One family had six children and the other two families had one child each. This means there were three instances where we were unable to complete a home visit because Families SA were unable to locate the family. The latest information I have received for 2010-11 indicates there were no tier 1 notifications closed with the outcome not located in Coober Pedy.

SITTINGS AND BUSINESS

The Hon. I.F. EVANS (Davenport) (16:00): Point of order: the Treasurer just introduced a bill to do with workers compensation. In doing so he gave notice that part of the amendment was to an act called the Work Health and Safety Act 2011. That act does not exist, because it is currently before the house in a bill form and has not been debated or passed by either house. Madam Deputy Speaker, I ask you to consider ruling that the legislation introduced by the Treasurer is out of order and cannot be debated because it seeks to amend an act that simply does not exist.

The DEPUTY SPEAKER: Bear with me on that one. Member for Davenport, I would like to advise that I have been advised that it is in order, but I am just going to get the precise reason

why. Member for Davenport, as I previously said, it is in order provided that all stages of the Work Health and Safety Bill have been completed before all stages of the WR&C amendment bill are passed.

The Hon. I.F. Evans interjecting:

The DEPUTY SPEAKER: Ah, you are anticipating debate, is that correct?

The Hon. I.F. EVANS: I am trying to understand your ruling, Madam Deputy Speaker. Are you saying that we cannot debate the workers compensation bill—which we were given notice of today by the Treasurer—until the bill currently before the house on worker health and safety is proclaimed and becomes an act, because it does not become an act until the Governor proclaims it, until the Governor assents?

The DEPUTY SPEAKER: Until it has been passed by two—

The Hon. I.F. EVANS: Up until that point, it is just a great theory put forward by the parliament. So, at what point then—

Ms Thompson: She is trying to say something.

The Hon. I.F. EVANS: Thank you, member for Reynell. It is good to hear a contribution at last, after 15 years in the house. I am trying to clarify a process. I am just trying to explain to the Deputy Speaker what I am trying to clarify. I am entitled to do that. As a former deputy speaker, you should have known that. At what point does the Work Health and Safety Bill become an act?

The DEPUTY SPEAKER: It just has to be passed by both houses, and then we can talk about it. Are you happy with that?

The Hon. I.F. EVANS: Just to understand, we cannot debate the workers compensation bill until the other bill is passed by both houses?

The DEPUTY SPEAKER: We can debate it but we cannot complete all its stages.

The Hon. I.F. EVANS: So what stages can we complete before the other bill is passed?

The DEPUTY SPEAKER: Up to the third reading in the other place.

The Hon. I.F. EVANS: In both houses?

The DEPUTY SPEAKER: Yes.

The Hon. I.F. EVANS: I do not want to be difficult, but when you say up to the third reading, do you mean at the completion of the second reading or at the completion of the third reading?

The DEPUTY SPEAKER: All the stages, so including the third reading.

The Hon. I.F. EVANS: So they can both be debated and passed by both houses as long as the Work Health and Safety Bill is completed first?

The DEPUTY SPEAKER: As long as the Work Health and Safety Bill goes first. As long as that goes through both houses first—

The Hon. I.F. EVANS: So how does this house know what the content of the Work Health and Safety Bill is if it is still being debated in the other place? When we are moving amendments to a bill that is not yet in its final form, how is this house to know what the bill we are trying to amend says? This is my point. Until the bill is in its final form, I do not understand how this house can possibly debate an act that does not exist or an amending bill to a bill for which debate has not yet been completed.

The DEPUTY SPEAKER: I think that is a valid point because it is about the timing of government business. Can we take that on notice and discuss that in terms of timetabling?

The Hon. I.F. EVANS: Yes; thank you, Madam Deputy Speaker.

The DEPUTY SPEAKER: Thank you.

EDUCATION AND EARLY CHILDHOOD SERVICES (REGISTRATION AND STANDARDS) BILL

Adjourned debate on second reading (resumed on motion).

Mr PISONI (Unley) (16:10): Previously in this debate, I was discussing the drift from the government system—

Ms Chapman: Stampede, I think.

Mr PISONI: The member for Bragg reminds me that, by the numbers of the statistical data I inserted in *Hansard*, it appears to be more of a stampede. We have seen a 16 per cent increase in enrolments in non-government schools in the term of this government. I would argue that the Labor government needs to address the reasons why this has occurred under its watch. We know that there has been a national trend and, as I said in earlier remarks, the trend here in South Australia has been significantly higher than that in like states.

The government needs to understand why this has occurred under its watch and what the long-term solutions are to making public education in South Australia the standard to be measured by and a more attractive choice for families, with greater choice in education options for their children. I think it is important that we support choice in education, and certainly on this side of the parliament we are very much in favour of choice in education. My wife and I have chosen the government system for our children but there are many others who have chosen the non-government system, and that is up to them. I am not here to make comment or to judge. I support their choice in doing so.

Our public schools need adequate funding and efficient and better management to allow our state once again to lead the nation in education. That is something that this state used to do, but unfortunately we have seen that tag of 'education leader' that we once held slip off at a very rapid rate under this government. Of course, the Liberal plan in order to help achieve this is for greater school self-management—a devolution, if you like, of the bureaucratic system and centrally run system that we have here in South Australia now—where schools will work with their allocated funds to arrange their own staffing, to allow principals, governing councils and school communities to more adequately address the needs of their local community in terms of education outcomes.

This is why this bill is an important bill because it does remove the Department of Education's dual role as both a regulator and a competitor with the private sector. We, on this side of the house, are very uncomfortable with the government competing with the private sector. We know that in the education sector it is more of a complementary role that the government and private sector play with each other, but we do not want one sector advantaged over the other. We would like the rules that apply to the non-government sector to apply to the government sector as well.

Given the continuing drift to the non-government sector, it would be interesting to know if the Minister for Education has now submitted to the Gonski commission on funding for non-government schools and what the South Australian Labor government's position is on such funding. Does it support adequate funding to support the choice made by families who choose the non-government sector, or is the minister more in tune with the more illogical calls from the Australian Education Union for this funding to be reduced in favour the public sector?

We spoke a little about that before, about this fallacy that more money will fix problems when we spoke about the differences in what schools receive in category seven schools—in other words, schools that have low disadvantage as compared to schools that have high disadvantage—where that can be more than double the amount of money per student. I would argue—and on this side of the house we argue—that it is more about the way the schools are managed, the way the system is managed and how you deal with this.

It is, of course, disappointing that the Australian Education Union is funding an extensive and well coordinated campaign to convince Gonski and other committee members to take money away from the non-government school sector and redirect it to the so-called disadvantaged schools. Again, I refer to the comments I made earlier that it is about management and it should not be a class war, because we know there are many parents who make many sacrifices in order to send their children to schools of their choice.

School choice, where parents are supported in their right to choose between government and non-government schools, is anathema to the left-wing teachers' union. They continue to peddle the line that those who make this choice are somehow a wealthy elite. It is disingenuous and it ignores the statistics and the facts.

The federal President of the Australian Education Union, Angelo Gavrielatos, also has form in allowing his union to cynically misrepresent the relationship between the commonwealth and the

states in these funding issues and in the media. This does not advance the objective of serious debate on funding or the important objectives of improving education outcomes of our government and non-government schools.

This is not the place for a debate based on an outmoded left-wing ideology of an 'us versus them' mentality. The mindset is disappointing and is unrepresentative of the realities of modern education in Australia and around the world or the aspirations of the parents for their children in terms of the outcomes and service delivery. Some of the class warriors in the Australian Education Union, such as Mr Gavrielatos, need to take a chill pill and put education outcomes ahead of ideology and move on. As I have said earlier, it is important that we have a balance; it is important that we have choice in education.

