

## HOUSE OF ASSEMBLY

Thursday 15 March 2012

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10.30 and read prayers.

### **LOCAL GOVERNMENT (INTERMENT OF HUMAN REMAINS) AMENDMENT BILL**

**The Hon. I.F. EVANS (Davenport) (10:32):** Obtained leave and introduced a bill for an act to amend the Local Government Act 1934. I bring to the house's attention that I am moving this bill in a slightly amended form. I had the date of the act wrong, so I bring that to the attention of the house. Read a first time.

**The Hon. I.F. EVANS (Davenport) (10:32):** I move:

That this bill be now read a second time.

In moving the bill, I will not hold the house long. This bill was before the house prior to the proroguing of parliament, so I am reintroducing it so the house can again consider debate on the bill. This matter was raised with me by the Australian Funeral Directors Association some time ago. This issue deals with the interment of human remains under the Local Government Act, hence the title of the bill.

The bill is very simple in its intent. The Australian Funeral Directors Association has been in negotiations with the government since April 2008—nearly four years—regarding this matter. The Australian Funeral Directors Association's advice to me is that when someone is cremated, a process is set out in the regulations attached to the current act. It requires a notice of identification to travel with the deceased so that when the person is cremated there is a guarantee of the identity of the person, and the reason for that requirement is obvious: it is hard to prove that the wrong person was cremated.

However, the Australian Funeral Directors Association has raised with me that when someone is buried, there is not the same requirement for certificate identification to travel with the deceased. The Funeral Directors Association is concerned that there is a loophole that allows for error, that being that the wrong person may well be buried in the wrong grave.

Of course, the problem with that, apart from great distress to the family concerned, is that the only way one can really check is to remove the coffins, etc., which obviously causes great distress to the families. This bill simply tries to tidy up something that the Australian Funeral Directors Association—the industry group—says will provide better public protection, and I hope the government and the house will support the bill in due course.

Debate adjourned on motion of Mrs Geraghty.

### **PARLIAMENTARY COMMITTEES (NATURAL DISASTERS COMMITTEE) AMENDMENT BILL**

**The Hon. I.F. EVANS (Davenport) (10:35):** Obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1991 and to make a related amendment to the Parliamentary Remuneration Act 1990. Read a first time.

**The Hon. I.F. EVANS (Davenport) (10:35):** I move:

That this bill be now read a second time.

This is a bill that was previously introduced to the parliament and I completed my second reading contribution prior to the parliament being prorogued. I am reintroducing it so that the parliament can again consider the issue and debate. This particular bill introduces the concept of a permanent natural disasters committee to be established under the parliamentary committee system.

The house is well aware that I have, for some years, argued that the system that governs fire in South Australia needs to be closely scrutinised by both sides of the house because it is such a serious and complex issue. It goes to many issues regarding planning, training of volunteers, funding of equipment, the capacity to evacuate, road infrastructure, native vegetation clearance, house design, and communications strategies to families about bushfire plans and what to do in times of bushfire.

The house is well aware that my electorate is one of the worst bushfire districts in the state, if not Australia. Some in the CFS believe that some parts of the Mitcham hills are some of the worst bushfire areas in the world, given the volume of vegetation, the steepness of the terrain and the

high level of population and assets—that is, houses—in the area, which means a high risk to the community.

I have introduced this concept a couple of times and I have accepted the argument put forward by the parliament's Natural Resources Committee, a bipartisan committee—and well chaired, might I say.

**An honourable member:** Tripartisan committee.

**The Hon. I.F. EVANS:** Tripartisan committee, sorry. I gave evidence to that committee on behalf of my electorate about the bushfire issue. That committee suggested in a report that there might be some merit, if there was to be a committee, in expanding the concept to more of a natural disasters committee so that both sides of the house could look at how prepared we are for earthquake or flood. I accept the argument that there will be other electorates that have a higher risk of other natural disasters than just fire. I totally accept that argument.

What this bill does is simply seek to set up a parliamentary committee on a permanent basis to look at natural disasters and it is dealt with under the Parliamentary Committees Act, and I am hoping the parliament and the government may agree with the proposition in due course.

Debate adjourned on motion of Mrs Geraghty.

### INTERSTATE MIGRATION

**Mr GARDNER (Morialta) (10:41):** I move:

That this house condemns the state government for its 10 years of failure to stem the extraordinary flow of young people leaving South Australia for study, career and lifestyle opportunities interstate.

This is one of the significant reasons I ran for parliament and why I have become significantly interested in doing so in recent years. In mulling over my time at university several years ago, I realised that of the 15 or 20 people I was closest to at university only two were still in Adelaide, and this is the same story for many people who have a professional education or who have undertaken courses and the like.

The figures bear this out. For a number of years South Australia has been the second worst state in Australia for interstate migration. This has not always been the case. The last time we held this position in the Australian context was at around the time of the State Bank disaster. The Brown, Olsen and Kerin governments managed to get us right back up into the middle of the field so that we were in fact behind only Queensland, Victoria and Tasmania by the time this government came to power.

In 2001-02 the net migration had 1,308 people leaving South Australia as opposed to moving here, and in 2002-03 (the first year of the Labor government) we got it down to 1,191. Since then it has been a continual stream of more people leaving South Australia than coming back. It got to over 3,000 people in 2004-05. In 2007-08 it had gone over 4,000. The peak was two years ago when it was 4,676 people leaving South Australia as opposed to coming here; and the average over the 10 years of the state Labor government has seen 2,976 more people leaving South Australia every year than coming here.

By comparison, New South Wales has felt the most effect of this over the 10-year period, but we are at 2,976. The Northern Territory has always been struggling there, which is at 739; Victoria has a net of 323 moving away; and the ACT has a net minus of 105 moving away, although I note that it is very much in the positive with people moving to the ACT. The states that are actually attracting new migrants are: Tasmania at 379 (average) over the years; Western Australia at 2,566, although, again, I note that more than 6,000 people moved to Western Australia in 2010-11 than moved away; and Queensland, with 24,574 more people moving there than moving away from Queensland interstate every year.

South Australia does not have the education, career and lifestyle opportunities that are necessary to keep our young people in South Australia. I say 'young people' because the figures bear out the fact that it is largely young people who are moving out of South Australia. The ABS breaks up these figures by age group as well. Over the 10-year average, of the 3,000 people who moved away 586 were aged between 20 to 24, 676 were aged between 25 to 29 and 379 were aged between 30 to 34.

More than half of the people leaving South Australia over the 10-year average—and the trends are pretty consistent over each of those years—are in that 20 to 34-year-old age bracket.

We are talking about generation X, generation Y and the young professionals who are going to be raising the families and who will be paying the tax burden for South Australia in the years ahead.

When this debate was approaching yesterday, I thought it would be interesting to get some feedback from the people involved, so I put a note up on Twitter and Facebook encouraging any Adelaide expats who were interested to say why they left South Australia or their experiences, and the breakdown fits into what you might expect: largely education, career and lifestyle opportunities. Lisa Colyer responded:

I left because the reputation of interstate law degrees was better than Adelaide Uni and greater graduate opportunities. My fiancé and I tried to come back and we applied for jobs but they never even sent us position descriptions!

Catie Bartholomaeus said:

Why I left...I spent over 18 months applying for countless jobs of which the majority never got back to me. I have been told countless times that I have a great resume and attitude towards working just not enough work experience yet no one is willing to give me a chance. So I went back to study...I chose Melbourne because they have better networks and support systems within the university and various departments...I don't hate Adelaide there is just nothing there for me right now.

I can tell the house that interstate universities are in hot pursuit of our best and brightest. I have spoken previously of the school captain of Norwood Morialta High School last year, a terrific girl called Gia-Yen Luong. I know the members for Norwood and Hartley have been at countless awards ceremonies where she has received awards. She was the Soroptimist young citizen of the year last year, in the SAPSASA debating team and dux of the school. She did six subjects and got perfect marks in all of them except the research project, where her 4,000-word dissertation on the ethics of genetic engineering was considered too long, so she lost marks for that.

Gia-Yen was offered scholarships to just about every law school in the country. She was approached by the University of New South Wales and was offered a full scholarship there. She found that degree more compelling than the opportunities offered in South Australia. I am very familiar with her situation because I had the honour of her doing some relief work in my office over the summer. She prepared some notes on this issue and talked to a number of her friends.

