HOUSE OF ASSEMBLY

Thursday 20 October 2011

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

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (10:32): I move:

That the sitting of the house to be continued during the conference with the Legislative Council on the bill.

Motion carried.

VISITORS

The SPEAKER: Members, can I draw your attention to the gallery, where we have a group of students from the Thebarton school. I think they are new arrivals in Australia. Welcome to our parliament. It is very nice to see you here. I think they are guests of the Minister for Correctional Services from Thebarton Senior College.

STATUTES AMENDMENT (PUBLIC ASSEMBLIES AND ADDRESSES) BILL

Ms SANDERSON (Adelaide) (10:34): Obtained leave and introduced a bill for an act to amend the Public Assemblies Act 1972 and the Summary Offences Act 1953. Read a first time.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order, member for Croydon!

Ms SANDERSON (Adelaide) (10:34): I move:

That this bill be now read a second time.

By way of introduction, I would like to read to the house a letter that was sent from the Rundle Mall Management Authority to the Chairman of the Rundle Mall Management Authority.

The Hon. M.J. Atkinson: Have you talked to the upper house Liberals about this?

Ms SANDERSON: It states:

Dear Theo

As discussed I am writing to draw your attention to recent disturbances on Rundle Mall which I fear have now escalated beyond the Authority's control and resulted in damage to both property and persons. In particular, I draw your attention to the 'Street Preachers' from an organisation called 'Street Church' who have made a habit of visiting Rundle Mall.

As at the time of writing this letter, these Street Preachers have been frequenting Rundle Mall for approximately 2.5 years whereby they typically position themselves within close proximity to the Mall's Balls or the entrance to the Myer Centre.

The Hon. M.J. Atkinson: It's the only interesting thing that happens in Rundle Mall!

Ms SANDERSON: I was first made aware of the street preachers—

Mr PENGILLY: Point of order, ma'am.

The SPEAKER: Order!

Mr PENGILLY: I'm having great difficulty hearing the member for Adelaide over the inane interruptions from the member for Croydon.

The SPEAKER: Yes. The member for Croydon will behave himself or he'll leave the chamber.

An honourable member: It's nice to see he's awake.

Ms SANDERSON: Thank you.

Mr Pengilly interjecting:

The SPEAKER: Order! Member for Finniss, you have had your say. Order!

Ms SANDERSON: Thank you, Madam Speaker. The member for Croydon interrupts nearly every speech I have ever made in this house so I would seek your protection, thank you. The letter continues:

I was first made aware of the Street Preachers by David West in early 2009 when I held the role of Board Member with the recently formed Rundle Mall Management Authority. At that time I was unaware of the massive disruption that the Street Preachers were causing and have continued to cause. Having stood down as a [Rundle Mall Management Authority] Board member in late 2009 to take on the role as Rundle Mall General Manager, I very soon became aware of the collateral damage that the Street Preachers cause on a regular basis.

The Rundle Mall Office receives complaints from retail traders and members of the general public on a weekly basis regarding the volume and antagonistic and offensive nature of the Street Preachers' content and actions. On Friday evenings, I personally receive regular telephone calls from retailers sharing their grave concerns that the volume and antagonistic nature of the Street Preachers' verbal content is driving customers out of their stores, upsetting their employees and generally bringing about a sense of unease within the precinct.

This sense of unease is further exacerbated by the fact that the Street Preachers—

The Hon. M.J. Atkinson: Jesus was like that in the temple!

The SPEAKER: Order, member for Croydon!

Ms SANDERSON: —are constantly filming and recording each other, the general public, and on some occasions the interiors of other retail stores.

As an example, on Friday 12 August 2011, I received six phone calls from irate retailers that evening alone. When the Street Preachers returned to Rundle Mall the following day, I received further complaints. The Rundle Mall Security team also receive an equal or greater number of complaints on a weekly basis. The persistent inaction of the Authorities to remove the Street Preachers has now also attracted additional fringe groups to voice their message on Rundle Mall.

As a consequence, we regularly see several special interest groups on any given Friday evening on their soapbox along with placards, megaphones and pamphlets. These most deliberate actions and guerrilla tactics employed by the Street Preachers in particular are damaging the economic performance of retail businesses within the precinct. With monthly rentals approximately $20,000 for an average size store [per month], the presence and actions of the Street Preachers are effectively destroying the sales performance of those stores that are forced to endure the excessive volumes, provocative nature, taunts and the sense of overall public unease generated by the Street Preachers. Customers are being turned off Rundle Mall and are choosing other retail locations that are deemed safer and more amenable for families.

With tempers now reaching boiling point, the retailers have had to endure this situation for far too long and I have every confidence in stating that it is only a matter of time before an act of public violence is committed. In fact, it has been brought to my attention that a member of the general public was pushed into a Rundle Mall shop window on Friday 12 August 2011 and a Myer Centre Security Officer was pushed down an escalator in recent weeks. Although both of these incidents were not directly performed by the Street Preachers, they were performed by other fringe groups who are also frequenting Rundle Mall.

With members of SAPOL, Adelaide City Council and Rundle Mall Security all in attendance at various times on any given Friday evening, an inadvertent message is being sent out that we are collectively endorsing the antisocial activities of the Street Preachers when the opposite outcome is of course desired.

In my own opinion, the guerrilla tactics employed by the Street Preachers are not to be underestimated and they are intelligent individuals who are being well advised. With retail stores being forced on occasion to close their doors early, retail employees being sent home early due to lack of trade and retail trade being compromised, there is growing frustration regarding a seeming inability to address this issue.

With retail employees visibly distressed by recent events, emotions are now running high and we look to the authorities for a solution. On behalf of those Rundle Mall retailers, landlords and employees that have come to endure the negative outcomes generated by the street preachers for far too long, I trust that a solution is found so that the street preachers are prohibited from returning to Rundle Mall under any circumstances whatsoever.

Yours sincerely, Martin Haese, Rundle Mall General Manager.

Rundle Mall is visited by around 23 million people each year, and 85 per cent of tourists who visit our city visit Rundle Mall, so it is extremely important that we work on this issue. The Hon. Stephen Wade and I have been working on this issue for many months. We have had several meetings with police, we have had meetings with the Adelaide City Council, Rundle Mall Management Authority, we have met personally with the street preachers, and I have even been to the street protests.

While individual protesters possibly believe that their actions may be entirely justified, there are consequences for every action and some of those consequences have been shared with me as their local member. They include a lady with cancer, who had lost her hair, who was told she was going to die because she looked like a boy and 'God doesn't like trannies.' She no longer wants to leave her house.

There are many other people who have been offended, who do not feel safe and who have shops that have to close early because they do not feel safe due to the protesters. Customers have had to be walked to their cars for their own safety. People are avoiding the mall due to the loud noise and large crowds. Even a vendor of *The Big Issue* emailed me to say that he normally sells 15 magazines on a Friday night in his usual location but, when the preachers are near his usual area he only sells one or two.

Many retailers who are suffering because of our current economic climate have lamented that protesters and preachers are having such an effect on their business that they are questioning whether they can continue. The outcomes of this current unmanaged situation are detrimental to many. The bill will allow for firm boundaries between the protestors as to what they can and cannot do. They will not be able to use amplification without consent. They will be given a special designated area and if they choose to use it they will be afforded special protection, again, incurring any civil or criminal liability.

The Liberal plan includes three points. I recognise that legislation alone will not address and remedy the situation. The three points include: mediation, enhanced law and coordinated enforcement. Mediation: the state government should support mediation between the traders, protesters, Adelaide City Council and the Rundle Mall Management Authority. Enhanced law: the Adelaide City Council has been unable to control the situation for two years. Council by-laws are not enough. There is no point in having a law if it is unenforceable. Council staff have no further powers if a person refuses to give their name and address. This was stated on the radio by mayor Stephen Yarwood as a reason why the smoking ban in Rundle Mall was unenforceable.

Police see policing by-laws as a low priority and the responsibility of council, so we need a coordinated enforcement. By strengthening both state laws that are enforced by police, along with a model by-law introduced by the Hon. Russell Wortley, we can work together. To highlight the need for police engagement to enhance police powers to respond to the misuse of amplification and provide for an incentive for orderly conduct, this bill proposes amendments to two acts.

First, the Summary Offences Act: the bill will provide police with the power to control the use of public address systems in a prescribed area in four ways. First, it would empower to direct a person not to use a public address system in a prescribed area where relevant authorisation has not been granted; secondly, it would give police the power to confiscate the public address system if the person fails to comply with a direction; the public address system would be returnable to the person on payment of a prescribed fee; thirdly, it would empower police to request the name and address of a person to whom a direction is issued and it would be an offence to refuse to provide those details to the police officer; and, fourthly, it would empower police to charge a person with an offence under the act if they breach a direction issued to that person unless a person has a relevant authorisation.

Relevant authorisation is defined in the bill as a landowner or occupier, the Commissioner of Police or the local government authority in that area. Authorisation would only be required by one of the relevant authorities to avoid an effective veto by one party over the other.

The offence is not device specific. It is also designed so that it relates to use, not to the sound level. One of the problems with enforcement of excessive noise in the context of motor vehicles is that it requires not only being able to identify the person as they are driving by, but also to get some reading of the noise level. This is not sound level related but purpose related.

The act of using a device as a public address system in a prescribed area without the relevant authorisation satisfies the threshold required for police action. However, it is not a prerequisite for police action, it is not a mandate for police action. We would expect the police to work with council officers to identify when a public address system was being used in an aggressive or invasive way.

Secondly, the bill proposes changes to the Public Assemblies Act in two ways. Firstly, it provides for a speaker's corner. Under the bill, the government can prescribe areas within the councils that can be gazetted within which a gathering secures the civil and criminal protection available under the Public Assemblies Act and that gatherings can do so without prior notice. That is particularly important because, under the Corneloup decision, councils will no longer be able to require people involved in political and governmental communication to seek a permit.

The second aspect of the deal in relation to public assemblies is to establish a new offence of disrupting or obstructing an assembly under the Public Assemblies Act. The provisions do not

apply to those who disrupt an assembly with lawful excuse or police officers or other authorised persons carrying out their official duties.

This particular offence is reflective of the distress caused to people who were involved in two marches earlier this year. I understand both were promoting marriage equality. South Australian citizens were exercising their freedom of speech to support marriage equality and were extremely upset at not only the disruption, which I understand was undertaken by the street preachers, but certainly by a group of people espousing so-called Christian values. I think that contributed significantly to the counter protests that are now being experienced in Rundle Mall.

A model by-law was gazetted last Thursday that at the earliest can take effect in February 2012. A change in state laws as proposed could come into effect in a matter of weeks. We are approaching the most critical time in retail coming into the Christmas period. I implore the government to act in a bipartisan way for the good of Rundle Mall retailers, the workers, the shoppers, students, tourists, and all those who enjoy Rundle Mall. Please pass these laws as they are or amended so that we can end this terrible situation in Rundle Mall.

The Hon. M.J. ATKINSON: I would like to speak on the proposition.

The SPEAKER: I think you need to adjourn it at the moment.

The Hon. M.J. ATKINSON: That is conventional, ma'am, but I think the rules, the standing orders, actually allow me to speak.

The SPEAKER: No. My advice from the clerk is that, no, it needs to be adjourned under standing orders.

The Hon. M.J. ATKINSON: Which standing order would that be?

The SPEAKER: Standing order 238 says that, after the first reading, the bill is published. The second reading may be moved at once or made an order of the day for a later time or a future day. When the second reading of the bill is moved immediately after its first reading, the debate on the bill is at once adjourned until a future day.

Debate adjourned on motion of Mrs Geraghty.

CORRECTIONAL SERVICES (PRISONER COMPENSATION QUARANTINE FUNDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 May 2011.)

Mr PEDERICK (Hammond) (10:49): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

Mrs GERAGHTY: Madam Speaker, I draw your attention to the state of the house.

A quorum having been formed:

CRIMINAL LAW CONSOLIDATION (MEDICAL DEFENCES—END OF LIFE ARRANGEMENTS) AMENDMENT BILL

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) (10:51): I move:

That standing and sessional orders be so far suspended as to enable the moving of a motion forthwith for the rescission of votes taken in committee of the whole house on the Criminal Law Consolidation (Medical Defences—End of Life Arrangements) Amendment Bill.

The SPEAKER: There being an absolute majority present, I accept the motion. Is that seconded?

Mr PEDERICK: Yes ma'am.

The SPEAKER: Minister, do you wish to speak to it?

The Hon. J.D. HILL: Madam Speaker, the reason I am moving this—I am sorry, I have never done this before and I do apologise to the house, particularly as this is during private

members' time—the honourable member for Morialta moved some amendments to legislation which had been introduced by my colleague the member for Ashford.

These amendments were passed on the voices of this place, there was no vote called, and I was not aware that these amendments were being proposed. If I had been, I would have come in here and spoken against them, and I would like to have the opportunity to do that, and I could go to the substance of why I feel that way—but I assume that is what I need to do next. So, if the house would support this, then I would go into the substance of that particular set of measures.

Motion carried.

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) (10:53): I move:

That all the votes taken to agree to amendments to clause 3 in committee of the whole house on the Criminal Law Consolidation (Medical Defences—End of Life Arrangements) Amendment Bill be rescinded.

The SPEAKER: Having counted the house, and there being an absolute majority present, I accept the motion. Is that seconded?

An honourable member: Yes, ma'am.

The SPEAKER: Minister.

The Hon. J.D. HILL: Thank you, Madam Speaker, and I thank the house for the indulgence, and, in saying this, I do not want to be critical at all of the intentions of the member for Morialta, but I think the consequences of his amendments are worth considering in greater detail. My original support for the proposition by the member for Ashford was based on establishing an arrangement whereby a doctor and a patient together could determine what was in the best interests of the patient in a particular set of circumstances and then allow that doctor to defend his or her decision in the face of the law, produce what evidence they thought was appropriate in that context in the law and let the law determine it. I still think that is the right way of doing it.

Obviously, a prudent doctor will do whatever is necessary to ensure that there is evidence to support their actions and I would expect, as has happened in other jurisdictions, that organisations like the AMA or the College of Palliative Care Physicians, or some other group of that type, would come up with some guidelines and best practice which would indicate a pathway that the doctor should go through if they were going to demonstrate that they acted in good faith.

What concerns me about the proposition that the member from Morialta has moved is the same concern I had with the legislation which has been moved by the member for Fisher and the member for Ashford; that is, it is the parliament that is putting itself in the position of what is the best way of developing that approach. What the parliament is saying is that, if you go through these approaches, then that satisfies the law. I do not think that is good enough. I think the law should be able to look more deeply than that.

I think the notion of being able to tick a couple of boxes creates too easy a pathway in one sense, then, in a practical sense, it creates too difficult a pathway. In a practical sense, the doctor and the patient may be in a situation where there is not time to get the two experts in, to go through the processes that are required. You may find experts are not willing to participate readily. It might be in the middle of the night; they might not be available; it might be in a remote community; it might be in somebody's home. What is likely to happen, in my opinion, is that you will get experts who are willing to tick off on practically anything, who do not go through the proper rigorous process.

The intention might be undermined by the practicalities that would surround it. That is just my view and I know others will have other views about it. I sincerely support the proposition generally from the member for Ashford, but I want the law itself, the common law, to establish over time the appropriate process that a doctor would need to go through in order to be able to defend themselves, not have us here come up with a tick-a-box kind of solution.

That is my opposition to this proposal. I know it is sincerely meant and I know it is meant to give greater protection and the appearance of greater protection, but what I am saying to the member of Morialta is that I think it actually has the reverse effect. I do not say this as a matter of sophistry; I say this very sincerely. Having talked to doctors who work in this field, I think they would agree with me. So that is the heart and soul of my objection to this.

I would also point out while I am on my feet that the second set of amendments, which have yet to be considered by the house and which are similar to these, would have an even stranger consequence, because they would apply to a person assisting a defendant doctor, who may well be a defendant themselves. The effect of the second set of amendments would be that if a doctor and a nurse were looking after a patient, the doctor, in order to have a defence, would have to have sought these types of expert advice. If the second set of amendments were carried, that would mean the nurse would also have to have her or his own specialist advice. So you would end up with two lots of specialist advice for those two to be successful. I do not think that is what the member from Morialta intends, but my reading of it is that that would be the consequence.

I would say to the house, have the strength of your convictions on this matter by all means, but please consider the consequences of the amendments. I strongly support the proposition in its original form. I think that will go a long way to making the process of dying in our state that much better. I do not think these hurdles that have been put in place deliver the kind of benefits which I think the member for Morialta might hope for.

Mr GARDNER (Morialta) (10:59): I thank the Minister for Health for his comments. I was a bit confused because I understood that the main reason people were concerned about the amendments that were moved last week had been flagged in my second reading speech. I asked parliamentary counsel to file them some weeks before the debate occurred so there was certainly no intention of jumping the parliament.

I am aware, and the minister is aware, of the safeguards that they were intended to create. My understanding was that the concerns that have been raised with me by groups such as the AMA and a number of doctors for whom I have some significant respect, was that the amendments that would create safeguards in the case of euthanasia would create impositions on doctors practising palliative care under our current arrangements.

That would be the last thing that I, and I believe any other lawmaker here, would want to do because in the early to mid 90s this state was groundbreaking in the way that it dealt with palliative care. A predecessor in my seat, the Hon. Jennifer Cashmore, was instrumental in drafting those original laws that have created the opportunity for so many South Australians to pass with less suffering than they would have otherwise, and in the company of their families in some comfort.

If the argument is based around palliative care, and if there is some advice that suggests that the amendments would create impositions on the conduct of palliative care, then I could certainly be persuaded along those lines. If the arguments are as they were put by the Minister for Health, that the amendments removed from this parliament, the authority to determine the restrictions that would surround the application of euthanasia, then I would not support the rescission because I appreciate that the Minister for Health comes with the very best of good faith, as we all do in serious debates of this nature, but I have to disagree with him on a couple of the things that he said.

First, he was right when he said that the prudent doctor will keep good records, but I think when we are dealing with an issue such as this we have to be wary of the imprudent doctor, or the doctor acting without good faith. He made the point that an organisation like the AMA would come up with the guidelines and the common law would inform the process but, before we open a door such as this, if we are to do so, I do not think that that is good enough.

As I said in my second reading speech, the idea that a doctor may have this defence available to them without the imposition that the primary diagnosis must be tested by a second opinion, or with the requirement that the patient must be seen by mental health specialists who might determine that the person is not seeking euthanasia as a result of a depression which can be treated, is a terrifying concept to me, and always has been throughout the years that I have been discussing this through youth parliament, through public policy debate, through forums with doctors and others.

The SPEAKER: Member for Morialta, we are really straying into debate on the bill. The motion before the house is that the amendments to clause 3 be rescinded. We are really straying into the debate which we should come into when we get to the committee stage. So I would ask you to draw your remarks to a close.

Mr GARDNER: Thank you Madam Speaker for your guidance. I make the point that the subject of the amendments that we are seeking to rescind is exactly on the subject matter of the second opinion of a psychological analysis, the mental health specialist, and the third issue of the amendments that the motion before the house seeks to rescind is in relation to the witnessing of

the request. The original bill, pre-amendment, required that the doctor had received consent but put no obligations upon the doctor in the manner of the evidence that might be presented.

Again, as I said in my second reading speech, that to me would not be an acceptable circumstance. I come back to the original point of view that for me to consider any sort of bill being presented, those are the three litmus tests for me, and then we can talk about the other things. I remain open to this motion if somebody can convince me that it will affect the palliative care outcomes in South Australia but, as yet, that argument has not been made.

Motion carried.

The SPEAKER: The bill now stands committed for consideration of the committee of the whole house.

The Hon. S.W. KEY: Madam Speaker, before you leave the chair, could I clarify with you where we are at the moment? There seems to be a few confused people. I understand that we are now going back into committee?

The SPEAKER: Yes.

The Hon. S.W. KEY: At that stage we will consider, obviously, the first amendments which were put up by the member for Morialta and which have now been rescinded. The debate in the committee stage on that has now gone, and we are now back to clause 1, presumably—

The SPEAKER: Clause 3; we are on clause 3.

The Hon. S.W. KEY: We are back to clause 3. I understand that some amendments have been filed that are not the Morialta amendments. I am just wondering whether we can clarify what the amendments are before us, because I am not totally clear; and, as the mover of the bill, I think that it is probably appropriate and probably polite that I am aware of what amendments we are about to deal with.

The SPEAKER: I understand that we have four schedules of amendments to be considered. It will be the normal procedure for a bill—all the amendments that have been submitted will be considered.

The Hon. S.W. KEY: I am only aware of one amendment that has been filed, so I am wondering whether we can clarify what those amendments are. Can we do that in committee?

The SPEAKER: I think that we need to do that in committee. I remind members—if people are feeling upset—what has happened. The previous motion was about rescinding. I allowed some indulgence for people to speak, but we really need to get into the committee stage for members to be able to say the things they want to say. We will now go into committee.

In committee.

Clause 3.

The Hon. S.W. KEY: Madam Chair, can I clarify the process?

The CHAIR: I am sorry; I am just clarifying something myself. I apologise to everyone for the moment of consideration, but this is obviously quite complex and we do not want to get it wrong. There are many, many amendments. Some amendments seem to be very new.

The Hon. S.W. KEY: I wish to just clarify the process. My understanding is that last time we were in this chamber, in this committee, I withdrew the amendments I had proposed, which is 88(2), and I stand by that. So I assume that we will not be dealing with 88(2). At the death knock (so to speak) minister Kenyon tabled 88(3), so they are now filed, and this morning we have received amendments from the member for Taylor, which is 88(4).

The CHAIR: I have just got that.

The Hon. S.W. KEY: So that I can be clear, are we now proceeding with 88(1) or is that in the realm of the member for Morialta to decide whether we go back to that, or does the decision we made in the house mean that those amendments are not now going forward?

The CHAIR: I understand that we will be treating this—as we should—like any other bill. We are not treating the amendments in the order they have been given to us here; we are treating them in consequential order. Does that make sense?

The Hon. S.W. KEY: Yes.

The CHAIR: Good. Member for Newland.

The Hon. T.R. KENYON: It is my intention to withdraw my amendments, not to proceed with them, if that helps the situation. All the amendments I have circulated, standing in my name, I will not proceed with.

The CHAIR: This is very good; now we have fewer bits of paper.

Mr PEDERICK: I want to make a general contribution with regard to clause 3, if that is appropriate. I think clause 3 is fairly general—

The CHAIR: Clause 3 seems to a giant megalith sort of clause. It would be good if, as you are going along, you could tell me what specific bits of clause 3 you are referring to—if possible.

Mr PEDERICK: I want to speak about the bill in general terms, and I think clause 3 gives me that leeway. I would like to bring members' attention to the Consent to Medical Treatment and Palliative Care Act 1995. I am sure many members in this house and in the other place have researched this act and what it does in terms of the arrangements for medical care or treatment for people, whether they want to give forward directives on what care they do or do not require should they not have the capacity to make that decision. Part 2—Consent to medical treatment, division 2—Anticipatory grant or refusal of consent to medical treatment goes through a whole raft of clauses about what can be done there.

To cut to the chase, in the palliative care act are the arrangements we are obviously talking about, in the bill before the house, about the protections for doctors and medical personnel in case they be charged with some form of criminal offence if a member of the family wants to bring that on. I just bring to the attention of the house Division 2—The care of people who are dying. Section 17 states:

> (1) A medical practitioner responsible for the treatment or care of a patient in the terminal phase of a terminal illness, or a person participating in the treatment or care of the patient under the medical practitioner's supervision, incurs no civil or criminal liability by administering medical treatment with the intention of relieving pain or distress.

I think that is a very important part of the current act. Subsection (1) continues:

> (a) with the consent of the patient or the patient's representative; and
>
> (b) in good faith and without negligence; and
>
> (c) in accordance with proper professional standards of palliative care,
>
> even though an incidental effect of the treatment is to hasten the death of the patient.

Section 17 then states:

> (2) A medical practitioner responsible for the treatment or care of a patient in the terminal phase of a terminal illness, or a person participating in the treatment or care of the patient under the medical practitioner's supervision, is, in the absence of an express direction by the patient or the patient's representative to the contrary, under no duty to use, or to continue to use, life sustaining measures in treating the patient if the effect of doing so would be merely to prolong life in a moribund state without any real prospect of recovery or in a persistent vegetative state.
>
> (3) For the purposes of the law of the State—
>
> (a) the administration of medical treatment for the relief of pain or distress in accordance with subsection (1) does not constitute an intervening cause of death; and
>
> (b) the non-application or discontinuance of life sustaining measures in accordance with subsection (2) does not constitute an intervening cause of death.

Section 18, the saving provision, states:

> (1) This act does not authorise the administration of medical treatment for the purpose of causing the death of the person to whom the treatment is administered.
>
> (2) This act does not authorise a person to assist the suicide of another.

I may be wrong and I am not a lawyer, but in reading the Consent to Medical Treatment and Palliative Care Act 1995 I would have thought that there are sufficient safeguards in our current law to protect those in the health profession, especially doctors and specialists, from any criminal liability if someone chose to go down that path. In fact, I repeat section 17(1):

> A medical practitioner responsible for the treatment or care of a patient in the terminal phase of a terminal illness, or a person participating in the treatment or care of the patient under the medical practitioner's supervision, incurs no civil or criminal liability by administering medical treatment with the intention of relieving pain or distress.

I have witnessed this. I witnessed my father-in-law passing away a couple of years ago, and it was pretty tough; but, at the end of the day, we knew that he was getting the best of care at Ashford Hospital. We were told at the end, and I knew the day I saw him for the last time, that he might have three weeks to live, but I think for his benefit, because he had had enough, he slipped away in the next week and a half.

I still do not condone endorsing euthanasia, because I think the doctors know damn well what they are doing. They know that a side effect of giving treatment may be death and I believe under the current act they are fully protected. I would like to read a letter from the Australian Medical Association of 19 October:

Dear Politician

Re: Criminal Law Consolidation (Medical Defences—End of Life Arrangements) Amendment Bill 2011

The AMA(SA) remains concerned in regard to the latest amendments by Gardner to the Criminal Law Consolidation (Medical Defences—End of Life Arrangements) Amendment Bill 2011 (proposed by Hon Stephanie Key MP).

The amendments propose that prior to patients receiving 'end of life' treatment that may hasten death they are to be reviewed by two independent specialists, one of whom needs to be a psychiatrist. This is in order to increase the legal defence for a doctor should they face a criminal action. The reason this is seen as necessary of course is that the true underlying purpose of the Bill is the loosening of the present access criteria to effective palliative care to allow patients who do not have a terminal illness to receive treatment that may hasten death. This is seen by the AMA(SA) to amount, on any reasonable objective view, to euthanasia.

The proposal also ironically creates additional barriers to the provision of palliative treatment than presently exist under the current Consent to Medical Treatment and Palliative Care Act. The only logical reason for this increased 'defence' is that the actions and intent of the doctor will become more blurred in the eyes of the public and the legal community, again due to the underlying purpose of the Bill.

The proposed amendments not only present a significant additional burden on patients and the doctors providing care in this area, they are logistically unworkable due to the psychiatric resources in this state. The psychiatric community would also be loath to be involved in such activity given the obvious difficulties of assessment of patients, many who would present with confusion related symptoms. The legal risk upon the psychiatrists as a critical part of the decision making clinical team would also be a deterrent.

The AMA(SA) has previously stated the Bill needs to be debated under its true purpose of allowing euthanasia and clearly differentiated from palliative care. The amendments if accepted will be a deterrent to many doctors being involved in palliative care.

The AMA(SA) supports the principles of patients having access to high quality palliative care. We support the autonomy of doctors to provide this treatment free from the risk of being accused of aiding and assisting suicide, conducting manslaughter, or partaking in any other form of criminal activity where death is hastened as a result of quality palliative treatment. We support the privacy of the patient-doctor relationship and engagement with their families at the time of discussing treatment. We support legislation that supports these principles in the domain of palliative care.

In summary, this remains a Euthanasia Bill that will damage palliative care in South Australia and the AMA(SA) opposes it.

I support that. I also want to make some comments from a letter that Right to Life Australia has written to me.

Dear Mr Pederick,

I am writing to you to express my utmost concern at the thought of the S.A. parliament legislating to give to one group in the community—doctors—the power to end life—a power not even possessed by our Supreme Courts!

The Criminal Law Consolidation (Medical Defences—End of Life Arrangements) Amendment Bill 2011 is nothing short of a passport to suicide—physician assisted suicide.