In terms of the Gronski review overall, there is a feeling among those in the non-government sector that it is opening up options but not yet giving clarity, so we are seeing that there are options, but the non-government education sector—one third of the education sector—does not know where that review is going. That is of concern, because we know that one of the important things that we need for our children, for students and for sectors such as the education sector is stability and the ability to plan for the longer term.

On the subject of clarity, the non-government stakeholders in this state would also be keen to know when there will be a movement on the increase in per capita funding committed by the Labor government in the 2010 election. South Australia, of course, has the lowest per capita contribution to non-government education in Australia. That used to be Victoria, but that has been addressed by the new Liberal government in Victoria. South Australian now holds the title for the least number of dollars per capita that is spent on education outside its own government system.

Of course, this bill also covers out of school hours care. Generally the peak body for out of school hours care (or OSHC, as it is often described) is supportive of the bill. However, it has expressed certain concerns with regard to the implementation of the national law. There is concern, while understanding the direction of this agenda, that the focus has been heavily on the early years services and that school-aged care services provided by the OSHC will also require support when the new standards of legislation are applied.

We did see last year, of course, another budget that was full of tough decisions. We saw a cut of over $550,000 to out of school hours care from the education budget here in South Australia, so you can see that the out of school hours care group, association or organisation is concerned about more changes that may very well be affecting its sector, and of course many of those are run by governing councils or they are run as not-for-profit organisations attached to the governing councils.

I know that, when I was on the Unley Primary School governing council, we were one of the last actually that ran its own out of school hours care separate from the governing council. It is difficult for parents. Generally, the parents who use the scheme are those who have the least amount of time to devote to managing the scheme, but I have to congratulate the Unley Primary School on the way it has managed to continue and improve that service over the years.

The second concern is the qualifications of assessors. The new role of assessors will require a high level of professional judgement where it applies to early years education and care. Where will the state government be sourcing the assessors, and what additional training or accreditation regime will be put in place for them? That is perhaps something that the minister may address in his closing remarks to the second reading of the bill. Will they be sourced from those potentially now surplus to DECS' needs?

I remind the house that the minister has identified a number of teachers that were suffering from burn-out, and we also know that there is about $4.4 million of unallocated surplus in members of staff, including about 51 teachers, from last year's Auditor-General's Report. The questions of course would be: where will the assessors come from? What qualification will they have? What training will they have, and is it something that the government already has in place?

We cannot discuss this bill without reflecting on the relationship that Department for Families and Communities has with the Department of Education and Children's Services. We know that in some states early childhood learning and development is managed by the equivalent to the Department for Families and Communities in this state, and we support the notion that it is managed by the Department of Education and Children's Services.

Professor Fraser Mustard, who was here in 2007 as a Thinker in Residence, is a world-renowned expert in early childhood education. I have to say that I am not a fan of the Thinkers in Residence program, and I am sure that members of this place could have had access to Fraser Mustard without such a program; however, he was adamant about the importance of early childhood development and very critical of the relationship between the Department of Education and Children's Services and the Department for Families and Communities.

I think we saw that come alive here in the estimates committee of 2008, when the 'house of horrors' was first revealed, and the then chief executive officer of the Department of Education and Children's Services made a remark in answer to a question of mine about that incident and mandatory reporting. His remark implied that it was the Department for Families and Communities that had heard. We then went to a meal break, and when we came back, there was a grovelling retraction and apology from the then chief executive officer of the Department of Education—such an outstanding performer was he that I cannot even remember his name.

Ms Chapman: Chris Robinson.

Mr PISONI: Chris Robinson. Thank you, member for Bragg. I notice that he is no longer with the department—

Ms Chapman: He's been promoted.

Mr PISONI: —but has been promoted as a member of the Gillard Public Service. That will be an interesting dynamic when we start discussing national programs that relate to South Australia. So, maybe it is a good thing for Mr Robinson that the Minister for Education here in South Australia is moving on to the top job and somebody else may be in that role.

After a time, Professor Mustard produced a report. It took quite some time to receive it; from memory, I think it was close to 12 months or so. At the time, the then education minister, Jane Lomax-Smith, told ABC radio that it was taking so long for the report to be tabled because they were checking Professor Mustard's work for spelling errors—an extraordinary response to a very fine and respected man when it came to understanding early childhood development.

I think one of the things that stood out from the briefing which Fraser Mustard provided the work-life balance select committee related to something that parents can do, even if they are not qualified to do anything else, to give their kids a head start in their education—that is, read to them at every opportunity and at every occasion.

As obvious as it may sound, when that advice is conveyed to others in a social situation or other situation, people take a step back and think 'Well, that does make a lot of sense.' But I think until people actually discuss it, and are reminded of the importance of reading at an early age, for some reason—and I know we have busy lives—people fail to make that time to sit down with their two-year-olds, their three-year-olds, and read the same book time and time again in order for them to develop an understanding of letters and numbers and colours and other sorts of things at that very young age.

In a speech that Fraser Mustard gave when he was in Adelaide, he described the relationship between the Department for Families and Communities and the Department of Education and Children's Services as being chaotic. That was the word he used: 'chaotic'. I think we have seen with the Cossey report that was released in May, that it found a similar relationship between the department of education and the police as being non-existent.

It is interesting that a program was set up in 2008 at the Hindmarsh building on Port Road for the special unit put together to deal with bullying in schools, and Bill Cossey was very critical of the way in which that unit was treated. It received budget cuts in 2008. It was set up in the early 2000s to develop a relationship between the department of education and the police, dealing with bullying and other matters in school. Then there were budget cuts in 2008 that saw that unit move to central office, Flinders Street.

Once that happened, the two seconded police officers were withdrawn from the program because they felt that there was not the support from the department. It is very clear in Bill Cossey's report that that was a concern, and there was no memorandum of understanding between the police and the department of education in how to deal with such matters. As a matter of fact, we are still seeing, even though that report has been around for almost six months, that there is a lack of coordination and process in reporting such matters in our schools.

In conclusion, while the legislation that we are debating today is generally supported by the sector and the opposition, there are questions surrounding its implementation, particularly with regard to new standards and requirements, the cost of providing a service, federal funding, and the impact on private providers and private businesses, particularly the smaller family-run businesses that have been providing these services for many years.

We are concerned about added costs to families. We heard from the energy minister in question time today that we will be seeing an increase of around about 8 per cent—he did not have the exact figure—but he explained an increase of about 8 per cent on power prices for those who do not have solar panels, who are offsetting the feed-in tariff rebates given to those people with solar panels.

We have seen increases in water. I think it is heading for a 400 per cent increase since this government came to office in the cost of delivering water. These increases in water and electricity are on top of increases that have already come into play in other areas. In the last budget we saw a great number of increases. Even yesterday, the minister for education tabled changes to the teachers registration regulations with another 10 per cent increase in the fees for teachers registration. It is interesting that five or six years ago in 2005, it would cost only $62 to register as a teacher here in South Australia. That figure is now $300 to register as a teacher in South Australia. It appears that this government seems to be looking under every rug and rock and behind every corner.

Ms Chapman interjecting:

Mr PISONI: Even a pebble is lifted to find somewhere to raise money for a government that has lost control of its spending. We are very concerned about the impact that will have on families. We know that the costs now are somewhere around $80 a day for early child care and, obviously, grandparents are used extensively. I know not everybody has that luxury of being able to engage the grandparents while they conduct their career, but that is an option for some people.

I am all for families working out their own arrangements, but we do not want to discriminate particularly against working women. I think it is fair enough to argue that, primarily, it is women who are the primary care-givers in relationships. I have often said that for every successful man there is a woman who has made sacrifices, and I think childrearing is one of them. I admire my wife and I admire people like the member for Bragg who have done both. She has had a very successful career and raised two charming young men.

I just hope that, if Alex Hart ever reports on state politics, he is soft on me and not too ruthless as is his reporting in Canberra. We will be going into committee, and there are some questions that I would like to ask during committee. There is also an amendment that I understand the minister has agreed to accept that we will insert and perhaps debate during the committee process. With those remarks, I commend the bill to the house.