The responses were largely the pursuit that they got from those interstate universities, promising them the excitement of life-changing experiences, leaving home, coming of age, and the prestige of the international rankings of those universities that encouraged them to go there. This was backed up by the fact that we had people coming from interstate to talk to these best and brightest young kids, which really gets them over the line.

What has the South Australian government done over 10 years to encourage our significant and historic educational institutions to achieve the same sort of attraction for our South Australian students?

**The Hon. M.J. Atkinson:** Tell us.

**Mr GARDNER:** Sweet nothing. We have had tens of millions of dollars committed to international institutions and overseas companies setting up niche classes in office buildings in Adelaide—Carnegie Mellon, Cranfield, these boutique universities—rather than helping our three flagship universities achieve the prestige that they should have. I am a proud graduate of the University of Adelaide and it shames me that we do not have the support from our state government to help the University of Adelaide attract our best and brightest young people, people like Gia-Yen. We would be much better off if we had been able to keep these young people in South Australia.

That said, it is not necessarily a bad thing for some people to get university education interstate and broaden their experiences and their networks, so long as they come back. However, for that to be the case, they need to have career opportunities available in South Australia. There were about 50 Facebook responses within three hours. Danae Doecke said:

...Geology is limited in SA unless you want to do fifo...so we chose WA...better lifestyle where Andrew is home every night.

Jennie Huxley said:

Limited opportunities for career development after grad jobs compared to other states.

Taita Champniss said:

Very limited market for higher value goods, we wanted to start small food and drink business but the numbers didn't add up.

Michael Healy said:

Jobs jobs jobs. Followed by lifestyle. Also if you don't want to work public service there are not many entry level jobs in Adel. Then once you are senior there are not many head offices there.

I think Santos is the only top 200 listed company in Australia with its head office in Adelaide. That means that opportunities for professional development are very, very limited. Lewis Woolston said:

i left for the NT because i couldn't get a decent job down here, came back a few months ago and it looks like i will be leaving for WA this time. Unless i'm willing to work in pubs for the rest of my life and make hardly any money, i can't stay in Adelaide...How about cutting red tape for business, reducing taxes and getting over the terrible NIMBY mentality? No that would be too difficult...

Lauren Catherine Foley has migrated from Ireland to Adelaide. She wrote:

Adelaide doesn't seem to know what it is. It's advertised in Ireland as the place-to-be. Recruitment fairs on all the time MIGRATE TO SA. I was promised work in my field if I would migrate to SA rather than another state. I am still waiting on that dream job 1 and a half years later...Adelaide isn't a small city it's a big city—it's the same size as capital cities in Europe it really shouldn't have this small town mentality...most immigrants are avoiding and leaving SA now as there's not enough permanent job opportunities or opportunity for residency...

And Ashley Dewell, who is now plying his trade as a successful lawyer interstate, says:

I was unemployed in SA—got offered a job elsewhere so I moved.

The fact is that with South Australia being the highest taxing state in Australia—something that this Labor government can again claim credit for—over 10 years South Australia has driven the job opportunities away because it has made the environment unsuitable for business to set up here. It is entirely the South Australian government's fault, and they know there is a problem.

In the 2007 iteration of the State Strategic Plan, target 1.23 was 'Reduce annual net interstate migration loss to zero by 2010, with a net inflow thereafter to be sustained through to 2014'. The failure of this government is evident. While the original goal of reducing the net interstate migration to zero as outlined in the strategic plan has not been met, they have in fact gone the other way. We have nearly 3,000 people leaving South Australia each and every year.

The government went out prior to the last election and promised 100,000 new jobs; perhaps it would have been more honest if they had admitted that they were planning for those 100,000 new jobs to entirely be part-time, because every new job that has been created in South Australia on a net basis since the last election has ended up being part-time.

We can also see that Hugo and Hinsliff have done some work on an interstate migration survey which defines what fields these people who are leaving are in: 48.3 per cent are professionals; 16 per cent, managers; 10.7 per cent, community and personal service workers—and given our significantly ageing population, that in itself is a concern; and then clerical, trades and technicians and so forth down the list.

However, when we delve further and look at what areas of employment we are losing, it is notable that the most significant industry we are losing—16.9 per cent, in fact—is the health industry. This is again going to be a significant concern for the skills shortage in the years ahead. Some of the respondents to my Facebook invitation who responded as to why they were leaving nominated lifestyle opportunities. I note that Robert Crew talked about cost of living. He said that London, New York and Paris are all cheaper and easier to live in than Adelaide now.

When we look at figures such as those released two weeks ago in the Housing Industry Association housing affordability index, we see that Adelaide is the only capital city in Australia that has housing affordability going backwards over the last quarter. The only capital city in Australia where housing affordability is going backwards is Adelaide.

The issues created in this space are really quite concerning. The effect on South Australia of losing these young people is profound. It contributes to our ageing population and the social implications of having an ageing population where we are losing children and grandchildren to interstate are significant, because that places a greater burden on the public sector rather than having families looking after their folks.

The skills shortage that is flagged by the interstate migration survey is concerning and when we lose this professional group of young people, it also leads to a lack of innovation and

entrepreneurialism, a lack of energy and vibrancy in the city. The response must be that South Australia must play to its strengths.

Many of the respondents nominated that they love the successful multiculturalism in South Australia, the food, the culture, the great suburbs that we have, the beautiful and accessible natural environment that we are lucky to have and, of course, people largely missed their families, but the key is that, when people move away, you have to get them back before they have kids in school interstate and for that they need career opportunities in South Australia. They need jobs, jobs, jobs.

In my maiden speech I identified this issue. I said that too many South Australians of my generation are now making their futures instead in Melbourne, Brisbane, Perth and further afield. Only business and not government can provide the jobs and the career paths that will see educated young South Australians choose to build their futures here where they grew up. But business cannot do that in an environment where we strangle the life out of it with burdensome regulation and massive taxes—massive taxes to the point where South Australia is the highest taxed state in Australia. The cost of doing business and the cost of living is higher in South Australia than in any other state in the commonwealth.

When business is faced by these massive taxes, it is a massive disincentive for them to set up shop in South Australia or to stay in South Australia. The business environment that has been taxed out of its mind to fund the burgeoning public sector bureaucracy, that has blown out of all control under this government, is the legacy of 10 years of Labor government. I will leave the last words in my speech to a comment that was also left on Facebook by another young lawyer called Hannah March, who said, 'What we really need is a progressive Liberal government that actually cares about encouraging young people to make Radelaide their home.'

**Mr GOLDSWORTHY (Kavel) (10:56):** I am pleased to speak in support of the motion the member for Morialta has brought to the house. I think this government is sending quite a bad message to young people in South Australia. I will give a specific example of how that is the case. It is a matter I highlighted in the house a couple of weeks ago in terms of the really totally unacceptable delays of this government—and an agency that the Minister for Business Services and Consumers has responsibility for—in issuing trade licences to apprentices who have finished all their training and skill requirements.

The specific example I highlighted was that one particular apprentice plumber, who had completed four years of training, all their skills requirements, and the like, had been waiting more than four months for the issuance of their plumbing trade licence. From further inquiries I made, it was the rule and not the exception that not only plumbing apprentices but also electrical apprentices and building apprentices waiting for their trade licences to be issued could expect a delay of up to three months by that agency before their qualified trade licence was issued.

I ask you, Madam Speaker, and I ask the house: what sort of message is that sending to the young people of this state? It is a very poor message, a very bad message to the young people in South Australia. As the member for Morialta highlights, it is no wonder we are seeing those numbers that he has quoted in the house here this morning leaving South Australia for interstate. I asked the minister responsible for that agency that question, and he did not give a very comprehensive explanation or reason for the delays, but I received a letter from the minister saying that he has undertaken for a specialist team of investigators to look into the performance of the agency and that he was due to receive a report on that investigation, I think (if my memory serves me correctly), on 9 March, which was last Friday.

The other issue I want to raise that I think is sending a poor message to people who are wanting to upskill themselves to engage in training courses and the like is that I had a constituent contact me yesterday, and this person has undertaken some skills training in the drilling industry, so they are able to go out into far-flung reaches of the state on drilling rigs and engage in the business of drilling operations.