As you must be aware the bill changes the law on homicide to allow a treating doctor to give a deliberate lethal dose to a patient aged 18 years and over where the patient claims to have a medical condition that makes life 'intolerable' for them.

This encompasses a whole range of medical conditions both major and minor. Of particular concern is the category of mental illness.

On the one hand the community demands of governments that more be done for those who are mentally ill, especially those with depression. The level of suicide is alarming especially amongst young men. Interviews with their parents reveal their agony at the loss of a beautiful child to suicide.

Yet here we are preparing to legislate to allow a physician to comply with a request to end the life of someone over 18 years, who may be very depressed or have bipolar disease or schizophrenia or whole range of medical conditions.

To legislate in this fashion is to embrace the principle of the life not worthy to be lived. Why strive to provide good medical treatment for people when they can ask for an early death?

Ultimately, the so-called right to die, if allowed, will ultimately become a duty to die. I urge you to reject the bill.

Yours sincerely, Margaret M. Tighe, Vice President.

I endorse those comments. I have some major concerns that there may be instances, for a whole range of reasons, where people believe their life is not worth living; yet I have heard of various cases where people have been in that very situation and then pulled through with proper medical treatment and lived for quite a few years.

In fact, one of my uncles was a World War II veteran. I got a call that he had been admitted to the Mary Potter Hospice and that he was leaving this world. I thought, 'Poor old uncle Les. He's fought cancer over many years, various forms. And you know what? He came out and he is still alive today,' and that was several months ago. So, tough as he was when he was on the *Shropshire* cooking for the troops. This is a conscience vote. People can vote how they want, but please think about your conscience if you vote for this bill.

Mrs VLAHOS: I move:

Page 2, line 13 [Clause 3, inserted section 13B(1)]—Delete:

'or intended death of a person if the death resulted, or was intended to result,' and substitute:

of a person if the death resulted

The Hon. S.W. KEY: I defer to the member for Taylor. I think she needs to explain her amendment. I would like to speak against it, so I would probably like to hear her argument first.

Mrs VLAHOS: Thank you, member for Ashford. I have had a number of ongoing concerns about this bill, but the reason I have tabled these amendments today is that I have sat in the chamber and listened to many of us ponder the nature of this bill. It strikes me that the crux of it is the nature of 'intentional', and that is the thing that troubles many people. So, these amendments are really designed to ensure that the intended consequence of issuing a drug to a person that is suffering from an incurable disease with the primary intent of making that person end their life is dealt with, and that is the crux of these amendments.

That is the crux of these amendments. It is the differentiation between non-intentional, where a drug is issued to someone and a non-intended or secondary consequence is a respiratory arrest or death, which is the current situation in palliative care. The 1995 palliative care act, which the member for Hammond was speaking about before, deals quite adequately with that now in the South Australian jurisdiction. Where the use of 'intentional' is used in this bill it causes a great many concerns to many general practitioners and palliative care specialists. I do not see a need for this bill to be changed.

The CHAIR: Member for Taylor, I do apologise. I am just making you aware of the time.

Mrs VLAHOS: I will conclude on this first amendment. To sum up, it is about the difference between intentional and non-intentional. I do not support intentional.

Progress reported; committee to sit again.

LIQUOR PURCHASE SCHEME

The Hon. R.B. SUCH (Fisher) (11:32): I move:

That this house calls on the state government to consider introducing a Northern Territory style computerised liquor purchase scheme based on the presentation of photographic identification.

In August I visited the Northern Territory and spent quite a bit of time speaking with police at the various community police stations. They have a police station in every major shopping centre. I also spoke with people who were in the business of supplying liquor. What they did in the Northern Territory—and it began on 1 July of this year, so it is relatively new—is introduce the Alcohol Reform (Prevention of Alcohol Related Crime and Substance Abuse) Bill 2011, and that is now an act which, as I said, commenced on 1 July.

The estimated cost of alcohol and substance abuse in the Northern Territory is $642 million per annum. That obviously includes health and related medical emergency costs, chronic disease, policing, court and corrective services costs and loss of productivity.

The way the system works, and I tried it out, is if you want to buy takeaway alcohol you will need to have photo ID, whether it is a licence or some other approved photo ID, it could be a passport or something like that. It is scanned at the point of sale and if you have a drink driving issue that has been before the court or you have a track record of domestic violence which has also involved police or court activity then you will not be allowed to buy takeaway alcohol.

It works very simply. If you get the green light at the bottle shop you can buy liquor; if you get the red light you cannot. There is a very significant penalty for people who breach that by supplying liquor to their mate outside the liquor store, or wherever. In fact, they can become a part of the prohibition in the sense that they will be denied access to takeaway liquor.

We know, here in South Australia, that we have similar problems. According to SAPOL, 41 per cent of offences against the person are alcohol related; in the CBD this increases to 62 per cent. SAPOL did a study and found that, in the financial year 2008-09, 29 per cent of aggravated robberies, 42 per cent of minor assaults, 22 per cent of sexual offences, 18 per cent of serious criminal trespass offences and 37 per cent of property damage offences were alcohol related. When you go to places like Hindley Street, the number of offences triples.

We can also look at other issues related to alcohol, such as people driving vehicles. More than 20 per cent of drivers and riders killed in Australia in 2007 had a blood alcohol level that exceeded the legal limit. In terms of disease, I can list the incidence of alcohol-related disease.

I do not think I need to labour the point in terms of the negative aspects of alcohol consumption where it is misused or abused. I am not against people having a drink; I enjoy a drink myself. However, I think this Northern Territory system has merit, and I have met with the Commissioner of Police and pointed out this scheme to him and he seemed to be quite interested in it. I do not know whether he has had a chance to consult with his Northern Territory colleagues, but I urge the government here to look at this scheme.

It is not targeted. Some people think it is targeted against Aboriginal people: it is not. It applies to anyone in the community and it seems to be working well up there. It is still early days. As I say, it only started on 1 July but already it seems to be having a significant impact. It is not the total answer to people abusing and misusing alcohol, but I think it is a reasonable step in terms of trying to ensure that the people who use alcohol responsibly can still purchase it and those who do not use it responsibly are restricted in their access to alcohol.

I commend this motion to the house and, in particular, urge the government here through the various ministers involved in this area to have a look at what has happened in the Northern Territory as a result of the introduction of its alcohol reform bill.

Mr SIBBONS (Mitchell) (11:38): Unfortunately for the member for Fisher, the government does not support his motion, and I will explain why. The Northern Territory government recently launched the Enough Is Enough campaign to coincide with alcohol reforms which target problem drinkers to turn them off tap and mandate treatment for the first time in the territory's history. The reforms are supported by a banned drinker register, which was rolled out from 1 July 2011 across the territory to help reinforce the problem drinker bans.

The Banned Drinker Register will enable takeaway alcohol outlets at the point of sale to identify banned drinkers and enforce the bans. People who purchase takeaway alcohol across the territory need to provide government-issued photo ID cards which will be scanned at the point of sale against the Banned Drinker Register. Those who are not on the register will be able to buy their alcohol as usual, and no information about the person or their purchases will be recorded. This has resulted in the Northern Territory government having to ensure that every resident is the holder of some form of government-issued ID.

Banned drinker register ID scanners will be installed in takeaway liquor outlets across the territory as part of the campaign. The territory government is funding $3.2 million to install the banned drinks register scanners in the takeaway outlets and $1.5 million for the police to implement the problem drinker bans.

The Northern Territory police will issue the notices banning alcohol and treatment (BAT) notices. The Northern Territory government has committed $67 million over five years to implement the initiatives under the alcohol reforms, including $34.2 million on treatment for problem drinkers. Over 2011-12, the territory government is providing $10.9 million, including $5.2 million to enhance existing alcohol treatment options and establish new services to meet the demands of people with significant alcohol problems.

I will explain the South Australian position. In recent years amendments to the Liquor Licensing Act strengthened the barring provisions to enable police to bar persons from a licensed premises or multiple licensed premises for specific periods on grounds such as welfare or offensive behaviour. Police may bar individuals indefinitely, based on welfare groups, if they believe the wellbeing of the person or the person's family is seriously at risk.

Problems associated with alcohol abuse, and in particular the incidence of grog running in the Yalata and the Oak Valley Aboriginal communities, led to the development of licence conditions imposed by consent on West Coast licensees. These conditions restrict the sale of liquor for carry-off from licensed premises to allow alcohol (beer) to any person that the licensee has reasonable grounds to suspect resides at these communities.

The licence conditions also require that appropriate identification be provided prior to any sale of carry-off liquor in certain circumstances, for example, to any person who may be travelling to or resides in the APY lands. The South Australian government has also undertaken a review of the Liquor Licensing Act 1997 and the code of practice aimed at addressing alcohol-related antisocial behaviour.

Amendments currently before parliament include stringent standards for the sale of alcohol for consumption on licensed premises between 4am and 7pm. One of the standards is the mandatory presence of a drink marshal, whose sole responsibility is to promote responsible drinking on the premises. The drink marshal will patrol the premises and alert the bar staff to the presence of intoxicated persons.

The proposed code of practice includes a variety of measures aimed at minimising the harmful and hazardous effects of alcohol consumption. One of the provisions in the code mandates that the licensee and all staff members involved in the service or supply of liquor on the licensed premises complete an accredited training course in the responsible service of alcohol. This will enable all employees to identify and manage problem drinkers.

Debate adjourned on motion of Mr Venning.

LIVESTOCK SLAUGHTER

The Hon. R.B. SUCH (Fisher) (11:44): I move:

That this house supports the Minister for Agriculture in his endeavours to ensure that all animals slaughtered in Australia are stunned prior to killing.

I understand the opposition wants to insert 'commercial' to ensure that they are commercial slaughterhouses. I do not have a problem with that, but it is up to them to move that amendment. I believe that the Minister for Agriculture is one of the best ministers in this government and I think—

Members interjecting:

The Hon. R.B. SUCH: I will take that as an amendment by the opposition—'the best'.

The DEPUTY SPEAKER: So, let that just be noted, that he is excellent.

The Hon. R.B. SUCH: Members of my family who are not involved in politics but who observe it, have indicated to me that they are very impressed with the performance of the Minister for Agriculture because they believe he listens, acts in a responsible way and actually does things, which is good. So, I was not surprised when the minister came out, encouraging his other ministerial colleagues from around Australia to try to bring about the stunning of animals prior to them being killed in abattoirs in Australia.

We know this is an issue which is of concern to, I believe, the bulk of the population. There are some people in the community—people of the Jewish faith and the Muslim faith—who support, basically, animals not being stunned. I think the Jewish community is much more committed to non-stunning than the Muslim community. Basically, they kill them by cutting their throat and allowing them to bleed to death.

Australia generally has a different standard of behaviour in relation to animal welfare. This was highlighted to me when I was a minister and went to Japan. I went to an official dinner where a fish was on the menu. The fish had had its flesh removed. It was still alive in the centre of the table, packed in ice, with its mouth going up and down.

In Australia, there would be an outcry if you went to a fish restaurant and you had a fish, or any other animal, still alive but had had its flesh removed and was on the centre of the dining room

table in a restaurant. So, we do have a different standard, and I think it is appropriate that we do, in the way we care for our animals. That was highlighted recently with what happened in relation to the live animal export trade to Indonesia. I think people have to acknowledge that, in Australia, compared to some other places in the world, we have a different approach to how we treat animals.

I do not believe it is unreasonable to require stunning before an animal is killed. I think it is not an unreasonable thing. In Australia, in a democracy, I think it is appropriate that the majority view prevails and I think there is no doubt that most Australians would expect that animals being slaughtered are stunned prior to their killing.

This motion really is a form of encouragement to the Minister for Agriculture. It will not be easy, because his ministerial colleagues interstate will be subject to lobbying and pressure from the religious minorities in those states who do not want stunning and have indicated that already. I would urge the minister to keep on with this and I know from people in my electorate that their strong view is they want animals treated in a humane way, particularly in relation to them being stunned prior to killing. So, I commend this motion to the house.

Mr PEDERICK (Hammond) (11:51): I move to amend the motion as follows:

After the words 'all animals slaughtered' insert

'in commercial abattoirs'

I rise to support this motion by the member for Fisher and I note that the live cattle export issue dominated the press several months ago.

It would be easy (and I think it was easy) for some federal Labor politicians to force their agriculture minister, Joe Ludwig, to put an outright ban on live cattle exports to Indonesia. What that does is have a domino effect right down the chain. It does not just affect the farmers: it affects transporters, feedlot operators and even a firm like Johnson's at Kapunda that provides pellets for the live cattle trade. Obviously, it was a very emotive subject.

I want to make one comment: I do not condone the footage that was seen on the ABC of animals that were not being stunned in Indonesia, and the way they were treated. However, I think there are some groups in society—Animals Australia and the RSPCA—that only inflame the situation. There are some things that are said in the public arena that are not quite accurate.

My understanding all along was that there were only about 11 of these abattoirs that did not have stun guns, and some people were indicating to me that none of these abattoirs were using them. I, for one, could not understand why the killing boxes that were being used were being used. They in no way match what I have witnessed at T&R's facility at Murray Bridge, which has a magnificent slaughterhouse and carries out all the proper requirements for killing animals humanely.

I would like to say that the practice of stunning before slaughter is intended to save the animal from unnecessary pain before the actual slaughter by whatever means. Typically in Australia the stunning is carried out with either an electric device or a bolt gun. It renders the animal unconscious and, therefore, unfeeling of pain. However, it is not legally necessary in Australia to stun animals before slaughter.

In Australia, animal slaughter is covered under AS 4696:2007, Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption. It requires that all animals be rendered unconscious before the actual slaughter occurs but, under that standard, exemptions have been given for ritual or religious slaughter. This exemption allows for the animal to be stuck, severing its oesophagus, trachea, carotid artery and jugular vein in one action with a sharp knife. This requires slaughtermen to be prepared to immediately stun if it becomes apparent that the animal is suffering. It also facilitates bleeding which has other religious and practical purposes.

Halal is the Arabic word for 'allowed' and kosher is the Judaic equivalent, meaning 'allowed' or 'approved'. They are usually used with reference to food. Halal killing uses a reversible stunning procedure meaning that, left alone, the animal would fully recover. This satisfies the requirement that the animal be healthy before slaughter.

Kosher killing differs for cattle and sheep. For physiological reasons cattle must be stunned immediately after the stick whereas sheep need only be subsequently stunned if it is apparent that they are suffering—if the stick was not fully effective.

There are three main reasons behind the demand for halal and/or kosher slaughter: the desire to minimise pain and suffering backed by the belief that these methods are less painful for the animal than Western slaughter procedures; dietary considerations; and religious freedom. Bleeding is an important part of halal and kosher slaughter because Jews are not allowed to consume blood and, in the Muslim diet, blood is considered unhealthy and is, therefore, drained.

Jewish and Muslim tradition places great importance on preventing animals from suffering and they believe Western slaughter practices are less humane. In the absence of positive scientific methods of demonstrating pain levels, there is no clear scientific argument to support either point of view. However, if you want to talk humanely, I firmly believe that animals should be stunned prior to killing.

In Holland, a bill has been passed allowing ritual slaughter on the condition that clear scientific evidence be presented within five years, proving that slaughter without pre-stunning causes no unnecessary suffering. The Dutch debate has now become entangled with the moral question of whether science should have precedence over religious freedom. These are some of the issues we have when dealing with some religious groups that want to keep the freedom of not stunning.

Some Australian abattoirs are using halal methods for all their meat products primarily to satisfy export markets but that fact has caused some other Australians to object to having to eat meat (often unmarked) that has been blessed to a god other than their own. Discussions with a facility owner who used to stick before stunning has revealed that he has bowed to the polite request from the Department of Primary Industries and Resources that all abattoir operators, for voluntary compliance, cease the practice of no pre-stunning which might possibly stave off more stringent legislation. These people operate under an exemption, I understand.

I appreciate the consultation with my office of PIRSA's manager of regulatory services who stated that there is no kosher killing in South Australia. Mind you, one abattoir claims to be using the no-stun technique. The PIRSA manager confirmed the department's request for voluntary compliance and was pleased to learn that at least one facility had complied.

I fully support the motion and the amended motion because I think it would be unworkable to think that farmers who may be killing a beast for themselves using a high-powered rifle (which is quick and immediate) could not be expected, in the literal interpretation of this motion, to own a stunning apparatus. This is quite a technical apparatus from what I have witnessed at the T&R abattoir at Murray Bridge.

I thank the minister's office for our discussions when the motion was before the upper house about banning live trade, and I urge the minister to keep up the fight that pre-stunning be fully endorsed.

Mr PENGILLY (Finniss) (12:00): I rise to indicate my support for the motion as amended by the member for Hammond. It is a sensible, straightforward motion. We are getting that bound up in stupid things in this nation now that I wonder where it is all going to end. Practices that have gone on for decades, whilst they can be reviewed and whilst they should from time to time be changed, are taken on board—and I am not suggesting this is by any stretch of the imagination—by people who really have no practical experience in day-to-day life of how the world goes by.

I think a glaring example of that was earlier this year with the saga of the export cattle business out of Darwin. Not for one moment would I or anyone in this place (in either house) support the stupidity of what was going on in certain slaughterhouses in Indonesia. The information I have—and I can be corrected if necessary—is that this took place some four or five years ago.

Let me tell you that in Australia we practise things properly and we do things properly in relation to slaughtering. However, what took place in the north of Australia was absolutely devastating for the northern cattle industry. I was up in Darwin in August and went down through to Adelaide River and stayed on a cattle property down there to talk to feedlot operators. It just devastated that industry and put families under enormous pressure right across the north of Australia. There is a lack of understanding by people who live in metropolitan areas about just how the practices of rural life go on and how they make a dollar in hard circumstances.

My view is that this is a sensible motion, the amended motion. It was sensible before but it has been made even more sensible by the member for Hammond's amendment. Those of us who slaughter stock regularly for our own use, myself included—in fact, I slaughtered a sheep last weekend.

The Hon. R.B. Such: You'd like to slaughter us.

Mr PENGILLY: No, the government. The reality is that I shot it with a .22, then I cut its throat, then I hung it up. That is the way you do it.

Mr Pegler: You should've stunned it before you shot it.

Mr PENGILLY: I did stun it properly. It was absolutely stunned. However, the reality is that that is how you go about your business. Likewise when you kill a beast: you shoot the beast and you cut its throat, then you go about dressing it and hanging it up. That is the way things work. This arty-farty airy-fairy view of the world that is held by many now in metropolitan areas—and it is growing in urban areas—shows they have no understanding of the realities of life, and it upsets me.

It is like what is going on at the moment with the debate over free range egg producers. The big companies are in there at the moment trying to alter things to suit themselves better, while the small free range egg producers are going to get hammered if this sort of nonsense takes place, as has been predicted in New South Wales. Hopefully, with a good Liberal government over there it will not get through.

I have free range egg producers in my electorate. I have Tom and Fiona Fryar, for example, on Kangaroo Island who run 70,000 free range chooks. They started with nothing. They started working in slaughterhouses, hanging up skins and shearing. They started with nothing and they now employ 15 to 20 people. They supply an industry which is valuable. Graham and Kathy Barrett are others, the Modras, there are free range egg producers on the Fleurieu Peninsula. They know what they are doing.

It is beholden upon this place to make sensible decisions, in my view, about where we go in the future with decisions such as what has been forecast today. Of course, the honourable member, the member for Morphett knows all about these things as well. He has been a veterinary surgeon for years, although I do not think I want him practising on my cat or dog. But I do urge the house to support the motion of the member for Fisher, and let's get on with it.

Dr McFETRIDGE (Morphett) (12:04): I rise to support the amended motion by my colleague the member for Hammond. Obviously, slaughtering animals should be done in the most humane way possible, and as I think I have said before in this house, I have seen halal and kosher slaughtering as a veterinary student. To have witnessed some of the things that were going on in Indonesia disturbed me greatly, and while I am very confident that it is not happening in Australia, we should be making sure that all animals in Australia are stunned.

As the member for Finniss has said—and I have done this on numerous occasions; in fact, I shot a very ill cow the other day—we stun the animals, but usually with a bullet going through their head. That is a very quick way of rendering the animal unconscious, if not killing it outright.

To ensure that the meat is of good quality when the animal is slaughtered, you do not only bleed it out but you also have to ensure that the muscle contractions during the slaughter are not too great, as this will cause blood splash—in other words, blood clots through the meat. You also have to make sure that you are not going to damage the actual structure of the meat in the process. The best way of producing a good-quality product (which is what this is all really about, in addition to making sure that the process is as humane as possible) is by stunning the animal.

The usual frequency is 50 hertz, and this does the job of rendering the animal unconscious for between 30 and 60 seconds. However, if the animal has not been stuck properly and has not been killed during that period, then it can regain consciousness. The low hertz also stops the heart very quickly. There is a much better way of stunning animals that has been developed in New Zealand, and that is using high-frequency stunning.

High-frequency stunning uses frequencies between 1,000 and 2,000 hertz. This reduces the convulsions and muscle contractions during the stunning process, which produces a higher quality of meat and, more importantly for this particular issue of religious slaughter, the heart keeps beating. The animal can be slaughtered and bled out, but because the heart is still beating, this satisfies the religious requirements of both halal and kosher, as I understand it to be from my reading of what is required.

I would encourage all industry in South Australia and, in fact, all over the world—never mind just in South Australia—to ensure that they are doing what they should be doing, and not just

what they can, to ensure that all animals slaughtered for human consumption are being stunned prior to slaughter, and slaughtered as quickly and humanely as possible.

The need to ensure that we are able to accommodate religious requirements is something that I am happy to look at, and there are ways of getting around it. People who say that you cannot stun for religious purposes are clearly wrong—just look at the overseas experience. I strongly support this motion, because it is extremely distressing for me to even remember my experiences as a veterinary student, let alone the vision that we saw on the television.

I am a carnivore from way back and I love my meat, but I want that meat to be as tender and appetising as possible, and so I want it to be slaughtered in the most humane way possible to ensure the animal has not suffered and also to have a better quality of product.

With that, I hope that the member for Fisher can support the amended motion.

The Hon. R.B. Such: I do.

Mr PEGLER (Mount Gambier) (12:09): Madam Speaker, I support the motion in its amended form. I have probably visited about 30 abattoirs right throughout Australasia, and many of those abattoirs are slaughtering their animals under halal, but they are all doing so in a proper form. Those animals are not suffering, and I think Australia can take a lot of pride in the way in which we look after those animals in the abattoirs. If those animals suffer at all, the quality of our meat deteriorates very rapidly, so all abattoirs take a lot of pride in the fact that they handle those animals in a humane way.

When we hear about sheep having their throats cut and bleeding to death, in actual fact the spinal cord is severed at the same time, so it is exactly the same as stunning the animal. The heart continues to pump the blood out, but it is no different than if the animal had been decapitated. They do not suffer at all.

What we saw happening in Indonesia was absolutely disgusting and I would never ever condone anybody handling an animal in that form or in that manner. I must say that the meat off those animals would be absolutely terrible, because the pH levels would go up extremely high and the meat would be as tough and stringy as you would ever get. I certainly support this motion.

Mr VENNING (Schubert) (12:11): I just want to commend and say I support the amendment, and also the mover, the member for Fisher. I recognise that the word 'commercial' would also be the same as a licensed abattoir. There would be no difference in that terminology, I would have thought. I did not watch that thing on TV, because I could not. I switched it off. It was horrific. That sort of thing does not need to be shown on television. It is never pleasant seeing an animal being killed, but I am sorry, we are meat-eaters in this country and that is what has to happen.

We butchered our own meat on the farm for many years. We do not any more, because I am never there to do it and the new generation just don't, so we have it done at a small country abattoir. I think this is commonsense and I think in this country, where we are very much civilised, that this halal killing should not be tolerated; it is just grossly cruel. I commend both the member for Fisher and the member for Hammond.

The SPEAKER: Minister.

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (12:12): The government—

Mr Pengilly: Premier.

The Hon. M.F. O'BRIEN: Thanks, Michael. With help like that I will go absolutely nowhere!

The Hon. R.B. Such interjecting:

The Hon. M.F. O'BRIEN: Yes. The government accepts the amendment in the spirit in which it is intended. We are actually talking about on-farm slaughter; we are not talking about savage backyard operations. To put this in context, what the member for Fisher's motion is referring to is a proposition that I have in front of the primary industry ministerial council, which is asking the council to make a decision on the imposition of pre-stunning for both cattle and sheep.

To put this in a broader context and give some understanding of why I have arrived at the position at which I have, the morning after the *Four Corners* program I caught up with Malcolm Jackman, the CE of Elders, in Currie Street. I am a former Elders executive and I had approached

Malcolm to serve on the Agribusiness Council and we had arranged to have a bit of a discussion as to what the purview of the council would be.

Malcolm was obviously distressed by what he had seen and also about the possible consequences for Elders. Elders is the largest exporter and importer of cattle into Indonesia and Malcolm's view was why should Elders be penalised? It had complete control over supply chain, including sourcing and feedlotting in Australia and transport to Indonesia (it owns its own vessel); it owns the abattoirs in Indonesia and it pre-stuns.

Malcolm was concerned that Elders, as members on the opposition benches would be aware, is not travelling as it ought. Malcolm has a major challenge in restoring to financial health what is, I think, one of South Australia's major commercial icons. I would hate to see anything impact on Elders in a commercially adverse sense. I transmitted that to the federal minister on numerous occasions. I also alerted my interstate counterparts to the imperative to get this trade back in operation sooner rather than later. I was concerned that we were going to lose the Indonesian trade. I was very much concerned about what message it would be sending to the Indonesian political elite, in terms of this nation's ability to give them food security surety.

It is the most densely populated nation on the face of the earth. You cannot close down a major source of protein into that society at short notice and expect them somehow to muddle through. There were major issues at play and I think it could have been handled a hell of a lot better than it was. My view is that the trade should not have been suspended, and that those companies such as Elders—and there are two or three others that manage the trade in a highly responsible manner—should have been allowed to continue to operate.

I had a discussion with the Chief Executive of PIRSA who alerted me to the fact that two major scientific studies had been done for the ministerial council on the issue of pre-stunning and that I ought to have a look at them. I subsequently read them. I found it quite harrowing reading and, as a young boy, I had a reasonable amount of on-farm experience. My mother is off a property at Snowtown, I assisted my uncle in the slaughtering of sheep, my grandmother did the dressing, I know what it is all about, but reading the two scientific reports left me with a great sense of unease. These two reports had been requested well in advance of the Indonesian experience.

The first report 'Specifying the Risks to Animal Welfare Associated with Livestock Slaughter without Induced Insensibility' prepared by David B. Adams and Alan D. Sheridan, whom, I understand are senior officers with the federal Department of Agriculture, Fisheries and Forestry, was signed off by the council in November 2008. From that flowed the stipulation that, with halal and kosher killing of large beasts, there must be immediate post-stunning as soon as the throat is cut. There have to be two slaughtermen present and the animal has to be immediately stunned.

That recommendation and, ultimately, that protocol, was put in place because it was determined that the suffering experienced by a large animal who does not become unconscious for several minutes is totally unacceptable in a humane and civilised society. Referring to the traditional halal and kosher methods of slaughter, the study highlighted the fact that, when this particular practice was undertaken several thousands of years ago in relation to the Jewish religion, the animals were generally much smaller. The amount of muscle, flesh and skin around the neck was nowhere as impenetrable a barrier as it is today. The report compared the neck of a steer with boot leather and pointed out that it is a fairly difficult act to hack your way through leather on a shoe or a boot.

They were saying that 1,000 or 2,000 years ago, the technology that we have available to us today was not available, the animals were smaller, and the throughput was virtually negligible. The killing of a steer or a sheep was something that was done infrequently and it was done well. Today we have large numbers of animals being slaughtered, and there is an increased risk of things not being done as they ought. I think I saw a figure that indicated that 10 to 15 per cent of acts of slaughter do not go according to the manner in which they should.

What was acceptable and probably what was the only method available at the time cannot now be supported. We now have the science, we now have the technology and we now have the knowledge to prevent what is an act that imposes on larger animals considerable and unendurable pain, a period of complete and utter panic and terror, and, as a civilised society, we ought not to be countenancing that type of behaviour. The larger animals were dealt with in the November 2008 report.