Debate adjourned on motion of Hon. J.W. Weatherill.

WORK HEALTH AND SAFETY BILL

Adjourned debate on second reading.

(Continued from 19 May 2011.)

Ms CHAPMAN (Bragg) (16:35): I rise to speak on the Work Health and Safety Bill 2011. My understanding is that this is a bill which the government introduced—

The DEPUTY SPEAKER: Sorry, member for Bragg. I should have asked, and I apologise: are you the lead speaker on this debate?

Ms CHAPMAN: No, I am not.

The DEPUTY SPEAKER: You are not. Thank you.

Ms CHAPMAN: My recollection is that this legislation was introduced in a similar form late last year, in fact, just on the eve of the close of the session. Some consideration was given to the adjournment of aspects of it, given the substantial regulation that needed to be considered or what was proposed by the government to introduce by regulation. The government agreed not to press ahead with the legislation at that point but to consider the opportunity for stakeholders to be fully briefed and fully able to consider its implications.

Because this is a piece of legislation under a COAG agreement for 2008, as I understand it, consistent with the National Partnership Agreement to Deliver a Seamless National Economy that had been agreed, other states have also continued to consider this matter, and I understand that debate is continuing in the federal parliament. There is an aspect that is time sensitive to this legislation: as we understand it, it is to be implemented and effective from 1 January 2012. There has been a considerable amount of consultation, and a number of stakeholders, and industry associations in particular, have presented their views in respect of this legislation.

It is always difficult to undo some of the national COAG agreements or even untangle them, but in essence the COAG agreement is to effectively introduce a national arrangement to which each of the state jurisdictions will commit. Each of the states, however, is to maintain, on an operational basis, the new national regime.

It is also my understanding that, notwithstanding other jurisdictions having passed their legislative commitment to this agreement, so far we have quite a diverse set of qualifications or variations on that theme. I suppose this highlights the difficulty in actually achieving a national scheme where there are, of course, different aspects that relate to different states and what I see always as the potential for the lowest common denominator to be absorbed in a large aspect of the proposed national reform.

I will say that the opposition are very concerned about a number of aspects of the bill, including the control test that applies, the right to remain silent, unions' right of entry, health and safety representatives' power to appoint, volunteer associations, and disallowance in respect of codes of practice. The last point is one where the identification of what these codes of practice will be makes it difficult for us to make a clear assessment. The other items that are major areas of concern will be the subject of amendment by the opposition.

There are groups, such as the Law Council of Australia, who have expressed their disquiet—which I think is an understatement—at the right to remain silent aspect of this bill being pummelled. Whilst the Chair of the Law Council has publicly indicated that they will not be opposing the bill and that there are aspects of this bill, of course, that are worthy of endorsement, this is an aspect that remains a concern.

It is always difficult for any stakeholder, when they appreciate that there is a significant benefit in some or part or even most of a piece of legislation that is foreshadowed, to oppose the legislation based on an aspect that they do not agree to. It is important for us as the opposition to identify where those defects apply and where we may be able to remedy that situation, and it is our responsibility to do so.

Even though the government may say, 'The Law Council or the Law Society of South Australia has signed up to this and other Liberal governments have signed up to it,' it does not mean that this house should accept that it has been done on the basis that there is a wholesale agreement with all of the aspects of the bill. What it usually means—and consistently in this instance—is that the stakeholders accept the majority of aspects of the legislation, but there are aspects that they still remain unhappy with.

Are they prepared to let the whole of the legislation lapse because of it? Probably not, and that is where the government is able to apply significant pressure on them to have the benefit of what is about to be a model bill. If South Australia passes this legislation, it will adopt this bill to replace its own legislation. It will remain state legislation if it is passed, which is important. In the meantime, I indicate that, unless there are significant amendments to this legislation, I will be opposing the bill. I am not the lead speaker, but I am sure that the member for Davenport will very clearly set out our position as the lead speaker on this matter.

I think there are a couple of aspects that are facing risk of even inadvertent capture. One is that volunteer organisations, if they employ somebody for a couple of hours per week to operate a bar for fundraisers or that type of thing, could be the subject of this type of legislation, which would be onerous and unacceptable. Another area that certainly concerns me, because women in the workforce often avail themselves of this, is the opportunity to undertake employment from home.

That is sometimes to ensure they have some work-life balance (as is the contemporary phrase), but essentially it means to be able to undertake duties such as child care, the care of an aged person or a person with a disability, to undertake functions, or to support volunteer organisations in the community—activities, children, schools, etc. These are all important aspects for many women in the workforce to be able to juggle. The opportunity, if the employer is

agreeable, for them to work from home for all or part of their employment duties is an important one.

If, in fact, this legislation were to have the effect that there would be an obligation for employers effectively to be responsible for the safety of that employee when they are operating their work duties in their own home, it would have the direct consequence of the employer inevitably having to undertake some assessment about the safe workplace in which that person lived. So, we would have this absurd situation where someone wishes to work from home, and somebody from their place of employment would need to come to that person's home, inspect the premises and make some assessment as to whether that is a safe place for that person to work—that they cannot trip over toys in the house or that there is some aspect that needs to be complied with—to enable them to operate from home.

I do not doubt for one moment that a direct consequence of this is that employers will say to their employees, 'Look, I'm sorry; this is something that we said we cannot afford to do. We don't actually want to do it anyway. We don't want to go into your home, but we have to protect ourselves from the liability of you being at risk in your own home.' It could be anything: the placement of furniture, the electrical cords not being properly checked, whatever the health and safety aspect, that employee working from home may put the employer at risk of liability. They will have to say to the employee, 'I'm sorry; that is not going to be available to you, and therefore you will have to come to work in our premises from which we operate.'

That would be a major impediment to women being able to stay in the workforce in occupations that they currently undertake at a time when we are very keen to promote everyone into the workforce who has the skills. We have clearly got some very significant skills shortages in this state. That would have a monumental impact on the capacity for these people to undertake their employment.

I would urge the government in due course to listen carefully to the arguments on amendments that will be put, including to protect against this absurd situation that may occur as a result of this legislation being imposed without the amendments that will be sought. With those few words, I am very happy for other members to contribute to this debate, which I will listen to carefully.

Mr ODENWALDER (Little Para) (16:48): On 3 July 2008, the South Australian government entered into an Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety, which committed all jurisdictions to implementing uniform occupational health and safety legislation, regulations and codes of practice before the end of 2011 to be operational by 1 January 2012.

The South Australian government remains firmly committed to the national harmonisation process, and this bill gives practical effect to that commitment by enacting the national model Work Health and Safety Act in this state. The model Work Health and Safety Act was developed by Safe Work Australia, with representatives from employers, employees and government following an extensive national consultation process.

This bill introduces some key principles which are new to work health and safety law in South Australia and which will significantly benefit work health and safety in this state. Some key features of this bill which are new to South Australia are:

- the definition of duty holding individuals and organisations as 'a person conducting a business undertaking' to recognise the diversity of modern working arrangements;
- the provision for union officials with appropriate training, permits and safeguards against procedural abuses to enter workplaces and consult with workers and also inquire into suspected contradictions of the act;
- the introduction of enforceable undertakings as an alternative to costly prosecution and litigation when there is a breach of the act;
- the introduction of a mechanism for the internal review of decisions of inspectors in relation to a range of matters; and
- increased penalties for breaches of work health and safety duties.

The definition of the primary work health and safety duty holder in the bill is a 'person conducting a business or undertaking' (PCBU). This definition recognises that modern working relationships do

not necessarily always take the form of a contract of employment. As well as this, the definitions of a worker and workplace have been changed to reflect the more contemporary nature of work beyond the traditional employee and employer relationship. This will ensure that protection is provided to workers wherever and however they perform work.