However, in undertaking the skills training through a registered training organisation (I will not identify anybody because I want to do some more research into this issue), this skills training was organised through a registered training office with the support of government funding. However, on completion of this skills training, the person was told, 'Oh, well, there are no jobs here in South Australia; the only jobs that are available at the moment are in Western Australia.'

I understand that two people who completed these particular skills training courses, funded by the government through an RTO, had to go to Western Australia for an interview for prospective

employment in the mining industry. I ask why government funding is provided for skills training in this state when there are no jobs in this state at this stage. We do hope that when—

**The Hon. M.J. Atkinson:** Because people are allowed to leave to get a job.

**Mr GOLDSWORTHY:** The member for Croydon interjects, Madam Speaker. If he wants to make a contribution, get up in the proper manner and stop interjecting, which is out of order. Get up and make a contribution if you so wish. Stop your habitual interjections in the house. If you have something to say, if it is good enough to say, get up and say it. Stop your habitual interjections that are just a nuisance, an absolute nuisance, to the procedures of the house.

*Members interjecting:*

**The SPEAKER:** Order! The member will be heard in silence without too many interjections from my right.

**Mr GOLDSWORTHY:** Thank you, Madam Speaker. It is good to send a very strong message to the member for Croydon.

**The SPEAKER:** The member for Croydon has been here long enough to know.

**Mr GOLDSWORTHY:** Getting back to my remarks, on this side of the house we supported the legislation in relation to the expansion of Roxby Downs and the Olympic Dam project. We were absolutely supportive of that legislation to see the benefits that the state will hopefully derive from the further expansion of that mineral resource.

I would like to remind the house that a previous Liberal government was responsible for the development of that mine in the first place. All the naysayers in the Labor Party vehemently opposed the expansion and development of that mine when it was before the parliament back in the 1980s. They are recent converts, if you like, to the absolute economic, social and a whole range of benefits that the state enjoys as a consequence of that mine here in South Australia.

What I do hope is that when the expansion does crank up, these people who are undertaking this skills training in the drilling industry, which obviously plays a key role in the mining industry, are able to secure employment here in the state and don't have to look to move interstate, or even go interstate to avail of employment interviews.

**The Hon. M.J. Atkinson:** Avail themselves.

**Mr GOLDSWORTHY:** Again! The member for Croydon, Madam Speaker, is directly defying your direction that he will remain silent while the speakers, particularly on this side of the house, are up making their points of view. In conclusion, I congratulate the member for Morialta on bringing this important matter to the house. We certainly look for support from the government benches in relation to this excellent motion.

**Ms SANDERSON (Adelaide) (11:03):** This is a topic that is very close to my heart. In fact in my maiden speech I spoke about the need to reinvigorate the city to provide employment opportunities and give our youth a reason to stay in our state. We lose too many of our finest young and capable minds to the Eastern States, and more people leave our city each year than are born here. Immigration is the only reason that our state's population has increased.

I want to engage with our young and work with them to find out how we can make our city more liveable for them. I, like the member for Morialta, posted on Facebook asking for comments from young people as to why they thought it was that people are leaving our city in droves. I will not give their surnames because I have not actually asked their permission, but Chelsea says:

I have relocated purely because my course isn't available in SA. It is one of the [very] few not available [that are] offered at 3 unis in Australia.

This actually became a bit of a theme throughout, I noticed, and I thought we were a university city. Something that we might need to address is, rather than having many, many universities covering some of the very same topics, perhaps we should look at a bit of diversity to keep some of our young here. Lulu says:

Because the options available elsewhere are a lot better and more affordable than in Adelaide. Also because there are few student accommodation places available [in Adelaide].

Nathan says:

I know a lot of people who...go interstate for uni courses that are not available here in Adelaide and they then carry on [their] profession interstate as well...it is definitely a contributing factor but not the only one.

Nathan goes on to say he would like to share an interesting discussion with a friend of his who has been living overseas for three years. He says:

I would say the biggest thing is that Adelaide isn't known as a great place for anything that young people like—[for example] live music, art, sub-culture in general. It's not that Adelaide is too safe but it's more that there is nowhere to make it here when it comes to those areas. So those that are confident about their skills in sub-culture go to see if they can make it in Melbourne or Sydney or [even] New York. If Adelaide wants to keep young people it has to let young people create the type of spaces they want to hang out at and start the type of businesses they want to work in, not for Adelaide to try and guess what they want, or to legislate to make everything that young people want to do safe (and hence less appealing/interesting). Melbourne and Sydney are attractive because they're scary, they're unknown and it's a challenge to make it there. Adelaide...doesn't seem to challenge young people like the other cities do.

Shane, on Facebook as well, said:

I suggest that, Melbourne and Perth have forward planning state governments. They have looked to the future to try and predict what transport infrastructure [they need] and...worked towards that. In SA after 10 years of a state Labor government what have they done? Especially down south, sure they will say they duplicated the Southern Expressway and extended the rail line...but they were...backed into a corner [because they needed the] votes at the last state election. SA needs to become a forward thinking state not a reactionary state always reacting to the problems...We need companies to invest in this great city so that people don't have to leave the state. I love SA but when I travel to Melbourne and see how well they have planned out there city transport infrastructure I get jealous.

Rachel says that there is a lack of incentive to invest in South Australia for either South Australians or external investors:

My limited view is that Government is busy on large infrastructure projects but [my] question [is] whether [this is the] best use of funds.

This person has left for job opportunities and a busier community with a decent plan. Highland Treasures—I am not sure who that is—says:

Let's face it all the money spent on so called 'infrastructure' instead of backing small business and TAFE and Uni positions—no wonder he was kicked out—should have been [done] a lot sooner. We need to be looking at this coming generation and go back to investing in their future and get more trades up and coming and give the tradies the work so [that they] can get [their] apprentices—there is no work in trade industries at the moment.

Daniel says:

When I complete my Urban Planning degree at the end of this year, as much as I would simply love to stay in Adelaide, it is a city that is bogged down in too much bureaucracy and regulation. Things do not get done, the community is often not consulted on major projects in their own backyard, and there is too much fickle political debate.

In terms of career advancement, I need to live somewhere where things get done. Not even interstate [is necessarily possible]—most of my (ambitious) career opportunities are overseas. Adelaide is a beautiful city, and in terms of lifestyle, it is perfect—fantastic in fact. But career wise, we do not have enough diversity. One only has to look at American cities like Detroit that have put all their chips on the one bet—manufacturing, for example (the car industry). [In Adelaide] other than the public service, the service industry, small business and tourism, what other diverse mix of industry do we have here that can sustain the high number of graduates coming from our universities?

Holden and Olympic Dam will not keep people here. It will attract a class of workers, sure, but those who are vibrant and young with ideas...will leave, and live elsewhere, because it is human nature to follow your own path, not your Government's [path].

From Charlie, we have, 'Opportunities are definitely a major factor,' and others seem to agree that opportunities are definitely what young people are looking forward to to keep them here in this state. Another girl, Samantha, has spoken to several young people her own age. She has written a bit of a list here, as follows:

In conversations with young people who have left the state to gain further education or employment the same issues continue to emerge.

- The lack of job prospects (particularly in the creative industries such as performing arts, advertising, film and production). There really is a lack of industry in South Australia. This also extends to finance, business and most major executive positions.
- Some told me they were disenfranchised with South Australia. Many spoke of its 'backwards thinking' and lack of major initiative. The Nanny State drove them away to put it bluntly. They were sick of being limited.
- Many degrees are only offered interstate or are more prestigious [interstate].
- Better culture that's more youth friendly and progressive. Particularly live music and arts.
- One person said...the public transport system itself in Melbourne made them want to live there.

It saddens me to see our state losing so many of our young, vibrant people, but I am absolutely committed to doing everything I can to turn that around. Hopefully, we will be in government in two years and will be able to start working on that and make Adelaide a place where our young people do want to live, study and raise their family.

**Ms BETTISON (Ramsay) (11:11):** I oppose the motion put forward by the member for Morialta. It is inevitable that some young South Australians will seek opportunities and experience outside our state. Broadening your life experiences is a key part of being a young adult, and it is not something that a state government should always seek to constrain. Young people like to travel for a variety of reasons. They want to experience different places and cities, either in Australia or across the globe. A number of young people across the developed world perceive this as a rite of passage.

