

Parliament, which adjourned on 1 December 2011, was prorogued by proclamation dated 16 December 2011. By proclamation dated 16 December 2011, it was summoned to meet on Tuesday 14 February 2012, and the Second Session began on that date.

HOUSE OF ASSEMBLY

Tuesday 14 February 2012

The house met at 12:47 pursuant to proclamation, the Speaker (Hon. L.R. Breuer) presiding.

OPENING OF PARLIAMENT

The Clerk (Mr M.J. Lehman) read the proclamation summoning parliament.

The Speaker read prayers.

The SPEAKER: Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

Honourable members, in compliance with summons, proceeded at 12:55 to the Legislative Council chamber to hear the speech of His Excellency the Governor. They returned to the assembly chamber at 13:25 and the Speaker resumed the chair.

[Sitting suspended from 13:26 to 14:00]

SA WATER LAND

The Hon. R.B. SUCH (Fisher): Presented a petition signed by 369 residents of South Australia requesting the house to urge the government to retain access to the SA Water land on eastern side of Flagstaff Road for the construction of a permanent two-way dual carriageway.

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Probity of the processes leading to the awarding of three service contracts in 2011 for the provision of regular passenger bus services for
Metropolitan Adelaide Report December 2011
[Ordered to be published]

Local Government Annual Reports—

Adelaide City Council Annual Report 2010-11
Alexandrina Council Annual Report 2010-11
Berri Barmera Council Annual Report 2010-11
Campbelltown City Council Annual Report 2010-11
City of Burnside Annual Report 2010-11
City of Holdfast Bay Annual Report 2010-11
City of Marion Annual Report 2010-11
City of Mount Gambier Annual Report 2010-11
City of Norwood Payneham & St Peters Annual Report 2010-11
City of Onkaparinga Annual Report 2010-11
City of Playford Annual Report 2010-11
City of Salisbury Annual Report 2010-11
City of Tea Tree Gully Annual Report 2010-11
City of Unley Annual Report 2010-11
City of Whyalla Annual Report 2010-11
District Council of Coober Pedy Annual Report 2010-11
District Council of Copper Coast Annual Report 2010-11
District Council of Elliston Annual Report 2010-11
District Council of Grant Annual Report 2010-2011

District Council of Karoonda East Murray Annual Report 2010-11
 District Council of Lower Eyre Peninsula Annual Report 2010-11
 District Council of Mount Barker Annual Report 2010-11
 District Council of Peterborough Annual Report 2010-11
 District Council of Streaky Bay Annual Report 2010-11
 District Council of Yankalilla Annual Report 2010-11
 District Council of Yorke Peninsula Annual Report 2010-11
 Kangaroo Island Council Annual Report 2010-11
 Kingston District Council Annual Report 2010-11
 Light Regional Council Annual Report 2010-11
 Mid Murray Council Annual Report 2010-11
 Northern Areas Council Annual Report 2010-11
 Port Adelaide Enfield Council Annual Report 2010-11
 Port Augusta City Council Annual Report 2010-11
 Port Pirie Regional Council Annual Report 2010-11
 Regional Council of Goyder Annual Report 2010-11
 Renmark Paringa Council Annual Report 2010-11
 Roxby Council Annual Report 2010-11
 Southern Mallee District Council Annual Report 2010-11
 The Barossa Council Annual Report 2010-11
 Town of Gawler Annual Report 2010-11
 Town of Walkerville Annual Report 2010-11

The following reports have been received and published pursuant to Stand Order 204 After Session Papers—

Parliamentary Standing Committee on Public Works—

- 430th Report entitled Ceduna Aboriginal Children and Family Centre
- 431st Report entitled Christies Beach Aboriginal Children and Family Centre
- 432nd Report entitled Whyalla Aboriginal Children and Family Centre
- 433rd Report entitled Old Parliament House Redevelopment

By the Premier (Hon. J.W. Weatherill)—

ANZAC Day Commemoration Council—Annual Report 2010-11

Remuneration Tribunal—

Determination and Report No. 6 of 2011—Members of the Judiciary, Members of the Industrial Relations Commission, the State Coroner, Commissioners of the Environment, Resources and Development Court

Determination and Report No. 7 of 2011—Auditor General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and Health and Community Services Complaints Commissioner

State of the Sector—Annual Report 2010-11

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

Legal Practitioners Conduct Board—Annual Report 2010-11

SA Police—Passive Alert Drug Detector Dogs Annual Report 2010-11

Summary Offences Act—

Return of Authorisations Issued to Enter Premises Under Section 83C(1) Report for Period 1 July 2010—30 June 2011

Return of Warrants Issued to Enter Premises Under Section 83C(1) Report for Period 1 July 2010—30 June 2011

Statistical Returns for Authorised Road Blocks pursuant to Section 74B(9) Report for Period 1 July 2011—30 September 2011

Statistical Returns for Dangerous Area Declarations pursuant to Section 83B Report for Period 1 July 2011—30 September 2011

Regulations made under the following Acts—

Bills of Sale—Application of Act

Rules made under the following Acts—

District Court—

Civil—
 Amendment No 18
 Amendment No 19
 Magistrates Court—
 Civil—
 Amendment No 39
 Amendment No 40
 Supreme Court—Civil—Amendment No 18
 Youth Court—Children's Protection

By the Minister for Business Services and Consumers (Hon. J.R. Rau)—

Regulations made under the following Acts—
 Building and Construction Industry Security of Payment—General
 Fair Trading—Related Acts
 Liquor Licensing—
 Dry Areas—Long Term—
 Brighton Area 1—Glenelg Area 1—Seacliff
 Clare
 Peterborough Area 1
 Port Adelaide—Semaphore
 Waikerie Area 1
 Dry Areas—Short Term—
 Adelaide Area 1—Ellis Park—Future Music Festival 2012
 Adelaide Area 5
 Arno Bay Area 1
 Beachport Area 1
 Cowell Area 1
 Cummins Area 1—New Years Eve
 Ellis Park
 Elliston Area 1—Port Kenny Area 1
 Glenelg Area 1
 Kimba Area 1
 Moonta Bay and Port Hughes Area 1—Wallaroo Area 1
 Morgan Area 1—New Years Eve
 Paringa Area 1—Renmark Area 1 and 2
 Port Neil Area 1
 Robe Area 1—Robe Area 2
 Rymill Park
 Seacliff Area 1—Australia Day 2012
 Semaphore Area 1
 Streaky Bay Area 1
 Two Wells Area 1
 Unley Area 1 Tour Down Under 2012
 Whyalla Area 1—New Years Eve
 Wilmington Area 1—Rodeo 2012

By the Minister for Planning (Hon. J.R. Rau)—

Response by the Minister for Planning—62nd Report—Parliamentary Standing Committee
 on Public Works—Adelaide and Mount Lofty Ranges Natural Resources
 Management Board Fact Finding Visit

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

Adelaide Oval Redevelopment and Management Act—
 Adelaide Oval Licence Area Licence Agreement between the Corporation of the
 City of Adelaide and the Minister for Transport and Infrastructure
 1 December 2011
 Memorandum of Lease 17 November 2011
 Asbestos Risk Reduction, Across Government—Annual Report 2010-11
 Regulations made under the following Acts—

Harbors and Navigation—Definition of Harbor Boundaries—Ports—Speed Restrictions
Motor Vehicles—
Exemptions—Interstate Registration—Duty to Carry Number Plates
Guidelines for Disclosure of Information

By the Treasurer (Hon. J.J. Snelling)—

Regulations made under the following Act—
Public Corporations—
Public Corporation—
Distribution Lessor Corporation
Generation Lessor Corporation
Transmission Lessor Corporation

By the Minister for Workers Rehabilitation (Hon. J.J. Snelling)—

Regulations made under the following Act—
Workers Rehabilitation and Compensation—Contract of Service—Agencies of the Crown

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

Ageing, Office for—Annual Report 2010-11
Health Advisory Council—
Balaklava Riverton Annual Report 2010-11
Hawker District Memorial Annual Report 2010-11
Leigh Creek Annual Report 2010-11
Northern Yorke Peninsula Annual Report 2010-11

By the Minister for Mental Health and Substance Abuse (Hon. J.D. Hill)—

Controlled Substances Health Advisory Council—Annual Report 2010-11

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

Adelaide Film Festival—Annual Report 2010-11
Art Gallery of South Australia—Annual Report 2010-11
Carclew Youth Arts—Annual Report 2010-11
Carrick Hill Trust—Annual Report 2010-11
History Trust of South Australia—Annual Report 2010-11
Libraries Board of South Australia—Annual Report 2010-11
South Australian Museum Board—Annual Report 2010-11
State Opera of South Australia—Annual Report 2010-11

By the Minister for Police (Hon. J.M. Rankine)—

Australian Crime Commission, Board of—Annual Report 2010-11
Community Benefit SA—Annual Report 2010-11

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

Regulations made under the following Acts—
Primary Produce (Food Safety Schemes)—Egg Food Safety Scheme
Radiation Protection and Control—
Ionising Radiation
Non-Ionising Radiation

By the Minister for Mineral Resources and Energy (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Electricity—Electricity—Principles of Vegetation Clearance
Mining—Fees

By the Minister for Transport Services (Hon. C.C. Fox)—

Local Council By-Laws—
City of Victor Harbor—No. 4—Local Government Land

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

MODBURY HOSPITAL

22 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session).

1. How many FTE doctors, nurses and other staff have been employed at the Modbury Hospital in each year since 2006?
2. How many elective surgery operations have undertaken at the Modbury Hospital in each year since 2006?
3. How many emergency department and general medical services patients have been admitted to the Modbury Hospital in each year since 2006?
4. What is the projected reduction in general and emergency hospital admissions for the Modbury Hospital for 2009 and 2010 and forward years as a result of the operation of the Modbury GP Super Clinic?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

Modbury Hospital cannot provide data generated when the hospital was managed by Healthscope. The following information relates to activity since the transition back to public management in July 2007.

1. Modbury Hospital

FTE BY Labour Group				
Labour Group	Jul-07	Jun-08	Jun-09	01-Jun-10
Medical	79.27	87.82	116.72	121.17
Nursing	267.72	262.9	284.94	324.14
Other	102.59	112.99	115.41	106.06
Total	449.58	463.71	517.07	551.37

Notes:

1. In 07-08 Obstetric Services Transferred to Lyell McEwin Hospital.
2. In 08-09 Woodleigh House Staff Transferred to Mental Health.
3. Data is based on the Modbury Hospital CHRIS Payroll system.

2. Modbury Hospital

Theatre Activity	Elective	Emergency	Total
06-07	2,261	1,429	3,690
07-08	2,434	1,441	3,875
08-09	2,474	1,404	3,878
09-10	2,833	1,375	4,208

Source = IBA Theatre and ORMIS Theatre.

Note : Theatre changed their system from IBA to ORMIS during 2009-10.

Care has been taken not to duplicate patients—increase in 2009-10 is genuine.

3.

Modbury Hospital

ED Patients Admitted to Hospital		
07-08	08-09	09-10
11,329	11,751	11,525

Medical Patient Separations		
07-08	08-09	09-10
4,587	4,429	4,408

4. As of 31 October 2011, 60 patients have been redirected from Modbury Hospital Emergency Department to the Modbury GP Plus Super Clinic (Smart Road site).

The remainder of the Modbury GP Plus Super Clinic Smart Road development will be opened by early 2012.

SCHOOL DENTAL SERVICE

37 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session). Why were the number of full-time equivalent dental therapists reduced in 2008-09 and how will the government achieve a greater number of school dental service hours in 2009-10?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

The total number of dental therapists employed by the School Dental Service actually increased from 71.89 in 2007-08 to 73.02 in 2008-09.

The total number of dental therapists employed in the School Dental Service averaged 77.38 FTE in 2009-10. As a result, the School Dental Service achieved and exceeded its target to provide 85,000 hours of clinical service in the full 2009-10 financial year by 19 per cent at 101,136 hours of clinical services by 30 June 2010.

AMBULANCE STATIONS

59 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session). What was the cost of constructing each of the new ambulance stations in Port Adelaide, Prospect and Adelaide CBD?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised of the following:

The Port Adelaide station had a total project cost of \$1.8 million. The Prospect station has a total project budget of \$2.168 million. Construction will be completed in September 2010.

A new station in the Adelaide CBD is being constructed in Parkside. Construction will commence in the near future, with the total cost anticipated to be \$2.9 million.

CHILDREN, YOUTH AND WOMEN'S HEALTH SERVICE

74 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session).

1. How much Commonwealth funding has been provided to the Children, Youth and Women's Health Service to reduce waiting lists?

2. What is the Elective Surgery Strategy Stage 3 program for the Children, Youth and Women's Health Service?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. The Women's and Children's Health Network (WCHN) received \$743,400 in Commonwealth funding to reduce waiting lists through the Elective Surgery Waiting List Plan strategy.

2. The aim of the Commonwealth Elective Surgery Strategy Stage 3 Program for the WCHN is to increase the volume of Elective Surgery and to meet performance targets for wait times as per Commonwealth requirements.

PATIENT ASSISTANCE TRANSPORT SCHEME

75 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session).

1. How much funding is currently provided to the Patient Assistance Transport Scheme?
2. How many patients have utilised the scheme since 2006 and how many are expected to utilise the service in 2010?
3. What strategies are in place to increase this service?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

State expenditure for the Patient Assistance Transport Scheme was \$9.2 million in 2010-11.

The approximate number of individuals accessing the scheme were:

17,200 individuals in 2006-07, 18,500 in 2007-08, 20,400 in 2008-09, 21,400 for 2009-10, and 23,000 for 2010-11. The data system continues to be improved to capture more specific information.

The Patient Assistance Transport Scheme will continue to be provided for country patients. The long term strategy for Country Health Services in South Australia is to improve health service access in country South Australia, thereby reducing the need for travelling long distances for specialist services.

PUBLIC HOSPITALS

92 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session). Is every South Australian public hospital fully compliant with the latest Australian Health Care Agreement and if not, which hospitals and in what areas are they noncompliant, and what action has been put in place to ensure they become compliant?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. There is an SA Health directive which places a mandatory requirement on all South Australian public hospitals to comply with the National Healthcare Agreement.

The latest Australian Health Care Agreement is the National Healthcare Agreement, which forms part of the new Federal Financial Relations Agreement, approved by COAG in December 2008.

Under the new National Healthcare Agreement, which came into force on 1 July 2009, South Australia has agreed to a range of long-term objectives. These long term objectives are linked to specific performance benchmarks. The first baseline performance report of the COAG Reform Council was provided on 30 April 2010 and is available on the COAG website. Future year reports will measure performance against this initial baseline.

FLINDERS MEDICAL CENTRE

95 Dr McFETRIDGE (Morphett) (1 June 2010) (First Session). How many patients have been referred to the specialist outpatient clinic waiting list and the emergency department waiting list at Flinders Medical Centre in the past 12 months, and how many patients are currently on the specialist outpatient clinic waiting list and the emergency department waiting list for each of the following outpatient services—Allergy (adult and paediatric), Dermatology, ENT, Neurology, Neurosurgery, Orthopaedics (shoulders and ankles) and Psychiatry?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. 7,441 patients were referred in the specified 12-month period.
2. The Flinders Medical Centre Emergency Department does not have a booked waiting list, nor does the Emergency Department have outpatient clinics.
3. The number of patients on waiting lists at Flinders Medical Centre for the following outpatient clinics at that time were:

Outpatient Clinic	Patients to be seen
Allergy (Adult)	133
Allergy (Child)	159
Dermatology & Clinical Immunology	600
ENT	2,026
Neurology	1,308
Neurosurgery	845
Orthopaedics (Shoulders & Elbows)	104
Orthopaedics (Foot & Ankle)*	181
Psychiatry—Centre for Anxiety & Related Disorders	28
Psychiatry—Weight Disorders Unit	17

*Please note that Orthopaedics have relocated outpatients for foot and ankle to the Repatriation General Hospital as of February 2010. The data above relates to the Repatriation General Hospital data, not Flinders Medical Centre data.

LIVESTRONG CANCER RESEARCH CENTRE AND THE FLINDERS MEDICAL CENTRE FOUNDATION FUNDING

107 Dr McFETRIDGE (Morphett) (29 June 2010) (First Session). How much State Government grant funding is provided to the Livestrong Cancer Research Centre and the Flinders Medical Centre Foundation, respectively?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. Announced as part of the 2004-05 budget, \$2.5 million was allocated by the Department of Health for the construction of the Flinders Centre for Innovation in Cancer, which incorporates the Livestrong Cancer Research Centre.

A change in the nature of the project from a SA Health investing project to a grant to the Flinders Medical Centre Foundation was made in 2009-10.

The Treasurer approved a loan of \$5 million to the Flinders Medical Centre Foundation to finance the residual funding requirements to commence construction.

OUTPATIENT SERVICES

149 Dr McFETRIDGE (Morphett) (27 July 2010) (First Session). How many patients have been referred to the specialist outpatient clinic waiting list and the emergency department waiting list within the past 12 months, and how many patients are currently on the specialist outpatient clinic waiting list and the emergency department waiting list for the RAH for each of the following outpatient services—

Clinical Immunology/Allergy Clinic, Audiology Clinic, Breast Clinic, Cardiac Clinic, Chronic Pain Unit, Clinical Psychology (General), Clinical Psychology (Oncology), Colposcopy, Dermatology, Diabetic, Diabetes Centre, Dietetics General/Weight Loss, Dietetics Renal, Drug and Alcohol, Endocrine, ENT, Eyes, Gastroenterology, General, Diabetic/Retinal, Geriatric Rehab, Gynaecology, Gynaecology Oncology, Gynaecology Urology, Haematology, Hyperbaric, Hypertension, Hysteroscopy, Infectious Diseases, Intravesical, Limb Prosthetics, Liver Disease Clinic, Lung Function Laboratory, Mammogram, Medical Oncology, Medicine, General, Menopause, Metabolic, Neuropsychology, Neurology, Neurosurgery, Nuclear Medicine, Obesity, Oral and Maxillo Facial Surgery, Orthopaedics, Orthotics, Osteoporosis, Palliative Care, Pituitary, Plastic Surgery, Australian Craniofacial Unit, Burns Unit, Hands Unit, Microsurgery, Podiatry, Preanaesthetic, Psychiatry, Radiation Oncology, Rehabilitation (Head), Renal, Rheumatology, Sleep Disorders Laboratory, Speech Pathology, Surgery, Colorectal, Surgery General, Surgery, Hepato Biliary Pancreatic, Surgery, Oesophago Gastric, Surgical, Oncology, Thoracic Medicine, Thyroid—General, Thyroid—Surgical D, Urology—Urodynamics, Vascular, and Voice Clinic?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. 6,749 patients were referred to the Royal Adelaide Hospital outpatient clinics between 26 July 2009 to 27 July 2010. The Emergency Department at the Royal Adelaide Hospital does not have a waiting list.

2. At the specified time, there were 11,759 new appointments and 11,241 review appointments. Please refer to the attached spreadsheet for the breakdown of numbers and clinics.

SAS/19329B1 BOOKING NUMBERS

	TYPE		TOTAL
	N	R	
CLINIC			
AUSTRALIAN CRANIOFACIAL UNIT		7	7
ALLERGY CLINIC	458	8	466
AUTOMATED VISUAL FIELD-EYE CLINIC		1	1
CARDIAC CLINIC	31		31
CONTACT LENSES CLINIC		7	7
NEUROPSYCHOLOGY CLINIC	73	2	75
COLPOSCOPY CLINIC		1	1
DIABETES CENTRE CLINIC	97	1	98
DIETETIC CLINIC		1	1
EARLY RHEUMATOID ARTHRITIS CLINIC	5	57	62
ENDOCRINE BONE DENSITY		11	11
ENDOCRINE PRIVATE CLINIC		18	18
E.N.T. CLINIC	1,512	1,095	2,607
GASTROINTESTINAL MEDICARISED OUTPATIENTS	3		3
GASTROINTESTINAL OUTPATIENTS	301	4	305
GYNAECOLOGY CLINIC		7	7
GYNAE ONCOLOGY CLINIC		3	3
HAEMATOLOGY CLINIC		1	1
HAND 2 (ORTHO 2) CLINIC	743	10	753
LIVER DISEASE OUTPATIENTS		4	4
NEUROLOGY CLINIC	1,135	462	1,597
NEURO-OPHTHALMOLOGY CLINIC		469	469
NEUROSURGERY CLINIC	127	745	872
OPHTHALMOLOGY CLINIC	1,385	3,073	4,458
ORTHOPAEDICS 1 CLINIC	10	639	649
ORTHOPAEDICS 2 CLINIC	427	275	702
ORTHOPAEDICS 1 2 3 CLINIC		43	43
PAIN UNIT CLINIC	470	3	473
PHYSIOTHERAPY CLINIC	204	1	205
PODIATRY CLINIC	21	2	23
PLASTIC SURGERY CLINIC	460	85	545
GASTROINTESTINAL INVESTIGATION UNIT	1,209	1,279	2,488
RADIOLOGY OUTPATIENTS		245	245
REPRODUCTIVE ENDOCRINE INFERTILE CLINIC		1	1
RETINAL CLINIC	2	1,646	1,648
RHEUMATOLOGY PRIVATE CLINIC	21	250	271
RHEUMATOLOGY CLINIC	8	155	163
RHEUMATOLOGY/IMMUNOLOGY CLINIC	1	97	98
RADIATION ONCOLOGY CLINIC		1	1

	TYPE		TOTAL
	N	R	
CLINIC		7	7
SPINAL ASSESSMENT CLINIC	627	2	629
SPONDYLO PSORIATIC ARTHRITIS CLINIC	4	28	32
SPORTS KNEE INJURIES 2 CLINIC	445	57	502
SPINAL SURGERY CLINIC	224	3	227
SURGICAL AB OUTPATIENTS	70		70
SURGICAL C OUTPATIENTS		1	1
SURGICAL D CLINIC	7	137	144
SURGICAL D ONCOLOGY CLINIC		1	1
TRAUMA 1 CLINIC		29	29
TRAUMA 2 CLINIC		46	46
UROLOGY CLINIC	1,679	111	1,790
VASCULAR CLINIC		117	117
TOTAL	11,759	11,241	23,000

SMALL BUSINESS

177 Mr HAMILTON-SMITH (Waite) (30 November 2010) (First Session). With reference to Budget Paper 4, volume 1, page 2.7, Highlights 2009-10, Small Business sector—How was the Small Business sector assisted by the release of the South Australian Small Business Statement and did this assist them to reduce their land tax and payroll tax liabilities?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised that the Small Business Statement was released in October 2009 with the endorsement of the Business Development Council. The objective of the Statement was to outline the activities the Government has put in place to foster a successful small business climate.

It encapsulates the State Government's commitment to providing the most supportive business environment in Australia, in which small business may grow and prosper.

The Statement includes initiatives taken by the Government to improve the environment in which small businesses operate. These include:

- Further reduction of government red tape;
- Reduced business costs and State Government taxes, including payroll tax;
- Building capacity through workforce development and skills training;
- Offering targeted services that support specific needs;
- Providing a 'voice' for small business in developing Government policy;
- Fostering innovation and creativity; and
- Increasing export capacity.

Under this government, taxes will have been reduced by an estimated \$4.6 billion on a cumulative basis by 2013-14 despite the negative revenue impacts of the Global Financial Crisis.

SOUTH AUSTRALIA INNOVATION AND INVESTMENT FUND

186 Mr HAMILTON-SMITH (Waite) (30 November 2010) (First Session). With reference to Budget Paper 4, volume 1, page 2.7, Highlights 2009-10, SA Innovation and Investment Fund—

1. What was the total cost of the activity?
2. How many and which companies were assisted and where are those companies located?
3. How many jobs were directly created from the activity?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I have been advised the following:

The South Australia Innovation and Investment Fund (SAIIF) is a \$30 million industry development program. The Commonwealth Government is contributing \$27.5 million to the program and the balance of \$2.5 million is being contributed by the South Australian Government. The following 18 businesses have been awarded funding under SAIIF:

Grantee	Location
Australian Advanced Manufacturing Centre	Thebarton
Australian Southern Exporters	Port Lincoln
Aztec Paints Pty Ltd	St Marys
Boart Longyear	Lonsdale
Broens Industries Pty Ltd	Elizabeth South
Central Diesel Pty Ltd	Wingfield
Digislide Holdings Ltd	Dry Creek
Ferrocut Pty Ltd	Osborne
Intex Holdings Pty Ltd	Seaford
Levett Engineering Pty Ltd	Elizabeth South
Long Distance Technologies Pty Ltd	Allenby Gardens
Manuele Engineers Pty Ltd	West Beach
Maxiplas Pty Ltd	Elizabeth
Modra Hayes Pty Ltd	Warooka
Samaras Group	Gillman
The Pipette Company	Thebarton
The Weeks Group Pty Ltd	Elizabeth West
Vivopharm Pty Ltd	Thebarton

The 18 businesses that have been awarded funding under SAIIF are projected to generate 723 new full-time equivalent (FTE) positions.

INSTITUTE OF MEDICAL AND VETERINARY SCIENCE

232 Dr McFETRIDGE (Morphett) (29 March 2011) (First Session).

In relation to the IMVS mobile phone application, which includes locations of IMVS facilities and games—

- (a) what is the cost of the software development;
- (b) what is the ongoing cost of maintaining this application; and
- (c) how many downloads of this application have been registered?

The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

- (a) The cost of the software development was \$21,202.50.
- (b) There are no ongoing costs to maintain this software.

There have been 3,106 downloads of this application since its release in January 2011 up to 8 November 2011.

EMERGENCY SERVICES

235 Dr McFETRIDGE (Morphett) (29 March 2011) (First Session).

1. What was the total cost for emergency services personnel attendance at the motor vehicle accident at the intersection of Africaine Road and Tapleys Hill Road, Glenelg North on Monday 21 March 2011?

2. What was the cost of helicopter retrieval of one of the victims?

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): On Monday 21 March 2011, the South

Australian Metropolitan Fire Service (MFS) responded to a motor vehicle accident at the intersection of Tapleys Hill Road and Africaine Road, Glenelg North.