These expanded definitions will provide clarity and certainty for businesses and workers about their rights and obligations under the act. The concept of a person conducting a business or undertaking will provide greater certainty about workplace duties by removing the ambiguity around the responsibilities of different business operations, such as contractors, franchisors and labour hire companies. Importantly, the concept of a PCBU does not extend to a person's private or domestic activities or to volunteer associations as they are defined in the bill.

In relation to volunteers, the bill reduces the legal obligations placed on voluntary organisations and provides greater clarity about their occupational health and safety responsibilities. Under the bill, volunteer organisations will only have duties if they employ workers. Unlike South Australia's existing Occupational Health, Safety and Welfare Act, the bill does not require the appointment or training of a responsible officer.

The bill provides for union officials to have a limited right of entry to workplaces for the purposes of investigating a suspected contravention of the legislation, or for the purposes of consulting workers who are either members of the union or entitled to be members of the union. These particular provisions are new to South Australia; however, the right of union officials to enter workplaces for industrial relations purposes is an established feature of local workplace relations legislation, and right of entry for occupational health and safety purposes is also an established feature in all other mainland states. In particular, unions have a right of entry under both the commonwealth Fair Work Act and the South Australian Fair Work Act 1994.

Enforceable undertakings will be a new feature in South Australia's occupational health and safety legislation. An enforceable undertaking is an agreement which may be entered into by a person conducting a business or an undertaking and the regulator when the regulator is contemplating prosecuting the PCBU for a breach of the act. However, enforceable undertakings will not be considered for the worst category of offence under the act (a category 1 offence).

In an enforceable undertaking, the person conducting a business or undertaking can agree to take certain specified steps to rectify the alleged breach or improve the occupational health and safety performance in their business or undertaking, or otherwise take action that will be beneficial to occupational health and safety. Enforceable undertakings are an alternative to prosecution. They are seen as a departure from the traditional punitive approach of prosecuting for one-off or unlikely to be repeated events, providing a responsive and timely sanction that can form part of an effective enforcement strategy.

Enforceable undertakings have been used successfully in other jurisdictions as an alternative to costly prosecution of litigation. Importantly, an undertaking made by a person is not an admission of guilt, and it gives the regulator an additional tool to ensure compliance. These undertakings have the potential to alleviate concerns about the impact of legal proceedings on small business, workers and victims' families.

Small businesses, for example, will have the opportunity to suggest that they enter into an enforceable undertaking with the regulator instead of facing the prospect of expensive litigation. Enforceable undertakings will also give victims' families the chance to see justice done more rapidly than undertaking a potentially lengthy proceeding in the judicial system.

Under the bill, penalties for a breach of work health and safety duties are higher than the current penalty regime. Higher penalties are being introduced as part of the national harmonisation process, with the quantum of penalties set in the model legislation developed by Safe Work Australia, following the National Review into Model Occupational Health and Safety Laws and a national public consultation process. The extent of the penalties reflects the importance that this government, as well as other Australian governments, attach to workplace health and safety.

To ensure fairness and accountability in the conduct of the functions and powers of work health and safety inspectors, in another new feature, the bill provides a mechanism for internal review of their decisions in relation to a range of matters. The bill provides for an internal review in relation to a number of prescribed decisions by work health and safety inspectors. Following an internal review, a decision of an inspector is capable of external review by application to the Industrial Relations Court of South Australia. This external review will be conducted by a review

committee similar to current practice in South Australia. The capacity for an internal review of an inspector's decision is new for South Australia.

This bill will also be complemented by regulations and codes of practice. These will provide further clarity on how to meet obligations in practice and will ultimately help reduce the cost of workplace injury and illness to businesses and workplaces. I am advised the bill was developed following extensive local consultation with business, employer and union groups. This local consultation occurred through the SafeWork SA Advisory Committee which comprises representatives from key business, employer and employee groups including Business SA and SA Unions. Other employer and business organisations were also kept actively involved at all stages of the drafting process.

It is vital for South Australian businesses and workers that all jurisdictions enact this model legislation to deliver consistent harmonised national work health and safety legislation throughout Australia. It will benefit business, provide strong protection for workers and help reduce even further the tragedy of workplace injury and death, which is an important objective for all South Australians.

Mr HAMILTON-SMITH (Waite) (16:56): I rise to speak against this bill. I am not the lead speaker; my friend the member for Davenport will speak on behalf of the opposition, but I want to make a brief contribution. I want to remind the proponents of this bill of the economic climate faced by this state and by this country at present. I want to start by reminding members opposite that the world is going through a global financial crisis which is heading in unforeseen directions. I want to remind them that, as we sit here debating this matter, Europe and the United States burdened by debt may well be on the cusp of another round of bank defaults and credit crises that could spiral out of control very quickly and have rapid consequences for Australia and for our markets. We are in very uncertain financial times globally at present.

Nationally this is flowing through to a wind down in economic activity. The Treasurer would be well aware—and I am sure that Treasury advisers are telling him—that he may be facing decreasing revenues as a result of wind backs in GST revenues and losses through our investments as a result of drops in global markets. This is not a time to be burdening businesses with further red tape and regulation. This is not a time to be pushing up the cost of housing and construction through compliance costs by having to meet a new raft of occupational health and safety changes in the name of 'harmonisation'.

I draw the house's attention to the Royal Commission into the Building and Construction Industry 2002 report by Terence Cole where he talks about the misuse of safety issues for industrial purposes. I remind them of this passage on page 97 of his report:

> During my meetings with some of the leading participants in the industry, I was told that occupational health and safety is frequently used by unions as an industrial relations tool. Many participants said that abuse of occupational health and safety concerns is a major issue in the industry. Many participants commented that safety matters are frequently raised by union officials whenever an industrial issue arises on a site. When the industrial relations processes have been exhausted in trying to resolve a dispute, safety issues are raised by the union. One reason for this, it was suggested, is that safety stoppages provide paid strike time, whereas industrial strikes do not.

On page 108 of his report, when he attempts to define the issue, he repeats:

> Occupational health and safety is often misused by unions as an industrial tool. This trivialises safety, and deflects attention away from real problems. Unions have a legitimate interest in the safety of their members. This should not be altered. However, the scope for misuse of safety must be reduced and if possible eliminated. There must be a proper mechanism for identifying, isolating and safely resolving real questions of safety, preferably co-operatively with the workers and managers directly involved, but if necessary with the aid of a responsible occupational health and safety authority.

This report makes the point that the best way to resolve occupational health and safety is for business and workers—with the assistance of their union, by all means—to work together on reducing safety risks at work. It is not by introducing a new layer of compliance costs through legislation and associated regulation that will burden business down. This is the wrong time to be introducing a new raft of regulatory requirements through which businesses must hurdle.

I have just spent the morning talking to business groups and industry groups, ranging from the construction industry through to the retail industry through to metal prefabrication through to property developers—the lot. They have a simple message: their businesses are all struggling. In country businesses, employment is under stress. Their turnovers, particularly in the last year to two years, are at risk, and almost every one of them talked about having let workers go and having to

cut back costs. In particular, they are having trouble competing with emerging economies like China. In particular the steel industry and the prefabrication industry are struggling to compete.

We have just had Göran Roos, the government's Thinker in Residence, reminding us all that we have to change the way we are doing things, and one of the points he makes is that here in Australia our businesses are not only facing much higher labour costs than in emerging economies, they are not only paying far more taxation in many cases than in emerging economies (both state and federal), but they are burdened by overwhelming compliance costs. They are having to comply with burdensome environmental constraints, all of which arguably are necessary.

You can argue until the cows come home about how clean and green you want to be, but the trouble is that, if your competitors are not doing that, you are at a competitive disadvantage. We have already had the remarkable news that apparently—I think it is the new department of the clean and green—the new department of climate change or whatever is ordering its steel or its aluminium from China, from a smelter where there are no environmental constraints because it is cheaper. Hello? The more burdens you put on business, the more they will struggle to survive, and these occupational health and safety compliance costs are yet another example of hurdles over which industry will have to jump.