This motion is just another example of the negative approach the opposition has towards South Australia and the economy. The opposition desperately hopes for greater unemployment and lower economic growth.

*Members interjecting:*

**Ms BETTISON:** The opposition has no plan, no vision and no ideas for our state and, going by this motion, it has little understanding of the facts. We know that the opposition does not like facts—they get in the way of glib and intellectually shallow arguments.

The Australian Bureau of Statistics interstate migration trends for age and gender statistics go back to 1997. Since 1997, we have seen a steady and significant decline in the number of young people aged 15 to 29 leaving this state. Unlike the opposition, I will put on the record the migration statistics of young people aged 15 to 29 during the period when the opposition was last in government. In 1997, 11,429 young people left the state. In 1998, 10,976 young people left the state.

*An honourable member interjecting:*

**Ms BETTISON:** In 1999, 10,859 young people left the state. It got even worse in 2000, with 11,244 young people leaving the state. In 2001, 10,465 young people left the state. Since then, under this Labor state government, we have seen steady and significant falls in the number of young people leaving South Australia. Every year since 2003, fewer than 10,000 young people have left the state. The number of young South Australians moving interstate since 1997 has reduced by 43.7 per cent—

*An honourable member interjecting:*

**Ms BETTISON:** —to 7,952.

**The SPEAKER:** Order! Member for Ramsay, we have a point of order. Member for Mitchell.

**Mr SIBBONS:** Madam Speaker, the opposition were flapping their wings a little earlier about interjections from the member for Croydon, and here we have the member for Morialta—

*Mr Gardner interjecting:*

**Mr SIBBONS:** —you know, blah, blah. So, can you please—

**The SPEAKER:** Thank you, member for Mitchell. The member for Morialta was interjecting during your point of order, so he needs to be very careful. Please respect the new member for Ramsay and listen to her in silence.

**Ms BETTISON:** Let me reiterate: the number of young South Australians moving interstate since 1997 has reduced by 43.7 per cent to 7,952. This is the lowest level of interstate migration for this age group in the period that these statistics have been collected by the ABS. If the opposition tries to claim that this is somehow worsening, then it is treating this place and the people of South Australia with disdain.

The state government understands that providing opportunities for training and employment is vital to the ongoing success of our state economy and providing jobs for South Australians. Over the past decade labour market conditions in South Australia, a key motivation for moving or staying, have improved considerably. Total employment is at near record levels with around 129,500 jobs created over the past 10 years, and unemployment is at the historically low



level of 5.2 per cent, down from the 6.9 per cent recorded a decade ago. Youth unemployment in South Australia is currently the second lowest of the Australian states.

The opposition has also ignored the fact that people are coming to South Australia. South Australia has experienced a sharp increase in net overseas migration since 2003. In 2009 our migrant intake was 17,083, compared with 2,682 in 1998 during the Liberal government. This Labor government has created a quality of education, training and employment opportunities that sees people choosing to settle in South Australia over other states.

The opposition, and in particular the member for Unley, has form with its negative retorts every time the ABS releases its employment statistics. The opposition froths at the mouth every month when South Australia has an unemployment rate of 5 per cent.

**Mr Griffiths:** Youth unemployment (15 to 19), one in three are looking for a job, Zoe.

**Ms BETTISON:** Five per cent! I remind this place of the opposition's record when it was last in government. The best monthly unemployment rate under the former Liberal government was 6.9 per cent in February 2001, and this was for one month only.

*Members interjecting:*

**The SPEAKER:** Order, the Member for Morphett! You will not display material in this chamber.

*Members interjecting:*

**The SPEAKER:** I think the member for Morphett can leave the chamber for five minutes, and you will put that down.

*Members interjecting:*

**The SPEAKER:** Order! The member for Morphett will go out in silence.

*The honourable member for Morphett having withdrawn from the chamber:*

**Ms BETTISON:** The opposition, of course, does not like to mention that their worst month for unemployment was 11.2 per cent in January 1994. I also put on the record that we have had, under the current government, less than 6 per cent unemployment every month since September 2004. The state government is committed to ensuring that South Australia has both the people and the skills base to meet the needs of a changing economy and labour market. That is why the state government has committed the single largest public investment in skills in the state's history (\$194 million over six years) to create 100,000 additional training places.

The opposition has no plan, no vision and no ideas, so how is the opposition going to stop young people from leaving the state? Is it a Berlin Wall approach? Will it have guards at every border road, every airport and every border town to stop young people from moving interstate?

Is the opposition going to tell a young mining engineer, 'No, you can't go and get life experience and work in the Pilbara in Western Australia'? Is the opposition going to tell young South Australians that they cannot join the armed forces unless they guarantee that their unit is located in South Australia? Is the opposition going to tell a young football champion, 'No, you can't be in the AFL draft unless drafted by the Adelaide Crows or Port Power'? Is the opposition going to tell young people, 'No, you can't go to the Australian National University in Canberra to do postgraduate research'?

This continuous negativity is nothing but a stunt from a lazy opposition which is bereft of ideas and plans. This Labor government has proudly delivered jobs, training and opportunities to the young people of this state. I ask that members give this shallow motion the attention it deserves and oppose it.

**Mr VAN HOLST PELLEKAAN (Stuart) (11:20):** I wholeheartedly support the member for Morialta's motion and I know, having had the benefit of sitting next to him for the last five or 10 minutes, that he has been taking great note of what the member for Ramsay has just said and will address those issues in his summing up at the end.

The reality is this is a very serious problem and, regardless of political preferences, we should all be dreadfully concerned about the fact that we are losing lots of young people in South Australia. We face the same issue in regional South Australia: we lose people in regional South Australia to the city and we are losing people from our state across the board to interstate. The member for Morialta's motion is very much about young people moving interstate.

While there are certainly many benefits in migration—and anybody with a name like van Holst Pellekaan would have some sympathy for that—the reality is that this is not about migration and it is not about allowing us to lose our young people and then replacing them with migrants. Regardless of the benefits of migration, we do not want to lose our young people.

This is, again, very much about not losing young people from our state, at the net. Nobody is trying to handcuff them or put them in hobbles. Nobody is trying to say, as the member for Ramsay tried to say, that they should not be allowed to go interstate to study, play football or take a mining job. It is nothing to do with that. What we are saying is that, at the net, we should not be losing people.

Some people will naturally leave South Australia to improve their life in some particular way that is relevant to them, but we should be attracting young people from other states to South Australia so that they can improve their lives in a way that is particularly relevant to them. If we have more people heading interstate than we are gaining people who want to come to South Australia from other states, then there is a problem.

I remember when I played basketball in Tasmania in the late 1980s that this was an issue in Tasmania, and they were really worried about it. But I look at the figures the member for Morialta has provided me with and, certainly from the early 2000s, Tasmania has addressed this issue, so why can't South Australia? This will always be an issue confronting all states by the very nature of the definition of the problem we are looking at. Interstate migration is a competitive issue. We have to make sure that we are on the upside, not the downside. Unless nobody moves anywhere and it is a zero sum game in every state, there will always be some states, at the net, losing young people and some states, at the net, gaining young people. What we have to do is make sure we are at the upside of that equation, and not the downside.

As I said before, this is equally true of regional South Australia. Our government, whichever it is, Liberal or Labor, must provide opportunities that young people find attractive—not the opportunities that the government decides are attractive but opportunities that young people will vote with their feet for, and they will actually move. Of course, I am all about having young people stay in regional South Australia and people who leave being replaced, as I did. I was not born in South Australia and I was not born in regional South Australia, but I moved to Adelaide in the very early 1990s and to regional South Australia in the late 1990s. I am pleased to say I am doing my very best to buck the trend, but this is a very serious issue for all governments.

As the member for Morialta said, the consequences are extreme because it becomes a self-fulfilling prophesy or a downward spiral. Once you lose your young people, it is less attractive to young people. We become an old state and a state with less economic and social vibrancy so, by definition, we attract fewer people and become a costly state because we have an ageing population that costs rather than contributes to the economy. Again, as the member for Morialta quite correctly pointed out, the government has recognised and admitted these problems by the very fact that they have SASP targets that address them.