PIMIC then moved on to sheep and goats and commissioned a further body of work—'A Scientific Comment on the Welfare of Sheep Slaughtered without Stunning'—by Professor

Hemsworth from the Animal Welfare Science Centre in Victoria and Professor David Mellor of the Animal Welfare Science and Bioethics Centre in New Zealand.

They came to a similar conclusion in relation to sheep, that, in some instances, a sheep can be conscious up to something like 14 seconds. The act of slitting the throat is painful in its most severe sense. The animal then has to endure in the last 12 to 14 seconds of its life a terror that none of us would like to experience; and, again, it is not the type of act that we as a humane and civilised society ought to countenance.

What I have said to the ministerial council is that we have commissioned the science. It is before us, let us bite the bullet on this. It is unequivocal and let us measure up to the responsibility that has been invested in us by the electorate in each of our respective states and at the commonwealth level and act on the science that we have requested.

Mrs GERAGHTY (Torrens) (12:22): I will speak just briefly because, unfortunately, the minister did not have time to touch on it. I do not disagree with the amended motion. I certainly agreed with the original motion, and I do not disagree with the amended one. I just wonder how this will cover people in metropolitan backyards, in their sheds, who slaughter animals.

Ms Chapman: It is illegal.

Mrs GERAGHTY: I know, but they do, and we try to have those matters dealt with. I just put on notice that, probably, we might want to pay a little bit of attention to that, because, over the years, I have had a number of constituents make complaints about a number of properties—but one in particular—which slaughter animals in the shed. You could hear the distress of the animal; and, indeed, they very kindly ran the blood out into the gutter. It is quite tacky but it does go on. I just put that on the record.

The Hon. R.B. SUCH (Fisher) (12:23): I will be brief. I thank members for what, I believe, will be their support, and I thank the member for Hammond for his amendment; I think that it does clarify the situation with respect to commercial abattoirs. I think that any member who is in touch with their electorate would know that animal welfare is a big issue. It is not exclusive to women, but women, in contacting my office, express very strong views about this.

I think it is important not only, obviously, for the welfare of the animals, but if you want to sell meat the community will not buy meat if they feel that the animals are being subjected to any cruelty. So, there is an important vested interest for people raising animals and selling meat to ensure that the animals are treated humanely, because, once you get that emotional backlash, that industry will suffer in terms of reduced sales.

I give a quick example in my own case. Many years ago—I think I was a teenager—I became aware of how some calves were slaughtered in a Hills abattoir; not done properly but by some people there acting outside the guidelines. They walked up to this group of calves and just slashed their throats where they stood, or tried to. As a result of that I do not eat veal, and I do not ever intend to; I was so appalled by the way those calves were treated that it put me off eating veal, probably forever. Likewise, our family used to kill chooks, and that has also had an impact, because if it is not done properly then, as I said, there is a long-lasting negative impact and it puts you off eating certain things.

It is an important industry. I am a meat eater; that is the way I was brought up. I guess a lot of what we eat is determined by the psychology of our mind; that is, if you were brought up a vegetarian you will probably be a vegetarian and if you were brought up as a carnivore you will be that way inclined. It is a big industry and an important one, and people enjoy and need to eat meat. Some would argue that you do not need to but, overall, I think there is a good argument that you do.

I conclude by pointing out that in South Australia we have some very good operators. There is T&R Meat. Chris Thomas is part of the T (Thomas) in T&R—I actually used to babysit his children years ago—and he has done very well, with his family. I think it is Darren now, the son, who is running T&R Meat—

Mr Brock interjecting:

The Hon. R.B. SUCH: Now I'm being blamed for my babysitting! It is an important industry that employs a lot of people, and it is a very important export industry as well. It is important that we do things the correct way, the humane way, and I am pleased that members in this place will support the motion.

Amendment carried; motion as amended passed.

ROAD SIGNAGE

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

That this house calls on the state government to implement better and clearer road signage.

I will try to be brief because I do not want to hog—

Mr Pengilly interjecting:

The Hon. R.B. SUCH: The member for Finniss is still in a state of shock. I will try to be brief; I do not want to hog the show. This motion calls on the state government to implement better and clearer road signage. If people break the law they deserve what they get, but I believe you have to have a system of informing people fairly and in an open way about what is required in a particular situation. That is not just a state government responsibility but a local government one as well.

I think we need a complete review by the government of signage in the state. We know that under the Australian Road Rules there are certain specified signs, size and shape and so on, and I do not have a problem with that. However, what I find is inadequate signage, and I will give some examples. On Upper Sturt Road the speed limit was recently reduced from 80 to 60 km/h. I think that reduction to 60 was unnecessary, it should have been 70; but that is a different issue. However, when people come off Upper Sturt Road into Hawthorndene Drive there is one small sign that indicates that it is then 50, and it is in amongst the trees.

If you come into a 50 zone and you are over the speed limit, you cop a whopping fine in South Australia. Now, if you deliberately speed in that zone then you deserve it, but in many situations—as on Hawthorndene Drive—if you are going down to 50 you need to give people fair and adequate warning. I believe that when the speed limit reduces—which can incur a very high penalty—there should be signage on both sides of the road, and they should be large enough and distinctive enough to inform the motorist.

That should particularly apply when you go from 110 down to a lower speed, 80 to 60 and whatever. I notice other states do it, but we do not: for example, they will say '60 speed limit ahead' or '50km speed limit ahead'. We do not do it here, and I do not know why the government does not do it. If you are forewarned you are forearmed and more likely to obey the law. There are a few idiots out there, but I do not believe that most people go out there with the intention of breaking the law, but they get caught out because of inadequate and inappropriate signage.

To give other examples: with the main road at Blackwood they have confirmed part of it is a cycleway, which is fine, it is good. But at the start of the cycleway it says 'Cycleway at all times', but it does not say that the whole length of the cycleway. Further down you have a cycleway that operates on a restricted time basis. People may think that they will pull up in front of the hardware store, not realising that it is a cycleway 24 hours a day and there is a very heavy penalty if you park or stop in it. If you park in it, knowing that it is a cycleway 24 hours a day, you are an idiot and deserve the penalty. But it is unfair to tell people at the start of a cycleway that it is at all times because people may enter that road further down and not know that it is a 24-hour cycleway. It should be on each of the signs 'Cycleway at all times'.

That extends to parking provisions, and the Holdfast Bay council is one offender, but not the only one. They have signs that do not indicate clearly that the sign applies 24 hours a day. It is not unreasonable to expect that the council would have one hour and that it would indicate when that applies. To ping people at two o'clock in the morning when they think the sign might have applied 9 to 5 or was a limited loading zone is a sneaky practice by councils, and it comes back to the basic point of not adequately informing people. I urge the government to have a complete look at this issue and also to look at the question of painting speed limits on the roads in some situations, not all.

The argument trotted out here is that it is dangerous for motorcyclists and cyclists, but that is not supported by evidence from around the world or from New South Wales, where they have been doing it for 20 years. We have across the road painting before a railway crossing. If that is dangerous, why do it there? If it is so dangerous having paint on the road, why have a centre line because someone will skid or whatever. It is an absolute unsubstantiated bit of nonsense trotted out here.

The reason the government does not want to do it is because it does not want to spend money telling people what the speed limit is. You do not have to do it in all situations. You do it particularly where you are coming down, for example, from 80 to 60 or coming into a shopping zone where it might be a lower limit. A motorist is trying to judge distances behind the car in front. They are trying to look at all sorts of things and there can be a sign on the side of the road, if you are lucky, maybe on both sides if you are even luckier, but why not, in situations where there can be ambiguity or vagueness, paint the speed limit on the road?

I have ridden a motorbike and I know they are dangerous machines, but if you have a numeral painted on the road that will not contribute to a motorcyclist having a crash—that is absolute, utter nonsense. We have markings in the lead-up to schools and in the lead-up to railway crossings. We also have other issues in terms of signage that need to be addressed. I am not, as I emphasised at the beginning, trying to encourage speeding or breaking the law, but trying to bring about the opposite. If you do not give people adequate information well in advance of the situation, then I think that is not being fair and reasonable to the public.

The other aspect, which is not related to speed, is adequate information leading into major road intersections. At many intersections in the South Australian metropolitan area there is not enough adequate warning. I do not know how a tourist would get on. I do not go out to the northern suburbs and north-eastern area very often and you can get caught out because at some intersections you need to get into a particular lane if you are going to turn left or right, or whatever. You need advance warning.

As I say, a motorist is trying to do the right thing and obey the speed limit and not get too close to the car in front, and all those sorts of things, but they need to know in advance whether to get into the right or left lane, or whatever. There are plenty of examples around town, and I am surprised the traffic engineers have not cottoned onto this. How a tourist would get around Adelaide, I do not know, but if you do not have early warning you are likely to increase the accident risk because people will be making inappropriate decisions at the last minute because they are not sure whether to go right or left.

I have mentioned before that if you are on South Road and want to go up Shepherds Hill Road, there are two right-turn lanes and, if you get into the one that is closest to the kerb, you will end up in Flinders University. It does not tell you beforehand. It should say something like 'Flinders University, right lane'. I know because I live in the south, but people get in that lane and think, 'I want to go up to Blackwood and I have to get in the left lane,' so they cut across and that increases the risk of an accident.

In terms of some signs that I think need to be removed, the government has offended against Don Dunstan's legacy because it keeps putting up signs on railway land so it can breach the Road Traffic Act which does not allow billboards on highways and freeways. It gets around that by putting them on railway land. Oaklands Park railway crossing is a classic example, as is Tonsley opposite the police station. They used to be advocating longer lasting sex. That seems to have gone out of fashion and is no longer popular, for some reason—I do not know why. People seem to be going for shorter sex, maybe.

Those signs have been a distraction. I raised on radio this morning that the City of Onkaparinga is fining people for trying to sell their car on the side of the road. They are up to their old tricks again. They have fined 300 people—$29,000—because people park in a parking bay on a Sunday with a little sign on their car. They claim that is because that is distracting, yet the same council, and others, put up big signs advocating their functions and other things and somehow that is not distracting. I do not follow the logic.

We have these big billboards at Oaklands and on other railway property in breach of the Dunstan legacy. It surprises me that this Labor government continues to stick it up what was one of Don Dunstan's great things, that is, not to turn us into Hollywood. We have these huge signs at railway crossings, where you would think you would want people concentrating on the railway crossing and the bells, and so on, being distracted by huge signs on both sides of the crossing advocating all sorts of miracle cures, and whatever. They are signs that I think we could get rid of and, in return, have some sensible and clearer road signage that is quite explicit.

The final point I make concerns roadworks. A lot of the time you enter an area where presumably there are roadworks and then there is no sign either saying 'end of roadworks' or telling you what the speed limit is after you have been through the roadworks. If the department of transport and councils are giving out contracts, they should insist that whoever is doing the work

follows proper procedures and indicates clearly that the roadwork has ended and the speed limit has changed back again.

The penalty for breaching the speed limit in one of those work zones—and they are designed to protect the road workers, and I agree with that—is very severe. One of the senior staff in this parliament (I will not say who) got caught out on Anzac Highway by turning into a work zone. There was nothing to tell you it is a work zone. They turned in and, bang, 'You are doing more than 25.'

It comes back to the point I made before: if you want people to obey the law and not be tricked and trapped then you need better and adequate signage. I would like the Minister for Road Safety to have a serious look at this and not simply trot out the mantra of, 'Everything is fine. We are not changing anything.' It is time that South Australia had a look at signage and at least bring it in line with what happens in many of the other states. I commend the motion to the house.

Debate adjourned on motion of Ms Chapman.

ADELAIDE HILLS MINING

Ms CHAPMAN (Bragg) (12:40): It is with pleasure and pride that I move:

That this House congratulates the Australian Mining History Association for celebrating 170 years of Adelaide Hills mining and its contribution to the economy of South Australia.

Members will be aware that this year we also celebrate 175 years of our state. I think it is fair to say that mining has been not only a major part of the history and wealth of South Australia but also necessary for the salvation of our economic state, which is something we should celebrate. The association recently celebrated by having their annual general meeting at the history association's annual conference. It was the first that I learned that the very first mine in South Australia was at Glen Osmond, which of course is in the seat of Bragg.

I have a renewed passion for mining, I might say, not because of the grandiose statements of the Premier but because I recently found out that my great great great grandfather on my mother's side worked first in Brazil and then in 1862 migrated originally from Cornwell to Western Australia to work in the Geraldton mine. In fact, he had the first lease for the Miners' Arms Hotel, etc., but that is another story. It is a very proud history and I am pleased to have become acquainted with it.

However, on this important occasion, I would like the house to acknowledge and congratulate the association for highlighting to us the extraordinary history of mining and its role in the salvation of our state—being plucked really from potential bankruptcy—in the early part of the South Australian colony. The first era from 1841 to 1851 showed extraordinary development, starting at Glen Osmond, with larger mines developing at Kapunda and Burra. Others will be aware just in the Adelaide Hills zone of the development of mines that established mining for silver and lead, for pyrite, and also for silver, lead and zinc.

Many would also be aware, just from what we learnt at school, that in the 1950s and 1960s the major mines in South Australia and the great era of mining just in that time—if you look at old South Australian maps with the legend on the side—were Iron Knob, Broken Hill, Radium Hill, Leigh Creek and Coober Pedy. They were very important for the economy of this state. Before our current Premier even came to live in South Australia, there was the magnificent deposit discovered at Olympic Dam Station.

Had the Australian Labor Party not backflipped on their original support of the development of that mine in the late 1970s, it could have developed earlier. They had to wait until the Tonkin government came into office to develop it, and then of course established the indenture for the development of the Roxby Downs township to support that. It is a magnificent legacy to the Tonkin government, and I say a special thanks to Norm Foster, who ultimately crossed the floor. In fact, the bill failed on the initial reading in the house, but it was re-submitted when Norm Foster announced that he would support the passage of that bill.

Before the Premier even came to South Australia, this was the magnificent deposit that we will consider in this parliament as to whether we allow BHP, the current owners of that site, to peel back the dirt and develop it into an open cut mine. That is for a debate on another day. However, I want to remind members that, before he even came to South Australia, that deposit was discovered. You would never believe it because, if one were to read the big glossy *Digging Deep* booklet that was produced at a cost of nearly $20,000 of Social Inclusion Unit money—can you

believe it?—featuring the Premier and Monsignor Cappo and all of the things they have done for mining, you would think that South Australia was not discovered until he got here. You would think that the settlement of the colony of South Australia began in the mid-1970s. Nothing could be further from the truth when one considers mining.

So, on this historic day when we say goodbye to Rambo and his sidekick, let me say this: he needs to have a very clear understanding that this state was thriving before he got here and it will be thriving even after he goes. They need to understand the importance of mining in this state and the significant role that it has played in our economy.

Recently I visited the core library. Many of you may not be aware that the Department for Primary Industries has operated a core library at Glenside. Hugh Hudson actually opened it in the late 1970s, I think. It is a significant repository of mineral samples which are kept and are available for the public, and other members of the industry who are interested, to inspect and, in fact, take samples (with permission) to have tested and the like.

I wish to place on record my appreciation to the Department of Primary Industries for also introducing to me the new SARIG, the new data processing website tool, which provides the collection, dissemination and display of geoscientific information. It is an extraordinarily interesting and, I think, leading technology. In fact, I read in other material that the great Fraser Institute, which has often been quoted by the Premier, has recognised it. I am very disappointed that, in all the years that the Premier has been here, I cannot recall any occasion on which he has recognised the significance of this program.

However, in the last few years, it has been developed. It is available and it is extraordinarily interesting for those who are interested in geology in South Australia and also for those who wish to explore the current and historical mining data for this state. It gives us a very good lesson as to what the picture is today. It is extremely interesting. So I urge all members to take the opportunity to go to www.sarig.pir.sa.gov.au and actually look at the website. It is a very educative tool, and I am very pleased to say that that is available. I am disappointed that the Premier has never mentioned it, but it is well worthy of that attraction.

It is not necessary for us to rewrite history. For decades previous administrations have recognised the importance of this for South Australia. In recent decades, under the PACE scheme (which is a plan for exploration established under the Brown and Olsen government which has been, I am pleased to say, maintained by this government) mining and exploration is there. What is not acceptable is governments that do not manage the exploration programs appropriately. If, for example, the government decides that there is a piece of South Australia that should be retained as a sanctuary, and it is important to do so—as the Premier recently did in the Arkaroola site in the northern Flinders Ranges—then that is a decision, worthy as it may be, that must be done in a manner which does not cause major expense to taxpayers.

What is important to remember here is that the Arkaroola decision is actually going to cost taxpayers probably about $10 million in an ex gratia compensation payment that will ultimately be paid to the company that undertook that exploration.

I am not criticising the decision, I simply make the point that it is the responsibility of governments, if they are going to properly manage the exploration of sites and equitably exploit the resources for future generations of South Australians, that they do it in a manner that does not cause unnecessary expense to the taxpayers of South Australia and that they do it in a sensible way. We do not need any more pamphlets. I am pleased that the minister is present during the course of this debate. We do not need any pamphlets called 'Digging Deep' or digging anything else, unless we are going to dig a grave for the exit of the Premier. We do not need any more pamphlets to remind us of all of the great things that the Premier and his regime, with Monsignor Cappo, have done for the people of South Australia and mining, because he is just a blip in history.

Debate adjourned on motion of Mrs Geraghty.

OPERATION FLINDERS

Adjourned debate on motion of Hon. R.B. Such:

That this house commends the work Operation Flinders is doing to help young people gain a positive future.

(Continued from 15 September 2011.)

Mr ODENWALDER (Little Para) (12:52): I will not speak very long. Other members have spoken very eloquently about this topic on these two motions, and I am happy to say that we support them. In my time as a police officer I knew many people who were involved directly and indirectly with this operation and I know the good work that it does. As I said, I will not speak for very long, I will just put a few facts on the record. Operation Flinders aims to develop a young person's personal capacity in particular areas such as self-esteem, motivation, teamwork and personal responsibility, thereby reducing the risk of these people who are either young offenders or have the potential to be young offenders or are at risk in some way.

In the 2007-08 budget, additional funding of $200,000 per annum was provided to Operation Flinders in addition to that amount which was already provided each year, the $200,000. I am advised that the new funding agreement has been sent to Operation Flinders which will provide $447,000 per annum for the next three years; the amount not indexed. In 2009-10, I am advised that Operation Flinders received a total income of $1.3 million, around $450,000 of which was provided by the state government. The majority of other income received in 2009-10 relates to donations, pledges and other fundraising income, this includes contributions from the City of Tea Tree Gully, I am happy to say, of $80,000 and SA Ambulance. I commend both of these motions to the house and I wish Operation Flinders every success in the future.

Motion carried.

The Hon. R.B. SUCH: Are we doing orders of the day nos 4 and 5 together?

The SPEAKER: No, we have just done item No. 4 and we have actually just voted.

The Hon. R.B. SUCH: I commend this motion to the house and ask the members to support it.

The SPEAKER: We have supported it and we will move on to the next item.

OPERATION FLINDERS FOUNDATION

Adjourned debate on motion of Mr Venning:

That this house—

(a) congratulates the Operation Flinders Foundation on its 20th anniversary and success in providing support and opportunities to young men and women who have been identified as being at risk;

(b) acknowledges the terrific work done to develop the personal attitudes, values, self-esteem and motivation of Operation Flinders participants through espousing the virtues of teamwork and responsibility, so they may grow as valued members of the community; and

(c) pays tribute to the staff, volunteers, board members and ambassadors of the foundation, past and present, who dedicate time, skills and resources into empowering youth through this worthwhile organisation.

(Continued from 15 September 2011.)

Mr ODENWALDER (Little Para) (12:54): I am very happy to support this motion as well.

Mr VENNING (Schubert) (12:54): I wish to thank all those who contributed to the debate and I also thank the house for allowing this to be debated now because the celebrations are only a couple of weeks away. I will be attending Owiendana outstation on 5 November to join with them all to celebrate 20 fabulous years. I do commend Mr John Shepherd and his team because they have certainly done a fantastic job in relation to this tremendous task. Again, I thank the house and I commend the motion.

Motion carried.

MOTORING REVENUES

The Hon. R.B. SUCH (Fisher) (12:55): I move:

That this house calls upon the state government to moderate its harsh financial revenue-raising regime impacting on motorists and other road users.

Motorists in general have become an easy target for not just this government but other governments over time. The theory that I believe the government uses—which I do not accept—is that if you have a vehicle then you are fair game and you are an easy source of revenue.

If you look at just some of the measures that have been introduced over time, since 1996, motor vehicle registration fees have more than doubled. I will not go into all the various categories.

Licence fees: in 2011-12, the cost of a 10-year driver's licence has increased 32 per cent from $280 per annum to $370 per annum. In 2003-04, the cost of a 10-year licence was $230.

Unregistered vehicle fines have jumped from $750 to $2,500 maximum, whilst for failure to insure, the maximum fine is $5,000, up from $2,500. Members might say, 'Well, you shouldn't be driving an unregistered and uninsured vehicle,' and you should not, but what we see in terms of penalties are very severe indeed. I would like to see a focus more on demerit points because I think that, if you are not abiding by the rules of the road, then by losing demerit points, you run the risk of losing your licence totally.

In the bracket of speed exceeding the limit by 15 km/h and likewise exceeding the speed limit by between 15 and 30 km/h, South Australia has the highest fine of any mainland state. Once again, I think that should be addressed more by taking away demerit points or increasing demerit points rather than simply hitting people in the wallet. Fines from motorists have jumped from $51 million to $76 million since this government came to power in 2002, and so it goes on.

I think it is time that the motoring public was given a fair go. I am keen to encourage the RAA to be more active in advocating for motorists, but I think the current approach to motorists is excessive in terms of revenue raising and draconian in relation to fines and penalties. I do not think they need to be of the level they are or as harsh as they are. I think you can achieve the same goal by focusing on demerit points, requiring people to undertake driving tests again and all that sort of thing.

The total impact on motorists has become severe and now, I think, the minimum registration for a car is about $710 per year. That is a lot of money and not all of that money goes into road improvements. It is siphoned off into other areas and I think the government, in formulating future budgets, needs to be mindful of not hitting the motorists so hard.

I hope that we do not see the introduction of the 'fine accompanying a defected vehicle' scheme. I think the current defect system works well. That is the view of the police, as I understand it, and we do not need to fine people $125 or $250 simply because their tail-light goes out. I think that is just indicative of this harsh revenue-raising regime. I ask members to support the motion.

Debate adjourned on motion of Mr Pederick.

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

CASSIDY, MR J.A.

The SPEAKER: Honourable members, it is with sadness that I bring to the attention of the house the death of Mr John Cassidy, the retired publishing officer of Hansard. John was contracted by Hansard during 1994 and 1995 to assist in the publication of *Hansard* using the newly introduced computerised system. In October 1996 he was directly employed by Hansard and worked in developing roles over the next 12 years, and he retired in November 2008. He was a respected and well-liked member of the Hansard staff, even tempered, showed a very good sense of humour, and was generous in word and action.

In the days when the house often sat well into the early hours of the morning, which we remember, John had the knowledge, skills and stamina to publish *Hansard* with what is now considered a very primitive computer system. John's role was out of the line of sight of many who worked here in Parliament House, but he made an invaluable contribution to Hansard over 14 years of service. So our thoughts and condolences, I am sure, in this house, go to his wife Lee, his daughter Frances, his son Adrian, and his friends and colleagues.

Honourable members: Hear, hear!

FOOD PRODUCERS, CHEMICAL USE

Mr VENNING (Schubert): Presented a petition signed by 60 broadacre farmers of South Australia requesting the house to urge the government to give fair regard to the right of broadacre food producers to farm and utilise chemicals professionally and responsibly for best farm management.

ATHELSTONE SCHOOLS AMALGAMATION

Mr GARDNER (Morialta): Presented a petition signed by 177 residents of South Australia requesting the house to urge the government to take immediate action to stop the amalgamation of the Athelstone Junior Primary School and Athelstone Primary School.

STRADBROKE SCHOOLS AMALGAMATION

Mr GARDNER (Morialta): Presented a petition signed by 340 Residents of South Australia requesting the house to urge the government to take immediate action to stop the amalgamation of the Stradbroke Junior Primary School and Stradbroke Primary School.

VISITORS

The SPEAKER: I understand that in the gallery we have a couple of groups: a group from the Golden Grove Salvation Army, who are guests of the member for Florey, and a group from Flinders University, who are guests of the Hon. David Ridgway in another place. I think we also have present a number of family and friends of the Premier. Welcome to everyone. I am sure they will be very well-behaved for all of you today.

PAPERS

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

Premier and Cabinet, Department of—Annual Report 2010-11

By the Minister for Sustainability and Climate Change (Hon. M.D. Rann)—

Premier's Climate Change Council—Annual Report 2010-11

By the Minister for Police (Hon. K.O. Foley)—

Witness Protection Act 1996—Annual Report 2010-11

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

Chief Psychiatrist of South Australia—Annual Report 2010-11

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

Phylloxera and Grape Industry Board of South Australia—Annual Report 2010-11

RANN, HON. M.D.

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) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: Tomorrow morning, I will be tendering my resignation to the Governor as Premier after 9½ years in this office and as minister after 22 years on the front bench. It has been the greatest privilege of my life to lead this state during a time of great transition, but any progress that has been made is the result of teamwork, and by 'team' I mean hardworking ministers and MPs, our loyal staff and a dedicated Public Service working in a partnership with South Australians.

Our collective mission was to turn this state around—for South Australia to become a leader again, rather than a follower consigned to genteel decline or, worse, envy about other places. Our strategy was to demonstrate that we could be a Labor government that was financially responsible, pro-business, pro-growth and, most of all, pro-jobs, but, at the same time, we wanted to be a leader in social justice, securing a social dividend from our economic progress and, thirdly, to be a national and global leader in the environment, renewable energy and in tackling climate change.

In the past week alone, we have seen some of the best examples of that complementary approach: the approval of Olympic Dam to become the world's biggest mine, the permanent ban on mining in the pristine wilderness of Arkaroola because it was right the thing to do, and Monsignor

David Cappo's blueprint for the reform of our disability sector. They represent, in just a week, a clear demonstration that these three ambitions are not mutually exclusive, that all three can be achieved together.

Every premier wants to leave office with their state in better shape than when they were sworn in. Every party leader—and I have held that position for 17 years—wants to leave their parliamentary team in better shape than when they assumed their leadership. I will leave it to others to decide whether or not our mission and those objectives have been achieved. In the meantime, I am confident that my successor, Jay Weatherill, will be a great premier who will lead not only our party but our state to future victories. My own view is that South Australia is positioned for greatness if we continue to look forward and not be distracted by a noisy minority who oppose and have always opposed any change.

Personally, I leave in good spirits and with malice towards none. I especially want to thank my wife, Sasha—especially Sasha—and my son, David, and daughter, Eleanor, as well as so many wonderful friends, for their great and patient support during good and difficult times over so many years. I particularly want to thank Kevin Foley, who retires with me tomorrow, and my parliamentary colleagues for their trust and, most of all, most importantly of all, their commitment to our good cause. I want to thank my staff, now led by Nick Alexandrides and Jill Bottrall, for their great and loyal service over so many years, and Barry for being in the driver's seat.

I want to thank the people of Salisbury for electing me 26 years ago to this place and for giving me the opportunity to serve. Most of all, I want to thank the people of South Australia for their support and their confidence in three successive elections. I take full responsibility for any of the government's failings and give thanks and credit to South Australians for our state's new confidence, its growing momentum and its ever greater aspirations.

Honourable members: Hear, hear!

VISITORS

The SPEAKER: Honourable members, I draw your attention to the presence in the house of the Hon. Rob Hulls, Deputy Leader of the Victorian Opposition, and his wife Caroline; welcome to our place. I also note the presence of the former member for Norwood, Vini Ciccarello. Welcome back, Vini, it is good to see you.

PUBLIC WORKS COMMITTEE

Mrs VLAHOS (Taylor) (14:11): I bring up the 418th report of the committee, entitled Rail Revitalisation Project: Elizabeth turnback facility.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 419th report of the committee, entitled Bolivar Wastewater Treatment Plant: Main pump station upgrade.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 420th report of the committee, entitled Common Ground Port Augusta.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 421st report of the committee, entitled Sustainable Industries Education Centre: Tonsley Park.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 422nd report of the committee, entitled McLaren Vale Overpass.

Report received and ordered to be published.