Sure, you can justify many of these if you look at them in isolation, but they all add up to an equation. I understand—and my friend the member for Davenport will explore this during the committee stage—that one of the consequences of this is that we will be fencing off every individual house as we build, rather than fencing off the estate. That is the concern from industry: that we will need new scaffolding, new fencing, new this, new that.

It is up to the proponents of this bill to argue that it is necessary. It is up to the proponents of this bill to show us how many deaths, how many injuries and how many catastrophes are occurring out there that warrant this sort of burden on industry. You will never eliminate all safety risks from the workplace. You can triple or quadruple the burdens you put on industry with compliance to the point where they just close up shop and go broke, if you want to, in the name of safety. You will never eliminate it totally. It is a matter of striking a balance.

This bill is full of red tape, and I must say that I am startled that it has got as far as it has. Obviously it is being pushed by a federal Labor government with the support of state Labor governments but, sadly, I see it is also being picked up in varying forms by Liberal state governments in one way or another. I must say that I am very surprised that industry groups have not been more forceful in their opposition to this bill. I know some have come out opposed to it lock, stock and barrel; others have come out and sought that it be amended but have basically caved in.

I suggest to them that their members may discover in a few months or a few years from now, when they try to comply with the costs being put upon them in this bill, that they are very unhappy with their industry association for not having more earnestly fought this, because a lot of builders, a lot of people in the construction industry, a lot of people in the manufacturing industry and in other industries who will have to comply with this, because they are family businesses, do not yet understand what this is going to mean for them. Boy, they soon will when it becomes law! They soon will.

By then it will be in place and it will be too late. When the unions come knocking, demanding right of access, and when some of the more punitive issues in this bill hit home, it will very much be bought home to them that there is a bill to pay. Let me just point out to the house some of the comments that have been made about this measure. Let me talk about the view of the Housing Industry Association. They are very concerned about it. They argue:

> The proposed legislation will be dire for South Australia. It will increase red tape and reduce housing affordability. It will not improve safety.

Now, this is the association representing the industry sector. Is anybody listening to them? We have been told that there has been exhaustive consultation. They say:

> It will hurt South Australian businesses and undermine the state economy at a time when business activity is decreasing, and unemployment is increasing.

Is anybody listening? They say:

> History shows that the state economy generally grows when the construction industry is vibrant. The industry employs approximately 50,000 people in this state alone and accounts for over $4.4 billion of economic activity.

The Housing Industry Association advises that:

This bill will hurt homeowners and exacerbate South Australia's worsening housing affordability crisis. Preliminary estimates show that this legislation will increase a single-storey home by $14,250, and $20,900 for a double-storey home.

So what the government is doing by introducing this bill is condemning home-owners to an additional cost of up to $21,000 for the construction of their home. I bet they argue that the housing industry has it wrong—'They don't know how to add up. What would they know? They are just the industry body representing the builders. We'll just dismiss that.' Well I put it to you, Madam Speaker, that the Housing Industry Association's dire predictions will be delivered by this bill. The industry says:

The government has still not provided all the codes of practice (there are 23 still to be released). Therefore it makes no sense to consider the bill without knowing the entire picture and ramifications for all South Australians.

I must say that I agree with them. Has anyone spoken to the Australian Hotels Association? They are very concerned about this legislation, and I am sure the member for Davenport, as the lead speaker on this bill, will go through the reasons why when he puts forward the amendments. They consider the bill:

...will be a significant impost on Small Businesses which constitute approximately 70 per cent of venues covered by the AHA, i.e., less than 50 employees.

We believe the offence and penalty provisions, as contained in the act, and linked by the regulations, will be burdensome. Of particular concern, there are significant increases in the penalties to be applied to an officer—a person conducting a business or undertaking—and a body corporate, for each of the three categories of offences.

The implementation of the model Work Health and Safety Legislation will require a significant information and education campaign...

The establishment of the Federal Modern Award system in the Industrial Relations Jurisdiction, bringing over 4,400 Awards into 122, had been introduced with a five-year transition period...yet this bill does not provide for such a transition period.

Let's talk about the Independent Contractors of Australia; they, again, are very concerned about the bill. Now the industry acknowledges there are some advantages in the bill. They state:

For example, it:

- Ties work safety responsibilities to what is 'reasonable and practicable'.
- Ensure the presumption of innocence.
- Gives power of prosecution only to SafeWork SA (the designated regulator) or an inspector authorised to do so, with a fall-back advisory role for the Director of Public Prosecutions.
- Has a layered worker and union consultation process with checks and balances.
- Has a layered approach to compliance, starting with cooperation and building to enforcement.

However, the [model] bill fails significantly in that it will diminish both safety and criminal justice in South Australia.

Safety because it:

- Creates confusion over who controls workplaces and hence who has safety responsibilities. This is because of the introduction of the previously unknown concept within the OHS legislation—namely, 'a person conducting a business or undertaking'.

Business SA makes the same observation. Has anyone spoken to them? I hope so. It continues:

This new, non-defined concept supersedes 'control' as the central identifier of who is responsible in workplaces as currently exists in South Australia. The behavioural consequence will be that people at work will be unsure about responsibilities—potentially weakening the focus on safety. This is a risk that should not be taken.

- [The bill] waters down the importance of codes of practice when compared with the current South Australian Act.

[The bill also lets the community down on] criminal justice because it:

- Removes the right to silence and protection from self-incrimination—key rights under criminal law currently available in the South Australian OHS Act.
- Enables OHS authorities to seize businesses and the property without due process—something that is not a feature of the current South Australian Act.

The contractors identify four flaws:

Flaw number One: The Bill introduces and applies a previously unknown concept…[that is] *a person conducting a business or undertaking*

A significant point.

Flaw number Two: the Bill waters down the importance of codes of practice…

Flaw number Three, the Model Bill removes the right to silence and protection from self-incrimination—key human rights under the criminal law…

Flaw number four: the Model Bill enables OHS authorities to seize businesses and their property without court oversight.

Has anybody spoken to the Master Builders Association of South Australia? Okay, so they are enthusiastic about the bill and cannot wait for it to be introduced, I gather. I see staff nodding from the sidelines. Well, that is not quite what they have told other MPs in this place. They are very concerned about a host of matters to do with the bill. Again, I am just startled that the opposition to the bill has not been even more strident.

There are major areas that need addressing in this bill: the control test, the right to remain silent, the issue of a union's right of entry, health and safety representatives' power to appoint, how it will affect volunteer associations, and what it means for codes of practice. My friend, when he speaks as the lead speaker, will pick up those issues and the opposition will move amendments, and I will leave him to talk about those issues. I simply want to begin to wrap up by saying that the timing of this is wrong, given the current global national and state economic position.

This is not a time to be burdening business with new regulatory imposts and new costs of compliance which, as the house has just heard, risk putting up the cost of housing by up to $21,000 for a double-storey dwelling. It is the wrong time to do this. Second, I think it is another piece of Labor legislation that has been made without a full understanding of the needs of small business and family business, without a clear understanding of the pressure those businesses are experiencing at the present and how this sort of thing burdens them down.

These sorts of pieces of legislation are just a breeze for government officers to dream up; they really are. They are just a dream for union officials to dream up. They are just a dream for ministerial advisors to tinker with—those who are on secure incomes from their union or from the government doing what, in many respects, seems principled and well worthwhile. But, I can tell you, as someone who ran a small business, who had six business sites in two states and 120 staff, you get into the habit of going to the mailbox and, if it is not a cheque, you put it in the pending tray.