Good on the government for having targets that address them, but shame on the government for not having programs that address how to achieve those targets, and double shame—if that is an appropriate phrase—on the government for retaining the state population targets but, in the last SASP, letting the regional go. There used to be a target in the SASP that addressed retaining regional population, and it has actually been let go, and I think that is an absolute disgrace by this government.

**Mr Griffiths:** It was 18 per cent.

**Mr VAN HOLST PELLEKAAN:** And now it is not even addressed; you are quite right. Thank you very much, member for Goyder. This is a serious issue. This is something that any government should address. It is going to become more difficult because our state is in a very difficult financial situation. The state is heading towards in excess of \$10 billion of debt, so it is going to be very much a matter of battering down the hatches and trying to armour plate yourself to avoid this sort of scrutiny.

I congratulate the member for Morialta for bringing this issue forward, because if we do not address this issue—if other states gain population and our state loses population—it means that for the next five, 10 or 25 years, we will be in a dreadful situation.

**Ms THOMPSON (Reynell) (11:26):** I do not intend to delay the house for long, because there are many other matters, but I think there are some things that need to be re-emphasised in

terms of what the member for Ramsay said. Very frequently in this parliament, I am just amazed at the lack of corporate history of members opposite. I recognise that only three of them have been in here any earlier than 1997—and I recognise the venerable member for Schubert, who does have considerable corporate history—but again and again I am just astounded by how little members opposite know about what happened in this state before 2002.

**Mr Gardner:** The State Bank.

**Ms THOMPSON:** Not only what happened in this state, but what happened in this parliament, and the abominable behaviour that used to occur. I will just incidentally mention that for the opposition (then the Labor Party) to get more than five questions in a day was quite remarkable; however, I digress.

Immediately when any reference is made to before 2002, members opposite have one response: State Bank—and we heard it here from the member for Morialta. They do really need to look a little more comprehensively at what happened during that period. One of the things that is quite clearly on the record is that from 1992, participation in high school absolutely plummeted. Year 12 completion went from something like 92 per cent in 1992 down to around 50 per cent. Why did this happen?

This was happening when I was a member of parliament, representing my electorate of Reynell, which included Morphett Vale, Christie Downs and, at the time, Hackham West. It happened because the Liberal government of the time was giving such negative messages about the future of the state, because all they could do was advance doom and gloom.

Young people believed that there were simply no jobs available for them, so continuing to participate in their education was fruitless. This is not my interpretation of those figures; they are there for all to see. Anybody can check the library records and hear the message of doom and gloom that was delivered frequently by the then premier, Dean Brown, and subsequent premier, John Olsen.

Young people were given no encouragement and no hope about the future of the state. The Liberals were so busy just mucking around, in terms of saying how the Labor government had doomed the state to disaster, that there was no spirit of optimism and no spirit of possibilities for the future. Of course, in that climate, young people would leave the state, and indeed they did. Not only did they fail to complete their education—a legacy which we are still dealing with—but they left the state.

In 1997, as the member for Ramsay said, the figure was 11,429 people. In 1998, the figure was 10,976. In 1999, it was 10,859; in 2000, it was 11,244; and, in 2001, that figure was 10,465. That coincides with this plummeting participation in year 12 studies in this state. Young people who had choices went and young people who did not have choices stayed, and there were incredible rates of unemployment because there are not a lot of jobs around for people who do not have year 12. There were not then and there are not now.

Since then, with a government that wanted to present a positive picture of this state, and a positive picture that things could change, and that took action through investment in the future in education, particularly, and our quest to improve school retention, by our mining explorations, by trying to diversify our economy with the defence establishments that are proceeding, young people got the message of hope.

The need to stay is only for some young people; for some young people it is really quite important that they leave. The member for Ramsay mentioned a number of opportunities that are simply not available, and with a small population not all opportunities will be available. We are, after all, the Australian nation and therefore we expect that some university provisions will be interstate and that some university provisions will be here.

Our viticulture courses, for instance, have always been highly regarded at a national level and, while I do not have the figures to hand, I am quite confident in saying that people come from interstate—young people and older people—to study in South Australia. That is one of the reasons for focusing, as this government has, on making this the university capital, making courses available, particularly through international institutions, that are not available elsewhere.

It is important that some of our young people move interstate, just as some of our older people do, and take opportunities that are not available here. Many of those young people come back to South Australia. Certainly, amongst my own acquaintances that has been the case, where young people have gained skills interstate or overseas and come back and contributed greatly to

this state. For instance in our public sector I can think of several people—and I will not name them—who have had very high-level experience overseas and who have come back and made that contribution to South Australia. It is a great asset for us that our young people do so frequently come back with greatly enhanced experience.

From my discussions with young people of my acquaintance, some of the reasons for their leaving have nothing to do with jobs; they just want a bigger lifestyle. There is no way that a population of 1.5 million will have the same opportunities as a population of nearly 5 million. Sydney is glitz and glam, lights and fluff; I like visiting but I do not like to live there. I do not like to visit it for all that long really, but it certainly offers different attractions. Some young people want that.

To make sure that there is a genuine choice, this government is emphasising developing or enhancing Adelaide as a vibrant capital city. Most of the initiatives taken so far to provide cultural capital and activities have come under the Labor government, but I acknowledge that some have come under the Liberal government. The Tour Down Under was an excellent initiative by former minister for recreation and sport Joan Hall—often dumped on, of course, by members opposite because their history means that they do not actually remember that it was a Liberal minister who initiated it.

A range of activities contributes to Adelaide being a more vibrant city, but there is a further range of activities proposed, and I urge members opposite, if they think there is a problem with young people leaving our city, to get on board and back every one of the government's initiatives to enhance our reputation as a vibrant city. Value our young people, whether they stay here or go away, and create an atmosphere that welcomes them back with the extra knowledge and life experience they have. Enable them to participate in all the activities our wonderful land of Australia offers them, whether here or interstate—but just make sure that we are a place that gives them a genuine choice of whether they want to stay here or spend a bit of time overseas.

**Mr TRELOAR (Flinders) (11:34):** I rise today to support the motion from the member for Morialta. I congratulate him on his well-researched and well-presented contribution and on highlighting this particularly complex issue. I guess there is no single reason for and no single solution to preventing the young people of this state going elsewhere to—in the words of the member for Morialta—pursue education, career and lifestyle. The three essentially go hand in hand. As I said, there is no single reason, no single solution, but certainly there is a problem. It is a problem for our young people which becomes a problem for our whole state.

I would like to follow up on a few comments made by the member for Stuart, when he talked about the trend also being evident in regional and country South Australia. It is not just a trend that is evident in metropolitan Adelaide, it is right across the state. If anything, the trend of young people moving on to pursue education, career and lifestyle is doubly evident, in fact.

It actually becomes a social issue because often it is young women who move from a particular district to pursue careers in particular—not so much education and lifestyle—purely and simply because jobs are not available. They are no longer available for a whole host of reasons but particularly because of the trend towards the centralisation of services—government services in particular, but also business services. Services that once existed in country towns are moved to the bigger cities. The trend, I am fully aware, is for those services to sometimes move out of Adelaide to the Eastern States.

It causes a dilemma when young women move away. It leaves a significant number of young men, particularly in the country, with limited social opportunities. I could walk into any one of the small country pubs in my electorate on a Friday or Saturday night and the young men will outnumber the young ladies significantly.

**Mr Venning:** Wirrulla Wants a Wife.

**Mr TRELOAR:** Wirrulla Wants a Wife. I thank the member for Schubert for reminding me of that, because I need to mention and congratulate the organisers of the recently held (last long weekend, in fact) Wirrulla Wants a Wife social function, where all the single people around Eyre Peninsula—and often they are young men—were invited to Wirrulla, which is a small town about 110 kilometres east of Ceduna. A busload of young ladies came from the city, from Adelaide, to enjoy the hospitality of the country for a whole weekend.

I have not heard too much about it since but, no doubt, they all enjoyed themselves immensely and enjoyed the opportunity for some social interaction. This is one way of addressing the issue of imbalance that I am attempting to highlight.

I spoke about the centralisation of government services as well as business services. I do not mean to dwell on the past, but there was a time—and I will give you an example—when young nurses were trained in country hospitals. It might seem rather innocuous, but now all nurses are required to train in Adelaide, at a training hospital, or gain their degree at university. The unintended consequences of this is that they leave: they leave their home, their place of birth, and often do not return. Quite simply it is about opportunities. It is about job opportunities, it is about career opportunities, and it is also about educational opportunities.