QUESTION TIME

UNEMPLOYMENT FIGURES

Mrs REDMOND (Heysen—Leader of the Opposition) (14:12): My question is to the Minister assisting the Minister for Employment, Training and Further Education. Why does Adelaide have the highest proportion of children in jobless families of all capital cities, as reported in the federal government's 'State of Australian cities' report that was released today?

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) (14:13): I thank the opposition leader for her question. The fact of the matter is that the job situation in South Australia is very, very good. The unemployment rate is 5.6 per cent—

Members interjecting:

The Hon. T.R. KENYON: —and while numbers may fluctuate from month to month, as they always do, the number '5.6' has a '5' in front of it and is a good number. Just to outline how good it is and why it is so good, I will just outline a few little stats for us.

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON: The number of South Australians in work at the moment: 821,900. Since 2002—

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON: —138,800 new jobs have been created, of which 74,300 were full-time. It is good for families, it is good for people with children, it is great for our society. Under their entire reign—

The SPEAKER: Order! Point of order, Leader of the Opposition.

Mrs REDMOND: Point of order, Madam Speaker: the question was not about statistics on unemployment. The question was about the number of children in jobless families in this city, compared to every other city in Australia.

The SPEAKER: Thank you, Leader. The minister can choose to answer the question as he wishes.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Ma'am, on a further point of order—and she did ask about a statistic, incidentally—I cannot hear the answer, and I would like to.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! Members will realise there is considerable interest in today's proceedings; I would ask you to behave accordingly, and not let the rest of the state think that we are a shambles. Minister.

The Hon. T.R. KENYON: The only story is good. It is a good story for families in our state because there is an increasing—

Mrs Redmond interjecting:

The SPEAKER: Order! The Leader of the Opposition, you are warned.

The Hon. T.R. KENYON: The story is good in South Australia. Job after job after job is being created by this government—in the full term, 6,100 full-time jobs over eight years. If there is a disgrace, if there is a story of error, if there is a story of trouble, it is on that side. Unemployment—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Point of order, Madam Speaker. I cannot hear this excellent answer.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, member for Davenport!

The Hon. P.F. CONLON: Could they please—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Because I know our record.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I know we are better than you. Lose the red haze.

Members interjecting:

The SPEAKER: Order!

Mr Pederick interjecting:

The SPEAKER: Member for Hammond, order! Now, minister?

The Hon. T.R. KENYON: While the number of 5.6 per cent may be slightly higher than our best result of 4.7 per cent achieved in February of 2010—you might remember that—the best achieved by the former Liberal government was 6.9 per cent for one month only in February 2001. The best result is less—

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, member for Davenport!

The Hon. T.R. KENYON: The unemployment rate has been 6 per cent or less—that is 0.9 of a per cent less than their best rate over the term of their government—for 84 months in a row. Since September 2004, 84 months—month on month on month—it was 6 per cent or better. The worst unemployment figure under the former government was 11.2 per cent. When they left office, it was 7 per cent—a number never to be repeated under the life of this government. Best participation rate under them was 62 per cent; under us, it is currently 63.5 per cent, but the best participation rate was 63.7 per cent. The participation rate is important. It says people have confidence. They are out there looking for work, and more—

Members interjecting:

The SPEAKER: Order! Minister, have you finished your answer? I didn't hear.

The Hon. T.R. KENYON: I will probably go on for a little bit longer, ma'am.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON: The participation rate shows at 63.5 per cent that people are out there looking for work. They are confident they will get jobs, and they know that under us they will get the training they need if they need more training because we are investing more money in training, we are investing more money in infrastructure. The great news is that the future is only going to get better with the Olympic Dam expansion—

Mr Pisoni interjecting:

The SPEAKER: Order, member for Unley!

The Hon. T.R. KENYON: —just around the corner.

URANIUM MINING

Mrs VLAHOS (Taylor) (14:18): My question is to the Premier. Can the Premier advise the house whether uranium sourced in South Australia may be marketed in future to India?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:18): This government has long recognised—

Mr Williams interjecting:

The SPEAKER: Order, the deputy leader! Be quiet.

The Hon. M.D. RANN: —the importance of the development of strong economic, educational and cultural ties with India, as an emerging giant in our region. Our strategy of engagement with India—including my own seven visits to the nation, along with many other ministers and trade delegations—I think has reaped significant benefits, with trade, education and migration links stronger than they have ever been before. Indeed, our highest number of migrants at the moment is coming from India for the first time, ahead of China and Great Britain.

In 2010-11, South Australia exported $714 million worth of goods to India, making it our fourth-largest single export market behind China, the United States and Malaysia. Export growth is being fuelled by India's strong demand for the minerals imperative to its fast-growing manufacturing industries such as copper, lead and coal.

Services to India are also expanding, with India our number one source country for international students and a growing tourism market. India, as I mentioned, now provides more migrants to South Australia than any other country. The relationship with India is also growing at a national level. Total trade in goods and services between Australia and India has risen to over $20 billion and India is now Australia's fourth largest goods export market. India has been one of the world's fastest growing economies since 1994. In recent times, demand for our goods and services from growing countries in our region, such as India and China, has protected us from downturns of other key trading partners. Strong economic growth in India benefits Australia and we should encourage this continuing growth.

Ongoing high levels of economic growth in India will require energy and security, and nuclear energy is undoubtedly a key component of this for India. Given Australia's—particularly South Australia's—abundant supplies of uranium, it is understandable that there would be interest in aligning India's energy security needs with Australia's natural resource exports. Australian uranium reserves are the world's largest, with Australia having at least 38 per cent of the world's known low-cost recovery uranium resource and, with the opening up of the Woomera Prohibited Area for mining, I would expect that our world share will become even greater still.

The majority of this resource, of course, is hosted by the Olympic Dam mine in South Australia. Obviously not all of these reserves are currently being exploited, but in 2010-11 Australia produced 7,300 tonnes of uranium oxide, with South Australia producing 59 per cent of this. In 2011, it is estimated that South Australia will account for around 13 per cent of world uranium oxide production. With the Olympic Dam expansion leading to a massive increase in uranium production, there is no doubt that South Australia will be the dominant player in world uranium.

Current national Labor Party policy prohibits the export of uranium to India as it is not a signatory to the nuclear non-proliferation treaty, and I have publicly supported this policy. Whilst it is paramount that Australia-sourced uranium is used only for civilian and non-military purposes—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —I now believe that this can be achieved through some other means. There are a number of reasons why this policy should be actively debated and discussed at the forthcoming Labor Party National Conference in December.

India is a strong and stable democracy with a good history of nuclear non-proliferation in terms of technology being exported to other states. India has entered into an agreement with the United States providing for the civilian use of nuclear energy. Other countries with exemplary records, like Canada, are negotiating similar agreements which essentially enshrine the equivalent of nuclear non-proliferation treaty safeguards. It is a country expanding at a rapid rate, which requires a stable source of energy. Nuclear energy can provide this, limiting CO_2 emissions and decoupling energy growth from carbon emissions.

Australia is a close partner of India in all other respects. It is natural that, given our abundant energy resources, we play a part helping them address their energy needs. There is a need for debate on this issue. We should explore a tough and transparent system involving

verification, enforcement and sanctions—and I want to emphasis 'sanctions'—which would enable uranium exports to India under a very strict bilateral agreement—

Members interjecting:

The SPEAKER: Order! Members on my left will hear the Premier in silence.

The Hon. M.D. RANN: —with all of the required safeguards to ensure appropriate and secure civilian use. As commonwealth democracies, Australia and India share a common history, similar legal systems and many similar institutions. It is natural that Australia should consider the world's largest democracy a close ally. Australia and India should be working together to advance our common strategic interests.

Energy security is a key part of this, and I would certainly welcome a discussion of these issues at the national conference this year. Just as we export uranium to China under the strictest safeguards, we should consider adopting a similar position with India.

JOBS GROWTH

Mrs REDMOND (Heysen—Leader of the Opposition) (14:24): My question, again, is to the Minister Assisting the Minister for Employment, Training and Further Education.

The Hon. K.O. Foley: Boring!

Mrs REDMOND: We know you're boring; go now!

Members interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The SPEAKER: Order, member for Norwood!

Mrs REDMOND: It was the Minister for Defence Industries, Madam Speaker, who prompted the response by indicating how boring the minister is in his answers.

Members interjecting:

The SPEAKER: Order!

Mrs REDMOND: Madam Speaker, my question to the Minister Assisting the Minister for Employment, Training and Further Education. Will the minister confirm that, if South Australia's jobs growth had kept pace with the national jobs growth since 2002, we would currently have 37,000 more South Australians in jobs?

Mr Williams interjecting:

The SPEAKER: Order! Deputy leader, you are warned. The minister.

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) (14:25): No, I will not concede that, ma'am, but what I will concede is that, if we had kept pace with their jobs growth, about 12,000 jobs would have been created in the last eight years. I will just provide some further information on the job results that we have. The ABS September job figures released last week—

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON: —show growth in total employment in South Australia of 18.9 per cent since 2002. That is more than double the figure of only 8.4 per cent during the term of the last Liberal government. That would explain why, if we had followed their jobs growth, we would only be at about 12,000 or 13,000 new jobs created, but, in fact, 74,000 full-time jobs have been created in that time—74,000!

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, member for Davenport!

The Hon. T.R. KENYON: What I am saying is that this government has a brilliant record on job creation and jobs growth, and it is one that has never been matched over the other side—

Mr Pisoni interjecting:

The SPEAKER: Order, member for Unley!

The Hon. T.R. KENYON: —in recent times, and it is unlikely to be matched by them.

POLICE FUNDING

Mr ODENWALDER (Little Para) (14:26): My question is to the Minister for Police. Can the Minister for Police outline how the government's increased resources for police has impacted crime in South Australia?

The Hon. K.O. FOLEY (Port Adelaide—Minister for Defence Industries, Minister for Police, Minister for Emergency Services, Minister for Motor Sport, Minister Assisting the Premier with the Olympic Dam Expansion Project) (14:26): Thank you.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: What's a guy got to do to get a question around this place? You know, they have been running scared of me for weeks—running scared of me for years.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Absolutely terrified of me, they are, Madam Speaker, and I don't blame them.

Members interjecting:

The Hon. K.O. FOLEY: I got a few Liberal scalps on my belt over the years—a couple of premiers, the odd deputy premier, a tourism minister. Now, I would ask that members opposite do conduct themselves with some decorum. We have a packed gallery, and I do not want people to think that we are a rabble. I want people to think—

An honourable member: It's too late.

The Hon. K.O. FOLEY: Well, true. I would like to talk about—what was the question again? I have little intention of answering the question, to be honest, but I know that I will be indulged in the house. We do have a very proud record as a Labor government. As the Premier has often said, we are tough on crime and tough on the causes of crime. We do have now some 4,400 men and women in uniform courtesy of this government, up from the deplorable level of 3,700 halfway through the last Liberal government.

Mr Williams: How many bikie fortresses have gone?

The Hon. K.O. FOLEY: A couple. How many bikie fortresses have gone?

The SPEAKER: Order!

The Hon. K.O. FOLEY: They did not want to support the legislation. Your have got your bloke in the upper house, your shadow attorney-general, opposing every attempt that we are trying to do to clamp down on organised crime. I heard him on the speaker yesterday. He wants fairness in the system—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The Liberals want to treat the bikie gangs and organised crime with 'fairness'—give me a break—and are thwarting our attempts to gather criminal intelligence.

Mr PISONI: Point of order, Madam Speaker.

The SPEAKER: Order! There is a point of order. Member for Unley.

Mr PISONI: The minister is clearly debating the answer.

The SPEAKER: I think there is provocation coming from both sides of the house. Minister, I direct you back to the question.

The Hon. K.O. FOLEY: Our government has proven that, when it comes to law and order, more South Australians believe we can handle crime and law and order better than our Liberal opponents.

Mr PISONI: Point of order.

The SPEAKER: Order! There is a point of order.

Mr PISONI: This is clearly debate, Madam Speaker.

Members interjecting:

The SPEAKER: Order! I have no idea what your point of order was; I couldn't hear you.

Ms Chapman interjecting:

The SPEAKER: Order! Minister.

The Hon. K.O. FOLEY: No, I don't think he said that.

The Hon. J.M. Rankine interjecting:

The Hon. K.O. FOLEY: What he said—and I've never doubted my colleague's word on anything—apparently he said, 'Violent crime down 25 per cent.' On any indication—

Ms Chapman interjecting:

The SPEAKER: Order, member for Bragg!

The Hon. K.O. FOLEY: On any indication—

An honourable member interjecting:

The Hon. K.O. FOLEY: No, that's the next one: police resources. It wasn't about mining, was it? Too bad if it was! I'm allowed to answer a question any way I choose. I did not want to partake in political theatre today and attack my opponents, because I wanted to go out with dignity and in a statesmanlike manner, but the reality is that was a false hope. But what I can say is I do have some news for the house that concerns leadership on the opposition benches.

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: I will be available as a consultant to you.

The Hon. J.W. Weatherill interjecting:

The Hon. K.O. FOLEY: No, joking. That was my humour, as usual.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: We all remember the 2006 election. Just prior to that election there was the release of—

Mr PISONI: Madam Speaker, point of order.

The SPEAKER: Order! Point of order. Member for Unley.

Mr PISONI: I think we have indulged the minister enough on his last day. He was asked a question about police—

The SPEAKER: Thank you. There is no point of order. We have no idea what the Minister for Police is going to say. Sit down.

The Hon. K.O. FOLEY: Hear me out. Madam Speaker, we remember just before the 2006 election that famous incident when the Liberal Party released a policy document by then leader of the opposition, Rob Kerin. The problem was it was printed 'Ron Kerin'. What then happened to the leader of the opposition shortly after the misspelling of his name?

The Hon. J.D. Hill: He was lost.

The Hon. K.O. FOLEY: Lost, and gone as leader. Oblivion. Well, Madam Speaker, I wouldn't want to be Adrian Pederick with the reshuffle coming up.

Mr Pederick interjecting:

The Hon. K.O. FOLEY: You're the only one laughing. I have to tell you, the member for Norwood couldn't get a bigger smile on his face.

An honourable member: What's this got to do with police?

The Hon. K.O. FOLEY: A lot. The Liberal Party Christmas party flyer this year is addressed 'To all Liberal staff, HOA, LC, Library, Committees, Hansard, Catering, JPSC staff'—parliamentary staff. Everyone but us—that would have saved you a few words. Then it says: 'On behalf of Isobel Remond'. They misspelt her name!

Members interjecting:

The SPEAKER: Order!.

The Hon. K.O. FOLEY: This flyer has gone out. They don't even remember the name of their leader. I don't blame them: they change so often. You lose track of who the leader is.

The Hon. P.F. Conlon: They're sacking her a letter at a time.

The Hon. K.O. FOLEY: They're sacking her a letter at a time. Their revolving door leadership situation is causing confusion. But I have to say to the member for Hammond, 'Mate, when you've got a reshuffle happening at any moment, and we all know that the member for Norwood is gunning for your spot, this wasn't a good time to misspell your leader's name.'

Members interjecting:

The SPEAKER: Order! I think the Minister for Police has a great future in the theatre should he chose that at some stage in the future: pantomime.

SMALL BUSINESS

Mr GRIFFITHS (Goyder) (14:34): My question is for the Minister for Small Business. Why has South Australia recorded the worst rate of small business failures in the nation during the June 2011 quarter, and is there a correlation between South Australia having both the highest state taxes in the nation and the highest rate of small business insolvency? Finance analysts Veda Australasia recently reported that South Australia recorded a 6.3 per cent increase in insolvencies amongst small business in the last 12 months and a 19.6 per cent increase in the last three years, the highest rate of insolvency in the nation.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (14:35): The Liberal Party tries to point out its qualifications on small business, yet they stand alone in this state in opposing the government's attempts to bring in a small business commissioner.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: A sore spot for them. This government has a record second to none—

Mr Marshall interjecting:

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

The Hon. A. KOUTSANTONIS: —for its support of small business, but don't believe me—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —believe the Farmers Federation, believe the MTA, believe the Council of Small Business of Australia, believe small businesses all across this state that are crying out for the Liberal Party to support our bill—and they won't. They have abandoned small business. There are dark forces at work in the Liberal Party. Dark forces are at work which—

Mr GRIFFITHS: Point of order: matter of relevance. Is the minister actually guaranteeing that the commissioner will ensure that South Australia does not have the highest rate of insolvency?

Members interjecting:

The SPEAKER: Order! That wasn't a point of order; that was another question. Minister, back to the question.

The Hon. A. KOUTSANTONIS: If you run a retail outlet on The Parade and, due to retail sales being down because of the high Australian dollar and your landlord is not cooperating—

Mr Pisoni interjecting:

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

The Hon. A. KOUTSANTONIS: I can't hear you mate; sorry, speak up.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: If you own a retail outlet on The Parade and you need someone to be on your side, you need a small business commissioner, yet the member for Norwood votes against—

The SPEAKER: Point of order. Member for Finniss.

Members interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

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

Members interjecting:

The SPEAKER: Order! Member for Finniss, what is your point of order?

Mr PENGILLY: I believe the minister is straying into a bill before the house currently.

The SPEAKER: I am sure he would not choose to do that; back to the substance of the question.

The Hon. A. KOUTSANTONIS: I apologise to the house. I want to quote from a paper of record, a paper of note, *The Australian*. The shadow minister says we are the highest taxed state in the nation. According to *The Australian*, the leader of public national debate, they say—

Members interjecting:

The Hon. A. KOUTSANTONIS: 'No,' members opposite say. Okay, fine, no problem. That's on the record. I understand.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: My advice to the member for Davenport is a haircut, a few kilos and it's yours. The national average for a tax take for a state is $2,769 per capita; in South Australia, it is $2,477, according to *The Australian*. In my time in this house, I have never known *The Australian* to be wrong.

Members interjecting:

The SPEAKER: Order! Point of order, the Minister for Police.

The Hon. K.O. FOLEY: I would just ask that members opposite show some respect and tone it down a little bit. My dad has got a hearing aid in; just turn it down a little bit, but you are a little bit over the top.

The SPEAKER: Thank you, minister. I am sure you haven't contributed to any of this today. The member for Bright.

Members interjecting:

The SPEAKER: Order!

MENTAL HEALTH

Ms FOX (Bright) (14:39): My question is to the Minister for Mental Health and Substance Abuse. What recent—

An honourable member interjecting:

Ms FOX: Sorry?

Members interjecting:

The SPEAKER: Order!

Ms FOX: What recent developments have there been with respect to mental health reform in South Australia, and could the minister explain the philosophy behind these reforms?

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): Thank you—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I thank the member for Bright for this very important question. As last week was Mental Health Week, I think it is important that I update the house on where we are with the development of our mental health strategy. As members would know, the government asked the Social Inclusion Board to look at our mental health system and to report. They, in fact, reported in 2007 in a very important mental health report entitled Stepping Up.

The Stepping Up report outlined the stepped system of care which allowed patients to step out or step down from acute care or to acute care as they were becoming unwell or to intermediate services as they got better, whereas most mental health care in the past was centred around providing just acute care. We had an unbalanced system.

We as a government are investing $300 million to build the infrastructure necessary to make that new stepped up system work. The new Glenside Hospital will be the major centre—

Ms Chapman interjecting:

The SPEAKER: Order! Member for Bragg, you are warned.

The Hon. A. Koutsantonis interjecting:

The Hon. J.D. HILL: That's true. As the police minister says—

Ms Chapman interjecting:

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

The Hon. J.D. HILL: —the member for Bragg described the building of a new, modern mental health facility for South Australian mental health consumers as a disgrace. That is what she said. She cannot resile from that, Madam Speaker, that is what she said.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: It is good to see the member for Davenport defending her, though. That's always a good look. The new Glenside Hospital will be the major centre for acute mental health services for all South Australians. A 15-bed intermediate care facility and 20 supported accommodation places have already opened at Glenside. I opened them over the last few months, and they are superb, contemporary facilities, which are providing services already to mental health consumers in South Australia.

Despite this terrific progress, some members opposite persist in unnecessarily alarming vulnerable people within our community by perpetuating the myth that the government is closing the Glenside Hospital. That is what they say. It is not true. Let me assure the house it is not—

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: It's interesting; you interject when I am talking, but when I stop to listen to you, you stop. It is curious, Madam Speaker, curious. On an ABC Radio news bulletin—

Mrs Redmond interjecting:

The Hon. J.D. HILL: There she goes. She does not want you to actually hear what she says, because she knows what she says—

Members interjecting:

The SPEAKER: Order! The minister will get back to the question.

The Hon. J.D. HILL: ABC Radio morning news bulletin on 19 September ran the following story. I quote directly from the ABC news. This is just a month or so ago:

> Opposition health spokeswoman, Vickie Chapman, says the government has abandoned mental health and spent millions on a film facility.

Well, apart from the factual problem with the story, it was interesting that the member for Bragg was speaking outside of her portfolio responsibilities. Previously, the member—

The Hon. K.O. Foley: That's never stopped her before.

The Hon. J.D. HILL: That's never stopped her before. It was a rare straying from the proven track. Previously, the member for Bragg had said on 14 September on the ABC, and I quote:

> Our concern over the last four years is the government's decision to sell off half of Glenside leave the mental health patients in a very difficult position. Since then, whilst the government have announced that they are going to build a hospital for mental health patients, that's still dirt and nothing done.

The facts are that construction of the main hospital site is well under way. Obviously, when you—

Members interjecting:

The SPEAKER: Order! Minister.

The Hon. J.D. HILL: This is the level of dishonesty that we are having to deal with in this area, continual dishonesty about our mental health system perpetuated by those on the other side. That is—

Ms Chapman interjecting:

The SPEAKER: Order! The member for Bragg, do you want to go out again today? Minister.

The Hon. J.D. HILL: Thank you, Madam Speaker. The facts are that the new Glenside Hospital is under construction and I was out there with the media just last week. The premise underpinning the Stepping Up report—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The construction on the new hospital is underway. We have opened up two elements of the new facility, as I have said, and the premise of the Stepping Up report is that mental health care should be integrated in everyday mainstream activities in order to encourage destigmatisation.

That is one of the central themes that was in the Stepping Up report, and that is why the design plan for the Glenside campus, a design plan that those opposite have continually opposed, is about embodying integration as it provides for the new mental health facilities not to be isolated from the community, not to be in a location which is seen with a stigma—a place people recoil from—but as part of a community where things happen. So, there is residential, retail, commercial—

Mr Pisoni interjecting:

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

The Hon. J.D. HILL: —as well, of course, as a working film hub. This will be a vibrant location where mental health consumers will not feel the stigma of being isolated in a location which people know as a place where mental health patients go. This will be a place where people shop, where people live and where people make art. This is a great advance for mental health in

our community. It is a tragedy that those on the opposite side do not get that. Nonetheless, they are entitled to their views, no matter how wrong they happen to be.

The step below acute care in the stepped program is intermediate care. Last week, I had the pleasure of opening the $4 million 15-bed Western Intermediate Care Centre with my colleague, the member for Cheltenham. This is the third of four of such centres which will provide a step down from acute services for those who are getting better but who still need some care and assistance to prepare for independent living. Such centres are already operational now at Glenside and also Noarlunga and one is planned, of course, for the northern suburbs. We are also offering intermediate care in the country for the very first time.

The step below intermediate care is the community rehabilitation centres, of which there are three 20-bed centres already operating at Elizabeth, at Mile End and at Noarlunga. The next step down is the supported accommodation, of which there are 20 units at Glenside already operational. There are people living in these units at Glenside who have never had a street address. There is a person living in one of those units who has been there in Glenside, in institutionalised care, for decades. They now have their own unit with their own bathroom, their own bedroom, their own kitchen, their own laundry and their own street address.

It is absolutely something that we should be very proud of. They have opposed it every single step of their way. It is about dignity and it is about providing a life for people, not locking them up and forgetting about them. That is what we used to do. We are not going to do that anymore. The next step down, as I was saying, is those 20 beds at Glenside, with a further 35 already built and tenanted across various locations in the metropolitan area. The remaining 22 will be completed next year.

It must give Premier Rann and, indeed, Monsignor Cappo and my predecessors as mental health ministers, great pleasure to see how these facilities are now operating given that, before 2007, the idea of these facilities did not exist. Now, the facilities themselves are there. South Australia, I am proud to say—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —is now leading the nation in mental health reform, and this has been recognised by the Mental Health Coalition of South Australia, who have informed me that they will be writing to the Premier to thank him for his commitment to mental health. They understand the enormous improvements that this government has made to mental health services and they also recognise that these changes—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: They also recognise that these changes would not have occurred without the personal commitment and leadership of the Premier. I personally would like to thank him for his outstanding leadership in this area. The Premier's and South Australia's leadership have also been recognised on the national stage. The COAG communiqué, at its meeting on 19 August this year, acknowledged the 'significant contribution' of the Premier in the area of mental health reform.

The communiqué also 'acknowledged the leadership of Premier Rann in driving improvements to Australia's mental health system'. This is real improvement as a result of a person who cared about doing something for the most vulnerable group in our community. This is an exciting time in mental health care in this state, and I would like to thank the dedicated mental health staff whose hard work has enabled this transformation to occur in our service.

GLOBAL ECONOMIC CONDITIONS

The Hon. I.F. EVANS (Davenport) (14:50): My question is to the Treasurer. Following the Treasurer's statement to the house yesterday about state investments, 'We do not have any specific exposure to what is going on in the United States,' can the Treasurer guarantee that none of the $3.6 billion that Funds SA has invested on international markets on behalf of the state is invested in the United States, and how does the Treasurer explain his claim that the state has no exposure, when Funds SA's annual report specifically sets out our state's United States investments in the International Equities Fund?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (14:50): This is a bit of an obsession for the member for Davenport. Of course—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —it is likely that some of the government's funds are invested in investments which are held in the United States. The point is that we are not exposed to the United States more than any other entity which is investing—

Members interjecting:

The Hon. J.J. SNELLING: —money, and that is—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —what it means to have no specific exposure to the United States.

ADELAIDE FILM STUDIOS

The Hon. S.W. KEY (Ashford) (14:51): My question is to the Premier. Premier, could you advise the house with regard to the Adelaide Film Studios and the official opening of those studios tonight?

Members interjecting:

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:51): Not much support on the other side for the film industry, obviously, but anyway—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I was talking to some people just down the street the other day (I think their names were Jenny and Graham Bing) about how important the film industry is for us in terms of defining our state and telling its stories. I want to thank the honourable member for the question because it is a significant one, and one that I welcome on my last day in this job as Minister for the Arts.

The South Australian film industry is about to embark on an exciting new era. It is almost 40 years since the Film Corporation was established under Don Dunstan, and it used to receive bipartisan support—for instance, when David Tonkin was the chair of the South Australian Film Corporation. It was a trailblazing institution that soon came to symbolise the genesis of the Australian film industry as we have come to know it.

Tonight, I will be officially opening the brand-new $48 million Adelaide Studios—an outstanding new facility that will enable the Film Corporation to continue its acclaimed work and prosper and grow. And why will I be opening it tonight? Because it has just been completed, and that is when buildings are usually opened—when they have just been completed. As much as I hate to burst the bubble of the whingers and the snivellers and the snide, I did not determine the date on which it would be opened. This spoils the story, I know, and I always hate to do that.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: That was determined by the South Australian Film Corporation back in April of this year—months before I announced I would be stepping down.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: They don't like it, and I am sure that those opposite who are coming along won't, like me, be paying for my ticket or for my family's tickets, but, never mind,

that's the way they are. Evidence that the opening date was determined back in April has been sent to various media outlets, which I am sure that they have received with glee, and I am sorry if it kyboshes members opposite's 'final party' scenario, but you just have to—

Members interjecting:

The Hon. M.D. RANN: It's an email—no, no, no. I agree, I think—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Look, this is a time for transition on both sides of the house. This is the time for the young to come down from the back to the front. It's a time for generational change. Just think of that slogan, the member for Norwood, the member for Stuart, 'It's time'—or maybe my friend Martin Hamilton-Smith still has that field marshal's baton in his knapsack.

Just in case anyone, any person who is not fair minded, says 'it must be spin', there is an email between the communications director of the South Australian Film Corporation, Sharon Cleary, and a publicity firm in which a series of dates are discussed in the lead up to the opening. That email is dated 29 April 2011. It discusses these dates—

Mr Marshall interjecting:

The SPEAKER: Order, member for Norwood!

The Hon. M.D. RANN: It discusses the tenants welcome day being 3 August—

Mr Marshall interjecting:

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

The Hon. M.D. RANN: It is very hard to—

Members interjecting:

The SPEAKER: Order! I can't hear the Premier.