When you are filling out your superannuation returns and sending off cheques for that; when you are filling out your WorkCover forms and sending that off; when you are paying your bills; when you are dealing with your payroll; when you are dealing with your customers and trying to keep them happy; and when you are dealing with hiring and firing and the many employment issues—things that most people in the Labor Party have never heard of because they have never, ever had to do it—some have, but very few. They have spent their whole lives characterising business people as evil people who go around ripping people off, and killing and injuring workers. What a load of rot. A lot of this sort of legislation typifies that twisted thinking.

It may shock them to know that the vast majority of employers want their employees to benefit from their hard work and successful business as well, that the vast majority of employers want to reward them and pay them well for productivity improvement. The vast majority of employers want to run a happy and safe work place and want to deal with all the potential risks to health and safety in a cooperative way and they can do so generally without the interference of the union, which may surprise and shock union members. There are very many happy worksites where the union just gets in the way.

That is not to diminish unions. I am not an enemy of unions. In many respects, they perform a valued role and in many worksites their role is important and critical. However, this will empower unions that do not need to be empowered, create new levels of bureaucracy that are not needed and create new compliance costs that small businesses at this particular point do not need—with some tangible benefits but very few when you look at the costs and imposts that this bill will prescribe. I am not a fan of this bill.

The Hon. I.F. EVANS (Davenport) (17:16): I indicate that I am the lead speaker on this particular bill, and I thank my colleagues the members for Waite and Bragg for their contributions. I want to indicate that the opposition has a number of amendments that will be dealt with during the committee stage and, if the amendments are not successful, we will be dealing with the legislation in the other place and seeking to amend it in the other place or, indeed, defeat the legislation.

I come to this legislation in a rather unique position. I think I am the only person who comes from the building industry within this chamber, with a degree in building, with a brother who is a plumber and another who is a carpenter, and a nephew who is a carpenter. I ran my own building business, with my family, prior to entering this place, so I think I have a reasonable understanding of the impact of occupational health and safety and, indeed, the importance of occupational health and safety laws on industry, and particularly that industry. I also ran a small business in relation to retailing, and there are different issues about occupational health and safety in that area.

However, there is one thing that is absolutely crystal clear with this legislation: this legislation is going to put up the cost of housing in South Australia. There is nothing surer than that. The problem the government has in relation to this legislation is it simply has not made a case as to how this legislation actually makes the workplace safer and reduces occupational health and safety injury.

There is not one report that has been supplied to the opposition that indicates that there will be guaranteed fewer workplace injuries, or even an indication of fewer workplace injuries. There has been modelling done at the federal level, which I will come to, which talks about a regulatory impact statement and possible savings due to reduction in duplication.

I will come to that in a second, because the reality is the intention here of the Labor government to harmonise these laws has become quite farcical because the one certain thing out of all of this is there will be a different set of laws in every state. There will be a different set of laws in every state regardless of the government's intention to harmonise the legislation.

Queensland has adopted the legislation. A single house of parliament, of course, whacked it through, no doubt with a lesser level of scrutiny than this bill is about to get in this chamber. New South Wales amended the bill to make it more union friendly, so there is a different set of clauses in the New South Wales bill from what is in this bill. The Western Australian government has basically parked the bill for a few months. They want to do some more work and their own modelling on exactly what it is going to do. The Victorian government have parked it; they are doing a similar thing to Western Australia.

So, this is an attempt to harmonise the laws, but there are two things that are guaranteed to come out of this, in my view. One is it will be more expensive to conduct a business in South Australia after these laws are in than before these laws were in. Secondly, the laws will not be the same in every state. They will not be harmonised in every state. It has been a long process since, I think, the middle of 2008. It has been a long process to achieve non-harmonised laws.

The issue about the cost saving, I think, is a very relevant one. I pick up the point the member for Waite makes in relation to the costs of business. At some point, the parliament has to stand back and say what level of red tape and what level of compliance costs we are putting on industry and how we actually expect them to deliver a cost-affordable product to the consumer when there is this level of compliance.

I come from the housing industry, so I will talk a little bit about the housing industry because I have some intimate knowledge of that particular industry. Let me make it clear that our business started with three people—three brothers in one car. So, we were a microbusiness. We started as a microbusiness. The cost and responsibility on that style of business through this legislation would be prohibitive. The codes of conduct that the industries are asked to look at and apply by are interesting.

Mrs Geraghty: Are you displaying something, Iain?

The Hon. I.F. EVANS: I am not displaying it. I am just getting out the codes of conduct, ready to speak to them, member for Torrens. I think it is important that the house realises exactly what the burden is that they are putting on business. There are codes of conduct that industry are going to be required to comply with. There are going to be codes of conduct that businesses are going to be required to comply with.

For the government to stand up and parrot that it has consulted the industry about these particular issues is a nonsense. It is a nonsense. The reality is that there has been some consultation on the issue of the legislation proper. There are 600 pages of regulation that are sight unseen—600 pages of regulation. Then, there are over 5,000 pages of codes.

I had a family function the other night and I asked my brother, who is a plumber and has four or five people who work for him, 'Are you aware of this? It comes in in 10 weeks.' Now, he has

only been in the industry for 35 years, so he is pretty well connected to the industry. He knew nothing about it.

My great concern is not for those industries that are large enough to be involved in the industry associations because they have at least had some contact, I suspect, through their industry associations. The real concern is for those micro and small businesses that are not involved with those industry associations. They are going to get ambushed. They are going to get ambushed by an increased cost, they are going to get ambushed by increased regulations, they are going to get ambushed by increased liabilities, they are going to get ambushed by increased penalties and they are going to get ambushed by 5,000 to 6,000 pages of codes, 600 pages of regulations and a brand-new law—all in the great hope that the laws can be harmonised Australia-wide.

Let me talk about harmonising laws Australia-wide for a second. I think the parliaments need to start thinking about exactly what they are doing to the unsuspecting public out there in the great call for harmonisation. Let us have a look at what has happened in the great call for harmonisation. There was the harmonisation of industrial relations laws, which has resulted in the penalty rates for the catering and retail sectors to go up to 250 per cent. As a result, businesses simply are not opening when those penalty rates apply.

So, there has been an increased cost to businesses or a restriction of their trade as a result of that particular element. Apparently it was very important that the barber shop in Bundaberg has the same rules that the barber shop in Bunbury or Blackwood has. However, the increased cost is massive on the single-state operator business. Other legislation that is currently before the house is the new education and childcare regulations, which will put up the cost of childcare fees 25 per cent as a result of national harmonisation. Again, it is an extra cost burden.

Then there is this legislation. In the interests of national harmonisation, we are going to see in the case of my industry, according to the Housing Industry Association, the cost of housing put up $20,000 for a single-storey house and closer to $30,000 for a double-storey house. There is not anything different in the house, just increased cost compliance, all in the great hope that we can harmonise the legislation. To what end benefit?

Surely, if you are going to change the law, particularly about occupational health and safety, it should be about either increasing compliance, reducing costs or improving safety. Nowhere in 5,000 to 6,000 pages of codes, 600 pages of regulations, the legislation, the regulatory impact statement put out by the commonwealth government or any document given to the opposition does it meet those three tests.

We are now in 2011. This started in 2008. I think it actually went back further than that. They signed off in 2008. I think there were press releases around in 2007 or 2006. The state government has had at least three years to do its own economic modelling of what this would do to the price of housing, the employment impact and all those things. There is not a document that the parliament can be given to show what the impact will be on employment, cost compliance or worker safety outcomes, but we have to vote for it, if you believe the government, because it will harmonise laws. There has to be a better argument for a change than to simply say, 'We are going to make the laws harmonious.'

There is an issue for South Australia, and South Australia in particular. That is, if we continually go down the path of trying to make ourselves the same as the rest of Australia, we are going to lose our competitive advantage. I can remember as minister for industry and trade that, in the glory years, many decades ago, we used to go to the eastern states, plunder their business and try to attract them to South Australia, based on our lower cost of living, our better industrial relations record and our better workplace safety record, and businesses would come and invest in South Australia.