Three appliances responded; two rescue appliances and one Skyjet appliance. A Command District Officer also attended the incident. The approximate total cost of the incident for MFS crews and appliances was \$1,612.23.

2. The Minister for Health has advised that MedSTAR did not dispatch a helicopter to this incident. A retrieval team attended the incident by road.

INTEGRATED DESIGN COMMISSION

254 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 3, p145, Program 7—

How many staff are employed in the Integrated Design Commission and what is the total employee cost of the Integrated Design Commissioner?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:04): I have been advised of the following:

There are 11 FTEs employed in the Integrated Design Commission. This includes 1.5 FTEs that provide support for the Integrated Design Strategy.

The Integrated Design Strategy is a separate unit, which is jointly funded by the Commonwealth, the South Australian Government and the Adelaide City Council. The unit has 4 FTEs.

The Integrated Design Commissioner's remuneration is \$200,000 per annum including superannuation.

GRANTS AND SUBSIDIES

255 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 3, p147, Program 8—

1. What are the details of the \$70,000 received in grants and subsidies?
2. What are the details of the \$461,000 received in fees, fines and penalties?
3. What other fees, fines and penalties are imposed by the department?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

The \$70,000 grant and subsidies revenue reflected in the 2011-12 Budget and the 2010-11 Estimated Result reflects a contribution from the Department of Trade and Economic Development (DTED) towards costs associated with the Clipsal 500 State Dinner and Trackside Suite. The \$461,000 fees, fines and charges revenue reflected in the 2010-11 Estimated Result mainly includes refunds associated with the purchase of media through the Master Media contract. This revenue will be reclassified as 'Other Income' to better reflect the nature of the transactions.

Fees, fines and penalties received by the department primarily reflect:

- Regulatory fees, fines and charges administered by SafeWork SA under the Dangerous Substances Act 1979, Employment Agents Registration Act 1993, Explosives Act 1936, Fair Work Act 1994 and Occupational Health Safety and Welfare Act 1986.
- Fees administered by Public Sector Workforce Relations for the whole of government self-insurance management system, injury management and industrial relations services to government client agencies and contract management charges from salary sacrifice panel members.

SOUTH AUSTRALIA INNOVATION AND INVESTMENT FUND

325 Mr HAMILTON-SMITH (Waite) (23 August 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 4, p37—

1. How many grants have been made under the South Australian Innovation and Investment Fund, who were the successful applicants and how much was provided to each recipient?

2. What were the names of the 29 projects that came under this Fund?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): There were 29 grants approved under the South Australia Innovation and Investment Fund. The details of the successful applicants and the amount awarded to each recipient are detailed in the table below.

Company	Funding Awarded \$
Broens Industries	2,500,000
Australian Advanced Manufacturing Centre	1,500,000
Samaras Group	1,000,000
Ferrocute Adelaide	2,250,000
Levett Engineering Pty Ltd	2,250,000
Australian Southern Exporters	499,250
The Pipette Company	366,470
Intex Holdings	1,000,000
Boart Longyear Australia Pty Ltd	2,000,000
Digislide Holdings Ltd	1,200,000
Long Distance Technologies	275,000
Modra Hayes Pty Ltd	1,250,000
The Weeks Group Pty Ltd	600,000
Viviopharm	250,000
Central Diesel Pty Ltd	500,000
Manuele Engineers Pty Ltd	500,000
Maxiplas	2,210,000
Aztec Paints	372,500
Clean Seas	600,000
Ezy-Fit Hydraulics	585,000
Hospira Adelaide	900,000
Numetrics	287,500
PLB Australasia	383,000
Redarc Electronics	900,000
Robin Johnson Engineering	900,000
Sage Automation	475,759
SMR Automotive Australia	500,000
Peoples Republic of Animation	250,000
Trackside IQ	294,000

Subsequently, the People's Republic of Animation has withdrawn their project proposal as they were unable to spend the grant monies within the stipulated timeframe.

The names of the projects that were awarded funding under this fund are detailed above.

LA RÉUNION

329 Mr HAMILTON-SMITH (Waite) (23 August 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 4, p40—

1. How much has the Government spent on travel or travel related costs to the French island of La Reunion?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised, the Department of Trade and Economic Development has not incurred any travel or travel related costs to the French island of La Reunion during 2009-10 or 2010-11.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

370 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Does the administrative unit, known as the Department of Education and Children's Services (DECS), have 'employing authority' status, and if so—

- (a) is DECS the employer of teachers appointed under the Education Act 1972; and
- (b) is an educational officer appointed under the Education Act 1972 in a contract of service with the DECS?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

371 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Is the Chief Executive of DECS the declared employer of educational officers appointed under the Education Act 1972 to the 'employing authority' known as DECS?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

372 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Does the 'employing authority' known as DECS represent—

- (a) the employer in the Industrial Courts;
- (b) the employer in the Workers Compensation Tribunal; and
- (c) the employer in the Teachers Award?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

373 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Has the 'employing authority' known as DECS—

- (a) have exempt employer status under the Workers Rehabilitation and Compensation Act (WRCA) 1986;
- (b) been granted authority under the Work Cover Corporation Act (WCCA) 1994 to rehabilitate injured workers back to work; and
- (c) been granted authority under the WCCA 1994 to maintain Rehabilitation files on workers who have been injured at work?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

374 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Is the Minister for Education and Child Development—

- (a) in a contract of service with teachers;
- (b) the employer of educational officers appointed under the Education Act 1972; and
- (c) is the Minister for Education and Child Development one of the 29 exempt employers who has been granted exempt employer status under the WRCA 1986?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

375 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. Has the Minister for Education and Child Development been granted authority under the WCCA 1994 to manage workers rehabilitation files?
2. Does the Fair Work Act 1994 state that for public employees 'the employer is the body or person (not being a Minister) declared by regulation to be the employer of the employees'?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

WORKERS REHABILITATION AND COMPENSATION ACT REVIEW

376 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. Does the WRCA 1986 state under section 54(1) that 'no liability attaches to an employer in respect of a compensable disability arising from employment by that employer except a liability under this Act'?
2. Does the WRCA 1986 state that 'the worker is only entitled to a compensable disability claim against his employer under the Act'?
3. Does the WRCA 1986 define contract of service under which one person (the worker) is employed by another (the employer)?
4. Is a worker entitled under the WRCA 1986 to a compensable disability claim against someone who is not his employer?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

WORKERS REHABILITATION AND COMPENSATION ACT REVIEW

377 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. If there is a breach of Section 54(4a)(b)(i)(ii) of the WRCA 1986 does this mean the employer is not liable under Section 54(1) for the workers' injuries as the liability lies with other workers (third parties) who caused the injury through their serious and wilful misconduct?
2. If other workers breach Section 54(4a)(b)(i)(ii) of the WRCA 1986 and injure a worker through their serious and wilful misconduct which did not arise out of or in the course of their employment are other workers vicariously liable for the injuries sustained by the worker in a jurisdiction other than the WCT?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

WORKERS REHABILITATION AND COMPENSATION ACT REVIEW

378 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. Does the Supreme Court of South Australia deal with vicarious liability cases in common law and tort?
2. If the SA Wrongs Act 1936 is breached at Div 3, Sec 27C (1)(a)(b)(2)(3) and a person's injuries flow from the serious and wilful acts of misconduct of others, then are third parties vicariously liable for these injuries and does the case fall within the jurisdiction of either the District or Supreme Court?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been referred to the Minister for Education and Child Development.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

379 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Does the administrative unit, known as the Department of Education and Children's Services (DECS), have 'employing authority' status, and if so—

- (a) is DECS the employer of teachers appointed under the Education Act 1972; and
- (b) is an educational officer appointed under the Education Act 1972 in a contract of service with the DECS?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

380 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Is the Chief Executive of DECS the declared employer of educational officers appointed under the Education Act 1972 to the 'employing authority' known as DECS?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

381 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Does the 'employing authority' known as DECS represent—

- (a) the employer in the Industrial Courts;
- (b) the employer in the Workers Compensation Tribunal; and
- (c) the employer in the Teachers Award?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

EDUCATION AND CHILDREN'S SERVICES DEPARTMENT

382 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Has the 'employing authority' known as DECS—

- (a) have exempt employer status under the Workers Rehabilitation and Compensation Act (WRCA) 1986;
- (b) been granted authority under the Work Cover Corporation Act (WCCA) 1994 to rehabilitate injured workers back to work; and
- (c) been granted authority under the WCCA 1994 to maintain Rehabilitation files on workers who have been injured at work?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

383 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session). Is the Minister for Education and Child Development—

- (a) in a contract of service with teachers;
- (b) the employer of educational officers appointed under the Education Act 1972; and
- (c) is the for Education and Child Development one of the 29 exempt employers who has been granted exempt employer status under the WRCA 1986?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT

384 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. Has the Minister for Education and Child Development been granted authority under the WCCA 1994 to manage workers rehabilitation files?
2. Does the Fair Work Act 1994 state that for public employees 'the employer is the body or person (not being a Minister) declared by regulation to be the employer of the employees'?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

WORKERS REHABILITATION AND COMPENSATION ACT REVIEW

385 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. Does the WRCA 1986 state under section 54(1) that 'no liability attaches to an employer in respect of a compensable disability arising from employment by that employer except a liability under this Act'?
2. Does the WRCA 1986 state that 'the worker is only entitled to a compensable disability claim against his employer under the Act'?
3. Does the WRCA 1986 define contract of service under which one person (the worker) is employed by another (the employer)?
4. Is a worker entitled under the WRCA 1986 to a compensable disability claim against someone who is not his employer?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

WORKERS REHABILITATION AND COMPENSATION ACT REVIEW

386 The Hon. I.F. EVANS (Davenport) (15 November 2011) (First Session).

1. If there is a breach of Section 54(4a)(b)(i)(ii) of the WRCA 1986 does this mean the employer is not liable under Section 54(1) for the workers' injuries as the liability lies with other workers (third parties) who caused the injury through their serious and wilful misconduct?
2. If other workers breach Section 54(4a)(b)(i)(ii) of the WRCA 1986 and injure a worker through their serious and wilful misconduct which did not arise out of or in the course of their employment are other workers vicarious liable for the injuries sustained by the worker in a jurisdiction other than the WCT?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers): The Attorney-General has been advised that these questions do not apply to the Attorney-General's Department.

CARNEGIE MELLON UNIVERSITY

In reply to **Mr PISONI (Unley)** (1 July 2010) (First Session).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

Carnegie Mellon University-Heinz-Australia (CMU-H-A) commenced discussions with the relevant accreditation authorities in China in 2010, assisted by the Chinese Embassy in Canberra.

While CMU in the United States was already recognised as an accredited university in China, at that time it was the policy of the China Centre for Scholarly Exchange (CCSE), the agency responsible for accrediting international universities in China, not to accredit overseas campuses of international universities. However, following discussions initiated by CMU-H-A about this matter, the CCSE gave an assurance that the Chinese Government would make an exception to the CCSE policy on the basis that the Australian Campus had the same admission criteria,

curriculum, faculty, and quality standards as the main campus in Pittsburgh, Pennsylvania. The process for this to be given approval through the Chinese Ministry of Education has now been finalised.

CMU-H-A was given written confirmation by the CCSE on 26 December 2011 that they 'have already included Carnegie Mellon University-Australia degree in [their] recognition scope of Australian qualifications' and that they now 'offer accreditation service to all Carnegie Mellon University-Australia graduates just like those of any other universities in Australia'.

It is understood that CCSE received its first application from a CMU-H-A graduate in November 2011 and the recognition of the degree has been successfully completed.

ROBERTS, MS R.

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (30 September 2010) (First Session).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

This question has been answered in session on Tuesday 8 March 2011 and can be found on page 2,738 of the *Hansard*.

PUBLIC SECTOR EMPLOYEES

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

The following response provides information for the Premier's Portfolios (including Minister for the Arts; Minister for Economic Development; Minister for Social Inclusion and Minister for Sustainability and Climate Change, only for those areas under DPC that report to those Portfolios), but does not contain information pertaining to the Auditor-General's Department.

Between 30 June 2009 and 30 June 2010

(a) Positions Abolished—Total Employment Cost of \$100,000 or more:

DPC Division/Area	Position Title	Total Employment Cost
The Department of Premier and Cabinet	NIL	NIL

(b) Positions Created—Total Employment Cost of \$100,000 or more:

DPC Division/Area	Position Title	Total Employment Cost
The Department of Premier and Cabinet	Director, Strategic Communications	\$158,875
The Department of Premier and Cabinet	Director, Thinking Adelaide Strategy	\$159,557
The Department of Premier and Cabinet	Director, Adelaide Thinkers in Residence	\$141,362
The Department of Premier and Cabinet	Director, Executive Officer	\$141,362
The Department of Premier and Cabinet	Executive Director, Policy Coordination	\$195,732
The Department of Premier and Cabinet	Executive Officer	\$103,186
The Department of Premier and Cabinet	Project Manager	\$105,192

PUBLIC SECTOR EMPLOYEES

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

Employee benefits for the Department of the Premier and Cabinet were \$7.723 million higher in 2009-10 compared with 2008-09 reflecting:

- Termination payments in 2009-10 made as part of the 2009-10 TVSP Scheme;
- A higher revaluation expense for long service leave liability in 2009-10 reflecting variations in the underlying actuarial parameters used to calculate the provision; and
- Higher wage expenses in 2009-10 compared with 2008-09 reflecting the impact of the Wages Parity (Salaried) Enterprise Agreement 2010.

GOVERNMENT SPENDING

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

The higher general administration and consumables expense of \$8.501 million in 2009-10 compared with the \$4.840 million in 2008-09 mainly reflects:

- One-off payments made in 2009-10 arising from the finalisation of negotiations to determine the State's obligation under the Commonwealth Copyright Act 1968 for copyrighted material copied by State Government agencies, and
- Higher expenditure in 2009-10 associated with Medical Panels SA medical consultant fees. Medical Panels SA was established in April 2009.

Consequently, the 2008-09 expenditure represents part of the financial year whilst the 2009-10 expenditure encompasses the full financial year.

GOVERNMENT SPENDING

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

The variation between the \$7.1 million budgeted net result for 2009-10 and the \$7.6 million actual net result for 2009-10 mainly reflects higher than previously estimated depreciation expense associated with the Electronic Cabinet Online System, and higher employee costs as a result of the Cabinet Submission Release Rule from a 20 year embargo on documents to a 10 year embargo on documents.

CONSULTANTS AND CONTRACTORS

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

Care must be taken when comparing consultant and contractor expenditure between financial years. This is because much of this category of expenditure relates to once off initiatives that do not generally span more than one year. That said, some further detail of the components of this expenditure for 2008-09 and 2009-10 is provided.

Expenditure on consultants in 2009-10 of \$2.322 million is higher than the \$1.784 million reported in 2008-09. The higher expenditure in 2009-10 is mainly attributable to higher consultancy services for the River Murray High Court Challenge and the provision of services associated with the Renewable Energy Fund which commenced in 2009-10.

Expenditure on contractors in 2009-10 of \$4.461 million is higher than the \$2.824 million incurred in 2008-09. The higher expenditure in 2009-10 includes costs associated with event management of the 9th Australian Performing Arts Market and the 2009 and 2010 Spirit Festivals, project management of SafeWork SA's relocation to World Park 1, a review on the future

management of remote infrastructure services in Aboriginal communities and corporate governance training in the Anangu Pitjantjatjara Yankunytjatjara Lands.

MOTOR ACCIDENT COMMISSION

In reply to the **Hon. I.F. EVANS (Davenport)** (7 October 2010) (Estimates Committee A).

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs): There has been no reduction in the Motor Accident Commission's (MAC) sponsorship funding between 2009 and 2010.

Note 21 of the Annual Financial Statements simply deals with Commitments. The reduction in sponsorship commitments between 2009 and 2010 reflects a reduction in existing long term sponsorship contracts to which MAC is committed. Many sponsorships arise during the year which do not involve long term commitment. These sponsorships are therefore not captured in the Commitments table.

A complete list of MAC's sponsorship activity for 2009-10 is below:

- Paraquad SA—Corriedale Park: MAC partnered with Paraquad SA as well as the Mt Gambier Council and other local businesses to deliver a housing development for people with acquired spinal cord injury in the South East. Used as temporary housing for the patients to bridge the gap between leaving hospital and beginning home-life.
- SAPOL Road Safety Education: SAPOL's Traffic Training and Promotion Unit conducts road safety seminars in over 700 schools, businesses and community groups.
- Encounter Youth Schoolies Festival: MAC sponsored the Schoolies Festival Bus Service between Adelaide and Victor Harbor, as well as a shuttle service around the Victor, Middleton and Goolwa area throughout the 3 day festival.
- Good Sports: Drug and Alcohol Services SA (DASSA) rolls out the national program in SA which encourages sporting clubs to adopt a responsible attitude towards serving alcohol in their club.
- Public Transport Division—New Year's Eve Bus Service: MAC provides funding for free public transport after midnight on New Year's Eve so people can get home safely from their celebrations.
- CRASH Seminar: This seminar is a meeting of legal, medical and insurance professionals involved in the CTP process. Around 200 people attend this annual seminar.
- Amy Gillett Foundation—Amy's Ride: MAC part sponsors this bicycle ride which aims to raise awareness about bike safety.
- Adelaide Fringe: MAC used its Fringe sponsorship to target the anti-drink drive message to festival-goers.
- Clipsal 500 Free Transport: MAC, in conjunction with the Adelaide City Council, Public Transport Division of the Department for Transport, Energy and Infrastructure and the South Australian Motor Sport Board, provides funding for free public transport for Clipsal 500 ticket holders across the four days of the race.
- ACRS Lunchtime Seminars: These bi-monthly seminars are an opportunity for those in the road safety industry to hear the latest research, enforcement issues, and other developments in the industry.
- National Motor Museum—Street Smart: Development of a game aimed at school children to teach them about road safety issues which is housed at the Motor Museum. The game is also transported to other community events where there is a focus on road safety.
- SAPOL Ride Like Crazy: Annual fun-ride raising money for cancer victims. MAC's involvement ensures a road safety message is promoted.
- Motorcycle Riders Association (MRA) Toy Run: Annual motorcycle ride for charity from Glenelg to Hahndorf where MAC's motorcycle safety message is promoted.
- Leader's Institute of SA: MAC supported the Governor's Leadership Foundation program in 2009-10 to challenge participants to think of solutions to the road safety problem.

- Australian Cranio-Maxillo Facial Foundation—Nylon Skulls: The production of Nylon Skulls means a reduced operation time and recovery time for the patients injured in a motor vehicle crash.
- Barossa Council—Safe Schoolies 09: This sponsorship provides funds for a bus to take Barossa-based Schoolies attendees to Victor Harbor and back again, eliminating the need for students to take their cars.
- Centre for Automotive Safety and Research (CASR): As part of a ten year agreement with CASR, MAC provides funding in return for research services.
- Community Road Safety Groups: MAC provides funds for annual administration grants and project grants to these community groups. DTEI manages the groups.
- MAC Rescue Helicopter: MAC sponsors the State Rescue Helicopter service which is involved in crash retrievals and inter hospital transfers of crash victims around the State.
- Country Football Championships: Sponsorship of the annual SA Country Football League championships allowed MAC's messages to be presented to young country footballers. SAPOL road safety sessions were also held for all attendees to further reinforce the road safety message.

MOTOR ACCIDENT COMMISSION

In reply to the **Hon. I.F. EVANS (Davenport)** (7 October 2010) (Estimates Committee A).

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs): The Strategic Asset Allocation (weightings between each Asset Class) for the CTP Investment Fund is set by Motor Accident Commission (MAC) in conjunction with MAC's Global Investment Asset Consultant, Mercer. As illustrated in the table below, the total Funds SA managed assets returned 9.4 per cent compared to their total benchmark return of 8.3 per cent for the Financial Year ending 30 June, 2010.

Motor Accident Commission Investment Returns

Asset Class	FY performance to 30 June 2010		over/under performance	SAA Weightings 30/06/2010	Manager
	Return	Benchmark			
Australian Equities	12.9%	13.0%	-0.1%	17.5%	Funds SA
International Equities	13.2%	11.8%	1.4%	15.0%	Funds SA
Listed Property	37.1%	39.0%	-2.0%	2.5%	AMP
Direct Property	14.3%	3.7%	10.6%	10.0%	MAC
Inflation Linked Bonds	11.0%	10.1%	0.9%	5.0%	Funds SA
MAC Fixed Interest	7.4%	6.7%	0.6%	35.0%	Funds SA
Cash	4.4%	3.9%	0.5%	5.0%	MAC/Funds SA
Diversified Strategies Income	14.6%	12.0%	2.7%	10.0%	Funds SA
TOTAL MAC FUND	10.2%	8.6%	1.6%	100.0%	MAC/Funds SA
Funds SA Managed Assets	9.4%	8.3%	1.1%		

MOTOR ACCIDENT COMMISSION

In reply to the **Hon. I.F. EVANS (Davenport)** (7 October 2010) (Estimates Committee A).

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs): The unexpired risk expense

arises from the best estimate of the present value of future claims in respect of the unexpired risk period, (known as the premium liabilities). In other words, it is an estimate of the value of risks arising from premium income that MAC has received but has not yet earned. The value of these risks is an actuarial calculation which takes into account a risk margin.

In the Statement of Comprehensive Income for 30 June 2009, an expense of \$12.7m was recorded for the un-expired risk expense. At 30 June 2010, actuarial calculations resulted in a positive adjustment of \$11.7m being recorded in the accounts for the un-expired risk expense. The variance in these two numbers over the two years is \$24.4million. The amount recorded on an annual basis is an actuarial calculation of the value of the outstanding risks and is subject to fluctuation.

SHARED SERVICES SA

In reply to various members (Estimates Committees A and B October 2010).

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs): An across-government collection of baseline data relating to agency corporate and business support services was undertaken in March, 2007, using 2005-06 data.

Since the data were collected, however, agencies have continued to make changes to their corporate support functions, services and systems. Shared Services undertakes detailed due diligence during pre-transition and general discovery phases to gather more targeted, detailed and up-to-date information relating to approved in-scope services. As a result, some of the initial services for which baseline data were collected, are no longer relevant.

SURPLUS EMPLOYEES

In reply to **Mr HAMILTON-SMITH (Waite)** (8 October 2010) (Estimates Committee B).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business):

Surplus Employees as at 30 June 2010:

Minister for Industry and Trade

Department/Agency	Position Title	Classification	TEC Cost
Department of Trade and Economic Development	Project Officer	ASO6	\$84,219
	Research Officer	ASO4	\$64,257
	Procurement Officer	ASO4	\$64,257
	IT Support Officer	ASO4	\$64,257
	Finance Officer	ASO3	\$57,543
	TOTAL: \$334,533		

SURPLUS EMPLOYEES

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (8 October 2010) (Estimates Committee B).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business):

Surplus Employees as at 30 June 2010:

Minister for Correctional Services

Department/Agency	Position Title	Classification	TEC Cost
Department for Correctional Services	Commercial Manager	ASO6	\$93,492
	Manager PRIME	MAS3	\$115,962
	Team Leader Injury Management	ASO7	\$105,552
	General Manager	MAS2	\$107,617
	Drug Court Officer (0.4 FTE)	AHP2	\$36,302
	Technical Sales Manager	ASO6	\$93,492

Department/Agency	Position Title	Classification	TEC Cost
	Drug Court Officer	AHP2	\$90,756
	Customer Service Officer (0.8 FTE)	ASO1	\$38,542
	Customer Service Officer	ASO1	\$48,177
TOTAL:			\$729,892

GRANTS AND SUBSIDIES

In reply to **Mr HAMILTON-SMITH (Waite)** (8 October 2010) (Estimates Committee B).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised that during 2009-10, the Department of Trade and Economic Development provided grants and sponsorships to 280 external organisations/companies.

PUBLIC SECTOR EMPLOYEES

In reply to **Mr HAMILTON-SMITH (Waite)** (8 October 2010) (Estimates Committee B).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business):

Positions with a TEC of \$100,000 or More Abolished and Created

Minister for Industry and Trade

Between 1 July 2009 and 30 June 2010 positions with a total employment cost of \$100,000 or more:

(a) Abolished:

Department/Agency	Position Title	TEC Cost
Department of Trade and Economic Development	N/A	\$N/A

(b) Created:

Department/Agency	Position Title	TEC Cost
Department of Trade and Economic Development	Water Domain Sector Specialist	\$102,625.68
		NB: fully funded position through ICN Ltd by the Commonwealth Government

Minister for Correctional Services

Between 30 June 2009 and 30 June 2010 positions with a total employment cost of \$100,000 or more:

(a) Abolished:

Department/Agency	Position Title	TEC Cost
Department for Correctional Services	Operations Manager	\$105,552
	Business Manager	\$105,552
	Risk Manager	\$105,552
	Project Manager - Electronic Monitoring & Security	\$105,552
	Assistant General Manager	\$105,552
	Principal HR Strategist	\$113,924
	Strategic Financial Analyst	\$113,924
	Executive (Refer Note)	\$136,767
	General Manager	\$107,617
	Manager, Prisoner Assessment Unit	\$107,617
	Industry Consultant Prime Review	\$107,617
	Regional Manager	\$115,994
	Project Mgr Prison Industries	\$115,994
Principal Psychologist	\$126,508	

Note: Refers to an executive who had resigned on transfer to another agency effective 30 June 2009 and was not replaced.

(b) Created:

Department/Agency	Position Title	TEC Cost
Department for Correctional Services	Director Sentence Management	\$126,508
	General Manager, Adelaide Women's Prison/Adelaide Pre-release Centre	\$128,705

FOREIGN CURRENCY EXPOSURE

In reply to **Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition)** (9 November 2010) (First Session).

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation): I am advised:

1. The foreign exchange losses referred to by Mr Williams relate to the 2008-09 Financial Year and were related to a foreign exchange option attributed to the desalination project to mitigate foreign exchange exposure during the pre contract phase.

At the time of the contract phase in September 2008, the Australian Dollar had weakened significantly against the United States Dollar, Euro, Pound and Yen as well as a number of other major currencies. A lower Australian dollar had the potential to increase the cost of plant, equipment and materials to be purchased by the successful bidder from overseas.