The Hon. M.D. RANN: The Film Corporation's 29 April memo talks about the tenants welcome day being on 3 August, the industry orientation day being 17 August, the community open day on 11 September—that is the day it was on—and the gala opening, including the media futures forum which runs today between 12 noon and 4pm, tonight Thursday 20 October. And all of it has come to pass as planned, just as the same timetable was agreed to for the Olympic Dam negotiations, but I hate to spoil the spin of some people who prefer spin to the real story.

As it happened, I decided that, given the significance of these magnificent new studios, and given that I have proudly been the longest serving Minister for the Arts in the history of this state, ably assisted by the best partner arts minister in the world, John Hill, my last act as Premier would be to officially open the studios. It is an event that should be celebrated by members in this place.

Our film industry is iconic in South Australia, and it has been my firm determination not only to keep the industry sustainable but to see it rise to new challenges and go boldly forth into the future. You only have to look at the success of the recent productions supported by our Film Corporation such as *Oranges and Sunshine*, which has taken more than $3 million in box office earnings, to know that the SAFC is establishing an excellent niche in the market. I know members opposite are not much interested in the arts.

The Hon. K.O. Foley: I am.

The Hon. M.D. RANN: Kevin Foley is interested in the arts in a minute. I know there was a day when Di Laidlaw walked into the cabinet and said, 'Have I got a festival director for you! Peter Sellars.' I can imagine what they would have said, 'That is fantastic. That is the guy who did the *Pink Panther* movies. That'll be a winner.'

Despite its disturbing subject, *Snowtown* has won audience and critical acclaim, including a special mention from the Cannes Jury President. Cannes is a place in France sometimes featured in books by James Thurber. *Red Dog* has become—

An honourable member interjecting:

The Hon. M.D. RANN: That's right. Sometimes even in books by Albert Camus. *Red Dog* has become the biggest earner ever backed by the SA Film Corporation. It has taken more than

$20 million at the box office, surpassing *Shine* as well as that Australian cinema classic *Muriel's Wedding*.

This builds on the impressive film credentials developed since 2003 by the Adelaide International Film Festival (the Adelaide Film Festival). The Film Festival, initiated by this government, not only studies and celebrates films, it makes them as well. It is one of the few film festivals to invest in film and invest in film development.

It has premiered titles such as *Look Both Ways*, *Ten Canoes* and *Samson and Delilah*, all of which have gone on to be named Best Film at the AFI Awards. In fact, *Look Both Ways* and *Ten Canoes* were celebrated and *Ten Canoes* was award winning at the Cannes Film Festival. Of course, other film festivals now fund movies, and more in due course will catch up, but here in South Australia we did it first.

For that, I should thank the inaugural and outgoing Chair of the Adelaide Film Festival, Cheryl Bart, whose contribution over the past nine years to our film industry has been immense. I am delighted she is staying on as Chair of the Film Corporation. I will be announcing her successor at tonight's film studios opening event. I also want to thank Katrina Sedgwick who is stepping down as the Film Festival's director after nine years. She has been the festival's driving force since day one and has helped it grow to be one of the top 50 film festivals in the world. Importantly, the world is once more taking notice—as it did in Don Dunstan's day—of films that are created and supported here in South Australia.

I read the other day a bizarre article, it was one of those gotcha pieces that said—wait for it—that the South Australian Film Corporation has been investing in films, has been paying to have films made here. That is what it has been doing since 1972, that is its purpose. Of course, that is why this outstanding new facility is as important as it is exhilarating. It will provide the facilities and the backing that allowed the South Australian Film Corporation to continue shaping our cultural identity. It is going to be a great pleasure for me to open the studios tonight.

Can I just say, in tribute to Kevin Foley, that the one job I would never, ever give him was to act for me as acting minister for the arts when I was overseas. Not for one single nanosecond was I prepared to inflict Kevin Foley on the arts in this state, although I did make Patrick Conlon minister for women's affairs!

PRINTER CARTRIDGE SCAM

The Hon. I.F. EVANS (Davenport) (15:01): My question is to the Treasurer. What information has the Treasurer been given about the number of department agencies and staff involved in the printer cartridge scam, and is it broader than the four agencies already confirmed?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:01): I haven't got the specific information to hand. I certainly know that there was nothing in my own agency to speak of, but I will happily report back to the house as information comes to hand. It is, of course, an area of concern and is currently being investigated.

DEFENCE INDUSTRY

The Hon. M.J. ATKINSON (Croydon) (15:01): Can the Minister for Defence Industries provide the house with an update on how the government has promoted—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —the growth and expansion of the defence sector in South Australia since 2002?

The Hon. K.O. FOLEY (Port Adelaide—Minister for Defence Industries, Minister for Police, Minister for Emergency Services, Minister for Motor Sport, Minister Assisting the Premier with the Olympic Dam Expansion Project) (15:02): Eleven minutes.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I need all of that time to give a broad, comprehensive—no, what I will do, and this will send the member for Croydon into some spasm, because I am going to introduce a new word into the parliament today.

The Hon. M.J. Atkinson: It won't be the first time you have!

The Hon. K.O. FOLEY: Yes, but they were unparliamentary. I had lunch today—

An honourable member: As you do.

The Hon. K.O. FOLEY: As you do—with the Australian Chief Executive Officer of IBM who is in Adelaide.

An honourable member: He's going to offer you a job?

The Hon. K.O. FOLEY: Shortlisted. Do you really reckon a computer company would come after me? I have to take my 19-year-old son tomorrow to the phone shop to get me a plan and show me—I have never had to buy a mobile phone.

An honourable member interjecting:

The Hon. K.O. FOLEY: No, it's the lingo in the computer world and it's called—

The Hon. M.J. Atkinson: Mouse?

The Hon. K.O. FOLEY: You stole my thunder. It's called—

An honourable member interjecting:

The Hon. K.O. FOLEY: It was a dry lunch.

Members interjecting:

The Hon. K.O. FOLEY: I have forgotten the bloody word now!

The Hon. M.J. Atkinson interjecting:

The Hon. K.O. FOLEY: No, because this is what I am going to do with my answer, it is called 'hindcasting'. To forecast is to forecast forward, to hindcast is to look backwards. Does that meet your—

The Hon. M.J. Atkinson: Isn't that called history?

The Hon. K.O. FOLEY: Ah, history! I am going to tell a tale about Michael Atkinson. When he acted for me once, he drove my staff crazy. Every single letter that was sent over to him as an acting minister to sign, was sent back for grammatical correction and punctuation. My staff said, 'Please, never have Atko act.'

Defence, Madam Speaker: since coming to office we have made defence a priority. I will have to cut my answer down, because we have with us the former deputy premier of Victoria and Deputy Leader of the Opposition, because half of it was bagging Victoria. That would be a bit tacky, wouldn't it, with the former deputy premier sitting there?

But, clearly, we—the Premier and me—aggressively went after the air warfare destroyer program. We formed a defence industry advisory board and, as my briefing says, 'We recruited the nation's top defence and industry brainpower to serve on our influential Defence SA Advisory Board.' The Premier and I are both on that board, with the likes of General Cosgrove, General Leahy, Admiral Shackleton, Mike Rann, Kevin Foley, Air Marshal Les Fisher—

The Hon. P.F. Conlon: It's like the general's staff.

The Hon. K.O. FOLEY: Patrick, yes.

Mr Williams: Robert Hill.

The Hon. K.O. FOLEY: And he did a great job, yes; Robert did a great job.

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The truth of the exercise is this: there were 16,000 jobs in the defence sector when we came to office. I can report to the house now that, through the outstanding work of myself, we now have in excess of 24,700, and we are very confident that we will reach—even without me being around—31,000 jobs by 2013. I am not so sure about that, but that is what I am told.

We have concentrated on the defence sector. We are happy to get the metal bashing done in rust bucket states like Victoria—sorry, Rob—and then bring them over to the intellectual capital of Australia—powerhouse Adelaide, and down to Port Adelaide, my electorate. That is where we put all the smarts inside these things.

We have developed an extremely significant quality of skills here in South Australia in the defence sector. I am very proud of it, and we are seeing a significant expansion. I should say, and the Premier did note, that he never had the foresight—or whatever I said before—to make me arts minister. I will confess to the house that (as John Hill would know) despite every effort as treasurer, I failed dismally to cut the arts budget to the extent one would have liked.

I asked once, 'How much artwork have we got?' Do you know what they told me? 'We've only got about a third of our state's collection on display,' so I said, 'Let's flog off the other two-thirds. No-one's looking at it. What use is it?'

Mr PISONI: Point of order, Madam Speaker. Would you ask the minister to come back on subject? It is the Premier's day and he's stealing the show.

The SPEAKER: Thank you, member for Unley. I can't even remember what the question was.

Mr Williams: Nor can he!

Mr Gardner interjecting:

The Hon. K.O. FOLEY: I've got to. Please?

Members interjecting:

The SPEAKER: Order! The minister will get back to the substance of the question.

The Hon. K.O. FOLEY: I am going to miss you—voice and all! At this point, I don't want to hog all of question time, because I am very timid.

Mr Pisoni: Come on, it's the Premier's day. Sit down.

The Hon. K.O. FOLEY: It's my day, too.

Members interjecting:

The SPEAKER: Order! Minister, you will get back to the question. There are four minutes left.

The Hon. K.O. FOLEY: I'm out of here. Can I say to the Premier, Mike Rann—and I know that this is a novel concept for you lot over there, but we actually praise our leaders when they are leaving and praise them when they are coming in, unlike you lot. Marty hasn't spoken to Isobel since the leadership transition, Iain hasn't spoken—

The SPEAKER: Order!

The Hon. K.O. FOLEY: —to Marty, Vickie doesn't speak to Isobel.

The SPEAKER: Minister, will you please wind up your answer.

The Hon. K.O. FOLEY: No-one talks to Pisoni, and Ivan talks to everybody. I'm going to miss you lot over there. To the member for Bragg, I have to say that I hold you in the highest esteem. You are like a Tonka toy, you keep coming back up. You are a resilient member of parliament.

The Hon. A. Koutsantonis: She feels no pain.

The Hon. K.O. FOLEY: She feels no pain.

Mrs Redmond: 'The gift that keeps on giving'.

The Hon. K.O. FOLEY: Me? Really?

Members interjecting:

The SPEAKER: Order! Minister.

An honourable member interjecting:

The Hon. K.O. FOLEY: Talk about the gift that keeps on giving! I am going to conclude. Thank you to the Premier for his support throughout my career. And to all of my colleagues, no tears today, there is not need. To my beautiful sons and partners, and to the old man—you're very proud of your son, dad, aren't you? But to everyone I say thank you. To my staff, too numerous to mention individually—I've gone through so many.

Members interjecting:

The Hon. K.O. FOLEY: No, my staff have gone on to bigger and better things. Tom Kenyon, for example.

An honourable member interjecting:

The Hon. K.O. FOLEY: You know what I mean.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Oh, you've got dirty minds, you lot over there! Madam Speaker, this is my last question time and my last question. I know the Minister for Infrastructure is very delighted at that fact. I will leave a minute on the clock. To Jay Weatherill, all the best. You will make a very good premier and you have my full support. And to you, Premier, you have been an outstanding premier.

Honourable members: Hear, hear!

PRINTER CARTRIDGE SCAM

The Hon. I.F. EVANS (Davenport) (15:12): My question is to the Treasurer. Did the Treasurer pick up the hint from the former treasurer that there is more fat to cut in the arts budget? Madam Speaker, my actual question is: as the printer cartridge scam has already been confirmed in four different agencies, will the Treasurer now request the Auditor-General to undertake a section 32 inquiry under the Public Finance and Audit Act into the printer cartridge scam? If not, why not?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (15:12): Because, as I understand it, the Auditor-General is looking at it at the moment; and I will take advice on whether that is necessary. I am pretty certain that the Auditor-General can have a look at the issue of his own volition without my having to issue any direction for him to do so. Can I say with regard to the hints from the member for Port Adelaide that I am determined to pick up where he has left off with regard to the arts budget.

SPEED LIMITS

Mr GOLDSWORTHY (Kavel) (15:13): My question is to the Minister for Road Safety. Has the minister received any evidence regarding fatalities that have occurred on our country roads where speed limits are currently 110 km/h which indicates that those fatalities would not have occurred if the speed limit on those roads had been 100 km/h? If so, will the minister provide the evidence to the house?

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) (15:13): I am very happy to take this question because the clear evidence in this state since 2003 is that where we have reduced the speed from 110 to 100 on country roads there has been about a 20 per cent drop in serious and fatal injuries on those roads. I am happy to bring that back to the member for Kavel and anyone else who is interested to see it.

There is indisputable evidence from South Australia, Australia and around the world that if you reduce speed limits on roads you reduce the road toll. In 2003 when the former minister for transport, the member for Lee, reduced—very bravely, I might add—

Members interjecting:

The SPEAKER: Order! No supplementaries; it's a question.

Mr WILLIAMS: How many red flags are you going to buy—

The SPEAKER: Order! That is not a supplementary question. Member for Kavel.

VOLUNTEER SUPPORT FUND

Mr GOLDSWORTHY (Kavel) (15:14): My question is to the Minister for Volunteers. By how much has the Volunteer Support Fund increased in this year's budget, given that the minister recently spent around $300,000 on refits to her ministerial office?

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) (15:15): There are a couple of points here. I would like to thank the member. There are two points: I believe that there is about $150,000—I am happy to check that out—or so in the Volunteer Support Fund, and each and every one of those organisations is very worthy of those funds. I have to say, this morning I had the pleasure of visiting the new premises of Volunteering SA&NT and it was great to see the work that they are doing.

Most recently, I was required—I was forced—to leave the building that I was in when I first became minister, which was the old SGIC building—I think the GHD building. I had to move because they were doing up the building. I had absolutely no choice but to find a new office. I actually think I have the smallest ministerial office in the entire government.

Members interjecting:

The Hon. G. PORTOLESI: It's true; I am only little.

Members interjecting:

The SPEAKER: Order! I cannot hear the minister.

The Hon. G. PORTOLESI: I am very happy. My information is—

Members interjecting:

The Hon. G. PORTOLESI: I don't have any, but I have to check. I reckon we might have spent something like $50,000, but I will need to check.

COOBER PEDY AREA SCHOOL PRINCIPAL

Mr PISONI (Unley) (15:16): My question is to the Minister for Education. Did the minister participate in any discussions with the member for Giles and/or the chief executive of the Department of Education and Children's Services in relation to principal Sue Burtenshaw prior to her removal from Coober Pedy Area School, and did the minister make any assurances to the member for Giles that Ms Burtenshaw would be removed?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (15:16): The answers to the questions are yes and no, but can I take the opportunity on this very important occasion to add my voice to those who have honoured the service of Premier Mike Rann.

The Hon. I.F. Evans interjecting:

The Hon. J.W. WEATHERILL: Thank you very much. I must say—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —one of the great regrets—

The Hon. I.F. Evans interjecting:

The Hon. J.W. WEATHERILL: No, it's true. I think you make a good point. One of the great regrets I have—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —in moving to this new role is that I won't continue to have such a close relationship with the member for Unley in my—

The SPEAKER: Point of order. Member for Finniss.

Mr PENGILLY: I am unsure who is answering the question. The Minister for Education is trying to, but the Minister for Transport's mouth is going up and down and nothing is coming out.

The SPEAKER: Thank you. Sit down; there is no point of order there. Minister for Education.

The Hon. J.W. WEATHERILL: It has been a great joy to be opposite the member for Unley during the course of my—

The Hon. A. Koutsantonis interjecting:

The Hon. J.W. WEATHERILL: That's right. One Alan Bond. Yes, that's right. Can I say that I do honour the service of the Premier of our state, and the former deputy premier, the former treasurer and now current police minister and Minister for Defence Industries.

Mr PISONI: Point of order. My question was about the removal of a principal at Coober Pedy.

The SPEAKER: Thank you. The minister is answering the question as he chooses; it can be very broad ranging.

The Hon. J.W. WEATHERILL: This has a very close connection to Coober Pedy: they dig things up there and they have been very famous, these men, for—

The Hon. K.O. Foley: I have been to Coober Pedy once.

The Hon. J.W. WEATHERILL: That's right.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: I do want to take this opportunity, while we are here at this perhaps historic moment to acknowledge the wonderful service these two men have provided to our state. I think anybody, if they are being fair-minded about it, will have to acknowledge that over the last decade or so we have seen the transformation of almost every element of the affairs of our state: socially, economically, environmentally. I think they both have an enormous amount to be very proud of.

It is true to say that when we first stepped into this chamber after having a lengthy period of opposition there was much to rebuild in terms of public confidence in our party to be able to govern. I do not think anybody—well, perhaps a few people—is seriously questioning our competence. We have been a competent government. For all those who criticise us and for the things that we have not got right or the things that perhaps could have been done better, nobody is questioning our competence, and it was fundamentally rebuilt by these two men. I do not want to dwell on their legacy—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —because that is a matter for the history books and we are of course still living this government. I think history will treat these two men very kindly, and I think any fair-minded South Australian will acknowledge the enormous contribution they have made to our state.

Members interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition.

SEXUAL OFFENCES

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:20): My question is to the Attorney-General. Will the minister inform the house of his review into permitting the identification of alleged sexual offenders as promised by the Premier in the house on 3 May this year while making a ministerial statement about the unnamed MP charged with child pornography offences?

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) (15:21): Yes, I would be delighted to answer that question. I, as the

house would be aware, some time ago announced that Brian Martin QC, former judge of the South Australian Supreme Court and Chief Justice of the Northern Territory, would be looking into these matters and conducting a review. He has now completed that review, and I will be considering his review and its recommendations, and I will notify the parliament in due course as to what we will be doing from that point.

The SPEAKER: Before the member asks a question, can I add my appreciation. I have been here working with you for 14 years (from last Thursday), Premier, and you, Minister for Defence Industries. I think today your performances in question time show the calibre of how wonderful you have been for us. Thank you to both of you. Member for Reynell.

ZERO WASTE GRANTS PROGRAM

Ms THOMPSON (Reynell) (15:22): I am pleased to be asking what will probably be the last question on this historic day, but not to either of our departing heroes. My question is to the Minister for Environment and Conservation. What assistance has the government provided to the resource recovery industry to help them manage the increasing amount of material recovered for recycling?

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:22): Thank you very much, Madam Speaker.

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: Thank you, Iain. I thank the honourable member for her very important question. Of course, I am pleased to announce the next funding call of $1.5 million for the Zero Waste SA 2012-13 Metropolitan Infrastructure Grants program. I want to put this into context as well. Many speakers have noted before me, in answering questions today, the transformation of South Australia in so many aspects since the Rann government took office. This is another area where we have become national and hence international leaders in many aspects of managing our environment.

The Recycling Industry Investment Review, completed in 2009, indicated that resource recovery in South Australia is expected to increase by over 600,000 tonnes (20 per cent) by 2020. The government, through Zero Waste SA, has provided significant assistance to the resource recovery industry since 2004 to help them deal with the increasing amount of material being recovered for recycling.

In 2010, the government committed to providing $7.3 million over four years for investment in key waste infrastructure across South Australia in order to continue the improvement of our state's waste infrastructure and capacity to reprocess recyclable material. Over the past year, the state government has significantly progressed this commitment by awarding $3.2 million for 27 projects under two Zero Waste SA programs: the Metropolitan Infrastructure Program and the Regional Implementation Program. These projects were awarded funding for new or improved transfer stations, recycling facilities in rural areas, improved facilities for handling electronic waste, baling equipment, and a new oil waste recycling facility. I could go on and on, and I know the opposition would like to hear more about this particular subject.

What I can say is that we are seeking further applications from the resource recovery industry for funding under the Metropolitan Infrastructure Program, and $1.5 million will be made available under the program to encourage applications for infrastructure projects that target a range of waste materials, including, importantly, the next challenge to this country and, indeed, the planet—how we manage e-waste. Of course, it will include tyres, white goods, fluorescent lighting (or other lighting that contains mercury), vehicles, plasterboard, carpet, leather, textile, or other problematic waste. This investment is a critical factor in encouraging the further recovery of resources as South Australians work towards our target of reducing waste to landfill by 35 per cent by 2020.

Whilst I am on my feet, this is the last question that has been asked during the premiership of Mike Rann and I acknowledge the outstanding contribution that has been made by him and Kevin Foley. I too want to express my gratitude with respect to the role that they have played for this state and on behalf of the people of South Australia. It has been an absolute privilege for me to be a member of the Rann cabinet and to work closely with Kevin Foley.

I look at the areas in which I have been involved with respect to my portfolio responsibilities. In training, further education and higher education, I see the advances we made in

those areas in regard to, amongst other things, international students, and in creating Adelaide to be a centre of learning and an international centre of learning.

Through to my current portfolio—I will miss the many in between—of environment and conservation, I see the advances we have made with respect to the way in which we manage our environment. Just by way of interest, when we introduced, back in 1991 or 1992, I think it was, the Wilderness Protection Act, by the time we came to lose office in 1993, I think 70,000 hectares were placed under this highest level of protection.

More importantly, during the time that we were in opposition, until 2002, it is safe to say that not one square metre was added to wilderness protection during that period of time. Since resuming office in 2002, and with the proclamation of the Nullarbor wilderness area, we will take that up to 1.8 million hectares.

So, I just want to conclude by saying it has been an absolute pleasure to be a member of the Rann government. History will reflect very, very well on the contributions made by Mike and Kevin during their time as leaders of what has been a very cohesive, disciplined and hardworking team. I look forward to the future with great optimism. Jay will make an outstanding premier, but I also look back to the past with a great deal of pride.

Honourable members: Hear, hear!

The SPEAKER: I think, minister, you echo all our feelings. We will miss you greatly, Premier, from a state level and very much on a personal level. Thank you for the years we have served with you.

GRIEVANCE DEBATE

ROAD SAFETY STRATEGY

Mr GOLDSWORTHY (Kavel) (15:29): I want to make some comments concerning the Road Safety Strategy document recently released by the government. Embarrassingly for the Minister for Road Safety (Tom Kenyon) and the government, that document was leaked to the Liberal opposition before the minister's launch of the strategy, which somewhat deflated his efforts, given the media coverage that took place prior to the launch. It is a clear indication that this government is in turmoil when we see an ever-increasing volume of leaked material coming our way.

I have made these statements publicly and I will keep making them again and again, because I believe they are the facts of the matter, that is, that this strategy is flawed if it is not supported by a satisfactory level of resources and funding. It will be ineffective if those fundamentals are not provided. What we have seen coming from this strategy thus far announced by the minister is basically an increase in penalties, reduction in speed limits and further restrictions placed on our younger drivers—that is what the minister is proposing. Now, any one can do that.

It does not take much skill to increase punitive measures on the community, and I believe that has been one of the hallmarks of this government in its approach to road safety over the past ten years. It takes real skill and acumen to actually be able to go to cabinet, argue your case to seek funding and have it approved to address the $200 million backlog in road maintenance and infrastructure. It appears that the minister cannot or will not do that.

Page 5 of the minister's own strategy document specifically highlights the important fact of investments in our road network, but what do we see? We see no funding provided. The minister confirmed this in a recent radio interview, when he was asked, 'Is there any new cash in this package to improve the roads further?' to which he replied, 'There's no funding attached to it.'

There you have it: the minister is ignoring the fact that this state is in urgent need for the $200 million backlog in road maintenance to be actioned. He wants to ignore it, even though it is right there in front of him. This is in stark contrast to the opposition's position; that is where we made a commitment to address this glaring issue. We committed $50 million at the election last year, and I am confident that as we progress to the 2014 election this will be at the forefront of our road safety policy.

In relation to the minister's proposal to reduce speed limits on rural roads to 100 km/h, I want to say this: speed limits should not be reduced to compensate for the government's neglect of the maintenance of our road network; however, this appears to have occurred where some of our main roads have not been maintained to a high standard and have deteriorated to a level where

motorists cannot drive safely at 110 km/h. Motorists should be able to drive at 110 km/h if our main rural roads are properly maintained and are in good condition, with safe infrastructure built.

In addition to this, the proposed changes to the graduated licensing scheme will have a severe impact on all our young people, particularly those in our rural areas. I can tell you that these proposals have caused considerable alarm in our rural and regional areas. My colleagues talk to me about the strong representations they have received from their communities.

My message to the minister is this: fix up your roads, improve the driver education and training programs in schools and during the learner drivers permit stage, and implement effective road safety advertising programs, and I think you will see a marked reduction in our road toll and serious crash injuries. Stop punishing the community due to your inability to consider and act on other road safety measures.

GALAPAGOS ISLANDS

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:34): The last sitting Thursday I was not present in the house and, in a grievance debate, the member for Bragg asked where I was. According to her I should have been here to answer her questions. Well, I have been here all week and not a dickie bird.

Let me assure the house I was not out swimming with turtles, I was not fishing, I was not surrounded by security for fear of being robbed nor was I dodging unexploded in unmarked minefields. Apparently these are both the delights and risks visitors face when exploring the Galapagos Islands—a location for which the member for Bragg was prepared to endure six flights in August last year to visit. I thought it was only Captain Kirk on the Enterprise that went places no-one had ever been before but apparently, so the member for Bragg reports, no other Australian state or federal parliamentarian has ever been there and reported on it. Well, I am not surprised.

Apparently the member for Bragg undertook this fact-finding mission to the Galapagos Islands to study pest control—obviously a matter of great importance in her electorate. It certainly has nothing to do with her shadow portfolios. I noted with some interest the member's concern about unsterilised and non-pure bred dogs roaming the streets.

The member for Bragg reports 'travel was via a sailing catamaran' and she was ably assisted by an exceptional guide—

Mr PENGILLY: Point of order, Madam Speaker. It would appear to me as though the minister is reflecting on another member in a stupid fashion.

The SPEAKER: No. I think there is no point of order there. It is a grievance.

The Hon. J.M. RANKINE: She had an exceptional guide, Alex Villa. Alex was, according to the member for Bragg, 'a qualified conservationist and proficient in oceanography and astrology'. That is, he was proficient in predicting the future by the position and movement of heavenly bodies.

I wonder if the member for Bragg's guide-cum-astrologer was able to predict what will happen with the leadership of the Liberal Party. If Saturn is in harmony with the other planets, might we see the member for Bragg fulfil her long held desire to take the leadership? Or will her zealous pest control reform agenda put the cane toad loyalists offside? If Mercury turns retrograde, will the member for Waite return to the throne? If Venus is prevalent, will the member for Heysen hang on and defy her challengers? Or is she another flightless bird like those famously sketched by that other intrepid traveller Sir Charles Darwin when he went on his own fact-finding mission to the Galapagos in 1831?

But the question that must be answered today is: did the member for Bragg's astrological friend tell her to submit her report on the Galapagosian pest controls six months late? Or was it a more temporal reason? The member for Bragg may not have wanted a document, signed by her on the public record, highlighting fishing restrictions in sensitive ecological areas at the same time as she was hosting town hall meetings to protest marine reserves. Did the six flights and the use of most of her travel allowance—

An honourable member interjecting:

The Hon. J.M. RANKINE: No, he did it—just slip her memory while bellowing in the megaphone? I believe we can find an explanation in part for this recalcitrant behaviour in the member's zodiac sign:

They are very flighty and will disappear for a long time as they meet new friends and explore new places. But when they come back, they will have new thoughts, opinions and interesting things to share and ideas to teach.

Most illuminating, I think, is the fact that they tend to 'disperse their energy on different tasks and not just focus on one thing thus leaving a trail of unfinished projects in their wake.' Something, too, that should be carefully noted by the Leader of the Opposition:

They will not be pinned down by anyone or any rules. Change and freedom are extremely important, they will never let anyone dictate them.

I note that on 7 July this year, the day the report was lodged (six months late), the member for Bragg's horoscope read:

There are things you'd rather not talk about, but sometimes you have to anyway. Don't be afraid to broach topics that would usually make you nervous or comfortable.

Like a fact-finding mission to the Galapagos Islands on the taxpayers' bill perhaps?

I spoke to my colleague the minister for the environment who told me there are some excellent examples of South Australian pest control taking place on Kangaroo Island right now and the ferry left at 3 o'clock. But she might want to check with her astrologer first.

For the information of the house, last sitting Thursday I was in Melbourne to attend the opening of a new aged homeless disability housing project and, secondly, to meet with board members and the CEO of Winteringham to lobby the federal government in relation to a specialist service here in South Australia.