What is happening in the chase of the great white hope of harmonisation is that we are trying to make ourselves the same as the rest of Australia. That ultimately narrows our competitive base and the tools of competition, which is to our disadvantage. If the cost structure and the occupational health and safety structure—the tools of competitiveness—are essentially the same in every state then businesses are more likely to locate next to their biggest market, and we are not the biggest market for most industries.

We are undermining our competitiveness long term. We are undermining our competitiveness long term in the great hope of harmonisation, and that is what we are doing—that

is exactly what we are doing. The reality is that the push for harmonisation is, ultimately, slowly but surely undermining South Australia's competitive position going forward.

Let me talk a little bit about the housing industry. If people want to know why the cost of housing is going up, go straight to the words of cost compliance and regulation. The issues that have been put onto the housing industry over the last two or three years are adding significantly to the cost of housing, but is there a measure of that within this bill? Is there a document looking at that to ask what this will actually do to the first home owner or to the person seeking social housing? There has not been an analysis of it.

Look at the housing industry. First of all, state Treasury, under treasurer Foley, has started to apply (I think the number is circular 34, which is to do with payroll tax and contractors) in a very aggressive manner. I raised it with the Treasurer, saying, 'You do realise that some builders have actually stopped trading as a result of the approach of Treasury. Some builders are actually getting fined more than $300,000 as a result of this. There needs to be some clarity around the interpretation of this particular circular, so can we have a look at it?' The response was, 'Bad luck; if they are dodging tax they deserve to have the penalty.'

I then went to the Economic and Finance Committee and said, 'There is a problem here. You're putting builders out of work.' The reality was that in the Economic and Finance Committee my colleagues from the other side said they had no complaints and that they were not going to deal with it. There is a cost compliance issue in relation to the treatment of contractors and payroll tax.

Then you go to the federal government: it has just informed the building industry that they are going to make things even more difficult for the building industry. They have introduced a new provision that goes to the whole issue of these costs and OH&S. The proposed new government policy on independent contractors threatens the livelihood of the industry. What they are going to do is ask that every single contractor who makes a payment to another contractor has to notify the Australian Taxation Office. Think about that—every contractor in the building industry, and there are a couple of them.

The Australian housing market is built on the subcontracting system. That is why Australia has had, up until recent times at least, a relatively cheap housing system. What they are doing federally now is asking every contractor to notify the tax office—and you will be penalised if you do not—of every single contracting payment. So, they have got the payroll tax issue at the state level, they have got the contracting issue at the federal level and then, just to help them out, this government and, indeed, the federal government and governments all around Australia are considering bringing in 5,000 pages of codes, 600 pages of regulation, and a new bill that will push up the price of housing by $20,000 for a new house and $28,000 for a two-storey house. I know that my colleague needs to speak to another bill, so I have an agreement with the government that I will pause my contribution and seek leave to continue my remarks.

Leave granted; debate adjourned.

EDUCATION AND EARLY CHILDHOOD SERVICES (REGISTRATION AND STANDARDS) BILL

Adjourned debate on second reading (resumed on motion).

Mr HAMILTON-SMITH (Waite) (17:35): I want to make a contribution to this bill. I commend the minister for his commitment to early childhood education, but I must say that I have some serious concerns about this bill, and there are a number of things that I would ask the minister to address and clarify when he responds to the second reading or during the committee stage.

I remind the house that, prior to coming into this place, I was in the childcare business. I had six businesses in two states and employed well over 120 childcare workers, teachers, handymen and cleaners. My family has had a long involvement in early childhood and in private childcare, my mother having been a pioneer of the industry going back to the late 1950s, having opened the first private childcare centre in the state in the 1960s. She was involved in the very early foundation of childcare centre regulations in the early 1970s with successive governments. So, my contribution comes from a background of having grown up in a childcare centre to a certain point and also having been—through family and directly—involved in its day-to-day operations.

I have also been the state president of a childcare industry association, the national secretary of a childcare industry and the editor of a national childcare industry magazine, the *Australian Confederation of Child Care*. I have been involved in lobbying federal and state politicians of both parties on many of the issues addressed in this bill prior to coming in here. So I

speak with some knowledge of the matters in this bill; therefore, I hope the minister will note the concerns I raise.

I am surprised and in some ways a little disappointed that there has not been more strident opposition to this measure from the industry itself. It is a divided industry in the sense that early childhood services are provided in some cases by state government-owned operations and even state government kindergartens that are funded wholly from within the education department budget. They are in some cases run by councils, by not-for-profit organisations, by church groups and by the private school sector. In some cases—in fact, in many cases—they are run by the private sector, largely by mum and dad type operators who, as part of a family business, offer private childcare and early childhood services to customers.

I am not sure what the current ratio is in South Australia but, some years ago, the private sector had over 50 per cent of the business. Nationally, it was a far higher percentage. So, I am particularly focused on how this measure is going to affect the private small business sector of early childhood education and private childcare centres. On reading the bill, I note that the terms 'long day care' and 'private childcare centres' do not seem to be there, particularly in the definitions stage. Maybe the minister can correct me on that if I have missed something, but I am assuming that the bill picks up the long day care centre and the private childcare centre sector in its entirety, and I am addressing it on that basis.

I think some clarity on that in the bill would be helpful because, as I mentioned, when you look to the definitions, for example, they are not completely clear. A 'school' means 'a provider of education services' and, when you turn to that sector, 'early childhood services' (and it is in clause 4) talks about in-home care, occasional care, rural and mobile care, family day care and any other service declared by the regulations. So, I am presuming that it is the regulations that are going to prescribe long day care and private child care as falling under the ambit of the act.

I want to start from basic principles. The childcare industry emerged in this state because there was a need for working mothers to access child care. There were a whole lot of reasons for that. They were in the workforce. In some cases, they did not have access to grandparents or to extended family assistance in child rearing and they needed professional help. In other cases, they were single mums and they were on their own. There were a whole host of reasons why families, women in particular, needed child care.

It was often to help them enter the workforce and remain in it, either on a part-time or a full-time basis. On other occasions, it might have been respite. On other occasions, it might have been because they were involved in voluntary work or it assisted them to simply cope with whatever difficulties they were facing, but the aim was to provide child care. Over time, things have changed. The focus of government and the focus of this bill seems to have shifted now to the main focus being early learning, teaching and educational outcomes for the children.

Now all that is fine—that is important—but let's not lose sight of the fact that there are tens of thousands of working mothers out there who need access to cheap, affordable, high quality child care as well. Let's just be realistic about what you can teach a baby aged three months and six months old (0 to 2). Let's just be realistic about the extent to which you can even educate a toddler. We have a kindergarten system for children aged four to five (pre-entry to school) but we need to be realistic about the prime object the family is seeking when they access child care.

I put to the house that it is cheap, high quality child care that they seek, not necessarily expensive unaffordable early learning outcomes, and there needs to be a balance. If there is a concern I have with this bill, it is that it may not reflect that balance. Why would I say that? Let me remind the house that it is not uncommon now for a young mother to be paying $80 a day for child care.

When I left the industry as a proprietor shortly after coming into this place, it was something like $30 a day. In that time it has risen to $80 a day. There are varying prices but, if you multiply that by five, we are talking about an awful lot of money—$400 a week. My advice is that what this measure and the regulations that come with it will do—and there has been some media coverage of this—is put that up by anything up to 20 per cent. It is $480, heading towards $500 a week, to access child care for a mother. If you have two children, that is $1,000 a week before tax. You have to pay for that after tax. How much do you need to be earning to make that exercise worthwhile?

It is true that through the childcare assistance system—an invention of federal Labor, by the way, when it sought to involve the private sector more fully in this industry in the early 1990s—many low income earning families and mothers will have that fee ameliorated to some extent by

childcare assistance payments. But the people who will be hurt here are the couples who on both their incomes are means tested out of childcare assistance support.