In order to ensure full compliance with Treasurer's Instruction 23 Management of Foreign Currency Exposures and the SA Water Risk Management Policy, advice was sought by SA Water from the South Australian Financing Authority (SAFA) to manage this risk. SAFA developed a strategy for SA Water and arranged an options purchase of foreign currencies to hedge against the foreign exchange risk on the desalination project. When the desalination contract was awarded the currency risk was transferred to the Contractor.

Appropriate foreign exchange hedging strategies were undertaken, including obtaining forward foreign exchange cover, to comply with Treasurer's Instruction 23 (part 23.9) where foreign currency risk or exposure exceeds the equivalent of AUD \$100,000.

All the fair value movements and associated premium costs of the foreign exchange of the derivatives were expensed through profit and loss. This is in accordance with Australian Accounting Standards Board 139 Financial Instruments: Recognition and Measurement.

FALCON LODGE RETIREMENT VILLAGE

In reply to **Ms CHAPMAN (Bragg)** (30 June 2011) (Estimates Committee A).

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. There is no specific policy that states that these facilities cannot be utilised, however, this offer was made to Housing SA in the context of two units for private rental. Housing SA has since contacted the Falcon Lodge Retirement Village and provided the following information.

When Housing SA supports people into private rental, they are provided with rental assistance of up to 50 per cent. For a single pensioner, the \$645.00 per fortnight rate for Falcon Lodge can represent up to 83 per cent of their income.

If these tenants were to be selected from the Housing SA waiting list, they would be expecting to pay no more than 25 per cent of their income in rent, which is the accepted affordability benchmark for social housing.

In Housing SA, the services of Private Rental Liaison Officers are utilised to advocate on behalf of prospective private rental tenants, and assist them to obtain appropriate, suitable and attractive accommodation.

Housing SA staff members actively provide information to clients regarding all housing options, including any updated advice received from independent facilities such as was provided by Falcon Lodge. If a tenant finds Falcon Lodge to be an appropriate, suitable and attractive accommodation option they will be assisted to make contact.

This is the normal practice of Housing SA on receipt of information regarding housing opportunities.

AGED-CARE SERVICES

In reply to **Ms CHAPMAN (Bragg)** (30 June 2011) (Estimates Committee A).

The Hon. J.D. HILL (Kaurua—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. The 2011-12 Expenses Budget for Sub-program 3.1, Office for Disability and Client Services, includes an additional \$26.6 million (Budget Paper 4, Volume 2, page 156) to reimburse the Commonwealth Government for the cost of services it will provide to people with a disability who are under 65 and are being accommodated within the residential aged care sector.

Off-setting this expense is additional income of \$58.4 million to be received from the Commonwealth Government in 2011-12 for services the State Government will provide to people 65 and over:

- \$14.9 million in additional income for specialist disability services (Budget Paper 4, Volume 2, page 156)
- \$26.8 million in additional income for specialist disability services (Budget Paper 4, Volume 2, page 159)
- \$16.7 million in additional income for aged care services (Budget Paper 4, Volume 2, page 162).

The combined impact of the additional expense budget of \$26.6 million and the additional income budget of \$58.4 million is a reduction in the net cost to the State Government of \$31.8 million. To maintain budget neutrality, the Commonwealth Government will make an off-setting reduction of \$31.8 million to the Disability Specific Purpose Payment to South Australia in 2011-12. Reference to this adjustment can be found in the Commonwealth Government's 2011-12 Budget Paper No.3, Part 2, page 65.

The \$31.8 million reduction in the Commonwealth Government's 2011-12 National Disability Agreement payment is not included in the Department for Families and Communities disability and ageing program budget but is reflected in the 2011-12 Disability Specific Purpose Payment budget in Table 3.15 of Budget Paper 3, page 49. The Commonwealth Government's Disability Services SPP payment of \$82.2 million reported in this table represents the unadjusted budgeted payment of \$114 million, less the \$31.8 million to maintain budget neutrality.

GOVERNMENT CONTRACTS

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (1 July 2011) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): The following information is provided on behalf of all Ministers:

The Department of the Premier and Cabinet Circulars PC013—Annual Reporting Requirements and PC027—Disclosure of Government Contracts covers all payments to consultants and large payments to contractors.

The Annual Report shows all payments to consultants and the nature of their work.

Contract Disclosure requires certain information about contracts to be published on the Tenders SA website:

- Contract title
- Contractor's details
- Start and end date of the contract
- Contract value

- Procurement process used

The Contract Disclosure requirements apply to all consultancy contracts (regarding of value) and other goods and services contracts where the value of the contract is more than \$500,000.

STAFF RECRUITMENT COSTS

In reply to **Mr GRIFFITHS (Goyder)** (1 July 2011) (Estimates Committee B).

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs): The amount of \$5,000 referred to under staff recruitment costs was a budget allocation. The recruitment of Lea Stevens was managed internally by the Department of Planning and Local Government and not by an external provider, as such, the only actual cost relating to the recruitment was for the placement of an advertisement in the Advertiser. The advertisement was placed in the Advertiser on 13 November 2010 at a cost of \$770.18.

FORESTRYSA

In reply to **Mr PEDERICK (Hammond)** (1 July 2011) (Estimates Committee B).

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs): The data in response to your request for land purchased by ForestrySA in the last two fiscal years is:

Land Acquisition Budget 2009-10: \$12.0m

Land Acquisition Budget 2010-11: \$12.0m

Actual Land Acquisition 2009-10: \$1.932m for 612.2ha plus Standing Timber on this land \$1.202m for 230.9 ha.

Actual Land Acquisition 2010-11: \$6.619m for 1,557.5ha plus Standing Timber on this land \$3.896m for 371 ha.

These costs include both purchase consideration and stamp duty, and do not differentiate between debt financed (generally the land purchase consideration only) and cash balance financed (standing timber and all stamp duty).

All land purchased was in the Green Triangle.

A breakdown by State of these land purchases are as follows:

Financial Year	State	Area
2009-10	Victoria	43.3 ha
	SA	568.9 ha
2010-11	Victoria	1,521 ha
	SA	36.5 ha

NON-CURRENT ASSETS

In reply to **Mr PEDERICK (Hammond)** (1 July 2011) (Estimates Committee B).

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs): The breakdown of the \$102.2 million for 2011-12 and \$105.2 million for 2010-11 for the Non-current assets figures on the 'Land and improvements' line as published on page 202 in the 2011-12 Budget Paper 4 Volume 3, is:

	2011-12 Budget (\$m)	2010-11 Estimated Result (\$m)
Land	32.1	32.1
Buildings and Infrastructure	68.5	71.2
Leasehold Improvements	1.6	1.9
Total Land and improvements	102.2	105.2

These assets are recognised at fair value with the slight reduction in the total figure for the 2011-12 Budget reflecting the continued annual depreciation of the assets held.

OVERSEAS TRADE OFFICES

In reply to **Mr HAMILTON-SMITH (Waite)** (4 July 2011) (Estimates Committee A).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised, the revised expenditure budget for staff and maintenance for the two offices in China, in Shanghai and Jinan, was \$897,000 for 2009-10, \$788,000 for 2010-11 and the original budget for 2011-12 is \$810,000.

The revised expenditure budget for staff and maintenance for the India office, in Chennai was \$636,000 for 2009-10, \$556,000 for 2010-11 and the original budget for 2011-12 is \$666,000.

THE CONSERVATORY

In reply to **Mr HAMILTON-SMITH (Waite)** (4 July 2011) (Estimates Committee A).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised, the net rental cost of the Conservatory (not including outgoings) taking into account the rental increases and subleasing is \$1.628 million for 2011-12. The rate as of July 2011 is \$478.40 per square metre per annum indexed by 4 per cent as of 1 December each year.

KINTYRE

In reply to **Mr HAMILTON-SMITH (Waite)** (4 July 2011) (Estimates Committee A).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business): I am advised there are no approved uranium mines in Western Australia at this stage, hence no uranium oxide or uranium derivatives could be coming from Western Australia.

PUBLIC SECTOR EMPLOYEES

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (8 November 2011) (First Session).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development): I have been advised of the following:

No, the Under Treasurer did not instruct departmental CEOs to discourage public servants from cashing out their long service leave.

SOUTH AUSTRALIAN FILM CORPORATION

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (8 November 2011) (First Session).

The Hon. J.D. HILL (Kurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. The Adelaide Film and Screen Centre has 961 square metres of office space available for leasing to tenants. The rent from tenancies has been set at between \$100 and \$250 per square metre, depending on the size and quality of the office facilities. These rates have been determined by a commercial leasing agent and are based on average office rent in the surrounding area.

It is projected that, when the occupancy of office space at Adelaide Studios is at 90 per cent capacity, the income stream to the South Australian Film Corporation will be \$151,000 per annum based on 2011-12 rental values. Rental income at this level will not be achieved in 2011-12 because the premises were not occupied from the beginning of the financial year. The leases for the offices include four per cent indexation per annum.

HEALTH DEPARTMENT

In reply to **Dr McFETRIDGE (Morphett)** (24 November 2011) (First Session).

The Hon. J.D. HILL (Kurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts): I am advised:

1. The reconciling of data is a process issue within SA Health and is excluded from both the IBM and Oracle contracts, which are summarised below.

The contract with Oracle is for the provision of program licences only. SA Health was responsible for the installation of the software and therefore there are no penalties associated with installation.

IBM were contracted to install and implement the software and they were contracted to a warranty period of two month-end processing cycles. IBM were responsible for correcting all Severity 1 and 2 defaults that occurred during these processing cycles and were attributable to IBM, which has been completed. This excludes the quality of data converted from SA Health's legacy financial systems.

ACTIVE CLUB PROGRAM

In reply to **Mr GRIFFITHS (Goyder)** (23 November 2011) (First Session).

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport): The Active Club Program (ACP) was established in 1996 through monies made available from the Sport and Recreation Fund and under the governance of the Gaming Machines Act 1992. Originally there was a total of \$940,000 with \$20,000 available for each of the 47 State Electorates over two (2) funding rounds (\$10,000 per round).

In 2000 the total funds available for distribution through ACP was increased to \$1,880,000. This equated to \$40,000 for each of the 47 State Electorates over two (2) rounds (\$20,000 per round). Of the \$1,880,000, \$940,000 was funded through the Sport and Recreation Fund and \$940,000 through Treasury appropriation.

In 2004 the total funds available for distribution through ACP was further increased to \$2,350,000. This equates to \$50,000 for each of the 47 State Electorates over two (2) rounds (\$25,000 per round). All of the \$2,350,000 is funded through the Sport and Recreation Fund.

GAWLER RANGES PRESCRIBED BURNING

In reply to **Mr GOLDSWORTHY (Kavel)** (24 November 2011) (First Session).

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:53): I am advised:

1. No.

COMMISSION OF OATHS

The SPEAKER (14:03): I advise that I have received from His Excellency the Governor a commission to swear in members during the remainder of parliament.

MEMBERS' RESIGNATIONS

The SPEAKER (14:03): I also advise that I have received the resignation of the member for Port Adelaide, on 12 December 2011, and the member for Ramsay, on 13 January 2012, and that, pursuant to section 37 of the Electoral Act 1985, I have issued writs for by-elections to fill both vacancies.

STANDING ORDERS SUSPENSION

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:04): I move:

That standing orders be and remain so far suspended as to enable restoration and introduction of government bills and the restoration of the Road Traffic (Emergency Vehicles) Amendment Bill before the Address In Reply is adopted.

The SPEAKER: As there is an absolute majority, I will put the question. Is there a seconder?

Mrs Geraghty: Yes, ma'am.

Motion carried.

PARLIAMENT, INTERNET STREAMING

The SPEAKER (14:04): I want to announce to the house that, as of today, the proceedings of this chamber and of the Legislative Council are being made available as a live

stream on the internet, so I remind you to remember that with regard to your comments. Through the parliament's website, the public can hear our deliberations and the background noise in the same way that we hear proceedings in our offices.

I think we particularly need to thank Philip Spencer from Hansard, and also Anthony Hudson from Hansard, who has done an incredible amount of work over the last few months regarding this, and certainly all of the staff of PNSG, whose efforts have added to this service. So, remember, you are being heard. I am sure there are thousands of people out there listening to our every word.

ORGANISED CRIME

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:15): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Community safety is the government's highest priority. Organised crime is a threat to community safety. Anyone listening to the radio or watching television recently would understand the length these organisations are willing to go to and their propensity to reoffend. The government is now proceeding with a suite of measures directed towards organised criminal gangs in South Australia. These measures do not stand alone. They are each part of a picture that, when taken together, will undermine and disrupt these criminal gangs. Starting on this first day of parliament, we will restore and reintroduce three bills that have been held up in the other place.

Ms Chapman: What about the fourth one? What about the most important one?

The SPEAKER: Order, the member for Bragg!

The Hon. J.W. WEATHERILL: The first of these measures is to attack the motivation and drive for these influences—greed and money. Profit is the primary motivation behind most forms of criminal activity, including insidious crimes such as blackmail, extortion and drug manufacturing. Those engaged in organised crimes cannot be deterred by gaol sentences alone. Attacking the proceeds of crime is a fundamental pillar of our strategy targeting organised crime.

Ms Chapman: Two years!

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Accordingly, the government will be reintroducing the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2011. This bill was significantly weakened in the other place with the support of the Liberal opposition—

Ms Chapman: Weakened? What an insult!

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —and this government reintroduces it now with the full expectation that this bill, in its original form, will now be passed.

Mr Marshall interjecting:

The SPEAKER: Order! Members on my left will be quiet.

The Hon. J.W. WEATHERILL: We will also be restoring a bill that aims to prevent the use of, and access to, aggressive weapons such as star knives, knuckledusters and machetes. During the last sitting of parliament, the government sought to pass legislation enabling the police to curtail the opportunity of organised criminals to possess these weapons. The bill was rendered unworkable in the other place with the support of the Liberal opposition, and we ask that it now be passed.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: The use of criminal intelligence by police is critical to effective policing. It has been a concern of the government for some time that the criminal intelligence provisions in several acts may be unnecessarily vulnerable to a High Court challenge. Through the Statutes Amendment (Criminal Intelligence) Bill 2010, we sought to minimise this risk. Despite repeated briefings from the police, the other place, with the support of the Liberal

opposition, has insisted on reducing the scope of the current provisions, making the police's job harder, not just safe from a challenge. We will be restoring this bill in the other place and calling on the opposition and other minor parties to support the original bill.

Members interjecting:

The SPEAKER: Order! Members on my left will be quiet. Premier, can you sit down, please? I cannot hear the Premier and what he is saying from the comments coming from my left.

Mrs Redmond: Well, he's not being honest.

The SPEAKER: Leader of the Opposition, I think you need to be careful about what you're saying. Premier.

The Hon. J.W. WEATHERILL: In addition to the recommittal of these three pieces of legislation, the Attorney-General today will give notice of the introduction of two bills to complete the package of measures. The Serious and Organised Crime (Control) Act Amendment Bill, although complex in detail, has been based on the best available advice and will repair the damage to the SOCCA legislation arising from the Totani decision.

The High Court's decision in November 2010 meant some important aspects of the government's legal framework could not be applied. Since that decision, and the subsequent High Court decision in Wainohu based on similar New South Wales legislation, the government has been looking closely at ways to repair the SOCCA act. Our aim has been to amend the legislation so that it should not be vulnerable to a successful High Court challenge by the very criminals at whom it is directed. Make no mistake, our new legislation will be the subject of legal challenge. So the government has taken care to do all it can to make this legislation constitutionally secure and to withstand these challenges.

The Attorney-General will also give notice of the introduction of the organised crime offences bill that will create a number of new measures aimed at combating serious criminal gangs and protecting public safety by attacking criminal behaviour.

Recent events highlight the need for this parliament to act swiftly, and it is critical that this package of legislation is supported and passed as a matter of urgency. Therefore, it is the government's intention to suspend standing orders at the conclusion of grievances today to reintroduce and immediately debate the declared drug traffickers bill.

I call on every member to consider carefully this package of legislation to give proper weight to our collective responsibility to protect our community from organised crime.

Members interjecting:

The SPEAKER: Order! I warn the member for Norwood.

HEALTH, ORACLE CORPORATE SYSTEM

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:27): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Since the release of South Australia's Health Care Plan in 2007 the state government has been implementing major changes to professionalise our state's health system and to well and truly bring it into the 21st century. This includes modernising Health's support systems—

Members interjecting:

The SPEAKER: Member for Norwood, you are warned for the second time. I am sorry, I withdraw that—apparently it was the member for Waite.

The Hon. J.D. HILL: Thank you, Madam Speaker. As I was saying, what we are trying to do is to bring our state's health system into the 21st century and that includes modernising Health's support systems. As part of that we are investing more than \$21 million to ensure our financial management capabilities—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Thank you, Madam Speaker. This is a really important issue. It was raised by the opposition a number of times.

Ms Chapman: You're dead right it is. We want the accounts.

The SPEAKER: Order, you will hear the minister in silence!

The Hon. J.D. HILL: This issue was raised by the opposition a number of times. I am trying to give the house factual information and every paragraph is interrupted. As I was saying, as part of that approach we are investing more than \$21 million to make sure that our financial management capabilities are of the highest order. This investment has focused on replacing 18 separate and outdated financial systems with one single enterprise-wide financial system—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —with one single enterprise-wide financial system known as Oracle Corporate System. The implementation of this system will facilitate corporate services reforms, saving up to \$8 million annually once fully implemented and requiring 130 fewer Public Service positions. While there have been lessons for Health staff—

Members interjecting:

The SPEAKER: Order, member for MacKillop! Order!

The Hon. J.D. HILL: I am trying to give the opposition and other members of this place factual information about this reform. If they want to treat it in this trivial kindergarten-style way, I guess that is their business. Members of the public online who are listening to today's proceedings will judge. While there have been lessons for Health staff—

The Hon. P.F. Conlon interjecting:

The Hon. J.D. HILL: That is probably true. While there have been lessons for Health staff in the implementation of Oracle, the system will support the improved management of our accounts. The introduction of Oracle has allowed SA Health to streamline, simplify and update its financial reporting—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The introduction of Oracle has allowed SA Health to streamline, simplify and update its financial reporting structure, enabling the closure of around 100 legacy Health bank accounts, once fully complete, along with improved cash management practices. This is providing our state with significant investment opportunities not previously available with the operation of multiple separate accounts. Further, it positions the state to better respond to the current commonwealth health reform agenda around efficient price. Oracle Corporate System enables more timely and efficient reporting internally—

Members interjecting:

The SPEAKER: Order! Minister, sit down. Members on my left, this is the first question time for this new session and I know you want to make an impression, but when we can't hear what anyone is saying, it is ridiculous. You will behave or somebody will go out today. Minister.

The Hon. J.D. HILL: Thank you, Madam Speaker. As I was saying, the introduction of Oracle has allowed us to streamline, and we have been able to close around 100 legacy Health bank accounts. If people think that is a bad thing, then let them get up here and defend why it is a bad thing. This is providing our state with significant investment opportunities not previously available with the operation of multiple separate accounts. Further, it positions our state well, enabling us to respond better to the commonwealth health reform agenda.

Oracle enables more timely and efficient reporting internally and also to the Department of Treasury and Finance, which is consistent with other government agencies. Prior to the introduction of Oracle, SA Health reported a month in arrears due to the time it took to consolidate information from the existing 18 financial systems.

We have got an almost \$5 billion business which has been spread over a whole range of cost centres with different information systems, different governance systems, different

management systems in place. As a process, we are bringing all of that together to have an integrated system, so we can have more control. Of course, there are always teething problems when we introduce new systems.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The Liberal Party purports to be the alternative government.

Mr Hamilton-Smith interjecting:

The SPEAKER: Member for Waite, you are warned!

The Hon. J.D. HILL: They are demonstrating their incapacity to even be a civil audience. Prior to the introduction of Oracle, SA Health—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Prior to the introduction of Oracle, SA Health reported a month in arrears due to the 18 systems, as I have said. The implementation of Oracle and the broader financial reforms occurring across SA Health will lead to greater financial transparency and control.

The first stage of implementation of Oracle has occurred, and I am advised that the current (as of 10 February this year) outstanding clearing of 2010-11 bank account reconciling items for the former Country Health SA amounts to \$5 million and Adelaide Health Service amounts to \$15 million. Clearing of these items is expected to be completed by March this year, and I am advised that at this stage this process has not identified any material issues or inappropriate transactions.

I would like to take this opportunity to commend the staff who have been undertaking this large and very onerous exercise. This has included clearing revenue receipts received through multiple legacy bank accounts across hospital sites. As this process is an accounting treatment-related matter, it is not expected to materially impact on the SA Health end of year financial position. It is important to reiterate that throughout this process, as at 30 June 2011 and on a monthly basis since, all SA Health entities have reconciled their bank accounts.

The second phase involves the complete rollout of the Oracle procurement system across the remaining health sites. While the completion of this phase will require an additional investment, this will largely be cost neutral given the savings opportunities to be achieved through economies of purchasing and the centralisation of operating costs.

I am advised that the upgraded systems are now available at a number of pilot sites, with about 1,300 users. Planning for the rollout of this is a complex thing. There will be 65 hospital sites, over 400,000 catalogue items across all the legacy systems and around 5,000 additional users, and implementation is expected to take two years to fully complete.

In relation to the audit process—there were some interjections in relation to this—I am advised that the Auditor-General concluded that this being the first year of transitioning to a new operating environment (Oracle), he wished to consider the sign off of Department of Health financial statements in conjunction—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: As I was saying, I am advised the AG concluded that this being the first year of transitioning to a new operating environment (Oracle), he wished to consider the sign off of Department of Health financial statements in conjunction with the health region's financial statements before providing his opinion. In the past he used to do the department first and he would do the regions later. Officers of SA Health have been actively working—

Ms Chapman: He should tell us, not you.

The SPEAKER: The member for Bragg, you are warned.

The Hon. J.D. HILL: Officers of SA Health have been actively working with their counterparts within the Auditor-General's Department around the process and we expect to receive a supplementary Auditor-General's Report shortly.

ARKAROOA WILDERNESS SANCTUARY

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (14:37): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: According to Canada's independent Fraser Institute, South Australia is a world leader in the regulation of mining. In the institute's 2010-11 Annual Survey of Mining Companies taken across 79 jurisdictions, South Australia scored four top ten rankings. South Australia scored equal first in the world for our geological databases, security and trade barriers. We also ranked third in the category for legal processes. In the policy index, South Australia ranked highest of all Australian jurisdictions, and was 11th in the world. That prestige is worth protecting.

On 22 July 2011 the former premier Mike Rann announced that Arkaroola will be protected for all time and that we would recommend to the Governor in Executive Council to proclaim the land be reserved from the operation of the Mining Act 1971, pursuant to section 8(1)(c). That proclamation appeared in the *Government Gazette* on Friday 29 July 2011. The former premier also announced that the state government would enact special purpose legislation to protect the natural, cultural and landscape values of the area in perpetuity.

Mining companies must acquire a vast range of approvals before they can mine in South Australia. One implied approval is that of the community. It is the industry's social licence to operate that underpins our steadfast approach to mining. Community support for mining projects across South Australia is vital for this flourishing sector. In the case of Arkaroola, Marathon Resources failed to obtain a social licence to operate in the minds of many South Australians, including the Liberal Party.

The state government acted in the interests of the state, as Arkaroola is a pristine wilderness in the South Australian outback with unique environmental, heritage and cultural significance. At the time the decision to protect Arkaroola was announced, it was made clear that it was a once-off decision. I said at the time that in the interests of fairness the government would enter into good faith negotiations—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Unlike you, I am always honest.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: What about putting your wife's business in your name? I said at the time that in the interests of fairness the government would enter into good faith negotiations with Marathon in regard to an ex gratia payment for the costs incurred in exploration conducted throughout exploration licence 4355. There is absolutely no legal obligation to make a payment to Marathon or its subsidiaries as a result of the decision to protect Arkaroola.

Officials from the Department of Treasury and Finance, the Department for Manufacturing, Innovation, Trade, Resources and Energy and the Crown Solicitor's Office helped to formulate a figure that struck an appropriate balance between preserving both the interests of the community and the mining industry in this state. The figure of \$5 million was presented to Marathon and its board.

On Monday 13 February, I was advised that Marathon Resources announced that it had accepted the government's offer and executed the deed of settlement on an ex gratia payment. The government makes no apologies for protecting Arkaroola. However, we remain committed—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —to having one of the best mining jurisdictions in the world, where activity in the resources sector continues to flourish under the stewardship of this new Premier and government. Allowing mining in Arkaroola would have severely dented the public's support for an industry that is at the core of this state's future prosperity. We cannot and will not risk that future for our state.

This ends the debate on mining in Arkaroola forever. This government has preserved this pristine wilderness and landscape for all South Australians to be proud of and enjoy. It is and will continue to be a defining landscape of this state's rare beauty for generations to come.

Ms Chapman: Do it properly next time and not waste—

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

An honourable member interjecting:

The SPEAKER: Order!

GOVERNOR'S SPEECH

The SPEAKER (14:43): I have to report that the house has this day, in compliance with a summons from His Excellency the Governor, attended in the Legislative Council chamber, where His Excellency has been pleased to make a speech to both houses of parliament of which speech I, as Speaker, have obtained a copy, which I now lay upon the table.

Ordered to be published.

QUESTION TIME

SOUTH AUSTRALIAN ECONOMY

Mrs REDMOND (Heysen—Leader of the Opposition) (14:44): My question is to the Premier. Given that the Premier has taken responsibility for last weekend's by-election results, does he now take responsibility for South Australia having the nation's highest taxes, the nation's worst economic growth, the nation's worst business investment growth, the nation's highest decline in job vacancies, the nation's highest capital city water charges, the nation's worst business confidence, the nation's worst buildings approvals figures, and the nation's worst performing workers compensation system?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:44): I thank the honourable member for her question and welcome all members of parliament back to this session. It appears, though, that the invitation by the Governor to engage in civil discourse seems to have been largely ignored, at least on that side of the chamber, but we will continue to press ahead.