Time expired.

The Hon. J.M. RANKINE: Madam Acting Speaker, I request an extension of time.

The ACTING SPEAKER (Hon. S.W. Key): No. Your time has expired, minister.

The Hon. J.M. RANKINE: Thank you. Winteringham is an extraordinary organisation whose CE—

The ACTING SPEAKER (Hon. S.W. Key): Minister—

The Hon. J.M. RANKINE: —was flying to Mexico to receive—

The ACTING SPEAKER (Hon. S.W. Key): Minister, I am sorry, I said your time has expired, so thank you. Now we have the member for Stuart.

The Hon. J.M. RANKINE: I seek leave to make a personal explanation.

The ACTING SPEAKER (Hon. S.W. Key): Leave is sought. We have the member for Stuart on his feet. Can I ask you to do that after his contribution please? The member for Stuart.

ROAD SAFETY

Mr VAN HOLST PELLEKAAN (Stuart) (15:40): I rise to speak on a very important matter, that of road safety, and I acknowledge the importance of road safety and the importance of doing everything we possibly can in this house to reduce deaths on our roads. But I also have to say that I am very disappointed at the government's and the minister's claimed intentions to go about this by reducing speed limits on our country roads. This is an exceptionally important issue but this is not the way to go about it.

As the member for Stuart, and feeling quite comfortable to say this on behalf of other country members, country and outback areas will not be well served by this planned move whatsoever. Unfortunately, in the Far North of this state, I have helped emergency service workers, and taken people and bodies off the highway, so I have had first hand experience with this. Very unfortunately, as an active CFS member in the Wilmington Brigade, about two years ago we had a death on the road in our town in a 50 km/h zone. I can assure everybody present that as devastating as that is, it was not the speed limit that caused that death. I will not go into the details of it, but it was a glaring example right in front of me, and it was not the speed limit.

I also had reason to speak with members of the Stirling North CFS Brigade very recently and, as members of this house may know, Stirling North CFS brigade deals with an enormous number of callouts to motor vehicle accidents on Highway 1, usually south of Port Augusta. They said to me, (although this is anecdotal because they provided me with some figures which I do not have with me) that when the overtaking lanes on the Stuart Highway, south of Port Augusta were

implemented and upgraded, their callouts to road accidents dropped significantly, certainly in excess of 50 per cent.

So, clearly, the quality of our roads is very important here. Our shadow minister, the member for Kavel, has mentioned numerous times the $200 million backlog of road maintenance that this government has not cleared up. No doubt that would go a long way, rather than a kneejerk reaction to just reduce the speed limits.

Interestingly, in Victoria and South Australia we both have a technical maximum speed limit of 100 km/h and roads are allowed to have a slightly higher speed limit when government departments decide that that is important. In Victoria, over the last several years, we have seen that as they upgrade and improve roads, they steadily increase the speeds from 100 to 110 km/h. We are finding in South Australia that, as our roads deteriorate and do not get fixed, our government is steadily reducing speed limits from 110 down to 100 km/h, so, again, clear evidence that it is the roads that need to be fixed.

Two weeks ago, I received a letter from an active highway patrol police officer, whom I have known for many years, and who has been in the police force for a significant number of years—decades in fact. This officer said to me, quite explicitly in this letter, that the government's plans will not address the problem. As important as it is, and we all want to reduce deaths on our roads, that issue will not be addressed and will not be improved. This officer's advice is that, rather than increasing maximum penalties for crime, what the government really needs to do is to impose higher penalties. This officer made the point very forcefully that there is a very big difference between appearing tough on law and order, and increasing the maximum penalties, and not actually imposing those penalties.

This officer advice, quite clearly, was that if the government were to say that the very next person convicted of hoon driving in our state will go to prison, hoon driving would immediately be significantly reduced in our state, and I think that that is significant advice.

Again, it is not the speed limits: it is the condition of the roads. That dreadfully unfortunate situation I was personally involved in at Wilmington, where a person, I estimate, was travelling well in excess of double the legal speed limit caused that person's death clearly indicates that it is not the speed limits, it is the quality of the roads, and very, very importantly the behaviour of the drivers. Education and driver behaviour is the key.

ST JOHN AMBULANCE AWARDS

Mr PICCOLO (Light) (15:45): Today I would just like briefly to discuss a representation I made for the Premier, the Minister for Health and the Minister for Volunteers last Saturday at the St John Ambulance Awards. The awards were given in the presence of the Governor, and a number of St John volunteers were acknowledged for their efficient service to the community.

It was an opportunity for St John to come together to honour and celebrate the efforts of the St John workers, and particularly the volunteers. St John has been operating for 128 years, and, on Saturday, it also celebrated 20 years of its Community Care Program and 75 years of its Cadet Program. Awards were given for Operations for Long Service Awards, and there were also the priory votes of thanks for distinguished support for St John.

In that regard, I would just like to put on the record the support provided by the Arno Bay Progress Association, Clean Seas Aquaculture and Robert Rhen from Arno Bay. The association, Clean Seas Aquaculture and Rob Rehn have provided enormous financial support to the Arno Bay division of St John, and, without their contribution, its ability to respond to the local community would be certainly diminished.

In fact, the association provides support, as does, as I said, Clean Seas Aquaculture. The Community Care Awards are something which, I must confess, I learnt about for the first time. I was not aware that St John did this work. I have always seen St John as the ambulance people—the people you see at the various sporting events in the communities and various other community events. The St John people are always there.

One thing I was not aware of was its Community Care Program, which is actually financially supported in part by the Home Assist grant by the federal government and also by local government and the state. They actually provide home visiting and outings. They help older and home-bound people with shopping and also make regular telephone contact. Also, importantly, they provide people who have older family members assurance that their older family members are being looked after in their home.

The Training Awards were also handed out. There was also an award of a 1,000 Hours Certificate, and also Operation Awards were given to a number of volunteers who provide distinguished service. There are a couple I would like to mention particularly, not because their service is more outstanding than other members but because these three particular members of the St John community live in my electorate and have served my community.

I would like to acknowledge Patrick Fitzpatrick whose service to St John has exceeded 32 years; Richard Semmler has provided more than 17 years service; and also Barbara DeBono has also provided, I think, in excess of more than 27 years service. All three work in the Gawler division of St John. Also, St John cadets were acknowledged on the day. As I said, they have actually celebrated 75 years of service, and I think there were about four cadet groupings still in operation in metropolitan Adelaide.

The St John Awards also acknowledged the significant contribution made by the young leaders, which is an award sponsored by Community CPS.

It is particularly important to acknowledge the work done by St John volunteers this year, being the International Year of Volunteers plus 10, and we are quickly coming up to International Volunteer Day. The reality is, if it was not for volunteer work, there would be a number of events in our community that would not take place because they would lack the emergency services required to ensure, particularly at sporting events, should something go wrong, that the St John people are there.

On that point, last week I was at the local BMX club event in my town and quite a few kids came off their BMX bikes and they were a bit the worse for wear. The first people on the scene were the St John people, reassuring them and providing first aid care. I take this opportunity to acknowledge the wonderful work that St John volunteers do in our community.

SELECT COMMITTEE ON MARINE PARKS IN SOUTH AUSTRALIA

Mr PENGILLY (Finniss) (15:50): There are a couple of things I would like to talk about today. A few weeks ago, the Legislative Council Select Committee on Marine Parks in South Australia met in my electorate. They met first at Wirrina, and on the second day they met at Kingscote. What really worries me about this is the message that consistently came through both hearings. I was unable to attend the first one, but the second hearing I sat through most of the day, apart from during the evidence of one fellow who wanted to speak in camera. The message is still coming through that this thing is not being done properly.

I am concerned about it. I do not know what is going to happen in the ministerial reshuffle. I am hopeful that minister O'Brien will stay in his position and look after the interests of fishermen in South Australia because I am damn sure those people in the department of environment will not. I think it is ludicrous where this debate has gone. I think further hearings are planned for next week on Eyre Peninsula, which I know the member for Flinders will be attending. I will just about bet London to a brick that they will get the same message over there that we have heard in the hearings already.

The other point is that there has been some attention given to a rally that is planned at Victor Harbor on Sunday week, being organised by the FLAG group. Members may recall that earlier in the year there was a public meeting held at Strathalbyn. The minister, to his credit, attended and took questions, and we respect him for that; he did a good job, in the circumstances. However, this thing has not gone away.

Local farmers on Fleurieu Peninsula are still uptight and furious about what they see as too much power. The headline in *The Stock Journal* today says, 'Too much power: farmers to rally against heavy-handed NRM board.' Sooner or later in this state, something has to happen to neutralise these NRM boards and where they are going and the crazy things they are putting in place. I know the Natural Resources Committee and the Environment, Resources and Development Committee have heard from people on these matters, and they are not going to go away.

We have a collection of Independents who will be speaking—I think Senator Xenophon and the Hon. John Darley, from another place—and I know the Hon. Michelle Lensink is speaking and I am not sure about the Hon. Robert Brokenshire (however, he may be as well), and there could be others. It is fine to have rallies and it gives everybody a warm inner glow, but what is happening on the ground is that people in the farming community are fed up with being bulldozed and pushed around by heavy-handed bureaucrats who are getting paid large amounts of money and pushing

the food producers of this nation into a situation where they are almost rebellious. It worries me where it is going. It really worries me.

I will be going. I do not know how many people they will get there. I see photos of my constituents in *The Stock Journal* today. They are terribly worried and concerned, and these are very solid South Australian citizens who go back generations. What will happen, once again? I do not know where the minister is going, whether he is staying with this department, or what is going on—that is way out of my control—but this has to stop.

The minister, bless his soul, came down to the Fleurieu some weeks ago and we had a good day out at Parawa and also behind Victor Harbor and at Mount Compass. The message is pretty consistent there. Not everybody disagrees with some aspects of what the NRM wants to do in the Eastern Fleurieu or the Western Fleurieu (Adelaide Hills), but there is still a great deal of concern about it. What I say to the house is that Senator Xenophon and a few others can go down there and say what they like and then skedaddle off to wherever they are going, but they will not change anything. We might get a few amendments to the bill or the minister might pull the bill.

I will tell the people of South Australia what is needed: they have to get rid of this government. If you want a change in policy you have to get rid of the government. The government is absolutely on the nose in this state. It might change short term, I do not know—who knows where we are going. We might have to wait 2½ years or 2¼ years or whatever is left to the next election, but the reality is that these people can run around but they cannot change things, because the government is formed, as we all know, in the lower house of this building and we have to change the government if we are going to fix it up.

It will go on and on, festering and festering. Unless the minister of the day gets on top of these departments and these NRM boards and pulls them into gear—

Time expired.

MIDNIGHT BASKETBALL PROGRAM

Mrs VLAHOS (Taylor) (15:55): I would like to speak about a community event that I have attended a number of times in my electorate over the last few years, and it is Midnight Basketball. I recently had the honour of bringing minister Kenyon, the Minister for Recreation, Sport and Racing, out to see the youth of my area that participate in Midnight Basketball. It is coordinated by Paul Zimney, who is the coordinator of Midnight Basketball with the City of Salisbury, and with his team of volunteers, which is considerable, and the local Blue Light Disco and various other community organisations. They run an extensive program that won a high commendation award at the Parks and Leisure awards in Perth recently. I would like to put on the record my appreciation for them.

The Midnight Basketball program combines both sport and education life workshops in an enterprising format targeting young people aged 12-18 who are most at risk. One of the underlying factors that contributes to the success of the program is that it successfully brings together the community, parents, young people and leaders of the community. The City of Salisbury has been very proactive in working with young people in the northern suburbs and starting this program off. It has helped quite a lot of young people in the north who have been disadvantaged and are looking for things to do on a Saturday night.

This program allows them, by registration—and often the registrations are more then the spaces available, because the program has become so popular in its short history—to get picked up, taken to the basketball and they play a number of games. In between the basketball games they have very useful life education sessions, and they must go to those if they are going to participate in the sport.

Some of the sessions that I have witnessed recently include a workshop on CVs, and at the end of that you could register for another one on a Saturday morning to help you get a Saturday morning or a school holiday job. There are other sessions on drugs, alcohol, awareness of disability, law and order, good behaviour in the community, etc. They are very practical sessions. The breadth of what they do is truly inspiring. Not only that, over time as the program has emerged, parents have come and supported their children. In fact, the night I was there most recently, parents were having a seminar of their own about how to help their children have safe parties at home to ensure that their parties were not disrupted by gate crashers.

Midnight Basketball also works alongside Blue Light Disco, and I would like to acknowledge the humorous Nick Schooley of the northern zone of the South Australia Police force and his fantastic crew who donate time and support for Midnight Basketball on a regular basis.

They truly are, with Paul and his crew of volunteers, the heart and soul of this competition. It is often a time consuming arrangement that happens every Saturday night. They start early, pick the kids up, and often it is past 1 o'clock before the volunteers and Paul and his crew leave, having escorted the children safely home to their parents.

Another event I recently had the opportunity to attend that I would like to speak about is an inaugural night shoot that occurred at the Virginia State Shooting Park Complex. I was honoured to go to Virginia, again with minister Kenyon, to participate in some interesting events. I have never had the honour of shooting a shotgun before and it was a really interesting night. The state government has recently supported the state shooting park with the installation of lights for night shooting via a grant. We attended that evening with the International Clay Target Club and got to shoot clay targets for the first time using their new lights. There are many people at that club who are excellent Australia-wide and international competitors with their shotguns and clay target shooting.

That night, there were all ages of people there, who recreated at the Virginia area, who have been lifelong clay target shooters. Indeed, I think I met men who have been there since their childhood who are in their 80s, who are passionate about this sport. I would particularly like to acknowledge Dino Oliviera, who is an expert in this area, and the rest of the club who made us feel so welcome at night and who I look forward to visiting again as I learn more about the sport and the wonderful work they do at the State Shooting Park.

SELECT COMMITTEE ON THE ROXBY DOWNS (INDENTURE RATIFICATION) (AMENDMENT INDENTURE) AMENDMENT BILL

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (16:01): By leave, I move:

That Mr L.K. Odenwalder be appointed to the select committee in place of the Hon. Kevin Foley.

Motion carried.

WATER INDUSTRY BILL

In committee.

(Continued from 19 October 2011.)

Clause 2.

Mr WILLIAMS: I move:

Page 7, after line 5—Insert:

(2) Sections 18 and 26 must be brought into operation on the same day.

The amendment is quite simple. I mentioned in the second reading that I had some concerns about the lack of haste in bringing in the third-party access regime. This simply ensures that, at the same time that the section of the bill that institutes the new licensing regime comes into operation, it obliges the minister to take certain actions to institute, or instigate, the process of moving towards third-party access, which also comes into play. As I expressed, I want that third-party access regime to happen as quickly as possible, and this is just to ensure there is no delay in proclaiming that particular section of the act.

The Hon. P. CAICA: I said last night in my winding up of the second reading that we would do an analysis as best we could of the amendments that were provided by the opposition. Of course I, as a minister, have always taken any amendment seriously; where we think it can add to clarity, we will support them in this.

It seems that the member for MacKillop has concerns that the government would perhaps delay its work on third-party access, that is, by having these provisions perhaps commence at different times. The member's proposed amendment is consistent with the government's intent that the third-party access provisions should come into effect at the same time as the rest of the legislation. However, I am more than happy to make this explicit through the making of this amendment, and the government will support the amendment.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

Mr WILLIAMS: I move:

Page 9, after line 24—Insert '*River Murray* has the same meaning as in the *River Murray Act 2003*;'

This amendment is consequential to a further amendment. I am not sure what the government's position is on the further amendment, but the further amendment that this is consequential to establishes, as I talked about in my second reading, a third-party regime which allows our livestock producers to purchase water and have SA Water provide a delivery service. This definition is necessary to make sure that that purchased water is water purchased off the River Murray.

The Hon. P. CAICA: I assumed, quite rightly, that this amendment relates to amendments 16 and 19 in relation to water for livestock production, as was detailed last night. I think it is appropriate that we deal with that matter under clause 25 when we get to it. I am not quite sure how we do this—whether we consider it subsequently when that comes up, as opposed to dealing with that definitively now.

Mr WILLIAMS: Is it possible for us to come back to this clause later? As I am told that we can postpone this clause, I move:

That we postpone consideration of this clause and move to the next clause.

Motion carried; clause postponed.

Clause 5.

Mr WILLIAMS: I move:

Page 12, after line 17—Insert:

(3a) Parts 4 and 8 of this Act do not apply to or in relation to—

(a) a *Community Waste Water Management System* operated by a council, or a subsidiary of a council; or

(b) a retail service that is constituted solely by the supply of non-potable water.

(3b) In connection with subsection (3a), a council, subsidiary or person who provides a service referred to in that subsection will, subject to any provision made by the regulations, be taken to be a water industry entity for the purposes of the other Parts of this Act.

Again, I talked extensively about this yesterday in my second reading contribution. This clause comes to the crux of the debate that I put: why would we institute a rigorous licensing regime on what is, indeed, not an essential service, that is, a non-potable water supply and, indeed, a council-run community wastewater management system?

As I stated yesterday, those systems, by and large, are run in small communities, far-flung communities in a number of cases. They are actually being run by councils because, historically, the E&WS was disinterested in running and providing the service. Without councils running these services, we would have a diabolical situation. In most rural communities, we would have no organised sewerage system at all.

Again, the local government sector sees that they are providing a service to their community, a service which nobody else is interested in providing. They have done it under the Local Government Act since at least the 1960s and it works very well. The local government sector argues, and I certainly agree with them, that it is just duplicating and providing another layer of bureaucracy to their operations in providing this service to their communities. I am moving these amendments so that we exempt councils' community wastewater management services from parts 4 and 8.

Also, part 3A(b) would exempt a service which provided non-potable water—principally, I am talking about these councils that have been developing stormwater harvest, storage and re-use services. Again, the opposition thinks that it is nonsensical to regard that as an essential service, and we do not believe we should be applying the same very rigorous licensing and regulatory regime to those services. They should be treated like any other business providing a non-essential service, and be free to operate under market forces.

The Hon. P. CAICA: I understand from this, as made reasonably clear by the member for MacKillop, that he wants to exempt community wastewater systems from the requirement of this legislation. Without being disrespectful, because that is not how I am, it seems contrary to other statements made in the house yesterday which recognised the regulation in relation to essential services.

I think that most South Australians would regard community wastewater management systems as essential services. I am told the Local Government Association estimates that approximately 200,000 people (over 10 per cent of the state's population) are served by these schemes, and this number is increasing as the government will continue to support the installation of new schemes across the state.

The government and I think that some level of consumer protection is appropriate for these essential services, and, consequently, this is why we have deemed it necessary for it to be covered in this bill. Having said that, ESCOSA would take into account the nature of the entity in determining the appropriate level of regulation. Far be it from me to pre-empt what the independent regulator would do, but I can see them taking into consideration the size and scale of various operations with regard to whether or not they would provide an exemption to those entities on that particular basis.

Quite simply, this would provide those entities with the benefits of the bill without the commensurate responsibilities, if indeed they were to be exempted—as the opposition requires—without the commensurate responsibilities in the provision of an essential service.

On the issue of non-potable water, the government and I are at a loss as to the member for MacKillop's rationale for proposing this amendment. It would appear to be proposed on the basis that non-potable water does not constitute an essential service; however, this is clearly not the case. The member for MacKillop knows as well as I do that, in some rural towns, their supply from SA Water is only non-potable water. Nevertheless, it is still essential, and it still needs to be under—in my view and that of the government—a regulatory regime.

If we look at the lilac systems that exist in the north and south of this city that are being used to flush toilets, which I think this is an essential service—the ability to flush your toilet—they are using non-potable water for that particular purpose. I think that for the purpose of clarity, the government is going to continue to say that these systems ought to come under this part of the act.

Having said that, I would expect that ESCOSA would have a good at that, as the independent regulator, depending on the size and scale of that particular operations, and will take that into account when determining the status of those particular entities who are providing that particular service, which we say is an essential service.

Mr WILLIAMS: First of all, the minister suggested that we need to capture water delivery services that are non-potable services in some outback rural communities, and I mentioned a couple of places like Yunta and Terowie; I think even Hawker might be one of them. The member for Stuart raised this matter with me some weeks ago. There is a further amendment—I cannot inform the committee of the number of that at this point—which covers off on that which ensures that, without the sign off by the minister, those services provided by SA Water must be continue to be provided by SA Water. So, I think that covers off on that point that the minister raised.

With regard to the council community wastewater management systems, the reality is that the regulations covering these are currently in the Local Government Act, the Health Act and they are also subject to the EPA licensing. Those systems are already regulated under three acts of this parliament, and I continue to argue that this just provides another licensing regime for those councils.

As I informed the house yesterday, some of these schemes have as few as 11 or 12 connections to them. Notwithstanding that they are already regulated under a number of acts of this parliament and already meet stringent health and environmental controls under those acts, all we would be doing here is providing another licensing regime, another layer of red tape.

This government for years has been trying to convince the people of South Australia that it is cutting red tape. We are going to institute another layer of red tape over the local council sector which, as I said yesterday and I repeat again today, is actually providing a service that nobody else is willing to provide. If you make it too difficult for the councils and they walk away, is SA Water going to go in there and pick up these systems? I do not think so. They have never shown any interest in them previously. There is nobody else who is going to take them on. We are left with the councils doing them. They run them very cost effectively.

The costs are already regulated under the Local Government Act. They do not need ESCOSA to come and provide another layer of bureaucracy and reinvent the wheel at a cost to councils. There is nothing that will be delivered under this bill to improve the system of provision of

those services by councils. There is nothing to make them more effective, more efficient, and there is no ill that needs a cure. That is why the opposition is proposing this amendment.

The Hon. P. CAICA: I thank the honourable member for his contribution but it doesn't change the government's view. He is quite right to highlight many aspects of local government. Many of the mandatory licensing conditions already reflect the state government policy on the proper management of local government infrastructure, so I would probably say then that if that is the case and it makes no difference, why would the opposition be opposing it? The only point that I would make in concluding is that the other aspects of the state government policy enshrined in other pieces of legislation are not necessarily about consumer protection. It is not about economic regulation, which is the basis of the thrust behind this particular clause.

Mr WILLIAMS: It seems that we are going to agree to disagree on this. We will see what the other place thinks of this proposal. The consumer protection issues are covered under the Local Government Act, as is the pricing mechanism, but it is already covered by state legislation. I talked about this at length in the second reading. There is a silo mentality regarding the management of water in South Australia, and the councils have been left out there to manage stormwater and, notwithstanding the rhetoric, they have had little support from this government regarding an integrated stormwater harvesting system and all the works and delivery systems associated with that. Local councils have been left to their own devices to do that.

I suspect that the government has come along and said, 'Hey, what's going on here? We have had our eye off this ball for so long that we have a network of councils out there that are going to become serious players in the water market with this non-potable water supply and we need to be able to control them.' Having taken their eye off the ball, I am not sympathetic to the position the government finds themselves in because I have been arguing this point for a number of years to a number of ministers. There has been a steady change of ministers, and none of them has accepted the reality of what has been going on out there in the real world.

Now somebody in government (probably in SA Water) has come to the realisation that, having taken their eye off this ball for so long, we now have some serious players out there in the marketplace that might interfere with SA Water's monopoly position. Well, I say to the minister, 'Bad luck.' SA Water showed no interest in it, and your government showed no interest in this matter for years, and now you want to impose a regulatory regime after the horse has bolted to ensure that you can determine what price those councils charge for their water.

You can put a heavy-handed regulatory regime over the top of them to keep them under control to stop them acting and creating a really competitive water market in this state. That is what you are implying when you talk about this bill. That is what you want to deliver. You want to deliver third-party access, you want to deliver a competitive water market, a competitive water industry, and that is how you do it. You let the market work. You do not restrain the players in the market with heavy-handed regulatory and licensing regimes, heavy-handed high cost licences and price setting to determine what sorts of prices they can charge.

You are taking away their ability to develop a water industry market in this state. You will be doing exactly the opposite to what your rhetoric on this bill has been saying for the last 12 months. So, again, the local government sector, which has been forced into this position with very little support, is outraged that they are going to be put under a very heavy regulatory system with all the associated costs and all the restrictions. That is why the opposition is proposing this amendment, and we think it is the key to getting this piece of legislation right.

The key to it is to accept that supply of essential water—in most cases, it is potable water. As the minister pointed out, and as I said, I have an amendment to cover off on those far-flung communities where, notwithstanding SA Water supplies their water, it is not potable. But those organisations that are now in the marketplace, or getting into the marketplace, and not supplying an essential service are doing nothing more than anybody else down the local street selling a product. It is not an essential service. In fact, it is nowhere near as essential as foodstuffs, but we do not have these sorts of regulatory and licensing regimes over people who are selling foodstuffs up and down the street.

This is just another product that is being sold into the market. It is not an essential service. It does not need to be regulated in the way the minister is doing it. The market would look after this very well. The dilemma that the government has made for itself is that it is going to be competitive with SA Water.

The Hon. P. CAICA: I do not agree, of course, with the views being expressed by the opposition deputy leader, but I will respect his views. The first point I make is that the member for MacKillop talks about an integrated system. Of course, to fully integrate a system—and he uses the word 'system'—is to make sure that it is underpinned by a regulatory framework that actually assists in that integration. He talks also about being heavy-handed, and I do not see this as being in any way heavy-handed. Of course, the member for MacKillop would know as well as I, that, in making decisions, ESCOSA is bound by its act. It cannot be heavy-handed. It is bound by its act.

Of course, two aspects which it is bound by and which underpins any decision that it makes has to be in the long-term interests of consumers. Secondly, ESCOSA has to consider, if you like, amongst other things, its decision in the context of economic efficiencies; so, it needs to take that into account.

Again, there may be, as I mentioned earlier, certain providers and small providers of non-potable water supplies in some areas that ESCOSA may choose to deal with as it sees fit. I certainly say and the government certainly says that, if we want to achieve the objectives that have been espoused by the member for MacKillop, the best way of doing that is supporting this bill, because that is the way the objectives of the member for MacKillop will be delivered.

Amendment negatived; clause passed.

Clause 6.

Mr WILLIAMS: I move:

Page 12, after line 17—Delete '12 sitting days' and substitute: 14 days.

Page 13—

Line 10—Delete 'laid before both houses of parliament; and substitute:

Delivered to the President of the Legislative Council and the Speaker of the House of Assembly.

Lines 27 and 28—Delete subclause (10) and substitute:

(10) The Minister must, immediately after the finalisation of the report under subsection (9), cause copies of the report to be delivered to the President of the Legislative Council and the Speaker of the House of Assembly.

After line 28—Insert:

(10a) When the President of the Legislative Council and the Speaker of the House of Assembly receive a statement or report under this section, the President and the Speaker must—

(a) immediately cause the statement or report to be published; and

(b) lay the statement or report before their respective Houses at the earliest opportunity.

(10b) If the President of the Legislative Council or the Speaker of the House of Assembly is absent at the time that a statement or report is delivered to the Parliament under this section, the Clerk of the relevant House will receive the statement or report on behalf of the President or the Speaker (as the case may be) (and the statement or report will then be taken to have been received by the President or the Speaker).

(10c) If a statement or report is received by the President of the Legislative Council or the Speaker of the House of Assembly at a time when Parliament is not sitting, the statement or report will be taken to have been published under subsection (10a) at the expiration of 1 clear day of receipt of the report.

(10d) A statement or report will, when published under subsection (10a), be taken for the purposes of any other Act or law to be a report of the Parliament published under the authority of the Legislative Council and the House of Assembly.

I am more than happy to put these amendments. The minister might not agree to that. My first amendment is simply a technical amendment to delete 12 sitting days, which is the time within which the minister will be obliged to table a report in the parliament. There are two amendments to the one clause here, and I am quite happy for them both to be put together, if the minister is happy with that. My amendment No. 4 seeks to delete 12 sitting days and substitute 14 days. The reason is that, if, for instance, a minister sometime in the future got this particular report today they would not have to table it until probably March next year, and I just think it is a nonsense.

These clauses are in a number of our statutes, and I think it is nonsense. We should actually have a time limit which recognises the fact that, quite often, the house does not sit for a couple of months over the summer period—and certainly in the winter period. Similarly, my amendment No. 5 is consequential to that, because if you have the report tabled on a sitting day, obviously it is tabled in the house.