If you have a mum and dad both earning $50,000, which is not a lot of money, their joint income is $100,000; they are not rich. They are not rich, but they will be means-tested out of this. If they do not have access to grandparents (because, for example, they are from New South Wales or Victoria and they have moved to South Australia for employment) and they do not have immediate family support and they need affordable high-quality child care, where do they go?

These sorts of measures push up the cost of child care. What is the result? I will tell the house what the result is. Many of those families just cannot afford it, so they go to backyard care. They go to a neighbour or a friend or someone they know who, over the back fence, can look after the kids for $100 a week or $40 a day instead of $80.

The kids go into backyard care where there is no child to staff ratio, where there are no safety fences, where there are no regulations that govern things ranging from food to clothing to air conditioning to safety arrangements, where no one knows who drops in during the day—the carer's boyfriend, the carer's adult children, the neighbours for a cup of tea—where there are no safety constraints or protections for the kids.

That is where the kids finish up when costs of child care become prohibitive. They are already prohibitive at $80 a day. I have read the bill and I note that it does not talk about ratios of staff to children. It used to be (and I understand it still is) for babies nought to two, one staff for five, and for children two to five, one staff for 10. I understand—and the minister might be able to clarify this—that we will now be going to a national standard which will see the ratio of staff for babies reduced either to three or four.

The Hon. J.W. Weatherill: Four.

Mr HAMILTON-SMITH: Four, and there will be a new ratio for toddlers and then a new ratio for kindergarten-aged children. I believe it is going up from 10 to 11, but the overall effect will be that childcare centres have to hire more staff. They cannot get them at the moment because there is a lack of qualified staff. They will now have to hire teachers on teachers' award rates. All of this is pushing up the cost of child care and it is the regulations that will come out under this bill that we have not been given during this debate that will be the poison, as they were under the 1972 act. Those regulations, I can assure the house, will be scrutinised tightly by me and by the opposition because they will be the poison.

It is easy to get up and talk about the need to lift the quality of child care. I would argue, and many in the industry would argue, that under the national accreditation scheme and the state regulations, we already have one of the best standards of childcare centres in the world. It has been world-class for decades. It is fantastic but, in the pursuit of perfection, we risk pushing up the cost of child care for city families and for country families—because this is as much a problem in remote and regional country towns as it is here—to unaffordable and unsustainable levels, and that is the poison in this bill.

I am startled that there has not been more opposition to it, but I can understand why. The government-funded sector is not going to complain about this regulation because it is paid for by the taxpayer. In fact, we are diverting tens of millions of dollars out of high school and primary school education into early childhood services. In some other states like Queensland they rely on the federal government through child care assistance to pick up much of that expense and pay far less out of their education budgets.

We are denying high school and primary school education because of the need to fund from the education budget early childhood services, because we have taken on more of that burden from the commonwealth. I think the commonwealth is laughing all the way to the bank because we are using state government revenues to subsidise in many cases early childhood services that it would otherwise, by COAG agreement, have to more fully fund. That is a structural problem that I think we need to address.

I know the minister will argue that this is so important; all the research shows that education of children nought to eight is so important. I agree with that. I know the minister will say, 'You can never do enough to lift the standard of child care and early childhood services, and it is all crushingly important,' and I agree with that. I know the minister will also say, 'The greater the ratio, the fewer children to staff, the better things are.' Well of course that is true.

It is like the speed limit argument: you could drop the speed limit to 10 km/h and you will have far fewer crashes, but no-one would be able to get to work in the morning. You could lower the staff ratio so that there was one staff to one child; childcare could cost $2,000 a week, and no-one would use it. It is a balancing act, and I am not confident that this bill has the balance right, and that is without having seen the regulations which, as I said, are the real meat in the sandwich.

So Madam Speaker, I ask the house: do we need this? Do we need this? It is up to the proponents of change to argue their case. Unless there is a tangible benefit—before we push up the cost of child care and early childhood services to unsustainable levels, the minister must make a case and convince the house that the benefits outweigh the disadvantages.

The disadvantages are clear: $480 or $500 a week after tax for a single mother, or a working mum, or a young family just to access high-quality child care. If you have two kids, it is just impossible. That is what we are doing here, in the pursuit of excellence. It is already excellent. We are in the pursuit of perfection here, and all in the name, again, of harmonisation and national standards. Earlier we were debating the occupational health and safety rules all in this pursuit of some magic harmonisation, and I just wonder whether it is worth it.

Perhaps we should stick with our own regulations, and if it means accessing high-quality, affordable child care is a little cheaper for South Australian families, well wouldn't that be good? Let the other states run off and pursue some dream, and force kids into backyard care because their parents cannot afford to take them to a childcare centre. There is no point in having the childcare centres foreseen in this bill if no-one can afford to use them; it is as plain and simple as that.

The publicly funded sector of childcare is not complaining about the act. The community-based sector frequently receives government funding either from local government, from the federal government through the child care assistance scheme, or through other means. Often, their sites are partly subsidised—they might be on council land. Often, they are exempt from certain tax burdens that the private sector have to pay. They are not complaining that stridently.

Even the private school system will not complain that stridently about this, as they already have the land. They are able to transfer costs from their primary and high school operations into their child care system to subsidise the childcare centre operation. They are also cherry-picking those parents who can afford to pay these sorts of fees, because they already know that they are going to send the kids, once they have finished child care or early learning, into that private primary school, and they are geared to pay.

The people who are going to hurt are those who cannot afford private school education for their kids, but they are not eligible for the full amount of child care assistance, and that is the vast majority of families that we represent. They are the vast majority of families in marginal seats in Labor-held areas, I hasten to add. I just bring this to the attention of the government, because I can tell you that, when those fees go up as a result of these measures, those parents are going to be writing to us, and they are going to be writing to marginal seat members.

This is a very dangerous bill from the point of view of the impact it will have on working families and their ability to access affordable, high-quality care. Even worse than that, it is actually a risk to the health and safety of children. Why is that? Because, as I have explained, as parents find that they are unable to afford this perfection we are pursuing, the kids will go into backyard care; I have seen it myself.

Can I emphasise to members how important it is to have children at risk within the childcare system. I had one family where the mother was working as a prostitute, and the four children were the most beautiful little kids you have ever seen. They would come in with soiled nappies, they had not eaten, they were in a distressed condition, they had been home with mum all night and men had been coming and going from the home. My staff were in tears, they would grab these little kids, they would whisk them away and change their nappies, fix them up, feed them, and their mother would come and get them again at 5 o'clock.

The mother was in a distressed state. She did not know what to do. Those childcare workers are part of the safety network, and by pushing up these costs in the pursuit of a dream you are going to push those kids into backyard care where they will suffer. This bill is not the icing-coated cake it purports to be, and I urge members on all sides to scrutinise it most closely.

Ms CHAPMAN (Bragg) (17:56): I am pleased to follow the contribution from the member for Waite on the Education and Early Childhood Services (Registration and Standards) Bill 2011.

The member has quite rightly pointed out the casualty of proceeding with legislation which may have an unintended but ultimately adverse effect if not properly scrutinised.

I speak on this bill as a consumer, having had no experience in operating childcare centres. Just as the member for Waite explained the decades of contribution that he and his mother over a period of time have made to child care, I am pleased to say that in the late 1970s I sat on an advisory board, as then a young mother, with the member for Waite's mother, Barbara, who had already pioneered childcare centres as a form of provision of service, usually for mothers entering the workforce but sometimes for respite. I was very proud to do so.

Our board was to advise the newly appointed minister for community welfare (as he was then known), the Hon. Mr Burdett, who was then of another place. As minister, he had responsibility for the licensing of childcare centres and the development and, ultimately, introduction of family day care services in South Australia. I seek leave to continue my remarks.

Leave granted: debate adjourned.

At 17:58 the house adjourned until Thursday 29 September 2011 at 10:30.