We took the opportunity today, with the opening of parliament, to outline our vision for South Australia's future. What the Governor said in his speech, and this government firmly believes, is that we have never been in a more exciting time in this state's history. The sense of possibility about what can happen for the future of our state, I think, has never been more optimistic; that is what I detect when I move around and speak to South Australia's citizens. Of course, in outlining that vision for the future of South Australia, we did not just outline propositions for the next few months, or even for the next few years: we outlined changes that are going to be important for the next decade.

Mrs REDMOND: Point of order. The question was clearly about the Premier's willingness to take responsibility for the appalling economic situation in this state, not about what he had to say, through the Governor, at the opening of parliament.

The SPEAKER: I understand that your point of order is about relevance, but I am sure that the Premier will get to answering.

The Hon. J.W. WEATHERILL: Madam Speaker, I think the Leader of the Opposition managed to touch on every topic that touches the social culture or economic affairs of the state. I think I have a fairly broad scope to be able to answer this question.

What we did today was not only talk about the future—and not just the short term but the very long term. We made some very significant choices about the way forward, and we did not choose easy things; we chose hard things, because that is what this party does: it actually grapples with the big public policy questions and puts them on the agenda.

What we did was invite the whole community, including the opposition, to be part of that discourse. We wanted them not only to be part of that debate but also to contribute to the ideas

that are going to shape this state into the future, and what we get—and what we will continue to get—from the opposition is negativity. We will continue to get them looking at the past, rather than the future. We will continue to see them essentially being absent—absent from the political debate and the political affairs of this state, just as they were absent from the two by-elections on Saturday. Madam Speaker—

Mr WILLIAMS: Point of order, Madam Speaker. We on this side are still struggling to understand the relevance of the minister's answer to a very important question.

The SPEAKER: Member for MacKillop, the Premier can answer the question in any way he chooses. He is answering the question.

The Hon. J.W. WEATHERILL: Madam Speaker, they could not have found themselves further away from the electorates of Ramsay and Port Adelaide if they tried. They were huddled on the border, in Mount Gambier, trying to avoid putting forward public policy ideas and reveal them to the electors of the seats of Ramsay and Port Adelaide. We revelled the opportunity to speak to the working people of Port Adelaide and Ramsay and to put our agenda in front of them, and they chose us. They continue to choose us to represent them.

Members interjecting:

The SPEAKER: Order! The Premier will sit down until there is some quiet. Order! The Premier, have you finished your answer? Thank you. The member for Lee.

PORT RENEWAL PROJECT

The Hon. M.J. WRIGHT (Lee) (14:49): My question is to the Premier. Can the Premier inform the house about plans to revitalise the Port Adelaide centre?

Members interjecting:

The SPEAKER: Order!

Mr Pederick interjecting:

The SPEAKER: Order! Member for Hammond, behave yourself.

Mr Pisoni interjecting:

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

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:50): It is a little bit difficult to detect the sense of anxiety on that side of the chamber. I do not know what has happened recently to create that sense of anxiety—

The Hon. P.F. Conlon interjecting:

The Hon. J.W. WEATHERILL: Well, yes, that's right. Can I acknowledge the member for Lee—

Mr Pisoni interjecting:

The SPEAKER: Order, member for Unley!

Mr Pisoni interjecting:

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

The Hon. J.W. WEATHERILL: Can I acknowledge the member for Lee and acknowledge that the Port waterfront development has an important relevance for his electorate. There are a number of suburbs that some people might regard—and, in fact, some people on Saturday thought this—as in the state seat of Port Adelaide because it clearly is Port Adelaide proper. The suburbs of Ethelton, Glanville, Birkenhead and Semaphore are contained within the seat of Lee but have obviously quite a close connection with the Port centre. I want to acknowledge his special interest.

I also want to acknowledge Dr Susan Close who today claimed victory in the state seat of Port Adelaide and will become the next new state member for Port Adelaide. I am also pleased to acknowledge Zoe Bettison who will soon be joining us as the new member for Ramsay. Both of these talented young women will renew not only this parliament but our government.

On 31 October, shortly after becoming Premier, I announced that the government was cancelling the Newport Quays contract and would engage with the community about the future

master plan for the Port, one which attracted the people to the Port centre and obviously tourists to this important heritage precinct. On 23 January this year, I convened a public meeting to talk to the residents of this area about the future of the Port, which was keeping faith with the commitment we gave to engage with them.

We spoke about the master planning process. At that meeting, the community of Port Adelaide indicated that the renewal of the Port also involves making the most of the Port's arts, cultural and heritage activities. Since that time, a website has been established for ongoing community engagement and a steering committee will soon be convened to drive the ongoing consultation for a master plan.

I also met with the Port Adelaide Chamber of Commerce and they put to me proposals to drive business regrowth for the Port centre. I am pleased to say that one of the initiatives that emerged from that meeting is the creation of the Port Renewal Project, which is getting underway even as we speak. The project will harness the ideas and enthusiasm of the local community, property owners and businesses to identify opportunities to activate the underutilised spaces down there at the Port.

It will learn from the successes of town centre renewal projects like Renew Newcastle, which has involved local artists and creative people to re-use vacant buildings and bring shops, studios and activities to the centre. The project will be auspiced by the Integrated Design Commission and run through a small team which is currently in the process of setting up a base at Country Arts SA on the Port waterfront. We will be inviting the council to get on board with the project in the interests of jointly working to improve Port Adelaide.

There should be no doubt about the government's commitment to the Port. I live as part of that area. There is so much more that this Port centre could be and projects such as this will assist us to rejuvenate the Port.

PORT ADELAIDE BY-ELECTION

Mrs REDMOND (Heysen—Leader of the Opposition) (14:53): My question is again to the Premier. Will the Premier explain why, after his reconnecting with voters in Port Adelaide, there was on current figures a 9.8 per cent swing against Labor in last week's by-election—a worse two-party preferred result for Labor than in the 1993 State Bank election?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:54): I do need to concede that we got into difficulties in the Port. I, for instance, could not find a park anywhere near the polling booth stations for all the Mercedes and BMWs that had floated down from the eastern suburbs. It was an extraordinary array of Burnside identities wearing—

The Hon. P.F. Conlon: How did they find the place?

The Hon. J.W. WEATHERILL: And this is the other difficulty that arose. It was chaos—people stopping people on the side of the road, saying, 'Where is the port? Can you please tell me where the port is? Where is Semaphore? I've heard about it. I've heard we have a Port of Adelaide.' I mean, the nonsense! What they have tried to do is—and there they were, huddled on the border—to say that they were not part of it, and all the way they were surreptitiously endorsing candidates, having their mates hand out for them and having all the resources of the Liberal Party slip in behind them, and they—

The Hon. P.F. Conlon: They failed.

The Hon. J.W. WEATHERILL: And they failed. Madam Speaker, what they did not want to do—

The Hon. I.F. Evans interjecting:

The Hon. J.W. WEATHERILL: Just calm down.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: The member for Norwood, the member for MacKillop and the member for Davenport, behave!

The Hon. J.W. WEATHERILL: Madam Speaker, the reason why the anxiety levels are so high on the other side is that they know that this was also an evaluation of their party. That is what they know. They know that this was an evaluation of their party, and one of the elements of the evaluation is that they had nothing to say to the working people of these two suburbs. They actually had nothing that they wanted to promote in an open and honest way to the people of these two seats—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —which is largely consistent with the approach that they take to public policy generally. There is no public policy formulation that occurs on the other side of the chamber; indeed, you only need to look at the car manufacturing debate to understand that. We had four different members there with four different positions in the space of a week.

Members interjecting:

The Hon. J.W. WEATHERILL: Yes, well, you thought that it was the GST, you didn't know whether it was viable to have a car industry and the bipartisan support over here. I mean, I think that everybody had a different position.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Madam Speaker, I do not necessarily want to help them, but generally speaking the reason why one political party can have four positions on a significant issue is that they have not done the work to actually undertake the public policy formulation process. So, they did not know what their position was on car manufacturing and so they became very confused about it. I can see why you would not want to front up to an election where car manufacturing was going to be on the agenda when you had such policy confusion. We presented ourselves in both these electorates, and those opposite—

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans: Pat's told you to be quiet.

The Hon. J.W. WEATHERILL: Told you to be quiet.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Member for Davenport, you are warned!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order! Member for Davenport, you have been warned.

The Hon. J.W. WEATHERILL: Madam Speaker, those opposite decided to be absent. They are the absent political party. They have gone missing from the political debate in this state for the last 10 years. They have nothing to offer for the future of this state, and so much is evidenced by their cowardice and their inability to openly and honestly present themselves to the South Australian people in these two electorates on the weekend, and I think that the community—

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —will make judgements about that level of political cowardice.

TONSLEY AND GRANGE RAILWAY LINES

Mrs GERAGHTY (Torrens) (14:58): My question is to the Minister for Transport Services. Can the minister inform the house about services available to commuters on the Grange and Tonsley lines during the Convention Centre redevelopment?

Mr Pisoni interjecting:

The SPEAKER: Order! The Minister for Transport Services.

The Hon. C.C. FOX (Bright—Minister for Transport Services) (14:59): Thank you to the member for Torrens; I appreciate the question. As members may be aware, we are expanding the Adelaide Convention Centre as part of the government's revitalisation of this city—this vibrant city, if I may say so. The nature of this development means that, at any one time, two of those platforms have to be shut down—

The Hon. M.J. Atkinson: During the daytime.

The Hon. C.C. FOX: During the daytime, indeed; and so, as a result, the Grange and the Tonsley lines will be shut down, and they will shut down for 12 months, approximately. What we initially offered to people was a bus shuttle service, which, of course, will be in place. And, on top of that, as a bonus, if you like, we are offering commuters on the Grange line a chance to shuttle up and down on the train—

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. C.C. FOX: I think it is worth noting that the member for Bragg's electorate is some 12, possibly 13, kilometres away from Woodville, so it is understandable that she does not understand this. Following public feedback and further consultation with the department, we will now run the shuttle trains, and we also have extra rail safety personnel to ensure passengers using the shuttle will have safe access to the Woodville station. The Tonsley line will be fully substituted by buses, as a shuttle train service on the Tonsley line is not logistically possible.

Ms Chapman: Rubbish.

The Hon. C.C. FOX: Ah! I was hoping you would say rubbish.

Ms Chapman interjecting:

The SPEAKER: Member for Bragg, you are warned for the third time!

Ms Chapman interjecting:

The Hon. C.C. FOX: The member for Bragg has pre-empted me. I would like to give the following explanation as to why we cannot do that which she has discussed over there. The track layout at Woodville—

Mr PISONI: Point of order.

The Hon. C.C. FOX: But she wanted to know!

Mr PISONI: Members will address other members in this place by their electorate, madam.

The Hon. C.C. FOX: Thank you, and I would like to apologise.

The SPEAKER: Members are also not supposed to interject and interrupt the minister while they are talking, but I do uphold that point of order. Refer to her as the member for Bragg, minister.

The Hon. C.C. FOX: It was, and I apologise to the member for Bragg. The track layout for Woodville—and this is advice from the department—allows a train to come into the Woodville station from the Grange line and return along the Grange line under full signal control, i.e., it is a move which is built into the Woodville track and station layout—

The Hon. M.J. Atkinson interjecting:

The Hon. C.C. FOX: —as you know, member for Croydon. There are three tracks at Woodville station and the separate Grange line next to Woodville station has bidirectional (two way) signalling, allowing shuttle trains to go back and forwards on the same line from Grange into

Woodville station without cutting across the Outer Harbour trains travelling in both directions. At Tonsley there is no bidirectional signalling on the Noarlunga main line, nor a separate platform for it to pull into, nor track turnouts (also known as 'switches'), which allow it to safely come out and return under a single indication on the single track it would have to use.

Members interjecting:

The Hon. C.C. FOX: Madam Speaker, I note that there is talking opposite, which is really very sad because the member for Bragg did ask me to elucidate on this question, and I did.

PORT ADELAIDE BY-ELECTION

Mrs REDMOND (Heysen—Leader of the Opposition) (15:03): My question is again to the Premier. Given that then minister Weatherill called upon then deputy premier Foley to step down following an 8.4 per cent swing against state Labor at the 2010 election, will Premier Weatherill now step down following a further 9.8 per cent swing against state Labor in the Port Adelaide by-election?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:03): Madam Speaker, this really, I think, amounts to what is the problem for the opposition. I hate to give them some advice, but the idea of recycling yesterday's news or last week's news and just repeating it in a very loud voice is no substitute for public policy development. It is no substitute for participating in the political debate. Let me just give you—

The Hon. P.F. Conlon interjecting:

The Hon. J.W. WEATHERILL: That's right. I do remember the transition from the last leader of the opposition, but one, but two, but three.

The Hon. J.J. Snelling: It's hard to count.

The Hon. J.W. WEATHERILL: It's hard to remember that spectacular result in Frome. Madam Speaker, I think—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Madam Speaker, if I can get to the gravamen of the question, it seems to be, 'Are you disappointed with winning Port Adelaide?' The answer is no.

Members interjecting:

The SPEAKER: Order! The member for Light.

EMERGENCY DEPARTMENTS

Mr PICCOLO (Light) (15:04): My question is to the Minister for Health. How are South Australia's emergency departments performing in comparison to other states and territories?

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:04): I thank the member for Light for the question. I have begun a series of meetings with staff from our hospitals just last week—I have done this a number of times over the years that I have been minister, and I started at the Royal Adelaide Hospital this week—to speak with staff about the health reforms in this state, to give them an update on where we are at in terms of the implementation of our healthcare plan (it's halfway through, five years in) and also to talk about future targets, particularly the priorities around emergency departments and elective surgery.

These visits are aimed at providing the doctors, the nurses, the allied health workers, as well as the administrative staff, with a chance to hear firsthand from myself and the CE of the department, and also to ask questions about matters that are of interest and importance to them. I was very pleased to be able to tell the staff at the Royal Adelaide last week about the major gains

that have been made over the past five years in our hospital emergency departments since we introduced the SA Health Care Plan 2007-16.

Recent national reports show that South Australia is one of the top two states and territories in the nation on all of the current major emergency department indicators—

Mr Hamilton-Smith: Oh, rubbish! You're the worst on the four-hour rule. You're the lowest of all the states on the four-hour rule.

The SPEAKER: Order, member for Waite!

The Hon. J.D. HILL: I would invite the shadow minister for health to get a question, and I would be happy to answer any question he might care to ask me. As I was saying, recent national reports show that our state is one of the top two in terms of all of the current major emergency department indicators. The median wait time to service delivery of 20 minutes in 2010-11 is down from 29 minutes four years ago and is the best result this state has ever achieved. We were second in the nation on this indicator.

The 90th percentile waiting time—that is, the time which 90 per cent of people waited to see a doctor or nurse—was 104 minutes in 2010-11. This result is the best in Australia and is 10 minutes below the national average—the best in Australia. Ninety per cent of patients were seen within 104 minutes—the very best in Australia. The percentage of people seen on time in our emergency departments was 71 per cent in 2010-11—the equal second best result in the nation and a big improvement from the 61 per cent in 2007-08. I am also advised that in December 2011 we have improved slightly; we are now at 72 per cent.

In addition, our GP Plus hospital avoidance strategies have meant we have had the lowest (or the best) average growth in emergency department presentations in the period 2006-07 to 2010-11. We had an average growth of 2 per cent, compared to 4 per cent nationally. So, because of our strategy, we have reduced the amount of people who are going to the emergency department. We have still got growth, but we have reduced the rate of growth to 2 per cent, compared to 4 per cent nationally. This is a massive turnaround in the growth and demand.

I am pleased to say that, while we still have 35 per cent of emergency department presentations from patients who could be seen in GP surgeries—so, they are avoidable GP-type presentations as they are described—our 35 per cent was below the national average of 39 per cent. That means we are providing strategies and opportunities for people to get care outside of our hospitals. This puts us as number two in the nation.

We, of course, are the first to acknowledge that we have a lot more work to do. That is why I was at the hospital to go through our plans for that extra work. We now have a new target at both a state and federal level to have 90 per cent of all patients seen, treated and discharged or admitted to a ward bed within four hours, and that is a major focus in 2012. This is backed with \$111 million in spending over four years, which we announced at the last election, to support key strategies. These strategies include 'see and treat' clinics, acute medical units, patient flow coordinators and extended care paramedics, and a number of these initiatives have been rolled out. As a result, we now have a significant number of extra staff working in our hospital emergency departments.

Data from 2009-10, before this four-hour target was introduced, shows that South Australia was well behind the other states on that indicator, and we are not avoiding that fact. That means we have a long way to go on that indicator. But a fair assessment of our emergency departments shows that, on all of the indicators that were in place at that time and that are looked at nationally, we are doing very well, and that is a tribute to the doctors, the nurses and the administrators and the public servants who run our hospital system. We will do better—that is because we want to and because that is our charter.

FORESTRYSA

Mrs REDMOND (Heysen—Leader of the Opposition) (15:10): My question is to the Premier. Following the swing against Labor in last weekend's by-election, will the Premier now reverse his policy to sell the state's forests?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:10): That was not raised with me when I was walking around Port Adelaide and Mawson. What was raised with me was that the Liberal Party had reversed its policy on closing Holdens. That is what was raised with me.

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: Point of order. The Premier is verging on misleading the house. The Liberal Party has no policy whatsoever to close Holdens.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: What was raised with me is, 'Will the Liberal Party get behind your plans to save the River Murray or will they continue'—

Members interjecting:

The SPEAKER: Order! Member for Unley, you are warned for a third time. Premier, have you finished your answer?

The Hon. J.W. WEATHERILL: I have quite a bit to say. In relation to the two-party preferred vote in Port Adelaide, such as you say exists, I thought there was only one major party there, but if you are happy to treat that as a two-party preferred vote then we would like you to put that on the record right now. That was a two-party preferred vote, was it? That might become exhibit A. What they sought to perpetrate down at Port Adelaide was a con job. What they tried to do was pretend they were not there, but in fact they were there. They were perpetrating—

Members interjecting:

The SPEAKER: Order!

Mrs REDMOND: Point of order. The question was clearly about the Premier—

Members interjecting:

The SPEAKER: Order! I cannot hear the Leader of the Opposition.

Mrs REDMOND: The question of relevance. The question was clearly about the Premier's preparedness to reverse his decision on the sale of the state's forests.

The SPEAKER: Thank you, Leader of the Opposition. The Premier can answer the question as he chooses. Have you finished answering the question?

The Hon. J.W. WEATHERILL: Yes.

INTERNATIONAL INVESTORS

Ms BEDFORD (Florey) (15:12): My question is to the Treasurer. Can he tell the house how he is promoting South Australia to international investors?

Members interjecting:

The SPEAKER: Order! The member for Hammond, you are warned for a second time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:12): What was Sue Lawrie's vote at Port Adelaide? Did it get into double digits? Twelve per cent. What was the swing against the Liberal Party? It must be about a 20 per cent to 30 per cent swing against the Liberal Party, according to the thinking of the opposition.

Madam Speaker, I would like to thank the member for Florey. Last week I travelled to Asia to promote South Australia to major investors in Hong Kong, South Korea, Japan and Singapore. This included overseas companies with significant interests in South Australia, as well as major investors in SAFA debt securities.

The debt investors I visited included some of Asia's largest central banks, sovereign wealth funds, asset managers and pension funds. All of these investors are holders of Australian government debt, either issued by the commonwealth or the various state borrowing authorities. In nearly all cases, the debt investors we met currently hold SAFA bonds. These investors are very well informed about Australia and its position in the world economy. The trip gave me the opportunity to understand their views on world financial and economic conditions and the impact on their investments, with specific reference to South Australia.

I gave a presentation to the investors on the South Australian fiscal position following the 2011-12 Mid-Year Budget Review and indicated that the state has witnessed a significant reduction in revenues. I told them that despite the challenges being faced by many economies in the wake of the global financial crisis and ongoing European sovereign debt problems, South Australia still has a strong position, now and into the future, and a great economic story to tell with our mining and agriculture sectors performing particularly well.

Investors were appreciative that in response to our revenue challenges, the state government is committed to fiscal responsibility and has released a revised set of fiscal targets that reinforce this commitment. This includes the delivery of a net operating surplus by the end of the forward estimates, a cap on operating expenditure that will limit its growth to that of household income, and a maximum net debt-to-revenue ratio of 50 per cent. Investors were very comfortable that, when placed in a global context, South Australia's net debt to gross state product ratio is at 4.7 per cent, which is extremely low. By comparison, some countries have debt to GDP levels in excess of 100 per cent.

I have explained that the government remains committed and focused on the delivery of our capital investment program of \$9.5 billion over the next four years to invest in the state's economic and social infrastructure to accommodate future needs of South Australians. The government is continuing with projects such as the Southern Expressway duplication, the new Royal Adelaide Hospital and upgrades to our public transport infrastructure in order to secure jobs and to safeguard the state economy for future generations.

My visit with SAFA officials reinforced the positive light in which South Australia is viewed by international markets. Investors were very interested to hear about the expansion of the Olympic Dam mine, which has the potential to boost state GSP by 8.7 per cent and employment by 6.4 per cent once—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: —it is fully operational. Importantly, the main message received from Asian investors is that the market, in view of South Australia, is a good place to invest and that they consider bonds issued by South Australia as attractive investments to hold in their portfolios, given the performance of the state compared to other global opportunities.

While the opposition chooses instead to talk down the state economy, the state government is doing all it can to promote it and to secure investment opportunities that boost the economy, create jobs and boost the prosperity of all South Australians. The Weatherill government will continue to pursue the important work of maintaining the state's existing relationships with international investors and ensure that new relationships are formed to attract and drive investment in South Australia.

SA LOTTERIES

Mrs REDMOND (Heysen—Leader of the Opposition) (15:17): My question is again to the Premier. Following the swings against Labor in last weekend's by-elections, will the Premier now reverse his decision to sell the state Lotteries Commission?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:17): These were not matters that were raised with us at the door. If you had participated in the state by-elections, you would have realised that the concerns—

Mrs Redmond interjecting:

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

The Hon. J.W. WEATHERILL: Madam Speaker, I am having trouble understanding what the anxiety level of those opposite—in particular the Leader of the Opposition—is about these by-elections. Why were they running away from these contests? What was behind that? What is the explanation for that? Is it because it may have revealed something about the inadequacies of that side of the chamber? Would it have exposed—

Members interjecting:

The SPEAKER: Member for Unley!

The Hon. J.W. WEATHERILL: Or, Madam Speaker, when they—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —resolved upon a strategy, which is apparently not to run a candidate, were there other elements within their party that decided that was the wrong strategy and decided to run a candidate?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Did we just see being revealed the internal divisions within the Liberal Party? Madam Speaker, I must say—

Mr Pisoni interjecting:

MEMBER FOR UNLEY, NAMING

The SPEAKER: Order! I name the member for Unley. Does the member wish to be heard in an explanation or an apology?

Mr PISONI: I do have an apology, Madam Speaker.

The SPEAKER: Member for Unley, what is your apology?

Mr PISONI: I am sorry, Madam Speaker.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:19): I move:

That the apology not be accepted by the house.

The SPEAKER: Member for MacKillop.

Mr WILLIAMS: I wish to speak against the motion moved by—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I move that, as this matter is unresolved from last time, they be allowed to speak for five minutes on the subject. That way we do not have to have a major debate, and we can respond for five minutes, but we can indicate that we will not be extending question time by that time.

The SPEAKER: Member for MacKillop, you have five minutes.

Mr WILLIAMS: Madam Speaker, I seek some clarification from you. My understanding is that it is the convention of the house—

The SPEAKER: My understanding is that the member for Unley is going to withdraw and he does not wish you to go on with it.

Motion carried.

MEMBER FOR UNLEY, SUSPENSION

The honourable member for Unley having withdrawn from the chamber:

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:20): I move:

That the honourable member for Unley be suspended from the service of the house.

Motion carried.

The SPEAKER: Premier, I think you were answering a question. Have you finished? The member for Little Para.

QUESTION TIME

NATURAL DISASTER RESILIENCE PROGRAM

Mr ODENWALDER (Little Para) (15:21): My question is to the Minister for Emergency Services. Can the minister inform the house about how the state and federal governments are working with communities to increase South Australia's resilience to natural disasters?

The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (15:21): I thank the member for Little Para for his question. I am pleased to say that today my federal colleague and I, Robert McClelland, are announcing that South Australia will benefit from more than \$2.85 million in funding to improve preparedness for natural disasters here in South Australia. When factoring in the contributions from councils and other community organisations, a total of \$4.7 million will be spent to bolster our resilience.

It is vital that state and federal governments, local councils, emergency services, communities and individuals support one another and work together to reduce the potentially devastating impacts of natural disasters. Since 2009, the Natural Disaster Resilience Program has provided \$8.625 million in funding to local organisations for 136 projects. Forty-nine projects will share in this latest funding round. Eighteen of the projects will have a focus on bushfire preparedness, while another 31 initiatives will focus on preparations for other natural disasters as well as volunteer support projects.

For example, the Eyre Peninsula Local Government Association will receive \$130,000 to develop emergency management plans across the region. The Australian Red Cross will get \$26,000 for regional volunteer training to enhance volunteer recruitment and training. There will be \$128,000 for the Renmark Paringa council to assist in increasing resilience for future flooding events, and \$68,000 will be made available to assist in developing an Aboriginal recovery training project for culturally appropriate training materials that will be integrated into emergency management training conducted by the Red Cross, just to name a few. This funding is being made available on the eve of South Australia's worst natural disaster—

An honourable member interjecting:

The Hon. J.M. RANKINE: I think it was a bigger disaster for you when you were in opposition and you lost a seat—2009, and you lost Frome. Remember that. We now have a very capable, Independent member for Frome, rather than a Liberal, so even in opposition you can't win a by-election.

Fires on Ash Wednesday raged across two states and burnt 520,000 hectares. More than 3,700 buildings were destroyed with a total of 2,400 homes lost. We saw heavy livestock losses and, tragically, here in South Australia, the lives of 28 South Australians were lost and many hundreds more had their lives devastated. I look forward to heading to Mount Lofty on Thursday to attend the memorial service to commemorate the 1983 Ash Wednesday fire.

As a community we learnt a lot of valuable lessons that day. To ensure this tragedy was not in vain, our efforts to increase our resilience to natural disasters must continue. We must remain vigilant. We still have some time to go before the bushfire season has passed, and I cannot stress enough the need for us all to keep spreading the message of the need to be prepared.