I believe that one of the basic roles of government is to provide a framework in which business can operate effectively. Should the Labor government be prepared to do that, business would flourish. The current regime of regulation, red tape, high taxes and a burgeoning bureaucracy is quite simply a disincentive to business to operate in this state. If business is flourishing, all else will follow. It is as simple as that. As I said, under the current regime business is finding it very difficult to operate effectively and flourish in this state. As a result, that in itself is limiting the opportunities for young people, for careers and for lifestyle as well. I urge the government to reconsider their approach to tax, regulation and red tape.

I genuinely believe that if business flourishes all else follows, and issues such as the ones raised by the member for Morialta will, in effect, resolve themselves. South Australia once again will become a vibrant hive of activity, it will be an attractive place to live, it will be a good place to do business, and people will want to be here.

**Mr PENGILLY (Finniss) (11:41):** I rise to support the member for Morialta and his motion. As the youngest member in this house he deserves to be listened to. Quite clearly, he has done the academic work required to put up his motion, with copious amounts of figures. To be targeted by members opposite I thought was most unfair. The fact that the member for Ramsay put out the government's edict that they were not going to support the motion is disappointing. They may care to rethink that and perhaps come back on another day and realise the error of their ways.

The issue of young people leaving the state is critical. It was pointed out, I think, by the member for Reynell—and she was right on this—that we are a little state. It was also pointed out by the member for Flinders (and I would like to endorse his remarks) that young people are leaving the bush.

It is frightening to see the number of young people leaving the bush. There are places like Kimba, where the joke was that the last one to leave turned out the lights. I think that is a sad sign of where we are going in this state and in this country that young people feel that they have to leave for the bright lights or for academic reasons.

My wife did all her nurse training in the local hospital and occasionally went to Adelaide to do courses. Now all training is in Adelaide; it is ridiculous. I know we are talking about young people leaving the state, but I am referring to them leaving the bush as well. I was reading a few minutes ago in the *Stock Journal* about the Wurrulla Wants a Wife competition they had recently, which was highly successful. Once upon a time, it was true—and it is probably still true to some extent—that if you lived in the country you looked at the next intake of schoolteachers or nurses who provided companionship for life for many people.

However, in this case we are talking about people leaving the state. The issue of medicine is one example. Many people who want to do medicine go interstate because they simply cannot get into courses in South Australia, and on many occasions they do not come back.

I know that the member for Morialta is taking this extremely seriously. The member for Morialta will be here for many, many years to come. He is a young man now. He will not go the way of his predecessor. He is a diligent, hardworking and talented member and he has a long way to go in the Liberal Party, I am sure. Advancing causes such—

*Mr Gardner interjecting:*

**Mr PENGILLY:** Yes, I know I'm putting your weights up. I know that in advancing the issue of young people leaving the state, it is a passion and commitment that he has, and I give him great credit for that. I would like to think that the government would reconsider this matter and support him. It is critical that we keep our young people in the state for the future. The number of baby

boomers of my vintage who will retire over the next five to 10 years is going to be amazing, and young people are the future of the state. I have great pleasure in supporting the motion.

**Mrs VLAHOS (Taylor) (11:45):** I would like to speak on this matter from a personal perspective. The member for Stuart spoke very briefly about his trail to South Australia, and I would like to talk about mine. I came here in 1992 when I was in my mid-20s and when I arrived I had a job to come to. I loved this state and I stayed. At the same time, I had lived in many states before I settled in this state and I had gathered lots of experience along the way.

Many people travel around our nation and gather experience, education and life experiences that they bring to South Australia. The member for Reynell spoke about that earlier. It is the reason that we are a nation. Many people of my age, in their late 30s and 40s, are now coming back to South Australia, having secured that life experience and further management experience, both in the public and private sector. People do not have solely a private sector career or solely a public sector career. Some members opposite may suggest that people do, but I think that is a very narrow-minded view of the way society works.

People cross over and use their experiences in a variety of ways. People come back to our state when they are prepared to take middle and senior management positions, having taken graduate employment opportunities both in our state and abroad. They have gone away and got that experience—we live in a global community—and they come back here when they want to settle. They see the quality of life and they want some of the vibrancy that the member for Reynell spoke about before, to which this government is working very steadily and solidly with the Adelaide City Council to secure for this city, and they are settling here again.

I think the member for Morialta is providing a very shallow perspective of this. The member for Ramsay highlighted some of the statistical data that proved how bad things were when I arrived in the mid-nineties because the then government was not encouraging or doing anything active to keep people in this state. When the former member for Port Adelaide, Kevin Foley, was here, he went across to Sydney and spoke with the graduates I am speaking about who are now senior managers and coming back to our state. He was bringing them back, and we were working with the business community to do that. We continue to do those things and this state is growing and going forward in leaps and bounds, which it never did during the time I was in my 20s under a Liberal government regime.

**Ms CHAPMAN (Bragg) (11:47):** It is with pleasure that I rise to support this motion, and the member for Morialta, in a very significant issue that confronts South Australia. The situation for me is very simple. My family first came here in 1836, my grandchildren are eighth generation, and we are committed South Australians. I agree with other speakers who say that there is great merit in taking up opportunities to travel and even to reside in other parts of the world and Australia for the purposes of gaining great experience and bringing the benefits of that experience back to South Australia. I have no problem with that at all.

The problem with the argument that that is, in some way, a rebuttal of the thousands (net) of young people who leave this state, is quite inadequate. The reason is this: we take out the many thousands who leave the state, some who come back, and the net is still, on average over the past 10 years, about 3,000. That is the problem. We encourage people to travel, to learn and bring back the benefits for South Australia—this has happened with one of my own sons, he lived overseas, married and has children back here in South Australia. That is terrific. Both he and his wife are fantastic contributors to the economy and social fabric of this state. There is no question about that.

The thousands we lose each year are an acute problem for us because we also have a very significant aged population in South Australia. Except in one category where Tasmania outnumber us, our profile is quite old, and we are getting older quicker. The difficulty is that we need to have an active and healthy workforce to continue to provide services for those who go into a period of frailty or ill health, particularly aged people. In addition to that, I think this state still has the highest profile of disabled people in Australia, based on those receiving the disability pension. Again, that raises a question of the necessary workforce, income generated, and service providers for those who are in need. So, it is a critical issue.

If we add to that the opportunities that we have heard about from this government of a future redevelopment or expansion of mining and defence opportunities, etc.—all of which are still out there but have been promised—clearly we need a workforce to go with it. I remember, not long after coming into this place, a major closure of industry in South Australia and, within weeks, the workforce had scrambled across the border and into Western Australia. The South Australian

government had dropped the ball on making sure that these people were retrained and given opportunities to get back into the workforce and, of course, Western Australia got smart, gave them tickets to Western Australia, and we lost them. It is important that the government understands that they must do more than just television commercials.

In the early years when I came into the parliament, I had the privilege of representing the opposition on population. I asked minister Maywald and minister Foley from time to time about what they were doing to deal with this issue of the net number of young people leaving this state and the huge economic and social impact it had on our state's future prosperity and advancement. Minister Maywald had created some new TV program which was going to be instrumental in bringing these people back to South Australia and, when I asked her questions about the review of that, and whether it was effective because the numbers seemed to be worsening during her regime—

**The Hon. R.B. Such:** Was it called 'Not Packed to the Rafters'?

**Ms CHAPMAN:** That's right—'Not Back to South Australia.' Her answer was, 'Yes, we are doing some reviews. We can't really find out why people are leaving because we don't ask them.' You would think that they would have done some assessments about why people were leaving, especially when we had very positive and useful decisions by the former federal government which had designated South Australia, along with Tasmania, as destinations which attracted a much lower threshold for immigration.

Young families were coming to South Australia and, within a very short period, they were packing up and moving to Sydney or Melbourne or elsewhere in Australia, particularly to Queensland at that stage, which four or five years ago had a net increase of 18,000 people a year—a net increase—so, we knew where they were moving to. In any event, that was her answer.

I am pleased to advise the house that minister Foley was a little more pragmatic. Hundreds of thousands of dollars were spent on this commercial, which had no proper assessment or review, and clearly was not working in any event by the numbers that were continuing to exodus out of the state, and his view was, 'We will scrap it.'