However, my amendment No. 5 actually says that it can be delivered to the President of the Legislative Council and the Speaker of the House of Assembly, which means that the report can actually be tabled out of session of parliament. What I am saying is that we would have the report tabled in the parliament, delivered to the President and to the Speaker in a timely fashion, and the house could be apprised of the contents of the report in a timely fashion rather than waiting for months and months.

The Hon. P. CAICA: Far be it from me to be as bold as I am going to be, but, with the acquiescence of the deputy leader, on this side we would see that we deal with amendments Nos 4, 5, 6 and 7 as one because, in essence, they are dealing with the finalisation of reports. We would support those four amendments, and that is in the interests of getting out of here quickly if we possibly can. Also, they are technical in nature. I do not personally see them as necessary, I really do not, but if it gives comfort to the opposition I am happy to accept these amendments.

Amendments carried; clause as amended passed.

Clauses 7 and 8 passed.

Clause 9.

Mr WILLIAMS: I move:

Page 14, line 28—Delete

'or conferred by regulation under this Act'

This is about the functions of the technical regulator. The functions are set out in the act and the last part of clause 9 provides, 'any other function assigned to the Technical Regulator under this or any other Act or conferred by regulation under this Act.' Again, it is a technical amendment that I propose. I have many times in this place expressed my distaste at our passing legislation which gives regulatory-making powers.

I think in every instance when we can put a power in an act rather than have it by regulation we are maintaining the sovereignty of this parliament, and I think that is important because we are losing it on a daily basis. If we want the technical regulator to have a different function or another function, I do not see why the minister should not be obliged under the legislation to come back and argue the case for that in the parliament rather than just signing it off by regulation.

We all know that the oversight of regulation by the parliament is fairly limited, and it is very rare that we see regulations overturned. I think providing a new function for the technical regulator is not something that is going to be of an urgent nature that has to be done the next day. It is probably something that is considered in the light of changing technologies, so it is something that I do not think would need an instant reaction; and I do not see why the parliament should give away its right to have a proper debate on the functions that the technical regulator should hold. Thus, I propose my amendment.

The Hon. P. CAICA: Essentially, supporting this amendment would be removing the government's ability to extend the technical regulator's function by regulation. Regulations are a legitimate mechanism, and successive governments for as long as I can remember have used them and in the future will use regulations. I am somewhat intrigued as to why the member for MacKillop sees this as necessary.

What I would say is that we have, underpinning the operations of this parliament, a parliamentary committee system, one of which is the Legislative Review Committee. Certainly in my time as minister, and I expect in a time far, far away when the member for MacKillop is a minister, he may well have some of his regulations disallowed, because it has certainly happened to me. I think the committee system has a legitimate role to play in this process.

I would also say—and I will paraphrase and hope that I am not incorrect—I think the member for MacKillop said he cannot think of any things and it would be more like changes in technology, or whatever it might be, that would take a passage of time, at any rate, so there would

not be that urgency. That is a very good reason to continue to have those matters dealt with by regulation, as opposed to necessarily coming back and having to amend an act through two houses of parliament. The member for MacKillop, again in a time far, far away into the future, might be confronted with another place that is somewhat less than focused on the issues that come before it than it might otherwise be.

I am happy to continue to hear the views of the member for MacKillop on why he sees this amendment as necessary. It seems to me to be philosophical as much as anything else, but the government will not support this amendment at this time. I think it needs further consideration. I am happy to continue to talk with the member for MacKillop during the time that it goes to the upper house, and my view is that it requires further consideration in the other place. I will be more than happy to continue dialogue with the member for MacKillop. Quite frankly, I do not see the sense in introducing amendments that are based on a philosophical view, as opposed to an ideological view, as opposed to a view that will enhance the operations by which this act will occur.

Mr WILLIAMS: The minister might be partly right. I do have a philosophical view on this, there is no doubt about that. My philosophical view is that the parliament should do everything it can to maintain its sovereignty. I will give an example of how regulation-making powers, in my opinion, have been abused in recent years, and I think I can say in the term of this government.

We know under the Subordinate Legislation Act that when a regulation is made there is a period of time—it is 14 sitting days—after the regulation is tabled in each house that it can be disallowed, or a motion can be proposed to disallow the regulation. That is a holding motion, and the government itself moves a holding motion on every regulation to give the Legislative Review Committee time to look at the regulation and take some evidence on it. So, there is a process there.

To allow ministers who find themselves in a situation where there is an urgent need to make a regulation, the Subordinate Legislation Act allows the minister, by declaration, to declare that it is necessary for the regulation to come into force straightaway; otherwise, it will not come into force until after the expiry of those 14 sitting days. It has become the practice, rather than the exception, for ministers of the Crown to make that declaration. It has become the practice of the executive government to make a declaration virtually every time that the regulation come into force forthwith.

That is why I make the comment; it is not just philosophical. In allowing this sort of thing to happen, and by allowing this sort of law to pass and that practice to become common usage rather than the exception in exceptional cases, this parliament is giving up its sovereign right to make law. It is handing that right, by and large, to the bureaucracy—not necessarily to the executive government but, beyond that, to the bureaucracy. That is why I oppose it. If the minister were able to convince me—and I know he is not because the facts are on my side on this one—and if he were able to stand up and say that there has been no change in the practice for the last 25 years over what I have just talked about, that is, the signing of the declaration that the regulation needs to come into force forthwith, I might have some sympathy for his position.

However, the reality is that not even the executive government has held onto its power here; it has almost become common practice for the bureaucracy to get the minister to sign that declaration on the regulations, and the parliament's sovereignty has been usurped. Notwithstanding that those regulations that have been brought into force forthwith can be subsequently disallowed, even if they are subsequently disallowed, there is a period where they are in force.

That is the parliament giving up its powers. As long as I am in this place I will make the case for the parliament retaining its powers, and I will demand that ministers—and hopefully I will be one one day and I will be demanding of my colleagues—make the case in the parliament for change rather than give ourselves powers to make it by the stroke of a pen.

The Hon. P. CAICA: I think that this particular clause as printed delivers the degree of flexibility to get things done, that need to be done. The clause that we have proposed here within the bill mimics the electricity and gas act. The proposed technical regulator, under those acts, is expected to be the technical regulator under this particular clause.

I think it is important, for the purpose of consistency across the operations of the technical regulator, that there is, through this clause that is before us, a level of appropriate consistency. It is consistent with what already happens in other areas, particularly under gas and electricity. I am

advised that it mimics those. Of course, it is our expectation that it will be proposed that the technical regulator under those acts will extend to the technical regulation under this act.

Mr WILLIAMS: For the sake of the committee getting on I was not going to have anything more to say, but I will make an important point. I know that this bill is based on the gas and electricity law. I do not know how much the minister knows about the gas and electricity law, but I have been the shadow minister for energy for some time, and I have been involved in most of the recent changes to the gas and electricity law in South Australia, for which we are the lead legislator for a national system. Because of that, it is quite a different legislative regime.

We are the lead legislator for a system which imposes those laws on all of the states and territories in Australia; it is a national law. Obviously, under that scenario it is quite a bit more difficult to make changes as you go forward to things like regulations. If you could disallow them, or whatever, by individual parliaments it would become the proverbial dog's breakfast.

Notwithstanding that the principles established in the gas and electricity law have been picked up on this bill—and I accept and appreciate that—the application, the way we apply them, and the way we will move forward with this particular piece of legislation, if and when it becomes law, will be quite different from the national gas and national electricity law, because it will only apply to this jurisdiction. We do not have to be cognisant of what is happening in other jurisdictions and we do not have to go and make the case, and then have an argument, and come to a conclusion, an agreement, with all of the other jurisdictions.

The comparison with those two laws I think has to be made in that context, so that the application of this law will be single jurisdictional, whereas the application of those laws is multi-jurisdictional. I suspect, minister, if you go back and read the *Hansard*, I probably did make some comments about the regulatory making powers with regard to the law, but I did concede that it was a different scenario because of that multi-jurisdictional reality.

The Hon. I.F. EVANS: I agree with the minister's answer.

Amendment negatived; clause passed.

Clause 10.

Mr WILLIAMS: I move:

Page 14, lines 34 and 35—Delete subclause (2)

Amendment 9 to clause 10 deletes subclause (2). Again, subclause (2) is about the delegation of powers, and I want to explain why I propose this amendment. Recently, under another piece of legislation, I sought to get some information about who in the department had been delegated some authorities from the minister. It seemed that it was impossible to get hold of that information, and that is why I wanted to address this.

What the bill proposes is that the technical regulator may delegate a function or power conferred on the technical regulator to a person or body or to the person for the time being occupying a particular office. I do not have a problem with that. You can delegate the authority. Then subclause (2), which I am proposing we delete, provides:

A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

So, I take it that the technical regulator can delegate one of his or her powers to some other person and then, at some stage, that person can delegate it on further, and then that person can delegate it on further and, before we know it, we are not quite sure who has the delegated authority for what.

That is the very experience that I had relatively recently, I think it was earlier this year, when I was trying to get an understanding of who had what powers. If my memory serves me well, it was under the Mining Act. It seems that the departments administering these laws seem to lose track of where these delegations are made.

That is why I am proposing that we delete that. It will not diminish the power to delegate because, further on, a delegation can be revoked. So, all it means is that, rather than that power being further delegated to somebody else, the technical regulator would revoke that delegation and then reissue it to the next person; that is all I am trying to achieve.

The next amendment I will foreshadow at this stage then provides that the technical regulator will keep a public register of all delegations made. I think that in any business,

organisation or operation where you delegate an authority, there should be a public register kept. If we as a parliament give a power to the technical regulator, I think we should be able to have an understanding, at any point in time, whether that technical regulator has delegated that power to another person.

In combination, I am proposing two amendments. Firstly, instead of being able to on-delegate a particular power or authority, it has to be revoked from the first delegation and then re-delegated. To me, it is just a simple way of managing the delegations, and then it also makes it very simple for the technical regulator, in this instance, to keep a register, which should be public. We give the power to the technical regulator. I think we have a right to know—we being the parliament and the public we represent—to whom any of those functions or powers have been delegated.

The Hon. P. CAICA: I thank the member for MacKillop for his contribution, and of course it is about, in his view, through this amendment, removing the ability to sub-delegate functions of the Technical Regulator. Notwithstanding the contribution, I remain intrigued as to why he thinks the amendment is necessary. We are not going to support this amendment. The statute book is absolutely full of clauses like this. I know that you would know this to be the case, Mitch, because you have been through it in a forensic way, but clause 10 of the bill places certain conditions under sub-delegation, and that is the way by which it should be managed.

Amendment negatived.

Mr WILLIAMS: I move:

Page 15, after line 6—Insert:

(3a) The Technical Regulator must keep a public register of delegations under this section.

The minister may well say that the statute book is full of these sorts of clauses, and there is never an obligation for somebody who has an authority to delegate part of their authority to somebody else to keep a register—least of all a public register. Notwithstanding that that may be the case, I do not agree with it, and I do not think it is sensible lawmaking. I think if that has been the general case in the past, it is high time we changed it. If the parliament gives authority to any officer, and we give the authority for them to delegate that authority, I think we should be able to be made aware of it, and that is why I am moving that the Technical Regulator keep a public register of all delegations made under this clause.

The Hon. P. CAICA: We will support this amendment. Indeed, if we reflect back on the discussion of the previous clause, the government has no problem with the amendment and, by supporting the amendment, it gives a greater level of governance in relation to what the member had previously said about the previous clause. I believe the best way for it to be dealt with is through this amendment, and we support it.

Amendment carried; clause as amended passed.

Clause 11 passed.

Clause 12.

Mr WILLIAMS: I move:

Page 16, after line 4—Insert:

(2a) However, before the Technical Regulator takes steps to disclose information under subsection (2)(a), (b) or (c), the Technical Regulator must—

(a) take reasonable steps to consult with the person who gave the information; and

(b) take into account any views expressed by the person who gave the information as a result of any consultation undertaken under paragraph (a).

Again, I can tell the minister that I do recall raising this issue in the context of the national gas and electricity laws at the time we debated those. This is about the ability of the Technical Regulator to divulge information that was given to the Technical Regulator, notwithstanding that the information was given confidentially. The bill provides a range of scenarios where the Technical Regulator can, notwithstanding the confidential nature of the information they have sought and been given by industry entities, divulge that information.

I do not think that the restrictions on that in the bill are strong enough, and that is why I have proposed amendment No. 11 which would strengthen those provisions. It is simply that a new 2A would say, however, before the technical regulator take steps to disclose information under the three previous subsections, the technical regulator must (a) take reasonable steps to consult with the person who gave the information and (b) take into account any views expressed by the person who gave the information as a result of any consultation undertaken under (a).

It is quite a simple amendment, but I think it offers a little more protection to the confidentiality of information. I fully appreciate that the technical regulator, to perform their function properly, from time to time will need to access information from entities in the industry. Notwithstanding that, I think every protection should be given to the confidentiality of that information.

The Hon. P. CAICA: I hope we can deal with this amendment very quickly. I am not going to support it at this point in time. It does, in my view, require some further consideration. Again, the member for MacKillop, as opposed to the member for Davenport probably, realises that this proposed amendment actually deviates from what is custom and practice under the energy and gas act. I gave him an undertaking last night to do as much work as we could on these amendments. The advice has come back that we need to seek a little further advice, and I accept this, on the implications of that deviation from custom and practice. We will deal with it between the houses if you are satisfied with that.

The Hon. I.F. EVANS: I rise to support my colleague the member for MacKillop. I am surprised that the minister's agency with all the consultation that this bill has been through—and it has been out for consultation since the King James Bible—everyone has missed this particular point that there is no consistency between this act and the other act to which the member for MacKillop refers in relation to gas and electricity. It just seems that if you were doing this, given that it is an essential service, you would have looked at the other act and said, 'What have we got there that we need to carry across to this act?' I welcome the minister's acceptance of this particular issue. It is unfortunate that it was not picked up in the 2½ years of consultation. I welcome the member for MacKillop's amendment.

[Sitting extended beyond 17:00 on motion of Hon. P. Caica]

The Hon. P. CAICA: I think I thank the member for Davenport for his contribution. I might be wrong, because it would not be the first time, but yes he is correct. It has been through a significant amount of consultation. It was not promulgated at the same time as the King James Bible but it has been around for quite a period of time, but not properly regulated as it will be under this bill. It is the opposition member's amendment that deviates from customer practice, not what we are doing; we are trying to ensure there is some consistency. Again, like standing up at the wrong time to talk about a clause of the bill that is not under consideration, I do not think you have this one quite right.

Amendment negatived; clause passed.

Clauses 13 to 17 passed.

Clause 18.

Mr WILLIAMS: I move:

Page 17, lines 26 and 27—

Delete ',suspended or cancelled' and substitute:

or cancelled (but may be suspended by the Commission under this Act)

This amendment again gets to the crux of what this bill is about. This bill is ostensibly about modernising the regime under which we provide water services in this state. It is a water industry bill: it is not an SA Water bill. The government has been arguing that it wants to have a modern water industry and that is about having competition and market forces to ensure that we get—

The Hon. I.F. Evans interjecting:

Mr WILLIAMS: Yes, it certainly goes back to John Olsen and what we did when we corporatised SA Water. The government of the day told a lot of a lies about that; they said that we had sold it.

The Hon. I.F. Evans: No, the government of today.

Mr WILLIAMS: Yes. The opposition at the time told a lot of lies about that. They said that we had sold it, that we had sold the water. I can assure the committee that the Olsen government did not sell one tap, one pipe, one reservoir.

The Hon. I.F. Evans: That would be a question to ask the minister: who owns them?

Mr WILLIAMS: Who owns them?

The Hon. I.F. Evans: They were never sold.

Mr WILLIAMS: They were never sold. It was never the intention of that government to sell. But what that government did was to establish in South Australia a water industry, an industry which today exports out of South Australia in excess of $500 million worth of goods and services every year.

We have heard members of the government talk about the legacy of the Rann-led Labor government over the last 10 years. I do not think that it has got a patch on what was created in that eight-year period between 1993 and 2002 in South Australia. One of the really good things that that government did was actually to create a water industry in South Australia. This bill, the minister would have us believe, is about enhancing that good work that was done by the previous Liberal government.

This minister would have us believe that this is about incorporating market forces where previously we have had just this huge monopoly called SA Water. Notwithstanding the rhetoric that we hear, notwithstanding that we get from a Labor government this feeling that there has been a philosophical shift to the right, the reality is that SA Water is still going to continue as a protected species under the regime envisaged by this bill.

The bill talks about the requirement for a licence, but it also says, and I will read out subclause (3) of clause 18—Requirement for licence:

> SA Water is entitled by the force of this section to hold a non-transferable licence under this Part appropriate to the services, operations or activities provided, carried on or undertaken by it from time to time.

So, everyone else that is going to be involved in this water industry has to run the gauntlet to get a licence, but SA Water gets theirs automatically. I can accept that because SA Water is in the industry. It has been there and it has been carrying out most of the functions, so I can accept that. Subclause (3) states:

> In connection with the operation of subsection (2)—

That is, the automatic licence for SA Water—

> (a) the Commission must issue SA Water with the appropriate licence or licences; and
>
> (b) the Commission must comply with any requirements specified by the Minister as to the terms and conditions of a licence and rights conferred by the licence.

Not only does SA Water have to be given a licence, it has to be given a licence with all the terms and conditions as set down by the minister. That is why I suggest that SA Water seems to be continuing in its role as a protected species. Subclause (4) is a little stronger; it states:

> The requirements of the Minister as to the conditions of the licence under subsection (3) must be consistent with the provisions of this act as to such conditions.

Well, that is fine. Then, subsection (5) states:

> [But] to avoid any doubt, a licence under subsection (3)—

This is the licence which has to be given to SA Water—

> cannot be transferred, suspended or cancelled.

One of those conditions under this act referred to in subsection (4) is under what circumstances you could suspend or cancel the licence to another entity. Everyone else in the water industry, everyone else in the water market, must have a licence. They must accept the conditions that the commission sets for them. SA Water does not: it automatically gets its licence. It gets the licence conditions that the minister says it should have. Irrespective of what it does, its licence cannot be transferred, suspended or cancelled.

I really struggle to understand how we can be assured that SA Water is going to continue to do what it should do if we have no powers to put any pressure on them, if we have no powers to suspend their licence. I am not asking to have power to transfer their licence and I am not suggesting that we have powers to cancel their licence. What I am suggesting is that, notwithstanding the protected species conditions that SA Water will enjoy over and above those enjoyed by other members of the water industry, at least the commission should have the power to suspend SA Water's licence. That, I think, would give a huge amount of comfort to our community.

The Hon. P. Caica: Do you reckon?

Mr WILLIAMS: Yes, that SA Water has to actually watch how it goes about its business. The minister scoffs, because the minister is going to say, 'Well, if SA Water's powers are suspended, the water is going to stop flowing out of the taps.' I do not think that is the case. If there is the power for the commission to suspend SA Water's licence, I think that would send a very strong message to the senior management in SA Water and the members of the board, because I do not think too many of them will survive if the licence was suspended.

I do not suspect that the water will stop flowing. I do not suspect that we are going to have death and famine across Adelaide because SA Water's licence was suspended for a short period of time. But it sends a very strong message to the people who are managing SA Water, including the board, that they have to take their role very seriously.

I would argue this: what is the point of demanding that somebody have a licence to perform a function and then saying, 'But this particular entity automatically gets their licence and that licence automatically has the conditions that they want on it,' because the minister gets to set the conditions, 'and, by the way, the commission that is administering this whole act is not allowed to put any pressure on them under their licence'? So why do they have a licence? It is nonsensical to give somebody a licence and there is no ability under that licence to say, 'You have to meet these conditions and, if you do not, we can, under very extreme circumstances, suspend your licence.'

So the opposition is proposing that we amend this, certainly not to give the commission the power to transfer or cancel the licence but to leave in there an ultimate power to suspend the licence of SA Water. I do not for a moment believe that that power will ever be used, but it sends a very strong message to the managers and board of SA Water that they have a very high level of responsibility and they have to meet it.

The Hon. P. CAICA: The government cannot support this amendment. Quite frankly, I think it is a preposterous amendment. SA Water, distinguished between other entities, is the primary water supplier in South Australia to 90 per cent of the state and its population, with a variety of water services. It has a government guarantee and a long history of providing bulk water supply services in South Australia.

SA Water's operations, of course, are the subject of additional scrutiny of the minister, the government and, indeed, this parliament. Consequently, SA Water's licence should not be suspended or cancelled, as the consequences, in my view and the government's view, would be absolutely ludicrous as the bulk supplier. People obviously need water; that is the bottom line. SA Water would still be subject to the same penalties as other water industry entities, but it is the primary water supplier to the South Australian population.

I think the member for MacKillop said, 'I am not talking about selling its licence or this, that and the other,' but he also mentioned about the board, by this clause, 'taking their job seriously', or 'taking their job more seriously'. I think that is an affront to the board and it probably shows how you feel about the SA Water Board and the way in which they run their operations. What I would say is that, by having SA Water's licence remain intact, it is actually not protecting SA Water per se, it is protecting the consumers and the users of the water—the 90 per cent of the population that are supplied by SA Water.

We are not going to support this amendment, and I make that very, very clear. With the greatest respect, I think it is preposterous and it will not achieve the key message of what the member for MacKillop is talking about, which is to make SA Water more accountable. It really is a bit of a nonsense. Of course, it is the prerogative of the opposition to deal with this in another place, but this government will certainly continue to oppose this amendment for all the proper and correct reasons.

Mr WILLIAMS: I think it is the minister who is actually creating a slight on the integrity of the board and the senior management of SA Water, that he does not believe that they are good

enough to withstand having this power to suspend the licence in the act. He is the one who said, 'No, we are not going to give the commission that power because it puts at risk that they might get their licence suspended.' I am quite happy to have the power to suspend the licence in there because I have faith in the people of SA Water to get it right, but it leaves the reserve power there to make sure that that situation continues.

The other point I want to make is that, for most of the amendments that I have proposed that the minister is opposing, he has been referring to the national energy acts—the national gas and electricity law.

The Hon. P. Caica: Only twice.

Mr WILLIAMS: Yes, well, that's enough. The point I want to make is that, where there used to be a monopoly or a series of monopolies across the states, what we have created in the national gas law and the national electricity law is a competitive market. How have we done that? We have used legislation like this, we have put in place a regulatory regime, and then we have allowed other players to come in and compete within that market. That has driven real prices down.

The Hon. P. Caica: Has it?

Mr WILLIAMS: Yes, it has. It has driven real prices down. It is stupidity like covering the landscape with wind farms and carbon taxes that are driving prices up. We have created—

The Hon. I.F. Evans: We have covered the landscape with a carbon tax.

Mr WILLIAMS: Yes, we have covered the landscape with a carbon tax. It is the competition within those industries that has driven prices down. That is why I say that it is implied in this whole bill that that is what you want to do in the water industry, but you are singling out one operator and treating them completely differently. That is not what we did in the National Electricity Act and the National Gas Act.

What we have said in those acts is, 'We are going to create this situation where you can all compete on an equal footing. You can all have access to the infrastructure that is there and the distribution networks and you can compete as a retailer, you can compete as a generator—generating and selling the product (electricity in that case) into the system.' Here we are saying—well, I thought we were saying—'Let's replicate that for the water industry, so then we will get a myriad of entities coming in, competing and driving innovation, driving efficiency and, at the end of the day, driving service delivery to the customers, including driving the price down.'

That is what we should be trying to achieve here, minister. If we only give lip service to that, we are not going to achieve that outcome. If we say that we are going to replicate the national electricity act and the natural gas act, and build in the efficiencies that we have gained in those industries into the water industry, but then say, 'Sorry, we need to protect SA Water, we need to treat them differently,' you are going to get none of that competition. As a consequence, you are not going to get any of the efficiency that comes out of a competitive market in a natural way.

By treating SA Water as a completely protected species under this bill, you throw away all the things you are trying to achieve. You throw the whole lot away, and you end up just moving on, doing what we have always done, with SA Water maintaining its monopoly position in the marketplace and doing what it has always done. I do not think anybody, including yourself, accepts that SA Water is the most efficient deliverer of water supply and the most efficient deliverer of sewerage systems that we can have. I do not think anybody accepts that, because it is just not right. I am sure that we could do it a lot better, but we have had this monopolistic situation for so long that we have accepted some of the inefficiencies.

This is what this bill is about; it is about moving on from that, getting some real competition, some real innovation, and moving into the 21st century so that we can drive increased service delivery at lower prices to customers. If you want to continue to treat SA Water as a special case and a protected species, I think you throw the rest out of the window, minister. I implore you, at least between houses, to have another serious look at this. I think it is the crux to the outcome of what we are going to get out of this piece of legislation. It is sending a very strong signal to SA Water that its days as a protected species are coming to an end.

The Hon. P. CAICA: We are not going to support this. I will make a couple of points. The member for MacKillop made a point about what had occurred in the gas and electricity industry in regard to, in his words, forcing down the prices, putting competition into the marketplace, and a couple of other matters. I will just remind him at this stage that, as it relates to our continent, we do

not have a national water market. However, if you really think that by including a clause that has the ability for SA Water's licences to be suspended it is actually going to be the precursor to implementing a new environment in which competition will thrive, I think that is an absolute nonsense; I said that previously.

We are not going to support that; it is not going to support competition. This government will continue to support competition. I do not know whether you have heard any of the speeches I have made around the place, but we are deadly serious about not only third-party access but also ensuring that we create an environment where we do have a competitive water industry that is made competitive through competition. We are committed to that. This clause is not going to do that, and it is preposterous for you to say that it is.

What we would be saying is what I have said before: SA Water is the primary water supplier to South Australia for 95 per cent of its population. It is already subject to additional scrutiny by the minister of the day—which one day might be you—the government and this parliament, that SA Water's licence should not be suspended or cancelled. Again, SA Water will still be subject to the same penalties as other water entities. I think the argument being run by the shadow spokesperson is illogical with respect to this particular clause. We will not be supporting it; we will be opposing it.

The Hon. I.F. EVANS: My question to the minister is: is it your argument that we do not need the amendments suggested by the member for MacKillop because SA Water is government-owned and, therefore, is subject to different scrutiny than the private providers will be under the regime you are bringing in?

The Hon. P. CAICA: I thank the honourable member for Davenport for his very, very considered question. What I am saying is yes, SA Water has a government guarantee. It has a long history of providing bulk water supplies. It will continue to do that in the future, notwithstanding the fact that SA Water, in my view, needs to expand its level of operations—and I have talked about this previously—in regard to, amongst other things, venturing into partnership arrangements that will in turn assist in the development of a marketplace here.

I agree with what the member for MacKillop said about a role that SA Water can have in a future marketplace. I have had an enormous amount of discussions with not only the board but others about that particular matter because it will continue to be a main player, and the main player, in the provision of potable water supplies in this state. In fact, in its own right, it will be a mechanism by which future competition and promotion of competition will occur.

What I would say in response to the member's question is that SA Water will continue in the future to be the government-owned entity, with the government having the responsibility of making sure, where there is market failure, that it will be the provider of secure, reliable potable water supplies and wastewater to the people of South Australia.

The Hon. I.F. EVANS: Just so I am clear, it gets a government guarantee because it is government-owned and different to the private providers; is that right?

The Hon. P. CAICA: Quite simply, as the member for MacKillop talked about earlier, this is not about protecting SA Water: it is about protecting—

The Hon. I.F. Evans: I didn't say that.

The Hon. P. CAICA: No. I am answering the question as I see fit.

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: Well, it is different from other providers in that it is government owned. Now, whether or not it will remain government owned into the future, in regard to what the position of the opposition might be in regard to SA Water—when, eventually, it regains office—I would certainly say that, from this government's perspective, as long as we are in government, we are going to ensure that SA Water remains in government's hands.

It will continue to be, as it is today, the primary water supplier throughout South Australia and to its population and, of course, where the marketplace is because, from time to time, the marketplace fails. Of course, it will be SA Water, through the government, or the government through SA Water, that can fill that breach when, in the future, a marketplace or a section of the marketplace will fail.

Mr WILLIAMS: I am now at a loss as to what this bill is about, minister. I thought it was about establishing a regime where we could see other players enter, but you have just told the committee that you see SA Water basically remain in its role as being at least the dominant player.

The Hon. P. Caica: Well, don't you think it will be? Don't you think it will be in the foreseeable future?