GOVERNMENT PROMISES

Mrs REDMOND (Heysen—Leader of the Opposition) (15:24): My question is to the Premier. Why should the public believe Labor will deliver on promises made today when they haven't delivered on their promises: to build an underpass along South Road, beneath Port Road and Grange Road; to double the Mount Bold reservoir; to build new prisons; to build the South Road/Sturt Road underpass; to build an interchange at Darlington; not to increase taxes or introduce new taxes; not increase water rates; and not to sell state-owned assets?

The Hon. P.F. CONLON: On a point of order: the question is disorderly in that it contains obvious comment, quite inflammatory comment.

Mrs Redmond: I am just stating the facts.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: You're 'just stating the facts'. I saw the Leader of the Opposition state the facts on the weekend when she said it was the State Executive of the Liberal Party who decided not to run a candidate, except she didn't mention that she was on that committee.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: She was on that committee, so let's not talk about 'the facts'.

The SPEAKER: Order, Minister for Transport!

The Hon. P.F. CONLON: I simply point out that the question was disorderly, as are the interjections, and what I would suggest is, having heard the question, that the Premier is absolutely at large in answering it.

Mrs Redmond: What's not a fact?

The SPEAKER: Order! I will allow the question because the other questions have followed a similar tone. However, I am sure the Premier will be able to handle that.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:26): Madam Speaker, it's the same question which just serves to reinforce that they are the absent political party. They have no ideas, they are firmly rooted in the past. In fact, what they are transfixed by is the last state election.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: The Leader of the Opposition is absolutely transfixed by the last state election, and the sad truth is that that is not capable of being re-run for the opposition leader. I know she was disappointed with the result, I know that those opposite were disappointed, but they do continue to rehearse all of their same grievances and concerns. What we were trying to do today, in this new parliament, was to lay out a plan for the future of this state. And, not a small thing, not a series of small ideas, not French villages in the Adelaide Hills, but something which is about—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Wouldn't it be nice? It would be nice, actually, but it is probably unlikely, but it would be nice. We tried to lay out a big plan for this state. We tried to grapple with the big public policy issues that are going to shape the future of our state for decades to come, and we'd be grateful if those opposite could join us in that debate rather than make cheap political points.

I don't know why they want to go back over a couple of by-elections that we won. I'd prefer to talk about them all week, actually. It is an enormous sense of pride to me to see two fantastic, young, talented women who will be coming into this parliament, strengthening our side of parliament, giving us the ideas and energy to ensure that we meet the needs of South Australians now and into the very long term.

GROUNDWATER

Mr BIGNELL (Mawson) (15:28): My question is to the Minister for Water and the River Murray. What is the government doing to improve our understanding of groundwater across the state?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:28): I thank the member for Mawson for his question and acknowledge his keen interest in the work being undertaken in his electorate by Flinders University, along with his growers down there in respect to the relationship between groundwater and surface water. This government, of course, recognises that groundwater is an extremely valuable resource for our communities, our economy and our environment.

For many parts of the state, groundwater is the only reliable water source. Areas such as the South East, the Murray-Mallee, and Eyre Peninsula, just to name a few, depend on sustainable

groundwater supplies for their drinking and household use, water for stock and to support irrigation and other industry. Groundwater also supports key ecosystems such as the Ewens and Piccaninnie Ponds in the state's South East, the iconic Mound Springs in the Far North, and the swamps of the Fleurieu Peninsula.

In addition to this, water is a critical resource for the growth of the state's resources sector, and this was recognised in the Resources and Energy Sector Infrastructure Council discussion paper, launched by the Minister for Mineral Resources and Energy last week. This paper highlights that detailed water information will enable developers to make informed decisions that achieve the best economic and environmental outcomes for South Australia.

This is why the state government has allocated more than \$8 million this year to a groundwater program, which will gather information to guide the sustainable management of our precious water resources. Over the last two years, the program has achieved a number of significant milestones. Assessments have been undertaken of groundwater across the non-prescribed areas of the Eyre Peninsula, Northern and Yorke, and AW Natural Resources Management regions. They will also be completed for the South Australian Arid Lands and Kangaroo Island regions. These assessments will guide further investigations to identify the potential for groundwater development opportunities.

This work is in addition to state and condition reports for the Eyre Peninsula, Northern and Yorke and Greater Adelaide regions to identify emerging trends in groundwater resource conditions. Reports have also been produced to monitor the potential impacts of climate change on water resources in the Northern and Yorke regions. A similar report will be released over the coming months for the Eyre Peninsula's water resources.

Over \$1 million has been invested by the state and matched by the commonwealth in the third phase of the Great Artesian Basin Sustainability Initiative to seal and rehabilitate bores and replace infrastructure to protect this iconic resource. A further \$750,000 of groundwater program funds will also be used towards this important initiative. All groundwater program reports and data are available to the community, industry and government through the WaterConnect website.

MARY MACKILLOP RAIL BRIDGE

Ms CHAPMAN (Bragg) (15:31): My question is to the Minister for Transport and Infrastructure. Does the minister take responsibility for the ship, the *Endeavour*, being held up for more than an hour today in the Port River when the Mary MacKillop rail bridge failed to open?

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:31): Ultimately, I know the member for Bragg has already been out there trying to tell the media that it is my responsibility, so whether I take it or not she is going to give it to me. Can I therefore seek to explain what did occur, as we understand it.

The rail bridge is operated, in its opening and closing, by the department. But as a rail operator, as a rail bridge, it is operated by the Australian rail transport corporation—someone that I don't run.

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: Whatever it's called.

Members interjecting:

The Hon. P.F. CONLON: It's the vibe. No, it is the ARTC, the Australian Rail Track Corporation. Didn't I say that?

Members interjecting:

The Hon. P.F. CONLON: I do thank the member for Davenport because I know he has a keen interest in the Australian Rail Track Corporation—he would like them to move. The Australian Rail Track Corporation has responsibility for operating the freight rail the purpose for which the bridge was built. In order for our people to open the bridge, control of the bridge has to be transferred from the Australian Rail Track Corporation at Mile End to our people. It has a failsafe; naturally, they are concerned about the bridge opening when a train is using it. That would be very, very bad. For safety reasons they have a failsafe mechanism which prevents us opening it.

For reasons that we are seeking to discover, the Mile End ARTC people failed or were unable to transfer control to the Norwood centre which opens the bridge, and therefore our people sought to open the bridge and it did not open. There is actually no failing in the bridge at all despite

the hyperbole that is being thrown around by some people—no failing at all in the operations of the bridge. It was simply that the ability to open it was not transferred. Since that time, our chief executive has spoken to the chief executive of the ARTC because this has never occurred before—

The Hon. I.F. Evans: Did he ring the right number?

The Hon. P.F. CONLON: He did. He has since spoken to the chief executive and we are still trying to determine why the capacity was not transferred to us. What occurred was that when it did not transfer people went to the bridge and opened it manually, as you can there. So, there was no failing in the bridge. It was regrettable—

Mr Pederick: Just weld it shut, Pat!

The Hon. P.F. CONLON: Just weld it shut. It is the first issue of any type with the rail bridge since its operation and it is regrettable that it happened when the *Endeavour* was seeking to enter, but it was fixed as quickly as possible. I regret to inform the member for Bragg that it is not the dreadful issue that she is hoping to make people believe.

MARY MACKILLOP RAIL BRIDGE

Ms CHAPMAN (Bragg) (15:34): Supplementary, Madam Speaker: can the minister assure the house that his department had advised this corporation that an application had been lodged some weeks ago for the passage of the *Endeavour* through the bridge today, and, indeed, for it to leave in about a week's time? Had notification of that gone from your department to the relevant authority?

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:35): It is a nice try, but I am advised that the issue is not that at all. The issue was that the transfer was not made as it should have been from Mile End to our department. Now, as I have told you, our chief executive has already spoken to their chief executive to find out why that did not occur. One of the disadvantages on this side is that you actually have to deal with the facts, whereas the opposition can simply go out and make up a story. Now, what I am going to do—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: As soon as we can ascertain why that capacity was not transferred as it should have been and always has been in the past, we will advise you; we will give you the facts and not postulations.

CANADIAN TRADE DELEGATION

The Hon. M.J. ATKINSON (Croydon) (15:36): I ask the Minister for Mineral Resources and Energy to tell the house about the upcoming Canadian delegation visit to our great state.

The Hon. I.F. Evans interjecting:

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

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:36): I thank the member for his question. I am pleased to announce that the newly-formed Invest in South Australia unit within the Department of Manufacturing, Innovation, Trade, Resources and Energy is already kicking goals.

The successful interaction with the Canadian government of Alberta has led to a business delegation from that region undertaking an economic development visit to South Australia on 27 February. This is the largest single trade mission from Alberta. Twenty one companies, predominantly involved in the oil and gas sector, will be represented in the delegation. I think it is heartening to see that it is not just mineral deposits that the rest of the world is talking about—our oil and gas reserves are highly sought after as well.

In conjunction with the government of Alberta and the Consul-General of Canada in Sydney, we will be facilitating this delegation with support from the South Australian government. Trade delegations both into South Australia and out of our trade partners are very important to the development of international relationships. I would like to congratulate the hard work and diligence of Mr Kevin Osborn, the Chair of the Invest in South Australia Advisory Board, for helping to

facilitate this delegation. This government looks forward to welcoming this delegation in talks to businesses, the arts, government and, of course, all things Canadian.

MCGEE, MR EUGENE

Ms CHAPMAN (Bragg) (15:37): My question is to the Attorney-General. Does the Attorney-General agree with former attorney-general Atkinson, who yesterday stated that there is a strong case that in the Eugene McGee case lawyers were a club protecting one of their own and today called upon the current Attorney-General to pursue that matter?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (15:38): Can I have that again, please?

Ms CHAPMAN: Yes or no?

The Hon. J.R. RAU: Can I have that again, please?

Ms CHAPMAN: It's just yes or no. It's very simple. Does the Attorney-General agree with former attorney-general Atkinson who yesterday stated that there is a strong case that in the Eugene McGee case that lawyers were a club protecting one of their own and today called upon the current Attorney to pursue that matter?

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Point of order. As the now absent member for Unley pointed out, it really is courtesy for the member to refer to people by their seats, not simply by his surname, Atkinson, the member for Croydon, a highly-respected member of this chamber.

Members interjecting:

The SPEAKER: Order! I uphold that point of order.

Ms CHAPMAN: I am happy to refer to him as the member for Croydon. I was giving him the title, of course, of minister, being the former attorney-general, but I am happy to demote him to the member for Croydon.

The SPEAKER: Yes, thank you. Attorney-General, do you want to respond to that question?

The Hon. J.R. RAU: Yes. Madam Speaker. I think that the answer is no.

SOUTH AUSTRALIAN CERTIFICATE OF EDUCATION MERIT AWARDS

Ms THOMPSON (Reynell) (15:40): My question is to the Minister for Education and Child Development. Will the minister inform the house about today's SACE Merit awards in recognition of our state's highest achieving students?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (15:40): I would like to acknowledge the outstanding commitment of the member for Reynell in ensuring that every young person and child in her community has the best start in life. Today I was very pleased to take part in the SACE Merit ceremony, graciously hosted by His Excellency the Governor of South Australia and Mrs Scarce.

The ceremony traditionally celebrates students who achieve outstanding results in their SACE, including the winner of the Tennyson Medal. That went to a delightful young woman by the name of Madeleine Jones, and we congratulate her. I also congratulate each and every one of the 12,311 students who completed the new SACE last year.

Today's ceremony also gives us an opportunity to focus on how we can as a community work towards ensuring that every child has the opportunity to achieve their full potential, just like our SACE Merit award recipients, to give every chance to every child. The new SACE, in my opinion, does this by offering students greater choice and flexibility to study within their areas of interest and chosen pathways.

The class of 2011 represents the highest ever proportion of students who started year 12 and went on to achieve their SACE. That includes an increase in the proportion of year 12 Aboriginal students completing the SACE. For our graduating class of 2011, we are seeing the culmination of a long journey of learning that we hope will continue throughout their lives, but

what we must recognise is that in order to have a successful end to that journey it is so important that we focus and invest in a child's early years, because the research tells us that 90 per cent of a child's brain is formed within the first three years of life, and this has an enormous impact on a child's health, wellbeing and education.

The key message from research suggests that early intervention through an integrated response is the way forward. That is why we are firmly committed to our new agency of education and child development. It will give us greater possibilities to start early and bring services together around our children and families.

REGIONAL BUSINESS

Mr MARSHALL (Norwood) (15:42): My question is to the Minister for Small Business. Can the minister advise why cafes and other small businesses in Mount Gambier, Port Pirie and other regional areas have to pay penalty rates so that people can shop in Adelaide, and does he agree with business groups that if you put lipstick on a pig it is still a pig?

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:43): Given that it is Valentine's Day—and I know you are very busy today—I would agree: if you put lipstick on a pig it is still a pig.

Members interjecting:

The SPEAKER: Order! The member for Norwood.

Members interjecting:

The SPEAKER: Order!

Mr MARSHALL: My point of order is relevance. We are all sitting here waiting with anticipation, soon after we have heard the Premier's new civility code—

The SPEAKER: Member for Norwood, sit down! The member for Taylor.

COMMUNITY RECREATION AND SPORT FACILITIES PROGRAM

Mrs VLAHOS (Taylor) (15:44): Can the Minister for Recreation and Sport inform the house how the government is helping to provide sport and recreation facilities for grassroots clubs and community-based organisations in our state?

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (15:44): I thank the member for Taylor for her question. She has a keen interest in local clubs and is a very good representative of them. I am very pleased to be able to tell the house that grassroots sport organisations are so important in the fabric of South Australia, and the state government is committed to supporting local sport and recreation groups as they strive to help create healthier, stronger communities.

The Community Recreation and Sport Facilities Program (CRSFP) is a crucial part of this government's strong commitment to supporting grassroots sport. It provides much-needed financial assistance to clubs and organisations throughout the state to improve their sporting infrastructure.

The \$5 million boost provided for last year's program received a fantastic response, and I am happy to report that the 2011-12 round has been equally successful. The Community Recreation and Sport Facilities Program has again proven to be hugely popular in both city and country regions, with 190 applications submitted. I am pleased to inform the house today that 77 projects were successful, up from 69 last year, and sharing in nearly \$6.6 million in funding that will provide tens of thousands of South Australians of all ages with greater opportunities to be involved in physical activity.

Some of the exciting new and upgraded community sports facilities we will now see include change rooms in Mount Gambier and O'Sullivan's Beach, bowling greens in Port Pirie and Clearview, floodlights in Meadows and Mawson Lakes, hockey pitches at Stockwell and Port Adelaide, tennis courts in Kapunda and Grange, swimming pools in Lock and Booleroo Centre, and clubrooms in Two Wells and Reynella. I was very pleased to be out in Two Wells just yesterday

with the member for Taylor. This is a fantastic result, which will not only benefit local sports organisations but also see local employment provided with a significant boost, and all funding provided by the government needing to be matched by the applicant through either funding sources or in-kind contributions.

The positive impact that this program has on the South Australian economy is clear, with the South Australian government's investment of \$6.58 million into the Community Recreation and Sport Facilities Program this year expected to result in around \$19 million in total in sports facilities projects right across the state. This government remains strongly committed to supporting grassroots sports, with a review of the portfolio of grants administered by the Office of Recreation and Sport completed in December, ensuring that our investments in these programs provides maximum value to South Australian communities.

I am happy to advise that, following this review, the next round of the Community Recreation and Sport Facilities Program will increase to \$7.195 million. I would urge all members to direct their local clubs to this grant program, with the next round opening for applications next month.

GRIEVANCE DEBATE

PORT ADELAIDE ELECTORATE

Ms CHAPMAN (Bragg) (15:47): Last Saturday the people of Port Adelaide were dealt a blow of contempt by the ALP and the current state government. I do not specifically refer to their opportunity to vote for a new representative; they had that opportunity, in light of the retirement of the Hon. Kevin Foley. Given the ultimate swing against the ALP, doubtless they were very pleased to be rid of him. However, they were dealt a considerable blow as a result of the fact that here we are today on the opening day of parliament and there is no representative here for Port Adelaide. Why is this so?

There can only possibly be two reasons for that. The first is that the ALP and the state government were so incompetent in arranging the retirement of the member and setting the new scheduling of parliament this year that they would ensure that the people of Port Adelaide were not represented here today. The second is that they were so arrogant that they just presumed that there would be such strong support for their Labor candidate that she would succeed on a majority vote, that there would be no need for preferences, that she would have had declaration of the poll and that she would be here today. Either one spells the gross arrogance and/or incompetence of this government. That is the first blow to the people of Port Adelaide.

The second blow to the people of Port Adelaide is that today should have been a day of pride in welcoming the ship *Endeavour* to Port Adelaide in its circumnavigation trip around Australia, but what did we have? We had a bridge that did not open. We had the *Endeavour*, the ship representing the First Fleet to Australia, come in to the port and have to circle around and around for over an hour before they could even get the bridge open to let the ship in. What an insult. What a complete undermining of the opportunity of tourism for the people of Port Adelaide when they cannot even get one of their newest pieces of infrastructure to work on the day, when they had had weeks and weeks of notice, when they had received the application, when they have had known problems with the bridge next door to it, when they have claimed through the department of transport and the transport control unit that it would be ready for the day, and when they claimed that there would be no problems and that the *Endeavour* would be welcomed up the port. What do we have? We have the absolute fiasco of today.

Strike three for the people of Port Adelaide is very obvious to everybody: Newport Quays. Taxpayers are already picking up a \$6 million debacle over this absolute shemozzle by this government. The government claims it came into office and there was a planned redevelopment of the Port by the previous government. That is correct. It has completely undermined not only the people of Port Adelaide but this project right from the start of taking over its administration.

Sir James Hardy was one of the first out of the blocks to say, 'Preserve the maritime history of the people of Port Adelaide. Make sure that in any revitalisation of the Port that you do that.' He published an open letter to the government that it review its project to make sure that was accommodated. The government completely ignored that. It bulldozed the boat yards, it gave no integrity to Torrens Island and the protection of those sites; it completely undermined it.

The government went out for two years consulting with the public in the region and what did it do? Completely ignored it and went ahead with the project. There is not only one court case

that the South Australian public is picking up, but two; we have already had another one. We have had report after report after report on toxic piles, dust pollution, problems with terrorism, problems with blasts. We have all sorts of reports. Where are they? The government will not release them.

In 2010, former minister Holloway (of the previous parliament) acknowledged that ministers knew about these problems with Newport Quays and had not come clean on them. He included in that category ministers Conlon and Foley and the premier. Then what do we have? A year later, in October 2011, we have an announcement by the new Premier that, 'I'm going to abort the contract. I'm going to exercise my legal opportunity to do that. I'm going to consult with the people of Adelaide.' Let me say to the people of Adelaide: he has not listened to you before, he is not going to listen to you again. He can talk about all the plans in the world, but you have been duded: strike one, strike two, strike three.

DONLEY, MR BOB

Mr SIBBONS (Mitchell) (15:52): I would like to pay tribute to a local hero of my electorate of Mitchell, Mr Bob Donley, who sadly passed away on Christmas Day last year. I offer my sincere condolences to his wife, Elizabeth, and his sons, James and Craig. Bob was a truly remarkable person and an inspirational man—a very quiet achiever. He moved to Seaview Downs to live in 1970 and worked as a teacher. His interest in local history was sparked when he began developing courses on the subject for his students at Christies Beach and, later, Brighton high schools.

In 1991, he was elected to the Marion City Council and became increasingly involved in the work of the heritage steering committee. He became president of the Marion Historical Society, a position he held for more than 20 years until his passing. After 32 years of teaching in local high schools, Bob retired in 1997 and began to devote even more of his time and energy to preserving and promoting the history of Marion. There is absolutely no doubt that in these endeavours Bob has left a legacy: a better understanding of the rich history of our area and a greater appreciation of the need to preserve our heritage for local residents and for generations to come.

I would like to reflect on some of his many achievements. He researched and wrote a post World War II history of the area in his book entitled, *Marion—A Suburban City, 1945-2000*. He played a key role in saving both local and state heritage listed buildings. He ensured that council development approval processes were updated to take local heritage listings into account. He was presented with a Heritage Heroes award by the Hon. Paul Caica in 2010. He conceived and worked on the Closed Schools of Marion exhibition at the Marion Cultural Centre in May and June of 2011, which allowed hundreds of former students from nine closed local schools to reminisce about their school days as well as share with the community the history of Marion's baby boomer schools.

He assisted with the restoration of historic Fairford House and helped establish the Marion Historical Village Walking Trail. He spent many years pursuing the establishment of a history centre in Marion, lobbying which culminated with articles in the local newspaper and a DVD entitled, *Why Marion Needs a History Centre*, which he sent to every elected member of council. I am very pleased to say that he achieved his goal, with the Marion council voting on 22 November last year to set up a history and tourism centre in Red House in front of the Council Administration Building.

In May last year I was very pleased to accompany the Deputy Premier, the Hon. John Rau, to visit a number of iconic and important historic and cultural sites in the electorate of Mitchell, including the historic and environmental gem that is the Lower Field River. It was during this visit that we met with Bob to discuss another heritage project about which he was very passionate: the preservation of the Worthing Copper Mine, located in the Field River Valley. The mine is on private land, and one of Bob's many projects with the Marion Historical Society was to see the land purchased by the state government to ensure the preservation of the engine house and chimney, the engine house being the oldest surviving one in our state.

I note that the Deputy Premier was very pleased with the depth of Bob's historical knowledge, combined with his gentle persuasion and gentle passion for this subject. Both Bob and I shared a vision: that the Field River environs would one day be restored with thriving native plant and bird life and incorporated walking and cycling trails from which tourists and locals alike could view the historic Worthing Mine from a viewing platform. In his memory, I will continue to work both as a member of parliament and a member of my community to see that this vision one day becomes a reality.

BARRY, MR PHIL

Mr GRIFFITHS (Goyder) (15:56): During grievance debates we hear many comments and reflections on the lives of people, and I wish to take this opportunity to reflect upon a person by the name of Phil Barry, a good friend of mine who passed away, sadly, just after Christmas. Phil was the CEO of the Wakefield Regional Council. I first met him in 1983. He was a man who dedicated his life to the service of the community, and I think he has left a legacy that will be very hard to be filled by any person.

Phil became quite sick in May last year when he was diagnosed with an aggressive malignant brain tumour. For a man who had been so active and constantly involved in community affairs to suddenly not be able to do that anymore was devastating to him but, as was his nature, he took it on the chin and did all that he could during his treatment to still fight for the community's issues.

When he was going to the RAH, he appointed himself as spiritual leader of a group that was receiving treatment, inspiring these people to make sure that they focused on getting through the next month and being there for their child's or their wife's birthday, making sure that they were there for special family events, because he wanted to celebrate those, too. So, it was very sad for all of us when Phil died on 28 December.

Phil continued to work from home. I am advised that he continued to send out a constant stream of emails—and I got some of them, too—not quite as flawlessly checked and corrected as they might have normally been because he was starting to have trouble with his eyes and with focusing. However, he was still quite passionate about what was important to him.

One particular thing he took great offence to was the issue of school bus contracts, which other members of this chamber would be aware of. Certainly, he still pursued developments within his community. He was the CEO of the council while on sick leave, but I know that at least two meetings were arranged in Parliament House, where he met with delegations of ministers and myself about Wakefield Waters—a development at Port Wakefield—because he was passionate about trying to make that happen.

I still saw him at community functions, particularly at celebrations of projects that he had been involved with, and two of those were the opening—with the gracious funding support of the government—of the CFS stations at Hamley Bridge and Balaclava. Phil was there, quite swollen, because the treatment he was receiving caused him to retain a lot more fluid. He had difficulty with his eyes and focusing on things but, importantly, he would come and talk to people and ask them about their lives. He still always had an interest in the people around him.

We all loved Phil Barry, and I think it was reflected at his funeral service, which was held at the Balaclava Town Hall in early January. Instead of a grave-site service or a church service, Phil came to a facility that he helped to rebuild, which was close to being closed down at one stage. The facility was full. People from a wide section of the community were there. Phil lived in Balaclava for a long time. In the period before that, he lived in Blyth, an even smaller community.

People reflected on Phil as a tennis player, in horse trotting, what he had done for community groups, his focus on economic development, and, indeed, his hopes that Balaclava and the Wakefield regional area would become one of the jewels in the crown for South Australia, a place people would want to see and continue to move to, creating vibrant jobs. It is impossible to talk about Phil Barry without reflecting upon his wife, Helen—a great lady. Phil and Helen were married in 1984. They were blessed by the birth of their daughter, Vanessa, in July 1995, and she has grown into a wonderful young person because of the mentoring that her father provided to her.

I know that, in my time in local government, I aspired to be as good as Phil Barry. I consider myself to be an honest person who tries to speak the truth all the time, but I am a criminal in comparison to Phil Barry because he is the hardest working, most honest bloke I have ever known in my life. I met with some constituents who were upset about some of the actions of council and what they perceived to be actions of Phil Barry and as soon as they started to talk to me about corruption, I just said, 'I'm not going to listen to you any more because I've known this bloke for 20 years. He is honest. I do not accept what you're saying,' and I walked away because that is the respect that I hold for the fellow. Constituents can talk to us about many things, but when you know it not to be true, I believe it is a waste of time, and that is how I demonstrated it.

Phil, to the end of his days, tried to inspire the staff of the Wakefield Regional Council to do the best they could every day for their community. He left an attitude behind him that I think will

continue to inspire people. I know his daughter and his wife are very proud when, in their community, they can look upon things that are in that town and they can reflect upon the fact that their husband and their dad made it possible. Vale, Phil Barry. You will be remembered by thousands of people who have interacted with you over the years. The legacy you leave is an absolutely positive one. I hope one day to catch up for a beer with him in the afterlife.