I was pleased to hear that, because I thought the hundreds of thousands of dollars could surely be used to help consider how we might do some things: for example, subsidise siblings of international students who came to South Australia to undertake courses that we needed; provide support for young people to invest in South Australia; help with house deposits, subsidise stamp duty.

All sorts of things were discussed at that stage, but he was a little more pragmatic, and he said, 'I agree, it's hopeless, it hasn't worked, I'm going to scrap it.' The next year I read in estimates, post the Foley era, that it is still there. It is still soaking up hundreds of thousands of dollars and it still does not work, and that is the sort of priority the government gives this issue, as though they are going to resolve this problem with a television commercial.

I ask the government, after 10 years under this new regime, that it understands that this is a serious problem and that it does not dismiss it as some kind of superficial problem in the mind of the member for Morialta. This is a serious problem. It has been getting worse in the last 10 years. We need to address this issue and address it quickly, otherwise the very future of this state, the very workforce and service providers that will keep this community alive will have exodus and will give no benefit for the—

**The Hon. M.J. Atkinson:** Exodus is not a verb: it's a noun.

**Ms CHAPMAN:** To ensure that those who do come here and migrate to our state have a good reason to stay.

**The Hon. M.J. Atkinson:** They could be part of an exodus but they don't exodus.

**The DEPUTY SPEAKER:** Member for Croydon—

*Members interjecting:*

**The DEPUTY SPEAKER:** No, I'm not going to chuck you out; that's what you want.

**Ms Chapman:** Oh, please do.

**The DEPUTY SPEAKER:** You are staying here, I can assure you. In fact, anybody on the government side who gets chucked out has to do twice the time after. Member for Hammond.

**Mr PEDERICK (Hammond) (11:55):** Thank you, Mr Deputy Speaker, and I think that was a fantastic ruling you just made. I rise to support the member for Morialta's motion that this house condemns the state government for its 10 years of failure to stem the extraordinary flow of young people leaving South Australia for study, career and lifestyle opportunities interstate.

The simple fact is that you have to promote the right business environment so that businesses have a reason to keep young people in this state and employ young people in this state. So often we see major contracts go out of this state, whether they be roadworks projects, desalination plant projects or even things that affect one of the operators in my electorate, Moore Engineering, with the building of emergency service vehicles in the form of fire trucks.

We see contracts continually given to interstate based companies. In the case of fire trucks, many of these are defective. I know of two that were built in the last couple of years that had to go to Moore Engineering in Murray Bridge to be completely redone. They were just a mess: brand-new trucks; one delivered to the West Coast and one to Meningie had to go in for a complete revamp to tidy up lockers that would not shut and things falling off. They were just completely unsafe for our CFS volunteers to operate. This is where Moore Engineering keeps picking up work. Some of the only work they pick up from the state government is fixing up all the messes from other contracts.

It is to be noted that this company picks up work from mining sites in Western Australia for emergency services vehicles and from other interstate government or private bodies to make their vehicles because it is recognised for its fine workmanship. However, once again, this government will not promote local business in this state even when we have a company that could employ more young people and keep them in this state and have a high level of employment.

Another thing that does not help in keeping young people in this state, and it affects an electorate like mine, is that there is no public housing for people like police officers, schoolteachers or other public occupations within 100 kilometres of the city. What incentive is there for these people to come out to those areas?

Being a country person, I look at 100 kilometres as being nothing. In fact, I have often said about the distance from Coomandook where I live (which is about 140 kilometres from Adelaide) that it is always further from Adelaide to Coomandook than Coomandook to Adelaide. I say that because people in Adelaide seem to think it is so far to come out to where I live. As other country members know, it is just something we do. We drive those distances.

Here we are again with this government not encouraging people to come and work in the regions, because there is no housing. This goes right out to Tailem Bend, and it affects the education sector in my electorate, like the schools in Coomandook which my boys attend, and also Coonalpyn a little further down the road, because teachers want to come and live in a place like Tailem Bend but they cannot get housing.

There is no incentive. It is not just young people; I was talking to a member of the police force last night about who is going to head up the local service area when the new Murray Bridge police station is built. I do acknowledge that that police station is being built under this government, but where will the head of the local service area be based? Well, they cannot offer them housing so they could be based at Henley Beach. Who knows. How ridiculous is that, when you want to have these people on call.

This reflects on what I call our fairly close electorates—this 100-kilometre limit. It affects the areas of the member for Goyder and the member for Schubert—I am sure it also affects his electorate. There is absolutely no incentive for people to come out into our areas. This is a major factor in depopulating regional areas of this state. Certainly I acknowledge the member for Morialta's motion. People are not just leaving the city but they are also leaving the country in droves because they are given no incentive to stay or to be attracted to what I call the virtual suburban regional areas.

We end up with schools battling to get staff, we end up with healthcare needs that are not met, and we also end up with issues like the safety of our citizens and being able to get the appropriate police numbers in place. A lot of this is because we do live in the highest taxed state in the nation. People do not want to invest here, whether it be in property or business, and it is a fact. There are plenty of stories I keep hearing day by day where people have decided it is just too hard.

They do not want to pay all the stamp duties, the property taxes, the payroll taxes and land tax. They just go and invest somewhere else. They go to Queensland. They are out of here, and



they are out of here in droves and taking millions of dollars with them and reinvesting them elsewhere. If you do not have these kinds of people who have the ability to invest in not just private property but also in business you drive the youth away, because these people would employ the youth if they thought it was the right state to operate in and the right business environment—just the total package that gave them an incentive to stay here.

But these people see the light. They say, 'How can we put up with this 10 years of Labor mess?' They say, 'No. We've had enough. We're out of here,' and I do not blame them. I agree with the member for Morialta and condemn the state government for what it has done to the youth of this state in not doing anything for them in the last 10 years.

**Mr GARDNER (Morialta) (12:02):** I would like to thank the members for Kavel, Adelaide, Stuart, Flinders, Finnis, Bragg, Hammond, Ramsay, Reynell and Taylor for taking an interest in this issue and making contributions. It was very important to have this debate this morning because the debate about the flow of young people leaving South Australia for study, career and lifestyle opportunities interstate really defines the sort of state we want to be in the future, what the make-up of our population is going to be 10 or 20 years from now and what sorts of things we want South Australia to do and how we want South Australia to look.

I just want to make a few comments in response to the contribution by the lead government speaker who quoted some statistics selectively. I just want to bring to the attention of the house that the figures she talked about were total figures from 1997 to 2001 of people leaving South Australia. Those were, of course, different to the net figures I used because on this side of the house we believe that net figures are important. It is like if you are looking at a budget—you do not just look at how much revenue is coming in, you also compare it to how much you are spending.

From the government's point of view, they might say, 'Revenue has gone up from \$8 billion to \$16 billion over the last 10 years. Isn't that wonderful?' But if you are spending more than that then you end up with significant deficit. This is the sort of thing that we on this side of the house notice. We look at the net figures, but, either way, all these figures actually go back to 1980. You can look at the ABS website and you can see quarter by quarter, right back to 1980. It made me wonder, 'Why is she using the 1997 figures rather than the 1993 figures if she wants to paint a picture of the last Liberal government?' Of course, we all know that the answer to that is that they were the figures that suited her argument, and the same goes for the use of gross figures rather than net figures.

She also made the point that in the lifetime of this Labor government the gross figures for net interstate departures from South Australia have never reached five figures, such as they were in the 1990s. I am not sure which figures she was looking at, but I was looking at the ABS figures last night, which had well over 10,000 people leaving South Australia, on a gross basis, in the 2010-11 year. So, either she is not up to date with her figures or she is looking at the wrong set, and she is certainly wrong to use gross rather than net figures anyway.

She also used unemployment figures to point out that unemployment was really high in January 1994 under the last Liberal government. I thought this was an extraordinary figure to quote. She may not be aware of this, but in December 1993, one month before the figure she quoted, there was an election at which the Labor Party only saw 10 members get re-elected to the parliament. That was because the South Australian people had seen what the Labor government had done and completely rejected them. To say that anyone other than the former Labor government was responsible for the unemployment figures in January 1994 really does not bear belief.