Mr WILLIAMS: Well, the reality is that we are not going to see any of the benefits that should flow from marketplace competition, that we have seen in other industries. The minister keeps talking about market failure and the importance of retaining these special powers for special provisions to protect SA Water, to protect us against market failure.

Water is not the only essential service. It is not the only essential commodity that we need to sustain our lifestyle in South Australia. There are a whole range of them. I have always argued that food is probably just as important as water. We do not have a regulatory system which manages our food supply, yet food is always there. I have yet to go down the street to the local supermarket and see the shelves bare, but we have no regulatory system to make sure that the shelves are stocked every day. We have been through this exact thing with our electricity. The lights just do not go out.

Minister, can you point to point to what could be described as an essential service—I would rather term it 'a very important service'—where we see that market failure of a very important service, or the delivery of a very important commodity for the sustenance of life or our lifestyle, has occurred? It just does not happen.

The Hon. P. CAICA: I thank the honourable member for his question. We are going to oppose this clause, because it will not achieve what the member for MacKillop says will be achieved by accepting this amendment. Quite simply, ESCOSA in its own right as part of the independent regulator is going to be one of the mechanisms that will promote competition. You are starting to remind me of Grandpa Simpson. I don't know whether or not you have watched *The Simpsons*, but what I am saying is—

Mr Pederick: You can't buy Duff beer.

The Hon. P. CAICA: Well you could, but they took it off the market. What I would say, Mitch, is that I still can't—

The ACTING CHAIR (Mr Piccolo): Member for MacKillop.

The Hon. P. CAICA: The member for MacKillop; thank you for very much, Mr Acting Chair, for correcting me. I cannot see the sense in it, Mitch—I mean, member for MacKillop. You are going to have to work harder on me beyond what you have said today in here for me to think of any reasonable purpose for subjecting SA Water to a suspension or cancellation.

Mr Williams: I'm not suggesting a cancellation, just suspension.

The Hon. P. CAICA: Notwithstanding that, I cannot see any benefit that is going to accrue through this. Yes, I would continue to say that we want a vibrant and competitive water market into the future, and I will say, if you do not believe that SA Water will continue to be one, because it will be a prominent player and, as a state-owned entity, I want it to be a prominent player in a competitive marketplace, and I want to be part of a process that drives that competitive marketplace, but that is not going to occur through supporting this amendment.

I oppose this for the reasons I have mentioned. I do not think that we need to go on any further with this clause. Without being disrespectful, I look forward to a more logical argument when it gets to the upper house as to the importance of this particular clause.

Amendment negatived.

Mr WILLIAMS: I move:

Page 17, after line 27—Insert:

(6) In connection with the operation of this section—

(a) the Minister must establish a set of community service obligations that require SA Water to continue to provide services within those areas of the State in which services are provided immediately before the commencement of subsection (2) unless the Minister grants an approval for the discontinuance of any such service; and

(b) if the Minister grants an approval under paragraph (a), the Minister must immediately prepare a report in relation to the matter and cause copies of the report to be laid before both Houses of Parliament within 6 sitting days after the approval is given.

I have been asked by the member for Stuart to address the issue that, as the minister pointed out earlier in the debate, there are a number of communities in the far north which rely on a water supply from SA Water and, in a lot of cases, it is a non-potable water supply. It is essential to those communities, and this simply obliges SA Water to continue to provide the community service obligations in those communities: to provide water to the communities to which it currently provides. It gives the opportunity for SA Water to cease those supplies if the minister of the day grants approval.

It basically says that SA water is obliged, and the minister has just made the case that he wants to see SA Water continue to do what it does, and in this instance I agree with him. This would just put it into the legislation that, if SA Water wished to cease its operations in any of those particularly far-flung and isolated communities, it would basically need the approval of the minister of the day. In addition, the minister would have to table a report on that in the parliament.

The Hon. P. CAICA: I am not opposed to the sentiments expressed by the member for MacKillop, but I can only assume that this clause has been moved on the basis that, under a fully competitive marketplace, the market might fail in these areas to be able to provide water to these areas. I do share the view of the member for MacKillop that there should be safeguards in place to ensure continuity of supply for existing consumers and I, for the life of me, cannot even see under a competitive situation in the marketplace where some of the entrants into that marketplace will necessarily be supplying water in some of the areas that SA Water do.

The principle and the sentiment in this proposed amendment seem to be okay; however, the way it is expressed and where it is suggested to be placed in the bill from the government's perspective does not seem quite right; therefore, we are prepared to further consider this amendment. The government is not going to support it at this time but, having said that about the wording and where it might sit within the bill, we are happy to have a look at that between now and another place.

Amendment negatived; clause passed.

Clauses 19 to 23 passed.

Clause 24.

Mr WILLIAMS: I move:

Page 19, line 32—

After 'prescribed costs' insert:

after taking into account advice contained in a written report furnished to the Treasurer by the Commission for the purposes of this subsection.

I have some questions on the clause as it stands, in the first instance. This is about the fees charged for the holding of a water licence. I think again that this is a fairly important part of the bill. First of all, minister, subclause (3) on the annual licence fee for a licence is the fee fixed from time to time by the Treasurer in respect of that licence. That is an amount that the Treasurer considers to be a reasonable contribution towards prescribed costs. It goes on to give a definition of prescribed costs.

I will use the terminology that is used under those other acts that we keep talking about, the Gas Act and the Electricity Act. The annual licence fee would be treated as a pass through cost—that is, whatever the licence is that ESCOSA is considering in its price setting mechanism (what price it might set for water), the licence fee would form part of the information that ESCOSA would use and apply. In fact, if the licence fee went up by a certain amount, that certain amount would automatically be passed through into the revenues via a price adjustment.

The Hon. P. CAICA: I thank the honourable member for his question. This particular clause is about licence fees and returns and, as I understand it, a person is not entitled to the issue or renewal of a licence unless the person first pays the commissioner the annual licence fee or the first instalment thereof. Application fees will be fixed by the Treasurer in the amount appropriate to meet the reasonable costs of economic regulation in the industry.

The licence fee revenue will not be applied to general revenue. Revenue from fees can only be used to cover costs associated with administering the Essential Services Commission Act (so there is the relationship); developing policies relating to the water industry—which is what we want, we want a marketplace but we think that marketplace ought to be underpinned by a policy developed by government—policies that ultimately will be enshrined by this particular parliament; and then other costs that are prescribed by regulation. I hope that answered the question; if not, I will have another crack at it.

Mr WILLIAMS: No, it did not and I will give you an opportunity to have another crack. There are a number of things under the national gas act and the national electricity act that we call pass-through events. If a certain thing happens such as a licence fee increase, the value of that increase is passed straight through, pretty well automatically, by ESCOSA or the regulator in that case, onto the prices charged.

I will give you an example, minister: in the feed-in tariff scheme there are costs associated with that with regard to electricity, because ETSA collects the money and passes it through to the retailers. There are costs associated with this and that is passed directly through, the money that ETSA is obliged to pass through is at a cost to them, and it gets automatically put on to the price that consumers pay for electricity. That is what we call a pass-through event and it is managed by the regulator. I am assuming that the licence fees will be treated in the same way, and that is my question. Again, there are questions on the prescribed costs which is defined in sub-para 7 including:

> The cost of administration of the act, the cost of the administration of the Essential Services Commission Act relating to the water industry, any costs associated with the development by the state government of policies relating to the water industry and other costs prescribed by regulation.

It seems to me that this will give the government of the day the power to impose licence fees on water entities—pretty well to run the department of water because the department of water will be administering the act, and the department of water will be developing policies relating to the water industry. That is a pretty broad range of costs that can be attributed and will need to be covered by the licensing. Again, minister, there is one of my favourites 'other costs prescribed by regulation'. We can attribute a whole heap of costs to be picked up by licence fees, simply by regulation at some time in the future.

Minister, first of all to my earlier question about the pass-through event, but also how much do you envisage raising from these licences? Are we talking $100,000? Are we talking $1 million? Are we talking $10 million? Are we talking $50 million? The costs associated with the development by the state government of policies relating to the water industry could run to tens of millions of dollars. The cost of administering this act will not be insubstantial.

Can I say, minister, that this is one of the reasons why I argued—and I can assure you that we will be making this case very strongly in the other place—those local councils that are harvesting stormwater (and what you and your government have treated as a liability for years) and turning it into an asset do not want to be part of this regime. It seems to me that you are going to strap millions of dollars of licence fees on the likes of the Salisbury council and the good work that has been done by Colin Pitman and his staff out there.

You are going to use this clause (clause 24) and this licensing regime to keep those councils and the good work they have done under control. This is a very important clause, and I think that, minister, you need to give the committee a full indication of exactly what you will be doing with regard to licence fees. I think that the committee needs to know of what order will be the money that you will be raising and exactly what purpose you will be putting that to.

The Hon. P. CAICA: Unlike the member for MacKillop, at the very least, I am more confused now than I ever was, but I am struggling with some of the assertions that have been made by him.

Mr Williams interjecting:

The Hon. P. CAICA: Look, quite simply, the licensing fees, which are caught up within clause 24 and which are the subject of this amendment, will be a legitimate cost attributed to the operations of that licence under the act. The question, I think, was about a pass-through concept, was it—pass-through costs? My understanding is that it will be similar to what happens within the gas and electricity industry. Certainly, different levels of licensing will occur depending on the type of entity.

Mr Williams interjecting:

The Hon. P. CAICA: It is impossible for me to say what that will be but, if we go through other entities that exist (given your wont to compare to gas and electricity and my wont to do the same earlier in the piece), I would assume that, as a rule of thumb, the larger entities will pay a larger amount for their licence, but it is impossible for me to say at this point what level of cost will be attributed and collected through this licensing regime.

It provides for the facility to be able to charge a cost against the issuing of a licence in the manner and the purposes for which I described earlier and about which you said did not really answer the question in the first instance. I think that we are back to where we started, and I certainly hope that I have answered it.

Mr WILLIAMS: I will not say that I am surprised, but I am certainly disappointed. Here we have the government proposing a new fee. We have a new bill, a new regime and a licensing regime, which we do not currently have for water entities, and we are going to pick up a whole range of businesses. We have set this huge definition to capture a whole range of businesses. A lot of them, as I have pointed out, have been established by local councils which have had the task to manage stormwater and which have turned what has been a task to control what has always been regarded as a liability (that is, managing stormwater) and turn that into an asset.

And, as soon as the government sees that some councils out there have done some really innovative work over recent years (much, much more innovative than the government has been over recent years when we have had pressure on our water supply systems; these councils have done some fantastic work), what has the government done? What is the government proposing to do now? The government is saying, 'Hang on; these people are out there doing something which we were totally incapable of doing. They have turned a liability into an asset.' What is the government's response to that? 'How can we tax it? How can we get some money out of them?'

These local councils, with very little support from their state government, have created a successful business venture, and the government, for no sound reason, wants to licence them and regulate them and make out that it is an essential service and therefore it needs to be regulated simply so they can then impose a licence fee on them and rake off millions of dollars, if not tens of millions of dollars, to cover the cost of running the department—'to cover the costs associated with the development by the state government of policies relating to the water industry'.

The water industry consists of these local councils and their stormwater harvesting schemes, largely—outside of SA Water—who have had no assistance from this state government. They have had no assistance in policy development and have been out there doing the hard yards by themselves. Now this government wants to impose a licensing regime on them simply so that they can then charge them an exorbitant licence fee to rake off millions of dollars from local councils and the good work they have done to cover the cost of running the Department for Water. That is what this is about.

I asked the minister a few moments ago if he can indicate to the committee whether we are talking about tens of thousands of dollars, or hundreds of thousands of dollars, or tens of millions. The response I got from the minister was, 'I can't at this stage answer that question.' I simply do not believe that response. I simply do not believe that the minister has come into this place and has no understanding of how much money his government expects to raise from this measure. I simply do not believe it.

If that is the case, I suggest, minister, you take away the bill and go and do a lot more work, because I do not think it is fair of you to come into this parliament and ask this parliament to pass a bill which is establishing a new tax regime—because that is what this is. It is called a licence fee, but it is raising taxes from the community via our local councils who have been innovative, to put tens of millions of dollars into the running of the minister's department. Minister, I think you need to make the case for what you have done and what your government has done to help the likes of Colin Pitman and the Salisbury council and the work they have been doing out there.

They have done the hard yards for 20 years out there and created a business opportunity. They have created a market, with little or no help from your government, and now all you want to do is have the parliament believe that they need to be regulated. You want to have the parliament believe that they should be licensed to do that. Colin Pitman and the Salisbury council have been doing it for 20 years and suddenly you say they need to be licensed. We get to this clause, and this is why they need to be licensed: so that you can charge them a licence fee to cover the cost of running your department.

Minister, if you could make the argument that these councils only achieved this business opportunity because of something that your government and department did, it might be a reasonable thing to ask, but the reality is that you and your government have done nothing. You have done nothing. These councils have been out there and done it themselves and they do not need to be licensed, and they certainly do not need to contribute tens of—

The Hon. P. Caica interjecting:

Mr WILLIAMS: I gave you the opportunity a moment ago, minister, to give the committee an indication. Are we talking tens of thousands of dollars or tens of millions of dollars? And your response was, 'I can't answer that question.'

The ACTING CHAIR (Mr Piccolo): Member for MacKillop, you do not have an amendment on the floor at the moment, so unless you put one forward we will move to the next item.

Mr WILLIAMS: I have—

The ACTING CHAIR (Mr Piccolo): No, you have asked questions. You have not moved the amendment yet.

Mr WILLIAMS: No, and I don't have to move an amendment if I don't want to.

The ACTING CHAIR (Mr Piccolo): You don't want to move it?

Mr WILLIAMS: I am going to move the amendment. But, Mr Chairman—

The ACTING CHAIR (Mr Piccolo): You have had your three questions.

Mr WILLIAMS: I am still on my feet, Mr Chairman, and I can speak for up to 15 minutes if I so choose. That is in the standing orders.

Members interjecting:

Mr WILLIAMS: I don't think so.

Ms Thompson interjecting:

The ACTING CHAIR (Mr Piccolo): Member for Reynell, I am quite capable, thank you.

Mr WILLIAMS: I am sorry, Mr Chairman. The member for Reynell has been here for as long as I have and I thought she would have realised that, in committee, any member can speak for up to 15 minutes on each of those three occasions. I thought the member for Reynell may have known. I have put to the minister a very simple question: how much money does he expect to raise from this licensing regime, and he has chosen not to give me an answer to that, but that question remains and the minister might choose to answer it. In the meantime, I move my amendment (No. 14):

Page 19, line 32—After 'prescribed costs' insert:

after taking into account advice contained in a written report furnished to the Treasurer by the Commission for the purposes of this subsection.

This inserts in line 32—

The Hon. P. Caica: Is this one of those amendments that was given to you by someone else that you were taking further instructions on last night?

Mr WILLIAMS: It is all right minister.

The Hon. P. Caica: You are the one that is politicising it.

Mr WILLIAMS: Minister, if you could answer my questions it would make life a lot easier for all of us. With regard to the annual licence fee, subclause (3) says:

The annual licence fee for a licence is the fee fixed from time to time by the Treasurer in respect of that licence as an amount that the Treasurer considers to be a reasonable contribution towards prescribed costs.

I am proposing that, after the end of what I have just quoted from the bill, we insert the further words which state:

after taking into account advice contained in a written report furnished to the Treasurer by the Commission for the purposes of this subsection.

I do not believe that the Treasurer and/or Treasury department necessarily have the expertise to make an assessment that this particular clause calls for them to do. I think the commission could provide some expert advice to the Treasurer in a report, to make a considered determination.

The Hon. P. CAICA: I am very disappointed that the member for MacKillop has decided to politicise this, at clause 14 or 15. As I said, I cannot give an accurate answer as to what fees would be collected. Of course, what we want is a market place to be created. We want more people to be attracted to the marketplace and we want the ability to issue more licences. I think we are at one that, but it has been politicised.

What I would say is that we are going to support amendment No. 14 put forward by the opposition and we do not think there is a problem with that. Where there is a problem is the fact that the member for MacKillop deviated from what ought to have been a proper contribution to politicise, in this instance, something that—if he had bothered to take the time—we were going to support without that politicisation. We still continue to support it despite that politicisation.

Amendment carried.

[Sitting extended beyond 18:00 on motion of Hon. P. Caica]

Mr WILLIAMS: I move:

Page 19, after line 32—Insert:

(3a) The Treasurer must, within 3 sitting days after the receipt of a report under subsection (3), cause copies of the report to be laid before both Houses of Parliament.

I am assuming that, having supporting my previous amendment, the government is going to support this. You are not going to support this one?

The Hon. P. CAICA: No, and I will explain why—

Mr WILLIAMS: In that case, I will explain the amendment. Having had the government just accept the previous amendment, that the Treasurer would fix the annual licence fee after taking into account advice contained in a written report furnished to the Treasurer by the commission for the purpose of this subsection, I am now moving to insert a new subclause (3a) which provides:

The Treasurer must, within 3 sitting days after the receipt of a report under subsection (3)—

which I have just referred to—

cause copies of the report to be laid before both Houses of Parliament.

Again, we still find ourselves in this situation where I did not ask the minister to give me a precise breakdown of what everybody's licence fee was going to be. From recollection, my question was about how much the minister expects to raise through this licensing regime. The minister must have some idea what the cost of administration of this act is likely to be. He must have taken some advice and have some idea of what the cost to the Essential Services Commission might be in the roles that it is going to have under this act.

He surely has some idea of what the costs associated with the development by the state government of policies relating to the water industry might be. I am absolutely amazed if he does not have some idea, and when I say 'some idea' I was asking a ballpark question. Are we talking tens of thousands of dollars, are we talking hundred of thousands of dollars, are we talking millions of dollars, tens of millions of dollars? That is what I asked. I did not want a breakdown, such as 'So-and-so's licence fee is going to be this much.' I just want to know: is it envisaged that the licensing regime is going to raise $1 million, $20 million, $50 million?

The minister is asking the parliament to give him powers to raise this money, and he is not giving us any indication whatsoever of what the amount of money might be. That is why—

The Hon. A. Koutsantonis interjecting:

Mr WILLIAMS: It is not my fault, Tom. It is not my fault.

The Hon. A. Koutsantonis interjecting:

Mr WILLIAMS: What they are doing over there is not my fault.

The Hon. A. Koutsantonis: Really?

Mr WILLIAMS: No. That is why I am proposing that the report that the Treasurer gets actually is published. I think that is a part of a very, very low level of accountability. The Treasurer gets a report which gives him advice about what some of these costs are going to be, gives him some advice about where he should set the licensing—

Members interjecting:

The ACTING CHAIR (Mr Piccolo): Excuse me, I just cannot hear you speak. Can people who want to talk either take their seats or go out of the chamber.

Mr WILLIAMS: I can speak up, Mr Chair.

The ACTING CHAIR (Mr Piccolo): No, I do not need you to speak up; the other people can shut up. Member for MacKillop, continue.

Mr WILLIAMS: I am glad that the government has accepted my amendment that the Treasurer does get and takes into consideration a report from the commissioner. Having accepted that, I was hoping that the government would also accept that it was fair and reasonable that that report be published and made available for the general public to have an understanding because, at the end of the day, they are paying for it.

The minister has established that there is going to be a flowthrough event. It will go on their water bills. They will be paying for it, and I think they have every right to have an understanding of why the Treasurer sets the fee.

The Hon. P. CAICA: Mr Chair, there is a lot of confusion going on here at the moment, and that is not a reflection on the way in which you are chairing this committee.

The ACTING CHAIR (Mr Piccolo): But you will mention it anyway.

The Hon. P. CAICA: I am talking about others who are seeming to take over the floor and—

The ACTING CHAIR (Mr Piccolo): Minister, can you just address the comments, please?

The Hon. P. CAICA: Beg your pardon?

The ACTING CHAIR (Mr Piccolo): Can you just address the comments by the member for MacKillop?

The Hon. P. CAICA: Yes, I am. It is just that I am having a bit of difficulty concentrating, that was all. I will get right back to it, and I thank you for that advice. I think the member for MacKillop has revisited the clause that we had already supported, yet again, to ask the same question that he asked before. I cannot be definitive on what will be the individual licence. I am presuming that the biggest player in the scheme of things will be SA Water but, again, I cannot do that.

I know that the member for MacKillop does a forensic analysis of everything that he does within parliament, so he would be aware that the forward estimates within the budget papers last year gave ballpark figures, as I understood them to be, and they already exist. The Department for Water would be around $250,000, ESCOSA would be around $1.5 million, and Department of Treasury and Finance about $200,000—again, ballpark figures in the context of forward estimates.

Again I say I cannot be definitive, and I do not expect that you are going to get up here and bang the table and say, 'I want to know,' because what you clearly did before was try to politicise this, when this information was already available and you could have been aware of it anyway.

Mr WILLIAMS: I thank the minister for most of his answer. In all fairness, I do not think I can be accused of politicising something when I come in here and ask how much the minister expects to raise through a new impost on the people of South Australia—

The Hon. P. Caica: Read your speech.

Mr WILLIAMS: Yes, I asked you—

The Hon. P. Caica interjecting:

The ACTING CHAIR (Mr Piccolo): Minister, thank you. You can be accused; whether it is true or not is a different question, but you can be accused.

Mr WILLIAMS: Yes, but I do not accept the premise of the minister's statement that I was politicising it. I think it is a very genuine position for any member of this place to ask a question about a new impost which is going to be put onto the people of this state. I think I would be derelict in my duty if I did not ask that question, just as I thought the minister would have been derelict in his duty if he did not answer it.

So, minister, I take it that the numbers you just gave—and I will have to get them out of the *Hansard*, but we are talking a couple of million dollars in total revenue from this licensing regime. I thank the minister for clarifying that matter.

The Hon. P. CAICA: With respect, and I will take your advice here, but has the member for MacKillop moved amendment 15?

The ACTING CHAIR (Mr Piccolo): We are about to vote on it.

The Hon. P. CAICA: Given the fact that he has made some more comments, I will indicate that we are not going to support this particular amendment, because the timeline for tabling the report within three days of receiving it, as he has inserted there, on occasion does not allow—and you will realise this when you become a cabinet minister, and one day you might even be treasurer—for cabinet and other processes to be undertaken.

The Treasurer might receive the report, and—as you will realise yourself when you are in cabinet—there are things that will need to be brought to cabinet and will, quite rightly, want to be considered by cabinet. What we are saying is that, in our view, 12 sitting days is more reasonable and in line with similar requirements across other legislation. So for that reason we will not be supporting this amendment in its current form.

Amendment negatived; clause as amended passed.

Clause 25.

Mr WILLIAMS: I move:

Page 21, after line 29—Insert:

and

(q) requiring the water industry entity to deliver water to any primary producer for purposes associated with livestock production in the circumstances prescribed by subsection (7)(a) at a price determined by the Commission after taking into account the requirements prescribed by subsection (7)(b).

This inserts a new licensing—

Members interjecting:

The ACTING CHAIR (Mr Piccolo): Excuse me, member for MacKillop, can your colleagues perhaps quieten down because I cannot hear you speak? If they don't show respect for you, at least I will.

Mr WILLIAMS: Thank you, Mr Acting Chairman. This inserts a new paragraph (q) under licensing conditions. I talked about this extensively in the second reading debate. There is a consequential amendment (No. 2) which we have deferred until after consideration of this amendment. I will read the amendment, which is a licensing condition:

requiring the water industry entity to deliver water to any primary producer for purposes associated with livestock production in the circumstances prescribed by subsection (7)(a) at a price determined by the Commission after taking into account the requirements prescribed by subsection (7)(b).

There will be a new subsection (7) later. This consequential to amendment No. 19.

The ACTING CHAIR (Mr Piccolo): Is 19 consequential to 16 or 16 consequential to 19?

Mr WILLIAMS: Six of one, half a dozen of the other.

The Hon. P. Caica interjecting:

Mr WILLIAMS: Yes, I have just mentioned that. There were a number of amendments—

The ACTING CHAIR (Mr Piccolo): I am aware of that.

Mr WILLIAMS: I think if we make a decision on this one, minister, it will indicate whether or not the government is going to support the scheme that I am proposing, and it might help us get through the others more quickly.

What the opposition is proposing—and I talked about this in my second reading—is that a lot of farmers in South Australia rely on River Murray water delivered through the pipe network that is throughout rural South Australia, not just for their domestic water supply but probably more particularly in most instances for stock water.

We have a pipeline which runs into my electorate from Tailem Bend all the way to Keith, there is a branch off of that that runs out to Meningie, so it covers all of that region down along the Dukes Highway. Most of the livestock in that area—and there is a significant amount of livestock in that area—rely on that pipeline to deliver water for drinking purposes. We have the same thing right through the Lower North, Mid North, Upper North, all of Yorke Peninsula, and now all of the Eyre Peninsula is connected to the River Murray, too.

We are getting a lot of inquiries from constituents in those areas right across rural South Australia about the cost of water and where it has gone in the last few years under this government. The minister was unable to answer a question this week in question time about the fact that, by 1 June next year, the cost of water will have trebled under this government, and that is creating an almost impossible situation for farmers to run livestock.

The reality is that I have constituents in my electorate who are now paying well in excess of $100,000 a year just to provide water for their livestock, and that is impacting on the viability of their producing livestock. This is a very serious matter. It could have very serious implications for a large part of the state's economy. We have been hearing a bit of nonsense about how the state's economy has been diversified.

Still in South Australia some very significant contributors to the state's economy are the livestock industries. The sheep industry provides wool, which is still a significant industry, and sheep meat; then, obviously, the beef industry provides quite a bit into the state's economy. They are quite significant contributors. We run the risk of destroying those industries in large parts of the state if we continue to impose these water costs and water cost increases on livestock water. What I have endeavoured to do here is to provide a completely different product to overcome this problem. The product would be a delivery service. I seek leave to continue my remarks.

Progress reported; committee to sit again.

SMALL BUSINESS COMMISSIONER BILL

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

Schedule 1, clause 14, page 11, after line 34 [clause 14, inserted section 28F]—

After subsection (2) insert:

(2a) If a Minister initiates a proposal for regulations prescribing an industry code or provisions of an industry code under this section, the Minister must, before the regulations are made, consult with each organisation that the Minister considers to be representative of an industry likely to be affected by the code or provisions.

Consideration in committee.

The Hon. A. KOUTSANTONIS: I move:

That the Legislative Council's amendment be agreed to.

In doing so, I would like to thank Mike Sinkunas, John Tresize, Frank Zumbo, John Darley, Family First's Dennis Hood and Robert Brokenshire, the Greens (Mark Parnell and Tammy Franks), Kelly Vincent, the MTA, COSBOA, the South Australian Farmers Federation, Nick Xenophon, my department, my staff, and Stephen Griffiths for being a very decent man. I would also like to thank you, Mr Deputy Speaker, for without your initiative this would not have happened.

Mr GRIFFITHS: The numbers issue was a bit obvious to us as soon as the debate occurred in the house. I noted that the minister thanked everybody except people from this side.

An honourable member interjecting:

Mr GRIFFITHS: I thank you for that, too. It was a spirited debate, though. There were a lot of concerns raised in both chambers about the impact that the bill will have and about how the bill and the commissioner's role will work and, indeed, if the commissioner will be able to deliver on the minister's grand vision. I do not disagree with you on the fact that change needs to occur. The position we put was that federal change should occur so that there is consistency, but I respect the

fact that the numbers dictate that the legislation will become a law and will impact upon South Australians.

There was spirited debate in the other chamber. I listened to it all this afternoon because I wanted to hear about the concerns, the issues and the support that existed from various members. It comes down to the fact that the Liberal Party is here to support small business, too. It believed that there were flaws in the legislation. I look at the minister now in the hope that the legislation will deliver what he believes because small business does need support. We have had this debate ad nauseam about where it needs support and different philosophies that come into it but small business in South Australia needs to be successful.

In acknowledging the amendment that has come through, and the result of the bill and the debate that has occurred in both places, I hope that that success is there, too. Small business has been the backbone of South Australia's economy. In the future it will continue to be no matter what industry areas become the strong ones; all levels of small business across the state need to be successful. In this place, we have a responsibility to put policies, frameworks, legislation, and taxation reforms in place to give it the best possible chance.

The Hon. A. KOUTSANTONIS: I would like to thank the Hon. Ann Bressington, of course, in the upper house and, of course, Connie from the Hon. John Darley's office for her fantastic support.

Motion carried.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

At 18:25 the house adjourned until Tuesday 8 November 2011 at 11:00.