TWO WELLS RECREATION AND SPORTS FUNDING

Mrs VLAHOS (Taylor) (16:01): I rise today to speak about something that I and the locals of Two Wells are particularly pleased about. It is the Two Wells Football and Netball Club members' meeting yesterday with minister Tom Kenyon about the recently announced Community Recreation and Sports Facilities program where the club secured \$200,000. This grant is one of 77 awarded to sports clubs around the state last week, with the total grants amounting to \$6.58 million. I know minister Kenyon is passionate about supporting grassroots sports organisations, so it was great for him to meet people on the ground who have been doing such a hard job for the community out there for so many years.

The investment in this club has been enthusiastically welcomed by president Francis Pellizzari who believes the grant is important not only to the club but the whole township—a sentiment I share. Some of the groups utilising the rooms at the football and netball club include the Red Cross for fundraising, softball, tennis and cricket.

Since my election in 2010, I have spent time with the community in Two Wells and have sought to support local clubs with worthy grant applications throughout my electorate. I know how much this grant means to so many people in the closely-knit, historic township and community of Two Wells for their dreams of renewal and growth for the future.

In early 2011, I took the opportunity to bring the then new minister Kenyon to see the club rooms and grounds. On that wintry day when the minister and the department visited, we saw firsthand how much the facilities were needed and how much growth was expected in the township. On this day, Mrs Seccafien and the minister had to shoulder the change room doors open due to dampness in the area. For many years the players have been putting up with poor quality wet rooms and showers that failed to drain adequately. Many women and men in the area chose to shower at home rather than at the club.

The planned upgrade, funded by this combination of grant and local fundraising will focus on refurbishing the facilities regularly used by six football teams and many netball teams. The club can now look forward to possibly hosting the Adelaide Plains Football League and the income from this event. With the new shower and changing facilities for both genders, a greatly improved kitchen area, extended clubrooms and a verandah, the club can look forward to a bright future.

I place on the record my appreciation for the hard work of the committee in fundraising for this revitalisation project and preparing such a high quality application. I would specifically like to mention the wonderful Lynette Seccafien and Tiffany for their long hours behind the scenes in writing the application and sourcing quotes. Ladies, I salute you and your passion for sports and the community in Two Wells. The club is very fortunate to have your support, skills and dedication and those of many others in the township who volunteer in so many ways for the sports club in the districts. I look forward to seeing everyone at the home grand final this year and enjoying a coffee from the eagerly awaited new coffee machine. Go, Roosters! Let's win the premiership!

MORIALTA CITIZENSHIP AWARDS

Mr GARDNER (Morialta) (16:04): I would like to take five minutes this afternoon to talk about the winners of the 2011 Morialta Citizenship Awards. In doing so, I should note that this is the first day that we have our proceedings webcast in audio format and, with that in mind, I would like to say hello to my constituent Michael Mormina, who has just sent me a Facebook message to say that he is listening this afternoon. I hope that he is enjoying it along with everybody else.

Previous members for Morialta have for a number of years sponsored Charles Campbell secondary school, which is now known as Charles Campbell College, and Norwood Morialta High School in two Morialta Citizenship Awards. In my first year in this place, I took the opportunity to have a bit of a think about this. Of course I continued the tradition of supporting them, but I felt that the idea of nurturing and encouraging citizenship in our school students was one that should be extended to all our school students, not just withheld to the public high schools. So, at the beginning of last year I wrote to all my local schools and described the idea that, if any of them

would like it, I would be happy to sponsor a citizenship award—something to give a bit of recognition and encouragement to those students who had gone above and beyond.

We have academic awards, sporting awards and, in some of our schools, we have spiritual awards as well. I felt that it was appropriate for a local member of parliament to support an award that encouraged citizenship and, with that in mind, most of my schools were very happy to do so, and it became a tremendous part of their graduation ceremonies at the end of last year.

I want to particularly acknowledge those students who were successful in being awarded the Morialta Citizenship Awards in 2011, all of them selected by their local schools for different purposes. I will just go through them, and I have more information about some of them than others. The first one is Brooklyn Saliba, the Morialta Citizenship Award winner from Charles Campbell secondary school for her volunteer work at the Campbelltown Library and Toy Library. She has been involved in welcoming ceremonies for new City of Campbelltown residents. At school she has been involved in Student Voice and Kiwanis, and all this while she kept up an excellent academic record through her year 12 studies. She cared for others and was a role model through her community involvement and commitment.

At Norwood Morialta High School, we had two awards, one for year 12 and one for year 10. The year 12 Morialta Citizenship Award winner was Aaron Dela Paz. Aaron came to Australia from the Philippines in 2010 with his family and he immediately integrated into the local community where he contributes a great deal. Last year, he stood somewhere near where the member for Goyder currently sits, and I saw him making great contributions to the youth parliament. He is also involved in the United Nations Youth State Conference; he attended the Institute of Justice Studies seminars; he represented Norwood Morialta at the Annual Hawke Lecture and the Elliott Johnston memorial lecture; he is a member of the advisory board of the Youth Affairs Council of South Australia; a mentor for Multicultural Youth SA; and he continues to volunteer in our community. The year 10 student awarded from Norwood Morialta High School was Nikki Lombardi and, while I have less information about her, I met her and she was a fine contributor.

The primary schools had some terrific awardees. At Campbelltown Primary School, Monique Baker was the award winner for her house captaincy at sports day, contributing in SAPSASA netball, and for being a member of the school choir and other things. At Sunrise Christian School, they had two award winners: Jai Kenyatta Wakombe in year 6, and Naomi DiGiuseppe. If I had more time I would go through their inspirational achievements, but for the moment I will have to leave it at that. Elizabeth Monk was the winner at Thorndon Park Primary School, and I should also acknowledge Elizabeth's older sister, Penelope, who won a Queen's Scout award from the Tranmere Sea Scouts last year.

At Rostrevor College, Conor MacDonald was the awardee. Stradbroke schools had three: Lawrence Mancini, Claudia Parrella and Jacinta Mustaca. The Athelstone schools nominated the entire kitchen garden team as the Morialta Citizenship Award winners for 2011. This group of students came together in their school time and in their spare time and redesigned the garden and play area at the Athelstone primary schools. It is now a kitchen garden that produces food and is also integrated into the school's curriculum. It is a terrific initiative, and I commend the school for that work. In presenting the Athelstone schools awards, there were a lot to hand out, and it was an enjoyable afternoon.

ADELAIDE PRODUCE MARKET

Ms BEDFORD (Florey) (16:09): On Tuesday 7 February it was my privilege to join His Excellency the Governor and many dignitaries and corporate sponsors for the official opening of the North and South Market Square Canopies, an important milestone in the history of the Adelaide Produce Market, the biggest capital investment since the opening of the market 25 years ago.

I would like to acknowledge the commitment and dedication of the board of the Adelaide Produce Markets Ltd and CEO Angelo Demasi for his efforts in overseeing the canopy project. It takes much work to balance the often competing interests of fruit and vegetable wholesalers, retailers, growers, providers, transport companies and other market users. Angelo and his staff go about this role quietly and efficiently with very good results.

The canopy project was delivered on time and on budget while still operating the market with minimal disruption on a day-to-day trading basis—quite an achievement. It is also appropriate to acknowledge the contribution of members of the board of directors: immediate past chairman Sam Christodoulou; former chairman Des Lilley; former director Dino Musolino; current chair, David Schirripa, and deputy chair Nic Minicozzi; and the current directors Jim Demasi, Greg Griffin, David

Trosti, Michael Ruggiero, Danny De Ieso, and in particular Pat Scalzi who has served on the board since its establishment in 1987.

Many would remember the old East End Markets off Rundle Street in the city, the old Adelaide Fruit and Vegetable Exchange. It operated until 1988. Many people at the opening have fond memories of that place and would recall the exact spot where their families first plied their trade.

It is hard to imagine now but until 1988 forklifts, trucks and pallets of produce would be all over Rundle Street, East Terrace and Grenfell Street until about 7 o'clock Monday to Friday. While Adelaide was asleep the East End was a hive of activity. However, the time did come when the market was bursting at the seams and the East End was too small and simply too difficult to operate out of the CBD. More operating space and modern facilities were needed to meet current needs and, in any event, the market needed to relocate to make way for the redevelopment of the East End.

Not only did the East End Market community have a capacity for hard work, they were very gutsy in deciding they were going to build a new market somewhere, whatever it took. In the late 1980s, economically, times were not good. Despite all this, the produce community raised the capital from its own pockets and built the market, the first privately owned and operated fresh produce market in Australia.

Twenty-five years on from that point and much has changed, not just in terms of modern technology and communications but even in the industry with the development of cool chain logistics, modern refrigeration and produce management, food safety and organic certification, and so many new fruit and vegetables and other food product lines being offered by independent fruit and veg retailers that the broader industry has had to change to survive and prosper, promoting South Australia's clean and green image.

Adelaide Produce Markets Ltd is an unlisted public company. It is the provider of a place where the market trading activity occurs. It is a landlord and service provider to the industry. Its role is a relatively small but essential link in the industry chain in terms of getting a piece of fruit and vegetable from paddock to plate. Nonetheless, the board made a decision in 2009 to spend several million dollars to build the north and south canopies.

The then board had the foresight to realise that covering the market square was critical to improving operations and, ultimately, the quality of fruit and vegetables that South Australians consume—and quality is everything. Whether it be in terms of the food we eat or the service we receive in any shop or the design of any product, quality is very important. We all know quality when we see or experience it and being committed to quality means constantly striving to improve in every manner and every detail.

The APM continues to look for every avenue to create positive change, not only in terms of the infrastructure, but also in terms of the ancillary services offered, work practices and OH&S. Quality in that broader sense demands continuing change and improvement. The APM is to be commended for its proactive leadership.

Fruit and vegetable growers, wholesalers, providores and retailers face many challenges. In particular, the retail environment is fiercely competitive. Food retailing and consumption patterns have changed a great deal in the past 20 years or so. Whilst APM continues to make a strong contribution to promoting the consumption of fruit and vegetables through extensive radio and TV coverage to educating children through Crunch Bunch mascot characters, a cohesive and unified promotion strategy by the entire fresh produce sector nationally has eluded the industry to date.

If the promotion of fruit and vegetable merchandise from independent fruit and vegetable retailers and independent supermarkets is not made a priority APM and others like it around Australia will go into a slow decline. One only has to look at what has occurred in the independent liquor and petrol retailing industries for examples of what may happen. The milk and dairy industry were the focus of sustained price cutting some months ago. Given the announcement of one of the supermarket chains last week that fruit and vegetables are in their sights, it is not hard to guess what may happen next.

Like the challenge faced by the East End Market community in the late 1980s who risked not having a place to trade, the APM community and the produce industry nationally now needs to come together to find a way of promoting what is intrinsically the healthiest food on the planet and,

most importantly, that diversity and quality in terms of what consumers buy for their fresh food items really matters. Fresh, seasonal produce is good eating and good for you. With the number of cooking and lifestyle programs on TV at any time, we cannot be lacking ideas for the marvellous array of produce at our choice.

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:15): I move:

That standing and sessional orders be and remain so far suspended as to enable the introduction without notice and the passage through all stages of the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill before the Address in Reply is adopted.

The SPEAKER: As there is not an absolute majority of members in the house, ring the bells.

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

Motion carried.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:18): Obtained leave and introduced a bill for an act to amend the Criminal Assets Confiscation Act 2005. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:18): I move:

That this bill be now read a second time.

Recent events in South Australia have thrown a spotlight on the totally unacceptable behaviour of criminal gangs. The community wants action, so does the government. Opposition obstructionism will be judged very harshly should it occur. The government's commitment to remaining tough on organised crime has never wavered. We have, however, been thwarted in the last parliament by the tactics of the opposition, who have blocked, deferred, referred to committees—

Ms CHAPMAN: Point of order: the Attorney-General is laying out for the parliament the merits upon which we should support this bill and the reason it is being introduced and the like, not to enter into a debate about what may have occurred in previous debates on other bills. I would ask you to bring him into order.

The SPEAKER: Thank you, member for Bragg. Attorney-General, just keep in mind the member for Bragg's point of order. However, it is a new debate; it is being introduced and reintroduced again, so please proceed.

The Hon. J.R. RAU: Indeed, but if I can say through you, Madam Speaker, that given the fact that we have taken the rather unusual step of seeking and obtaining a suspension of standing orders to proceed with legislation today, which is identical to legislation introduced in the previous parliament—

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: —I thought it was incumbent upon me to place on the record why we are doing this. Once I have placed on the record why, I will be able to proceed. I have nearly completed what I had to say about those matters.

Ms CHAPMAN: As a further point of order, the Attorney-General has spoken through you, obviously for my attention. Let me say this: allowing the Attorney-General to offer some spray of discontent about what the opposition will or will not do when he does not even know what we are going to do, given that we do not even know what he is out to present to us (we have just had the tabled to us and he is, of course, going to explain to us what he is going to do), I expect that you will, of course, give me the same leniency in reply.

The SPEAKER: Certainly, member for Bragg, you will be the second reading speech also. Attorney.

The Hon. J.R. RAU: As I was saying, other bills previously have been blocked, deferred, referred to committees, or dramatically changed, and the bills of which I speak were introduced to tighten the noose around the neck of criminal gangs.

In order to combat the problem posed by serious organised criminal groups, the government is again putting forward a suite of measures. Some of these measures are new, but many are bills placed before the last parliament. These will be restored or reintroduced. These measures do not stand alone. They are intended to form an interlocking web of complementary legislative initiatives that attack the basis of criminal organisations, the motives for their conduct, and their capacity to intimidate and victimise those who would give evidence against them.

These bills are as follows: the Statutes Amendment (Criminal Intelligence Bill 2010; the Summary Offences (Weapons) Amendment Bill 2010; the Criminal Law (Sentencing)(Sentencing Consideration) Amendment Bill 2011, each of which will be restored in the upper house; this bill, the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2011, which I am moving again in this house today; plus two further bills of which I have already given notice.

It is important to understand that, in aggregate, these bills constitute a far more effective package than the sum of their parts. I recognise that it is unusual to seek a suspension of standing orders to immediately introduce legislation, but there are particular reasons why this is appropriate today.

First of all, the parliament has had full notice of all particulars of this legislation since the introduction of an identical bill in the last parliament, which was introduced on 18 May 2011. Nobody can be taken by surprise. When the bill was last before the parliament almost all of its operative provisions were effectively neutered in the other place. The government does not accept that this is a reasonable response, and it is determined to destroy the financial incentive at the heart of organised crime.

Secondly, this bill is an essential element of a package of measures directed towards organised crime and, as such, has an extremely high priority. Now that the parliament has resumed, we see no reason why we should not commence immediately with this critical work. Every day that this parliament fails to pass these interconnected legislative measures is a day that life for organised criminals in South Australia is much easier than it should be. None of us, as responsible legislators, can possibly be content with this objectionable state of affairs being permitted to continue when it is entirely within our power to bring it to an end. The people of South Australia are watching this parliament and look to us for strong support for community values and strong legislative support for our police in the difficult task of combating organised criminal groups.

I will now move to a more detailed explanation of this bill. I seek leave to insert the remainder of the second reading explanation into *Hansard* without my reading it.

Leave granted.

Prescribed Drug Offenders

The idea that all of the property of certain drug offenders (described in the Bill as prescribed drug offenders) should be confiscated, whether or not it has any link to crime at all and whether or not legitimately earned or acquired, originated in the Western Australian *Criminal Property Forfeiture Act 2000*. If a person is taken to be a declared drug trafficker under either s 32A(1) of the *Drugs Misuse Act* of that State or is declared under s 159(2) of the *Confiscation Act*, then, effectively, all of their property is confiscated without any exercise of discretion at all, whether or not it is lawfully acquired and whether or not there is any level of proof about any property at all. The two situations are a convicted drug trafficker of a certain kind and an absconding accused. The first category is the most general.

With respect to convicted drug offenders, there are two situations catered for. The first is the repeat offender. The second is the major offender (whether repeat or not).

The repeat offender is caught if he is convicted on a third (or more) offence for nominated offences within a period of 10 years. The nominated offences are: possession of a prohibited drug with intent to sell or supply, manufacturing or preparing; or selling or supplying, or offering to sell or supply, a prohibited drug; possession of a prohibited plant with intent to sell or supply, or selling or supplying, or offering to sell or supply, a prohibited plant; attempting to commit these offences; and conspiring to commit these offences.

The major offender is caught if the person commits any one offence at any time about a prohibited drug or prohibited plant that exceeds a prescribed amount. Those amounts are prescribed in Schedules to the Act (not regulations) and list, for example, 28 grams of amphetamine, three kilograms of cannabis, 100 grams of cannabis resin, 28 grams of heroin and 250 cannabis plants.

Section 159(2) says that a person will be taken to be a declared drug trafficker if the person is charged with a serious drug offence within the meaning of section 32A(3) of the *Misuse of Drugs Act 1981* and the person could be declared to be a drug trafficker under section 32A(1) of that Act if he or she is convicted of the offence, and the person absconds in connection with the offence, or dies, before the charge is disposed of or finally determined. A serious drug offence within the meaning of section 32A(3) of the *Misuse of Drugs Act 1981* means a crime under section 6(1), 7(1), 33(1)(a) or 33(2)(a) of that Act. The content of these crimes has been outlined immediately above.

The Northern Territory *Criminal Property Forfeiture Act* contains very similar provisions, obviously modelled on the Western Australian Act. However, the Northern Territory Act contains only the repeat offender version of the first category and extends to death and absconding. It does not contain what is described as the major offender category described above. No other Australian jurisdiction has anything like either of these Acts.

Under the WA scheme and its counterpart in the Northern Territory, all of the declared drug trafficker's assets are subject to forfeiture—everything. The Government has taken the view that it will ameliorate the harshness of the scheme by providing that the prescribed offender forfeit everything except what a bankrupt would be allowed to keep. These rules are to be found in r 6.03 of the Commonwealth *Bankruptcy Regulations 1996*. The lists are extensive, but the general principle is:

Subsection 116 (1) of the Act does not extend to household property (including recreational and sports equipment) that is reasonably necessary for the domestic use of the bankrupt's household, having regard to current social standards.

High Level or Major Traffickers

Whether or not a person can be presumed to be, in common usage, a high level or major trafficker will depend largely, but not wholly, on the amount of the drug with which he or she is associated. The SA amounts listed in the SA *Controlled Substances (General) Regulations* as indicating commercial activity are those prescribed as a result of a national consultative process fixing amounts on the basis of research across Australia on the actual activities of the illicit drug markets informed by police expertise. The obvious way to proceed is to fix on the amounts already settled.

Repeat Offenders

The legislation also attacks repeat offenders. The key to this category is setting the offences to which it applies - that is, what offences will attract the declaration if committed 3 or more times within a span of 10 years. The Bill says that the offences to which it should apply are serious drug offences that are indictable. These are those offences listed in that part of the *Controlled Substances Act 1984* under the headings 'Commercial offences' and 'Offences involving children and school zones'.

The Fund

The proceeds from the existing criminal assets confiscation scheme must be paid into the Victims of Crime Fund (after the costs of administering the scheme are deducted). It is proposed that funds raised by the application of this new initiative be devoted to another fund, to be called the Justice Resources Fund. This Fund will be devoted to the provision of moneys for courts infrastructure, equipment and services and the provision of moneys for justice programs and facilities for dealing with drug and alcohol related crime. Disbursements will not overlap with those made from or eligible for moneys from the existing Victims of Crime Fund. The Government does not believe it to be proper that money from the Fund be spent on law enforcement or criminal investigation purposes.

Other Aspects of the Scheme

The Western Australian scheme has also been modified so that a court has a discretion to ameliorate the inflexible application of this scheme if the offender has effectively co-operated with a law enforcement agency relating directly to the investigation or occurrence or possible occurrence of a serious and organised crime offence. For these purposes, a serious and organised crime offence is defined in a way that mirrors the definition in the *Australian Crime Commission (South Australia) Act 2004*. Every encouragement should be given to serious criminals to inform on their co-offenders and any criminal organisations to which they belong or are party.

As is the case with the WA and NT legislation, a person is a prescribed drug offender where there is sufficient evidence to conclude that a person would have been liable to be a prescribed drug offender and the person either absconds or dies.

The Bill also adopts the Northern Territory innovation that the time period of 10 years in relation to the repeat offender does not run if and while the offender is imprisoned.

Pecuniary Penalty Provisions

The Bill also amends the pecuniary penalty provisions of the Act. The necessity for this amendment arose directly from the decision of the Full Court in the case of *DPP v George* [2008] SASC 330. The appellant George was convicted of an offence of producing cannabis. The subject of the charge was 12 mature cannabis plants and 20 seedlings with roots attached. The plants were being grown hydroponically in a shed on his residential property in Seacombe Gardens. He was also convicted of knowingly abstracting (stealing) electricity. He was fined \$2,500 for both charges. Under the law applicable at the time the maximum penalty for this offending would have been 25 years imprisonment. Under current law, 10 plants is a trafficable quantity and he was over that, not counting seedlings, so there would be a presumption of sale.

The DPP intended to pursue the defendant under the *Criminal Assets Confiscation Act*. Accordingly, a restraining order was placed over the residential property. After conviction, the defendant applied for an order excluding the property from forfeiture. In the meantime, the DPP applied for a pecuniary penalty order forfeiting a sum of money equivalent to the defendant's interest in the property. The house was valued at \$255,000 with a mortgage of \$164,731. It follows that the pecuniary penalty would have been about \$90,000. It can be accepted that the defendant would have to sell the property to pay the pecuniary penalty.

The question then arose whether the court had a discretion whether to impose a pecuniary penalty order or not. On the face of it, the legislation seemed to say that there was no discretion. The legislation says that the court

must make a pecuniary penalty order about the proceeds of a crime or an instrument of crime. All had assumed hitherto that 'must' meant 'must' and that was that. The magistrate below had threaded a way out of what he thought to be an injustice by holding that the house and land were not instruments of crime. That was an ingenious argument and the Supreme Court on appeal divided 2/1 on the facts, holding that the property was an instrument.

But White J, with whom Doyle CJ and Vanstone J agreed on point, said that must did not mean must. There was a discretion after all. The key passage was:

Moreover, the construction for which the DPP and the Attorney-General contend has the potential to bring the administration of justice into disrepute. This is likely to engender a lack of respect for such proceedings and the authority of the courts conducting them is likely to be undermined. The DPP could, for example, take the attitude before a court hearing an application under ss 47 or 76 that its decision will be immaterial, and conduct the proceedings accordingly. It is inimical to proper respect of judicial authority for one party to an application before the court to be able to take such an attitude.

I referred earlier to the absence of any provision in the CAC Act which would enable a court to take account of, or to ameliorate, the harsh consequences of a PPO or the interests of others in the subject property. Nor is there any provision enabling the court to take account of the public interest in the way in which s 76(1)(c) requires in relation to statutory forfeiture. The absence of such provisions is stark if s 95(1) is construed as obliging a court, upon satisfaction of the specified matters, to make a PPO. It is difficult to identify any reason why Parliament should have considered provisions to that effect to be appropriate in relation to forfeiture orders, but not in relation to PPOs. Similarly, it is difficult to identify any reason why Parliament should have intended consideration of the public interest to be relevant in relation to applications for exemption from statutory forfeiture, but not in relation to PPOs. The absence of provisions permitting a court to ameliorate the harsh consequences of a PPO, or to consider the public interest, loses much of its significance however if s 95(1) is construed as vesting a discretionary power, rather than imposing an obligation. (emphasis added)

The lesson was plain. 'Must' does not really mean 'must' because of the harsh, arbitrary and unjust consequences it would bring. 'Must', said the Court, really means 'may'. The Act is amended to fix this. This State should not have on the books a law that is thought to be so unfair and unjust that a Court has to strain the ordinary use of language in that way in order to bring about a fair result. The amendment gives the court a discretion to impose a pecuniary penalty in relation to instruments of crime, just as it does in relation to the forfeiture of instruments of crime. That discretion is informed by an inclusive list of factors identical to those legislated in relation to the forfeiture of instruments of crime.

Restraining Orders

In the course of deciding the main issue in *DPP v George*, the court, (particularly the contribution of White J) points out another technicality that poses problems. In summary:

- The Act contains provision for what is known as 'automatic forfeiture'. The essence of the scheme is that property subject to a restraining order will be forfeited by operation of law after the expiry of a certain time period after conviction.
- The only way for a defendant (or any other interested party) to escape this process is to apply for and win an order excluding property from the restraining order.
- White J pointed out that a literal reading of the Act could say that the property will be automatically (and irretrievably) forfeited even though an application to exclude that property is on foot and has yet to be resolved. He regards such an outcome (with considerable justification) as unfair and unjust.

White J held that this problem deserved the attention of the Parliament. His Honour did not observe that the legislation permits a person in this position to apply to the court for an 'extension order', which has the effect of postponing the automatic forfeiture. But that omission is in itself telling. The system is just too complicated. And the necessity for a separate extension order is not obvious. If the applicant for an exclusion order knew about it, he or she would surely apply for it and, equally surely, a court would grant it routinely in order to avoid the injustice to which White J referred.

The problem is fixed in this Bill. The way in which it is done is to abolish what used to be called extension orders as a separate phenomenon and instead provide that any person may apply for the exclusion of property from forfeiture and, when that application is made, the forfeiture of property is subject to an extended period terminating when the application for exclusion is finally determined.

Other Amendments

South Australian Police and the DPP asked for an amendment to the Act so that a person who is the beneficiary of a discretionary decision to discount a sentence because of the consequences of forfeiture cannot also be the beneficiary of an amelioration of forfeiture for the same reason. In other words, the defendant cannot get the same benefit twice. This has been done, except for those who have co-operated with law enforcement in cases of serious and organised crime, who may get a sentence discount for their co-operation and also a discretionary form of relief from total forfeiture under the prescribed drug trafficker scheme contained in this Bill. The reason for that is good public policy - every encouragement should be given and every lever should be applied to those who are in a position to inform on serious and organised criminals.

The Bill makes minor amendments to clarify the provisions relating to the forfeiture of a security given by a defendant or other person on the making of an application for an exclusion order.

I commend the Bill to Members and expect full support for this important legislative measure.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Assets Confiscation Act 2005*

4—Amendment of long title

This clause amends the long title of the principal Act to reflect the changes made by this measure.

5—Amendment of section 3—Interpretation

This clause amends section 3 of the principal Act to include, or to consequentially amend, definitions of terms used in respect of the amendments made by this measure. Of particular note is the insertion of new subsection (2), providing that a reference in the principal Act to an *indictable offence* includes an indictable offence of a kind that is required to be prosecuted, and dealt with by the Magistrates Court, as a summary offence under a provision of *any Act*, rather than the current limitation of an offence under Part 5 Division 2 of the *Controlled Substances Act 1984*. The definition of *extension order* is deleted consequentially to clause 20.

6—Amendment of section 6—Meaning of effective control

This clause makes an amendment of a statute law revision nature, to ensure consistency of language.

7—Insertion of section 6A

This clause inserts new section 6A into the principal Act. It sets out what is a prescribed drug offender, namely a person who is convicted of a commercial drug offence after the commencement of the proposed section, or who is convicted of another serious drug offence and has at least 2 other convictions for prescribed drug offences, those offences and the conviction offence all being committed on separate occasions within a period of 10 years. However, the 10 year period does not include any time spent in government custody. The proposed section makes procedural provision in respect of the convictions able to be used in the determining whether a person is a prescribed drug offender. The proposed section also defines key terms used in respect of prescribed drug offenders, including setting out what are commercial and prescribed drug offences.

8—Amendment of section 10—Application of Act

This clause makes a consequential amendment to section 10 of the principal Act.

9—Amendment of section 24—Restraining orders

This clause inserts new subsection (5a) into section 24 of the principal Act, which prevents a court from specifying protected property (the definition of which is inserted by this measure) in a restraining order unless there are reasonable grounds to suspect that the property is the proceeds of, or is an instrument of, a serious offence.

10—Amendment of section 34—Court may exclude property from a restraining order

This clause amends section 34 of the principal Act by inserting new subparagraph (ia), adding to the list of matters a court must be satisfied of before it may exclude property from a restraining order. The subparagraph is divided into parts dealing with where the suspect has, and has not, been convicted of the serious offence to which the restraining order relates.

The first such matter is that the court can only exclude property where the suspect has not, or would not, become a prescribed drug offender on conviction of the serious offence. Alternatively, the property may be excluded if the court is satisfied it is not owned by, nor under the effective control of, the suspect in the circumstances spelt out in the provision (even if the suspect is, or will be upon conviction of the relevant offence, a prescribed drug offender).

The power to correct an error in respect of the inclusion of the relevant property when making the restraining order is given to the court because the property restrained in respect of prescribed drug offenders is not necessarily proceeds nor an instrument of crime.

Subclause (2) makes a statute law revision amendment consistent with clause 6.

Subclause (3) prevents property being excluded from a restraining order on application by a person convicted of the offence to which the restraining order relates where the convicted person has had the possible forfeiture of the property taken into account in sentencing for the offence.

11—Amendment of section 46—Cessation of restraining orders

This clause amends section 46(4) of the principal Act to reflect the fact that restrained property may vest in the Crown under an Act other than the principal Act.

12—Amendment of section 47—Forfeiture orders

This clause amends section 47(1)(a) of the principal Act to include the fact that a person is a prescribed drug offender as a ground for the making of a forfeiture order under that section (provided that the relevant property was owned by or subject to the effective control of the person on the conviction day for the conviction offence).

13—Amendment of section 48—Instrument substitution declarations

This clause makes a minor amendment to section 48 of the principal Act to distinguish between forfeiture orders made under section 47(3) and those made under section 47(1).

14—Amendment of section 57—Relieving certain dependants from hardship

This clause makes a consequential amendment due to the amendment of section 47(1)(a) by this measure.

15—Amendment of section 58—Making exclusion orders before forfeiture order is made

This clause amends section 58 of the principal Act to provide that property sought to be excluded from a forfeiture order must not, in the case of a forfeiture order to which section 47(1)(a)(ii) applies (ie a prescribed drug offender order), at the relevant time be owned by, or under the effective control of, the prescribed drug offender (unless it is protected property of the person).

16—Amendment of section 59—Making exclusion orders after forfeiture

This clause amends section 59, consistent with clause 15, to provide that property sought to be excluded from a forfeiture order must not, in the case of a forfeiture order to which section 47(1)(a)(ii) applies (ie a prescribed drug offender order), at the relevant time be owned by, or under the effective control of, the prescribed drug offender (unless it is protected property of the person).

17—Insertion of section 59A

This clause inserts new section 59A into the principal Act. That section allows a person to apply for property to be excluded from a restraining order because the person has cooperated with a law enforcement authority in relation to a serious and organised crime offence, be it one that has occurred or may occur in future.

The mechanisms and procedures in relation to an order excluding the property are similar to other such provisions in the principal Act.

18—Insertion of section 62A

This clause inserts new section 62A into the principal Act. That provision provides that, if a court has taken a forfeiture of a person's property into account in sentencing the person, the person cannot then apply for an exclusion order or compensation order in respect of the property (unless the cooperation provision in proposed section 59A applies).

19—Amendment of section 74—Forfeiting restrained property without forfeiture order if person convicted of serious offence

This clause is consequential to clause 20.

20—Substitution of section 75

This clause substitutes a new section 75 of the principal Act, replacing the current 15 month extension orders with an extended period which will apply automatically when an application to exclude property has been made, but not finally determined, at the end of the period of 6 months after conviction (when automatic forfeiture would otherwise occur).

21—Amendment of section 76—Excluding property from forfeiture under this Division

This clause amends section 76 to broaden the range of people who can apply for an order excluding property (currently only the convicted person can apply), to ensure the provision works properly in relation to securities given under section 38 or 44 and to prevent exclusion of property owned by or under the effective control of a prescribed drug offender (other than protected property).

22—Insertion of sections 76A and 76B

This clause inserts a provision similar to the provision in clause 17 allowing for exclusion from forfeiture based on cooperation with a law enforcement agency and a provision similar to clause 18 providing that, if a court has taken a forfeiture of a person's property into account in sentencing the person, the person cannot then apply for exclusion of the property under this Division (unless the cooperation provision in proposed section 76A applies).

23—Amendment of section 95—Making pecuniary penalty orders

This clause substitutes subsections (1), (2), (3) and (4) of section 95 of the principal Act. New subsection (1) ensures that mandatory pecuniary penalty orders relate only to benefits derived from crime while new subsection (2) provides the court with a discretion to make such an order in relation to an instrument of crime. New subsection (3) sets out matters the court may have regard to when determining whether to make an order under subsection (2). Proposed subsection (4) ensures that the court is not prevented from making a pecuniary penalty order merely because some other confiscation order has been made in relation to the offence.

Section 95(7) is consequentially amended to apply only to benefits.

24—Amendment of section 96—Additional application for a pecuniary penalty order

This clause makes minor statute law revision amendments to simplify section 96.

25—Insertion of section 98A

This clause inserts new section 98A into the principal Act, which provides that, for the purposes of the Division, a court may treat as property of a person any property that is, in the court's opinion, subject to the person's effective control.

26—Amendment of section 99—Determining penalty amounts

This clause clarifies references in section 99 of the principal Act.

27—Amendment of section 104—Benefits and instruments already the subject of pecuniary penalty

This clause amends section 104 of the principal Act to include reference to instruments.

28—Repeal of section 105

This clause repeals section 105 of the principal Act and is consequential upon the insertion of section 98A into the Act by clause 25 of this measure.

29—Amendment of section 106—Effect of property vesting in an insolvency trustee

This clause amends section 106 of the principal Act to ensure it applies in relation to instruments as well as benefits of crime.

30—Amendment of section 107—Reducing penalty amounts to take account of forfeiture and proposed forfeiture

This clause amends section 107 of the principal Act to insert new subsection (2), setting out reductions to penalty amounts under pecuniary penalty orders that relate to instruments of crime where the instruments have been forfeited in relation to the offence to which the order relates, or where an application for such forfeiture has been made.

31—Amendment of section 108—Reducing penalty amounts to take account of fines etc

This clause amends section 108 of the principal Act to ensure it encompasses instruments of crime.

32—Amendment of section 149—Interpretation

This clause amends the definition of *property-tracking document* in section 149 of the principal Act, to refer, for the sake of consistency, to property owned by or subject to the effective control of a person, rather than simply the property of the person.

33—Substitution of section 203

This clause amends the structure of section 203 of the principal Act to reflect the changes made by this measure.

34—Amendment of heading

This clause is consequential to clause 36.

35—Amendment of section 209—Credits to Victims of Crime Fund

This clause is consequential to clause 36.

36—Insertion of section 209A

This clause provides for the establishment of the Justice Resources Fund, to be administered by the Attorney-General, and for the proceeds of confiscated assets of prescribed drug offenders to be paid into the fund.

37—Amendment of section 219—Consent orders

This clause makes a consequential amendment to section 219 of the principal Act to reflect changes made by this measure.

38—Substitution of section 224

This clause substitutes section 224 of the principal Act to reflect the changes made by this measure as they relate to prescribed drug offenders, and to include forfeiture, or pecuniary penalty orders, under the law of other relevant jurisdictions as matters to which a sentencing court must not (under new paragraph (b)) or must (under paragraph (c)) have regard to in determining sentence.

The clause also inserts new section 224A which regulates the release of sensitive information relating to cooperation with law enforcement agencies.

Ms CHAPMAN (Bragg) (16:26): Leave is agreed to on the basis that—if you want to hear us at all on this, Madam Speaker—the Attorney has given an assurance that the bill is exactly as per the previous bill. On that basis, we agree.

I indicate that I will be the lead and only speaker on this bill for the opposition. I thank the Attorney for confirming that the bill that he has introduced today is the same that he had introduced last year, and I will be referring to that shortly. I will assume, having the rather truncated procedure

on this matter, that the supporting second reading explanation of the Attorney, commencing from 'Prescribed Drug Offenders', is similar to that which had previously been presented to the parliament in support of the bill. On that basis, I do not propose to go into a lot of detail on the substance of the bill.

What I will say to the house is this: the opposition came here today to support the government's suspension of standing orders, of which we had received notice from the Attorney. As I am sure members here in the house have heard over the last two weeks in the shameful expose of the circumstances of fear in which our community lives as a result of organised crime, and as the people of South Australia would know, it was the government's intention that it was going to revisit certain legislation and introduce some new serious and organised crime legislation in respect of what has been commonly known as the anti-association legislation.

I want to say to members of the house that the government have been quite duplicitous in their presentation of the facts surrounding the support. The opposition will not impede the swift passage of this bill to another place where, in a previous form, it received detailed attention and we consider had been substantially improved, and we maintain that position. They have also been playing games and playing politics about what is presented here today.

Members will have heard the opening address of the government through His Excellency today about the important priority the government is going to put on a safer community. The government indicated that it would be moving the suspending of standing orders, as I say, to give priority to these gang laws.

When the Liberal Party, the parliamentary opposition, offered to suspend standing orders, 13 days ago, in a letter to the Attorney-General, the government could have, at that stage, indicated that it wanted to give the criminal assets legislation some priority. In fact the Liberal Party offered at that time to expedite that process, what was described in the correspondence dated 1 February as the serious and organised crime legislative package that had been put out for consultation on 21 August 2011 (months and months ago), and an offer was explicitly outlined to send to the opposition a copy of the draft bills, a copy of all submissions in the consultation on the package and, thirdly, briefings to our shadow attorney-general, the Hon. Stephen Wade, and the Liberal spokesperson for legal affairs in the House of Assembly, namely myself. The correspondence clearly indicated:

If this request is acceded to the Liberal Opposition will support giving priority to the bills over the Address-In-Reply debate. The Opposition is happy to receive the draft bills, submissions and briefings on a confidential basis, embargoed pending the tabling of the bills in Parliament.

That could not have been clearer. That was 13 days ago. So, for the Attorney-General to come in today and pretend that he is on some great rush of adrenalin to initiate a suspending of standing orders to bring protection to the people of South Australia in this allegedly meritorious law reform is utter codswallop. The only response that had been received was a letter of acknowledgement of the correspondence received on 6 February. The next piece of information, forwarded on 6 February, was an email between staff members, and I will leave it as general as that. That email stated, in relation to the prescribed motor vehicles legislation, otherwise known as the monkey bike bill:

In relation to the above Bill, it is anticipated that this will once again go to a Deadlock Conference. In order to speed up the process, I would be grateful if your Party could articulate its final concerns with the Bill in writing...

Etc. That was a response on that matter saying, 'Well, look, we need to detail this. It was left over from last year. We'd like to have it sorted out.' I have no problem with that at all. So, they were obviously alive and kicking in the Attorney-General's Department at that stage and they wanted to talk about the process of the parliament. Then yesterday, after the commencement of the joint party meeting of the opposition, at 3.37 an email came through to our new whip's adviser's office to advise our shadow attorney-general that:

I have been advised by the Premier's Office that due to the urgency of this matter, after Question Time tomorrow we will be suspending standing orders to re-introduce and immediately debate the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill. Thanks.

That is it. So, I do not know whether the Premier's office is speaking to the Attorney-General's office, or what is going on over there, but less than 24 hours before this parliament resumes we have a missive from an agent, purportedly on behalf of Mr Conlon's office, representing somehow or other some message from the Premier's office, that this is what is going to happen.

The government is only interested in this stunt of trying to pretend that it is actually producing a folder of protection for the people of South Australia. It wanted to try to ambush the opposition less than 24 hours before the house resumed with the notification of this demand, when it had two weeks' notice—or invitation—from the opposition to advance the progress on all the bills.

The government's behaviour took on childish proportions when, in the midst of that 13-day period, the government sought to engage the opposition on what would have to be described as the far more less important issue of monkey bikes, of which I think there are only a few left that actually need to be dealt with in Australia. Nevertheless, this is the priority of the Attorney-General. While Rome is burning he is out there saying that we need to regulate against monkey bikes—hello? I would probably be overwhelmed if the predecessor were here giving me this because, in a way, I suppose I would expect it. The Atkinson era is, of course, gone, but here I see the Attorney-General with a bit less hair, he could probably grow a foot, add a carnation, and what would we have? We have it all back again. It has all come back.

The Hon. J.R. Rau: That's unkind.

Ms CHAPMAN: It may be unkind to the member for Croydon, but the bottom line is that it is all back here. This is exactly the sort of behaviour that we would expect from the member for Croydon: 'I'm going to punch them,' Eliot Ness, and all that other codswallop we heard during the Atkinson era. We now have it back again. I expected more, the people of South Australia expected more, and certainly the parliament should expect more. I know the legal profession expect more, but what do we have? We have the same trumped up, thin, shallow, insincere, inadequate response from the government to deal with a very serious problem.

We see the priorities of the government exposed just on infrastructure in the law and order arena. Any members of parliament can go down and examine the new Taj Mahal as the new headquarters for the police. I think they have two now—very nice. Members can go and examine the new headquarters for SA Water and the new headquarters for transport, all of which have related to the flogging off of various buildings and assets by this government. They are then put in flashy new rented accommodation.

What does the Courts Administration Authority get? What do the people who work in the courts get? They get the same old cobwebs, the same old crumbling infrastructure. They do not even get a decent court. They do not even get safe premises that cover occupational health and safety. In reality, that is the level of respect that this government has for people who try, day in, day out, to protect the community against those who breach the law, to deal with them fairly and justly, and to make sure that there is a forum in which people can have confidence that they will be dealt with fairly and justly, and, of course, to imprison, fine or punish those who go beyond acceptable conduct, particularly, obviously, illegal conduct. However, they get nothing. They get dumped down in the same old building—left there.

I would have thought that a difference between the old Atkinson era and the new era might have been, for example, that the new Attorney-General would at least come out and say, 'They only want half a million dollars—\$750,000—for a business plan to actually work on a new courts building.' They do not even get that.

The government announced in this year's budget that it would give half a million dollars for a new business plan to work out where it is going to put its core library. It has that, and we have plenty of money for all these other things but, sadly, the courts are stuck with the Keith hospital: at the bottom of the barrel—absolutely missed out completely.

This is the current Attorney-General's fifth attempt at getting media coverage on this proposal—this great network of new law that was going to solve the problem and provide safety for the people of South Australia—because it was announced during elections in 2010 and a further three times during 2011 on 16 May, on 29 July and 15 September. Each announcement on this legislation generated less and less interest from a perceptive media who knew that the announcement was merely a deflection from the many problems this government had already created. The government's claims on urgency lack credibility and are clearly exposed for what they are.

Mr Marshall: Speak of the devil.

Ms CHAPMAN: Speak of the dead, yes. There has been absolutely no action on this legislation since it was received in this place on 28 September 2011. That is four months ago, and not a single thing has been done on this piece of legislation.

The Hon. J.R. Rau: There was nothing left.

Ms CHAPMAN: The Attorney interrupts to say that there was nothing left. What rubbish! It had wise consideration by another house and the appropriate addition of two important improvements to this bill, but it was back here, sitting here, waiting around, collecting dust and cobwebs. Meanwhile Rome is burning, the bikie gangs are out there, everything is happening out there but, nevertheless, after four months, not a thing. Diddly-squat. Nothing.

The government is trying to feign this urgency as a distraction for its absolutely lazy approach to the legislation, hoping it will go away. With Christmas and car races, there will be all sorts of other sideshows happening and we will not notice—as if the people who are in the firing line here will not notice! Well, they do all right, and I think the media have recognised that we now have a situation where the Attorney-General is so arrogant that his pride gets in the way of his progressing important legislation.

We should have been dealing with this. If they made that promise back in the election of 2010, they should certainly have honoured that, having introduced the legislation, and got on with it. When it had consideration and came back here in September last year, they did nothing with it. The bona fides is a complete fraud on the parliament. The media have woken up to it. The public are all awake to it. They have just thrown this back.

And the arrogance! Not only has the other place actually made significant improvements to this bill—and I am going to refer to them in a moment—so arrogant are they that they are just going to throw in the same bill with no amendments, no changes, no consideration. There is no, 'Shall we look at this seriously and realise whether in fact we might have made a mistake? Could there be any compromise? No, blow compromise, blow any consideration of what they've done, all of those wise men and women of the upper house. Put the fingers up to them. We're just going to progress ahead; we will just throw this in.'

The Hon. M.J. Atkinson interjecting:

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

The Hon. M.J. ATKINSON: Thank you very much, madam. A couple more, please.

Ms CHAPMAN: So what we have of course is all this spin happening again, this revolutionary new team. Rann, Foley and Atkinson were all going to disappear into the dust and we were going to have this fresh, new team of cordiality, of civility in the parliament, respecting each other as members of parliament. Remember all that piffle that they came out with to suggest that this was going to be a reformed government? We heard it again from His Excellency this morning about a code of conduct. A code of conduct is coming in.

I can remember I think in the first year that I came into parliament, there was discussion by the then premier that we were going to have a code of conduct—very important. The member for Fisher was appointed as the chair of a body of inquiry to look into codes of conduct around the world, principles of behaviour or whatever you want to call it, but basically codes of behaviour, expectation of what the public would have as our electors, as our constituents, and what we would have to each other, issues in relation to honesty, disclosure and all the things that go with being a person in public office such as conflict of interest—you name it.

In fact, I seem to recall that Hon. Rob Lawson QC, was a member of that, and I think even the current attorney might have been a member of that group. We duly considered all of the different codes of conduct around the world and there were some very interesting ones. I will not detail them today, but France springs to mind. They have a rather interesting rule about how you cannot be prosecuted in public office—even if you do very bad things—until you retire. Not surprisingly, some of them hang on for dear life. We did consider that. Some people hang on to public office in France and that might be something that we would consider, but we dismissed it because we felt that that was inappropriate and that the parliament should not be some sanctuary for those who do the wrong thing. They need to front up to the law; so we dismissed that.

So, we went through this process. I think it was quite a good working committee. We came up with a resolution about what should happen. I am pretty sure it was unanimous. It came into the parliament, it was reported, and eight years later, dead as a doornail, it has never seen the light of day. The member for Fisher—

The Hon. M.J. ATKINSON: Point of order: I am just wondering what the relevance of this part of the debate is to the bill before the house.

The SPEAKER: Thank you, member for Croydon. We have been very far-ranging in our comments today in our speeches, so I will allow the debate to continue.

Ms CHAPMAN: Thank you, Madam Speaker. Had the member for Croydon been listening intently at the commencement of the address and the challenges taken about content, he might have appreciated that. Let me just say this: a list of principles to guide us, a code of conduct disappeared, never saw the light of day, but the member for Fisher, courageously, brought back either a motion or a bill to incorporate them into the parliament, in what must have been private members' time, to try and present to the government an opportunity for them to pick this up, because, obviously, the premier completely ignored it. He had a few of his own code of conduct issues at the time, and had a few people sitting alongside him who are now gone, who might have caused him some embarrassment if he looked through any number of these principles. Nevertheless, they never saw the light of day. So, great credit to the member for Fisher for at least trying to bring it to the parliament's attention and say—

Mrs Geraghty interjecting:

The SPEAKER: Order!

Ms CHAPMAN: —he said it, he wanted to have it, he set up the inquiry, we have done the inquiry, we have done the work, and then he has just shoved it under the table, we need to have this open. So, I was very pleased to hear the new Premier announce this morning under this new regime that there is going to be some era of enlightenment in the commitment to what we are doing, including a commitment to make safe neighbourhoods, and to introduce this tranche of legislation.

In his contribution, His Excellency outlined this great vision—or I think someone described it as a 'squint'—of the Premier for the people of South Australia. When he outlines, with the suggestion that this is some new era of behaviour and of conduct, and then has his own Attorney-General go out there and dance in the media to try and pretend that he gives a rats about the people of South Australia's safety against organised crime, it is laughable, if one appreciates the offers that have been made by the opposition to bring these things on.

Let me just say that we are not alone in the government's pretence that the advance of these four bills—the reintroduction of a new amended serious and organised crime bill, and dealing with weapons intelligence and drug offenders confiscation law, if I can summarise them in that way—is some kind of remedy to the perils that are out there. Let me remind the members of the house that under the last ten years of this Labor government, Labor's rhetoric and poor strategy has made the gang situation worse. Let us place on the record some of that. There are more members of these gangs. In the three years since the serious and organised crime legislation, outlaw motorcycle gang membership is up by 10 per cent—250 to 274. There are more gangs in that 10 years.

The Hon. M.J. Atkinson: How many more?

Ms CHAPMAN: This is not for you, Atko. The New Boyz street gang has transformed into the Comancheros. There are no fewer bikie fortresses. They are more dangerous. Why? Because the internal controls have weakened. There is more public and more risky behaviour and there is clearly more fear. South Australians walking locally at night feel the least safe of any other state and the crime rate is following the national trend. South Australia's homicide rate is the equal highest of any state.

Mr Marshall: Shame!

Ms CHAPMAN: For the government to try and come out and say, 'We care about the people of South Australia,' to protect them against these frightening statistics and the reality that flows from them is absolutely laughable. Even Mr Pallaras QC, the DPP—

The Hon. J.R. RAU: Point of order: I really do not want to interrupt the honourable member too much, because she appears to be in a stream of consciousness which bears little relationship to the particular bills in front of us, but if it goes on for a period of time I am wondering if all of us are going to have the opportunity to get some popcorn. I do not want to miss any of this but I do want to be able to take it in properly and I know that it is disorderly to eat popcorn in here but—

The SPEAKER: It certainly is, Attorney-General. If you are asking if you can eat popcorn in here, no, you can't.

The Hon. J.R. RAU: Very well.

The SPEAKER: So you can sit down. Member for Bragg, could I ask you to go back to the bill, please?

Ms CHAPMAN: Mr Pallaras QC has made comment about the government's reforms in these areas. This is one of the four tranches of reforms that the Attorney-General says that he is in blistering anxiety to rush into the parliament with haste for the protection of South Australia.

The Hon. M.J. Atkinson: Here we are.

Ms CHAPMAN: I am, and Mr Pallaras QC has seen through it. He says to get tough means absolutely nothing, it means making a lot of noise. 'What we need to do is to get effective.' 'Effective' is what he says.

The Hon. M.J. Atkinson: Yes, stop farmers having guns!

The SPEAKER: Member for Croydon, can you behave or leave?

Ms CHAPMAN: The situation is this: under the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2012 which is before us, notwithstanding that the opposition had offered an opportunity for the government to bring all its legislation in and for us to deal with it, we have not even seen a draft of this mysterious new serious and organised crime bill. We have asked for it. The Attorney-General says we are going to get it tomorrow. It has been out for consultation since August. They are in such a damn hurry to try and make sure they protect the people of South Australia that they want to show us.

They want our response. They want our support. They want us to go with them with this, and we did last time. We said, 'Listen, you might end up in the High Court. You might stuff it up. It might be outside the bounds of what is constitutional. It might be a very expensive passage to go via the High Court.' We warned them of all that but the man with the carnation dug his heels in. Off he went racing with this—'This is going to be the great salvation'—and we ended up in the High Court. It cost us a fortune.

Here we are and we have notice of another 15 claims against that legislation. We could be in the High Court for another 10 years but do you think they care? No, this is their great salvation.

Mr Marshall interjecting:

Ms CHAPMAN: This is their great answer—

The SPEAKER: Member for Norwood, behave.

Ms CHAPMAN: —so that is what they want to do. They want to come in and push through the next lot. They do not want scrutiny. They do not want to have any support from us. They just want to be able to claim that we are being obstructive and difficult.

The Hon. M.J. Atkinson: Which you are.

Ms CHAPMAN: The member for Croydon does not listen to the full debate. He just wants to interrupt. Go and pick another carnation, for goodness sake, and put it in your buttonhole and give one to the new attorney because he is turning into you. I have suggested if he grow another foot and get a little bit less hair he will be right on track. You know, I could have listened to this speech this morning and thought that you had written it, member for Croydon. I would give you credit for that. It was an absolute pearler.

Let me go back to the substance of this bill, though, because the members ought to be aware that the opposition members were actually and have consistently been supportive of legislation which confiscates assets of criminals, to obtain assets of criminals, and furthermore of unexplained wealth legislation. We have been very supportive of that. The two things that offend the opposition, and I think most sensible people out in the community (including the Law Society, of course, which thinks that the whole thing is a dog's breakfast and which goes much further) are, first, that, in depriving citizens who have received their proceeds of crime, even where the instrument of the crime is lawfully acquired, is a step too far.

We simply say that there needs to be some nexus, and, in the absence of that, we do not support it. In fact, in another place in previous debates the upper house saw the wisdom of that and it maintained that that was very important as well. So, it is completely erroneous, and I think mischievous of the government, to go out publicly and say, 'The opposition is being obstructive.' We have supported this type of legislation before; we will again provided they maintain that nexus.

The other aspect which we find extraordinary the government would even come back with an attempt to push through is that, instead of the proceeds of crime, which under other existing legislation goes into the Victims of Crime Fund to support those people who have claims quite properly for compensation for injuries and loss that they have incurred as a result of a criminal offence, the government under this legislation wants a new fund. It wants to put it into a fund to make it available for its own government purposes—whether that is to prop up the bits of the court that is falling down, or to provide some extra new lights in a courtroom, or whether it is to provide for some cost of the DPP's office, I do not know.

What the government wants to do is to take that money and use it for its general revenue responsibility in the area of law and order in this state, and we say that that is fundamentally wrong. That is an attempt by the government to absolve it from partial responsibility of funding this important area. I think that law and order takes only about 4 per cent of the state budget. It is just a narrow little bit as it is. The government should understand what its responsibility is.

I noted what His Excellency said this morning, which we know, of course, is just prepared by the Premier's office. Interestingly, he outlined his commitment, and I will read this. It says:

The government believes that our public discourse should be more civil—that we should be slower to attribute blame and quicker to accept responsibility.

Well, what a joke! Here we are with the first order of bill of the government's business of the day and what does it do? It introduces a bill that will help shelve part of its responsibility for funding an important service under the budget, namely, the provision of law and order services, and shift that onto confiscation of asset wealth from parties who we say in these circumstances are being unfairly deprived of; and that with proper protection the government can take that money but it should put it into the Victims of Crime Fund. The government should put that into the Victims of Crime Fund, and it should make sure that it is available for that purpose and not shirk its own responsibility in direct contradiction of what His Excellency said today that this government is committed to.

They are two fundamental flaws of this legislation. Not only have we said it, others have said it, and the people in the other place have looked at this in some detail and said it, and they have made, I think, sensible amendment. The government, in its typical arrogance, wants to blame everyone else, shoot that home to other people and leave the people of South Australia exposed to the risk of further abhorrent behaviour of people in this criminal area without giving them peace or remedy by sensible legislation.

In short, the opposition will not stop the passage of this bill. We are going to get it straight up to the other place where they can consider it with due consideration. The government knows exactly our position on this. For them to have come back in here in direct ignorance of the invitation given to the opposition to bring on this other, to even show us SOCCA mark II, which they are going to introduce, to be put in the context of this raft of reform, is an insult to this parliament. Having said that this is a necessary raft of reform, that it needs to all be dealt with together, what do they do? They bring this one in today. We are going to get a little peak at the one tomorrow, and goodness knows when we are going to receive the others.

The reality is that it is insulting to this parliament. It is unacceptable to the opposition that the government should play games with this and not give one inch, one centimetre—one whatever—of extra protection to the people of South Australia and yet pretend to care about their safety and protection. They have had the opportunity on SOCCA alone, and we are talking 2009, before the last election. Finally, two years later, we are going to be seeing a draft tomorrow. To ask us to scrutinise this legislation when the Attorney has come in here today and said it is to be put in as a package, that it is to be dealt with as a package of reform, to try to turn around the disastrous statistics that are the reality of the appalling level of their government, is insulting to us, and to then just throw us only one piece of it is absolutely insulting to this parliament.

The Hon. J.R. Rau: You've see most of the others.

Ms CHAPMAN: 'Most of the others.' I want this on the record. The Attorney says we have seen most of the others. We have. I assume that means the weapons and the criminal intelligence bills are also going to come back in exactly the same format as they were thrust on the parliament before without any amendment, without any consideration of what is being put by that smart alec comment by the Attorney. What is more insulting to the people of this parliament is that we are not even allowed to see what is in the SOCCA mark II legislation until tomorrow. What a joke!

Mr ODENWALDER (Little Para) (17:03): Madam Speaker, thank you for the opportunity to speak on this bill. Of course I support this bill. As a former police officer I know the damage that drug crime can do to a community. Working to protect families and communities from the scourge of drug crime is a vital part of the job. Police have an essential but tough job to do to protect the safety of all in the community.

The men and women enforcing the law can make a difference by catching criminals, but it is only one part of the story. Having effective deterrence is also important to reducing crime and improving safety in all communities throughout the state. That is why this bill and the others the government will introduce this week are so important to police and, indeed, the whole state. The message this bill gives to people considering becoming involved with a drug gang is that, beyond the fact that it is just plain wrong to profit from the misery of others, the price you will pay is far too high. When you emerge from prison you will be bankrupt.

I understand that when this bill was introduced previously—and some of these issues have come up today—some people had concerns about the fact that the bill confiscated more than just the property that could be proven to have come from the proceeds of drug crime. I can understand these concerns, but we should remember that we are dealing ultimately with serious drug dealers and repeat offenders.

Members in their contributions last time spoke of wives and children and the fact that they may be hurt by the actions of their husbands and fathers. Firstly, I note that they may also be hurt by the fact that the drug dealer is imprisoned. I am glad to see that as yet they have not suggested that the bill be amended to remove the possibility of prison as a penalty.

Further, I point out that the legislation has a three strikes in 10 years provision. Where the volume of drugs being trafficked is a commercial quantity and hence has the potential to wreck hundreds of lives, yes, there is the capacity for bankruptcy on the first strike. The government makes no apology for the harshness of this penalty. The deterrent must be strong to ensure that it is effective.

What this bill is, above all else, is another weapon that can be used in the fight against organised crime. While it seems that some drug dealers are not deterred by the potential of losing their own personal liberty or their own personal property, the message this government is sending is, 'Your drug offending won't just hurt other people's families, it may hurt your family too.' I believe it is completely unacceptable to see serious drug offenders picked up from their prison stretches in expensive cars with tinted windows and all the profits from their offences dripping from them.

Mr Marshall interjecting:

Mr ODENWALDER: Good, I'm glad to hear it. What I believe, and what I hope the opposition will now support, is that drug offenders motivated purely by greed should be made to pay for their crimes. Furthermore, this bill is not inflexible, and it may be important for offenders who have been caught to know this. Another part of the power of this bill is that we can use the greed of these criminals to benefit police. Courts will have some discretion to leave the offender with more than just the bankruptcy provisions if the criminal has effectively cooperated with police with information about serious and organised crime.

Every encouragement should be given to criminals to break their code of silence and inform on their co-offenders and against the criminal organisations of which they are a part. However, for this to be effective, serious drug offenders must also know that this law is serious. The threat of bankruptcy must be clear and strong. We know all too well the threats organised criminal gangs make against breaking the silence and how effective they have been. That is why this law needs to create a strong enough incentive to outweigh that threat.

The police, the courts and corrections all have their part to play in breaking drug rings but, ultimately, the framework they all operate in is set here in this building. The parliament has the responsibility of setting in place the right laws to reduce drug crime and improve community safety. This bill supports the work of the justice system by strengthening the deterrent against drug offending, and I commend the bill to the house.

Ms THOMPSON (Reynell) (17:07): I also rise to support this bill. The issue of crime and safety is clearly one of great importance to people in my electorate. They fear hoon drivers. They feel that the contempt graffitiists show for other people's property undermines civil society and it makes them fear the possible consequences of this lessening of the value of respecting of

property. Most of all, they fear the actions of people affected by drugs and abhor those who traffic in them.

People want to see criminals punished for their crimes and they want confidence that their children can be shielded as much as possible from the evils of drugs. Recent events in South Australia have led to more people asking questions about what can be done to reduce this kind of crime and reduce the chances that they or someone they know may be caught in the crossfire.

It is clear that drug crime plays a central role in fuelling the violence between gangs. The greed of serious drug criminals driving organised crime is deplorable and needs a strong response. The government has proposed a strong response with this bill. Bankrupting serious drug offenders and those involved in serious organised crime should be one way to get them out of our communities. It also shows potential recruits to criminal gangs that crime does not pay and diminishes some of the glamour some misguided individuals think is attached to life in a criminal environment.

The cost of drug crime in the community is significant and is a serious issue. Drugs place a burden on the emergency departments of our hospitals, on law enforcement and even place a burden on legitimate businesses by robbing them of revenue.

In my electorate there is too much evidence of the damage done by drugs. Children are born damaged by the effect of drugs, children do not go to school because of parents affected by drugs, parents are ravaged by the involvement of their children with drugs and, even though the experts seem to have a variety of opinions, parents in my electorate see a strong relationship between unlawful drugs and their child's poor mental health and, indeed, in too many cases, severe psychosis. Grandparents struggle to raise their grandchildren. The main reason I hear for this is that the child's natural parents are affected by drugs and are unable to care for their children.

My constituents want everything possible done to protect them, their children and grandchildren from the damage that is done by criminal activity relating to unlawful drugs. We are elected to act in the best interests of our electorate. That is one thing that, undoubtedly, we all have in common: the importance of the expectations of our communities. Different electorates have different characteristics. I doubt that anyone would argue that there are some differences between an inner city electorate like Unley, Madam Speaker's electorate of Giles and my electorate of Reynell. But there is one thing that I can be fairly sure of: a key concern for families throughout all of our communities is safety. I know that people in my electorate want to see continual improvements in community safety, both through further decreases in crime and through support for rehabilitation of criminals, particularly before they become hardened criminals.

The establishment of a justice resources fund has the potential to ensure that some good comes when society is mopping up the mess left by an organised drug crime ring. The fact that this bill creates the potential for such a fund to be resourced from drug crime is a very positive thing. I understand that the fund will be used to support victims of drug and alcohol related crime, provide rehabilitation programs for drug and alcohol addiction and improve courts infrastructure, equipment and services.

Another key aspect to this bill is the fact that it provides for discounts to those drug criminals who react to the fact that they are about to lose everything. When they are faced with losing everything they are more amenable to provide the intelligence information police need to further attack organised drug crime. In my mind, and in the minds of the people in my electorate with whom I regularly talk about community safety and how it can be improved, it is clear that doing all we can to counter drug crime is essential. Indeed, considering the harmful effects of illicit drugs and the death and destruction they can and do cause, I believe one should question why we would need to have this debate.

I believe that this bill and the others that I understand the government will restore and introduce in the coming days will send a clear message to those who are considering becoming involved in drug crime: you will be caught and you will lose everything. It also sends a clear message to members of our community who in some cases, particularly with some of the more vulnerable members of my community, fear every day for their safety because of the effects of crime, particularly drug related crime. I commend this bill to the house and strongly support yet another government measure to improve community safety.

Mr SIBBONS (Mitchell) (17:13): I understand that this legislation is part of a package aimed squarely at organised crime and the criminals who live their lives outside society's norms. If a person is willing to succumb to greed and show virtually no regard for the lives of others, then I

believe it is incumbent upon this government and this parliament to pass laws that attack the material wealth of these criminals.

I understand that through the coming weeks the government will be introducing and restoring a raft of legislation that together will form a new approach to tackling organised crime. I understand that these laws will work with one another to complement and strengthen police powers as they work to dismantle criminal organisations. The nexus between organised crime and drug profits is clear. In 2011, the Australian Crime Commission conservatively estimated that the cost of organised crime to the nation was between \$10 billion and \$15 billion. Illicit drug abuse comprises an estimated social cost of over \$8 billion annually within this \$10 billion to \$15 billion. This data from the Australian Crime Commission demonstrates that illicit drugs account for at least 50 per cent of the costs of organised crime. Breaking the nexus is an integral part of fighting serious organised crime.

Western Australia has led the nation with these laws. I understand that, in Western Australia, this legislation has collected millions of dollars from serious and repeat drug offenders. Considering the massive cost of drugs on our society, I think it is fitting that this bill enables proceeds seized from drug criminals to be spent on helping those addicted to drugs. Ultimately, this bill is aimed at the kingpins. It will bankrupt the heads of evil empires and make it clear that drug crime does not pay. The bill will also work to reduce recidivist drug crime from criminals found guilty of three prescribed drug offences in 10 years also being eligible to be bankrupted.

It is important to note that this is part of a raft of legislation and should not be considered completely in isolation. While it is also important to give police the power to disrupt criminal organisations and to do all possible to catch the smaller fish in organisations, there also need to be laws that target the people making the most money out of these criminal schemes.

It is worth reinforcing that this legislation will leave serious and repeat drug offenders bankrupt. That means that drug criminals would be allowed to keep no more than the items protected under bankruptcy provisions. This means motor vehicles to a maximum value of \$6,700 indexed if the vehicle is owned solely by the bankrupt and \$13,400 indexed if the vehicle is jointly owned by to bankrupt; tools of trade to a maximum value of \$3,350 indexed; life assurance and superannuation policies; damages and compensation payments; and personal items and household property of limited value.

Those who are driven by greed who attempt to make significant amounts of money through the misery of others should know that they are risking virtually the entirety of their personal property by involving themselves in serious organised drug crime.

The bill is the kind of strong legislation that will operate effectively in concert with the remainder of the serious and organised crime legislation that will be restored and introduced in the coming days. I commend the bill to the house and look forward to the remainder of the legislation that will form the government's integrated approach to tackling serious and organised crime.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:18): I thank all the members who have made a contribution in the debate and, of course, in particular, my learned friend the member for Bragg, who is always able to traverse the whole landscape, occasionally touching upon matters of relevance.

I will just deal with this—in as much as it is possible to deal with such a broad canvas—briefly. First of all, let us understand exactly what happened. Using analogies is always difficult but, in deference to the honourable member for Norwood, I am going to pick a pig as an analogy because that seemed to work for him today.

Ms Chapman: Without lipstick.

The Hon. J.R. RAU: With or without lipstick, it does not matter. Imagine a pig that left this chamber looking like a pig which came back with a small bit of snout and a small bit of tail; the rest of the pig had gone. The snout still might have had lipstick—I am not sure—but most of the pig was gone. I think it is difficult to interpret that as anything other than a rejection of the total concept. In fact, if I am not mistaken—

Ms Chapman: Go the whole hog; that's the important thing.

The Hon. J.R. RAU: The whole hog, indeed.

Mr Marshall: Go the whole hog.

The Hon. J.R. RAU: You went the whole hog, indeed.

Mr Marshall interjecting:

The Hon. J.R. RAU: Can I please finish this?

Members interjecting:

The SPEAKER: Order! Can I please remind the Attorney-General and the member for Bragg that this is a parliament, not a courthouse.

The Hon. J.R. RAU: If I am not completely mistaken, even the short title had to be changed. The short title had to be changed when it came back here because it so little resembled the original product that it was about something completely different. I think that is almost a first for this place, that something goes up there looking like X and comes back so different that it has to be retitled, so let us not get away from the fact that there was some improvement done up there. It was radical surgery. If you were translating it into the medical world, it was a 'provisionectomy'—an 'everyprovisionectomy'.

Honourable members opposite cannot duck what they have done. Let us listen again in our minds to the great contributions made by those who have spoken who sit behind me and remember the message they were giving you. The message they were giving you is very simple. There are a couple of ways you can not be affected by this legislation. There are two easy ways not to be affected by it. Number one: do not commit the crime. It is not real hard, is it? Just do not do it. Number two: if you are dumb enough to commit the crime, and you still do not want to pay the penalty, you can tell the police and the Director of Public Prosecutions all about the other crooks who were involved in this thing with you, and you will not have to do it either.

There are two options. The first, sensible one is: do not get involved at all. The second one is: if you are dopey enough to get involved in this stuff, you still have a 'Get out of jail free' card. Doesn't that fit well? That is a Monopoly analogy, by the way. You still have that card if you 'fess up and you start telling people who can then prosecute other people. It adds to the incentive. For those people who want to stay out of gaol, the incentive is, do not do it. If you get caught, the incentive is you cough up and explain what is going on and you are not going to be touched by this either. What on earth—

An honourable member interjecting:

The Hon. J.R. RAU: I was urged to make an allusion to the film *Deliverance*, but I am not going to do that. The point is that this is only going to touch two groups of people: people who are out there committing horrific crimes which cause God knows how much misery to people in our society and, of that group, the subset who refuse to cooperate with the police. They are the only people this is going to touch and, quite frankly, I do not feel very sorry for them and, in relation to the remarks made by the honourable member for Bragg, who I know is doing a brave thing by doing what she knows people in another place have historically wanted done, you cannot possibly defend people in that tiny subset.

What we got from the honourable member was what we usually get—the attack, which is always the best form of defence. Obviously she is good at it because she is able to deploy it on several different arenas but, in this particular case, I am reminded of a situation I had at home when my children were much smaller than they are now. My youngest child had a nappy which was containing a lot of material and somebody—it might have been me—said to her, 'My goodness, has somebody had an accident?' and she said, 'Yes,' and pointed at one of the other kids. That is what we have today.

The people upstairs are the ones who have mucked around with this, not us. We brought it forward. The finger has been pointing at us and let me take you to some of the amusing aspects of this. The Hon. Mr Wade upstairs—who I must say is the most prolific press release producer of all time, not that much notice is taken of them—put out some stuff today, and originally I thought it was Monty Python because it has that sort of ironic, bizarre humour about it.

Having sat through a number of deadlock conferences with the Hon. Stephen Wade, I am not sure that he is a Monty Python fan. I do not think that that is his style. He has purported to go through promises made at the 2010 election and then give us a scorecard of how we have gone. The first one: 'Promise: allow similar fact and propensity evidence to be introduced into court.' Next to that, 'Delivered?' Answer? 'No.' Well, I am sorry. He voted on it like the rest of us did and we

dealt with that last year. That is one of the few bills that went through the parliament, so I think he is going to have to revise it and remember—

Mr Marshall: Revise the score up?

The Hon. J.R. RAU: Another point for us. He needs to remember that either he was here and voted for it, or he has amnesia or something else.

Let me go to another one. This is a good one. What about this one? This one is fantastic. So ironic. Is that Alanis Morissette? I cannot remember. This is great. 'Promise: taking the profits from drug traffickers.' That is the promise—2010 election. Mr Wade is holding this government accountable for a 2010 promise—'taking the profits from drug traffickers'. And in the next column: 'Delivered?' Answer: 'No.' Why? Why no? Listen, here is the answer. In the answer column does it say, 'Because I wouldn't let it through and I cut it to bits?' No. It does not say that. It says, 'Bill introduced that takes resources away from victims of crime and diverts them to general revenue.' Hello? This is breathtaking. The very person who has denied this legislation passage is now complaining that the government, and me in particular, who he accuses of all talk and no action, because I have not passed this bill, because he would not let it pass, I mean—

Ms CHAPMAN: On a point of order: I cannot find it here but I think there is some reference to reflections on members in another house in respect of legislation. If you are simply quoting from a press release of a statement made, that is one thing, but to actually go on and make statements about the motives of members of the other house during the course of the debate, then I think that offends the standing orders. I cannot find it straightaway but it is in reference to being rude to the Queen and the Queen's representative and other things, but it is in the ilk of that.

The SPEAKER: Thank you, member for Bragg. Attorney-General, I am sure you will understand the point of order and will be extremely careful about your comments.

The Hon. J.R. RAU: I am going to be extremely careful about not offending the Queen or Mr Wade and I do not quite frankly understand what his motivation is for any of this so I would not try and speculate on it. Here is the next one. He says, 'Promise: new serious organised crime laws.' I am not sure that that was a 2010 promise. I think that was a promise made after the Totani decision but, never mind, let us not be pedantic about it. 'Delivered? No.'

Since then we have had the honourable member for Bragg being critical of the level of engagement that we have had with the opposition about this matter. Let me just take her on a small journey down memory lane. We had the Totani decision which we had to deal with, then we had the New South Wales decision which we had to deal with and, in the interests of public consultation, we put out draft bills.

Members interjecting:

The Hon. J.R. RAU: Hang on. Please, relax, I have not got to the punchline. Just relax. Here it is. This is 9 September 2011, to Mr Wade, 'Dear Stephen' and the name is handwritten because it is a quite personal letter, 'Serious and organised crime legislative package' and I am quoting now from the letter in case there is a problem:

You are no doubt aware that last week I released some draft bills for public comment, particularly expert comment. The aim of the package of bills is to encompass a series of proposals aimed at disrupting and attacking the activities of organised crime, particularly bikie crime. In particular, I do not intend that all of the policy eggs are in the one basket of the serious and organised control act, even if amended as proposed so as to minimise the chance of it being declared unconstitutional. I attach copies of the bills for your information.

Ms Chapman: We have all that but what are you coming into parliament with tomorrow?

The Hon. J.R. RAU: Hang on. It continues:

I intend at this stage that they, or some of them, in a slightly varied version, will be introduced to parliament soon after parliament resumes.

Members interjecting:

The Hon. J.R. RAU: Stay with me, it will be worthwhile. We received a number of responses to that and we were inviting the Hon. Stephen Wade to respond to it, too, so we could take into account whatever he had to say. I received a letter on 28 November last year from the Hon. Mr Wade, who smiles at me from his page and—

Ms Chapman: It's a very nice photo.

The Hon. J.R. RAU: It is a nice photo. It's quite fetching, actually. He says—

Ms Chapman: He doesn't wear carnations.

The Hon. J.R. RAU: It is difficult to tell because he appears to have a map of South Australia protruding from his pocket.

Mr Marshall: But it is not a delphinium.

The Hon. J.R. RAU: No. In any event, it states:

I refer to your letter of 9 September 2011 and your comments in the House of Assembly of 10 November and 22 November in relation to the organised crime bills. I note your comments that the opposition has not commented on the draft bills before they are tabled.

Now, here it is—

Mr Marshall: Here is the punchline, the moment we have all been waiting for.

The Hon. J.R. RAU: While we are sort of putting our arrogance chips on the table, I see you are two; I raise you five. Here we go:

It is my well-established general practice not to make submissions to consultations on draft bills. On the one hand, I would not want to pre-empt broader consultation and, on the other, I respect the right of the government to modify the drafts.

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: So we invite people to let us know what they think of the draft bills. We spend time talking to those people, every one of them, and amongst them is Mr Wade? No, he is not amongst them. So away we go, we consult with people, and, as you will see tomorrow—

Mr Marshall: What did the Law Society say?

The Hon. J.R. RAU: Well, I think it would be better for them to speak for themselves, because I have often formed the impression—and I am sure this is not correct because the Law Society would not be party to this, but it is like when Adam West was in that *Batman* program, and whenever anything happened he would pick up the phone, take the glass thing off it—

An honourable member: 'Commissioner.'

The Hon. J.R. RAU: 'Commissioner'—exactly. Whenever the Hon. Stephen Wade is confronted with an issue he goes to the room, picks up the phone and hopes to speak to the Law Society. Well, he is going to do that anyway so I do not want to ruin it for everybody by telling them what they are going to say. Anyway, getting back to the other things we have not done: weapons prohibition orders, promised. Have we done it? No. Legislation introduced in 2010? Yes, it was. Passed by the Legislative Council?

Ms Chapman: Yes.

The Hon. J.R. RAU: No, not passed by the Legislative Council; butchered by the Legislative Council.

Members interjecting:

The Hon. J.R. RAU: I can go on for quite a while about this stuff.

Members interjecting:

The Hon. J.R. RAU: I seek leave to continue my remarks, Madam Speaker.

Leave granted; debate adjourned.

SITTINGS AND BUSINESS

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:35): I move:

That standing orders be so far suspended as to enable me to move a motion for the adoption of sessional orders relating to sitting times, private members' business and the right of reply.

The SPEAKER: An absolute majority not being present, ring the bells.

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

Motion carried.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:39): I move:

That for the remainder of the session, sessional orders be adopted so as to provide for the sittings of the house to commence at 11am on Tuesday and Wednesday, and the subsequent adjournment of the house, to vary the time for consideration of private members' business and provide for a citizen's right of reply as detailed in the draft sessional orders circulated to members.

Motion carried.

STANDING ORDERS COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:40): I move:

That Mrs Geraghty, Ms Thompson, Mr Venning and Mr Williams be appointed to act as members of the Standing Orders Committee.

Motion carried.

PUBLISHING COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:40): I move:

That a publishing committee be appointed consisting of Mr Bignell, Mr Odenwalder, Ms Sanderson, Mr Sibbons and Mr Whetstone.

Motion carried.

PARLIAMENTARY COMMITTEES

The SPEAKER (17:40): I advise the house that I have received the following resignations from standing committees: the member for Goyder, Mr Griffiths, from the Economic and Finance Committee; the member for Schubert, Mr Venning, from the Environment, Resources and Development Committee; and the member for Norwood, Mr Marshall, from the Aboriginal Lands Parliamentary Standing Committee.

ECONOMIC AND FINANCE COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:41): I apprehend that the Economic and Finance Committee is about to become a more noisy place—and I move:

That Mr Marshall be appointed to the Economic and Finance Committee in place of Mr Griffiths.

Mr Marshall interjecting:

The SPEAKER: Order!

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:41): I notice that the member for Schubert is moving on—and I move:

That Mr Whetstone be appointed to the Environment, Resources and Development Committee in place of Mr Venning.

Motion carried.

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:41): I move:

That Dr McFetridge be appointed to the Aboriginal Lands Parliamentary Standing Committee in place of Mr Marshall.

Motion carried.

SELECT COMMITTEE ON THE GRAIN HANDLING INDUSTRY

Mr BROCK (Frome) (17:42): By leave, I move:

That the committee have power to continue its sittings during the present session and that the time for bringing up the committee's report be extended until Wednesday 2 May 2012.

Motion carried.

**SELECT COMMITTEE ON THE ROAD TRAFFIC (EMERGENCY VEHICLES) AMENDMENT
BILL**

Ms THOMPSON (Reynell) (17:42): By leave, I move:

That the committee have power to continue its sittings during the present session and that the time for bringing up the committee's report be extended until Thursday 3 May 2012.

Motion carried.

ADDRESS IN REPLY

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:43): I nominate the member for Little Para to move an Address in Reply to His Excellency's opening speech, and move:

That consideration of the Address in Reply be made an order of the day for tomorrow.

Motion carried.

At 17:43 the house adjourned until Wednesday 15 February 2012 at 11:00.