The only other issue that the government raised in relation to this was what on the surface appeared to be a reasonable point from the member for Taylor. She said, 'Yes, people leave, but then they come back,' particularly in people of her generation. The net figures that I quoted before of people leaving South Australia were from the age of 20 to 34, but perhaps I could bring to the house's attention that the average over the last 10 years of net interstate migration for 35 to 39 year olds was 237 people leaving South Australia, for 40 to 44 year olds it was 206, and for 45 to 49 year olds it was 161. In every age group more people are leaving South Australia than are coming back to South Australia, and it is particularly pronounced in that youth age group of 20 to 34 years old.

As many members have said, on this side and that side, it is great for people to get experience, but the key is to get them back. It is easier to do that if you can get them before they

have children or before their children are in school, particularly. To do that, you need to make sure that the job environment is conducive.

In using the net figures as we have, we are comparing South Australia to all of the other states on a level playing field, and every state except for New South Wales is doing better than us at this. That is because we are the highest taxed state in Australia and because we have the worst environment for businesses or individuals to invest money in South Australia and expect a return, and to provide those jobs that will provide the career opportunities for young people to come back to South Australia or, preferably, for young people from other states to decide that they want to have their education, their career, their lifestyle and their family here in South Australia. That is what we should be looking for as a parliament, and I urge the house to support this motion.

The house divided on the motion:

AYES (16)

Chapman, V.A.	Evans, I.F.	Gardner, J.A.W. (teller)
Goldsworthy, M.R.	Griffiths, S.P.	Hamilton-Smith, M.L.J.
Marshall, S.S.	McFetridge, D.	Pederick, A.S.
Pisoni, D.G.	Sanderson, R.	Treloar, P.A.
van Holst Pellekaan, D.C.	Venning, I.H.	Whetstone, T.J.
Williams, M.R.		

NOES (22)

Atkinson, M.J.	Bedford, F.E.	Bettison, Z.L. (teller)
Bignell, L.W.	Caica, P.	Close, S.E.
Fox, C.C.	Geraghty, R.K.	Hill, J.D.
Kenyon, T.R.	Key, S.W.	Koutsantonis, A.
O'Brien, M.F.	Piccolo, T.	Portolesi, G.
Rankine, J.M.	Rau, J.R.	Sibbons, A.L.
Snelling, J.J.	Thompson, M.G.	Vlahos, L.A.
Wright, M.J.		

PAIRS (4)

Pengilly, M.	Odenwalder, L.K.
Redmond, I.M.	Weatherill, J.W.

Majority of 6 for the noes.

Motion thus negatived.

**BAROSSA WINE TRAIN**

**Mr VENNING (Schubert) (12:15):** I move:

That this house—

- (a) directs the government to investigate and report to parliament on the business case of the reintroduction of the Barossa Wine Train; and
- (b) condemns the Labor government for failing to examine options to support the train to run again.

Every time I raise this matter in the house there is a collective groan from the other side of the chamber, and even from my side there is an occasional, 'Oh, not again.' It has been going on for some time, and the member for Croydon, sitting alongside me, is totally overwhelmed by this. One way to silence me on this matter forever would be for the government to support the wine train and to enable it to run again. I cannot understand its lack of desire and commitment.

With the popularity of the cruise ships coming to South Australia today, the wine train is the obvious way to collect tourists on the wharf and deliver them back safely at the end of the day, irrespective of their activity during the day. The Barossa Wine Train was launched in May 1998 by the previous Liberal Government under the then minister, the Hon. Diana Laidlaw. The wine train

was instrumental in providing transport for tourists and was a unique experience from Adelaide to the Barossa Valley, and it was very popular.

The Barossa Wine Train consisted of three carriages, the historic Bluebirds that we all know (I went to school on them), which were built in South Australia and are still in very good condition, of high quality and in excellent mechanical running order. The wine train operated between 1998 and 2003, performing three scheduled trips a week, plus private charters—I hired the train for interstate MPs, and it was a great day out—and many other special event trips that were well patronised. On average 10,000 to 13,000 people travelled on the train each year—70,000 passengers in total.

The train received great press coverage locally and nationally, both in newspapers and on travel television shows, and it was reported that the train injected \$20 million into the economy every year. It is still appearing on national TV, even though it has not run for all these years. It is still pushed on interstate and overseas travelogues as an experience to enjoy. I have had several people ring up, quite upset to find that the train has not run since 2003.

In 2002 Her Majesty Queen Elizabeth II travelled on the wine train, which assisted to raise the profile of the train and increase its popularity. Unfortunately, significant events caused a downturn in tourism, particularly, as we know, September 11, the terrorist attacks, SARS, the outbreak of bird flu and the Bali bombings, as well as escalating public liability insurance, which forced the train off the rails in 2003.

The wine train was later purchased privately in 2006 by Mr John Geber and a partner. Mr Geber and I have lobbied the government to provide assistance, primarily with the cost of accreditation and compliance, given the huge tourism benefits the train would bring to the state. Mr Geber purchased the train outright and is only asking for assistance primarily with the costs associated with accreditation and compliance and not with the costs he would incur for acquiring the asset or for its day-to-day running.

In the past 12 months representations have been made to the Minister for Tourism (Hon. John Rau) and the then chief executive of the South Australian Tourism Commission (SATC), Mr Ian Darbyshire, seeking funding assistance with accreditation costs to enable the train to run again. The Premier's office has also been contacted, but referred the matter back to various relevant ministers. Mr Darbyshire's advocacy for the project was very much appreciated. He met with Mr Geber and I on a number of occasions and his removal as chief executive of the Tourism Commission is a great loss for our state. Unfortunately, given the financial constraints the government placed on the budget Mr Darbyshire was given to work with, he was unable to offer much assistance directly from SATC.

In 2010-11, SATC did offer up to \$50,000 in support, but only once the train was again operational, so here we were, chasing our tail again. Due to a lack of government support and financial assistance, Mr Geber is considering selling the train to overseas interests. A measly \$200,000 would cover the costs associated with accreditation and compliance, and the use of the TransAdelaide line from Adelaide to Gawler at no cost would assist when the train became operational.

**The Hon. A. Koutsantonis:** You could do that, Ivan.

**Mr VENNING:** There is such a thing as conflict of interest. It has been considered. I cannot understand the government's reluctance to support what was an extremely successful tourism enterprise.

**The DEPUTY SPEAKER:** I remind the member for West Torrens that he should refer to members opposite by their seats.

**The Hon. A. KOUTSANTONIS:** I apologise to the father of the house, and I extend my deepest gratitude for his service.

**Mr VENNING:** I accept those apologies with great humility. Thank you.

**An honourable member:** It's not a memorial speech!

**Mr VENNING:** I am still here. I cannot understand the government's reluctance to support what was an extremely successful tourism enterprise, especially as we have so many cruise ships coming here to South Australia. The train was running at a profit when we had five cruise ships—five! This year we are going to have 21, so I cannot understand why this train is not assisted to get

back on the rails. We on this side of the house saw the potential of such an attraction, and in 1998 the Hon. Diana Laidlaw, whom I had a lot of time for then and I still do today—

**Ms Chapman:** Opened the Tonsley line.

**Mr VENNING:** —saw that the train came to fruition as a tourism attraction. As the member for Bragg just said, she opened the Tonsley line.

**The Hon. A. Koutsantonis:** Diana who?

**Mr VENNING:** Diana Laidlaw. The political will of this government is simply not there. We have seen how much regard it has for tourism. It does not rate it highly enough to even employ a full-time chief executive. No wonder our premier tourist region has slipped—and I hate to admit this, and I hate to even remind anybody—from the second most visited tourist destination in Australia to the seventh. I am sorry to say it is still falling.

I cannot understand why, when the rails are there and used daily to cart stones up and down, we cannot put this train on those rails. It is not as if the timetable prohibits it; even the operator, Genesee & Wyoming, is amenable to discussions on this, but we just do not seem to be able to crack the egg. The situation is desperate. If Mr Geber does not get any assistance from government, the train will be sold to overseas interests and lost, not only to South Australia but to Australia, for ever.

Or even worse than that, sir, as you would know, it will be sold to Genesee & Wyoming, gutted and made into crew vans for freight trains. What a disgrace! That is what is going to happen. Mr Geber has been extremely tolerant and very patient. He has spent the money, and he has been sitting on them. They have been storing these trains at a cost all this time, and we do nothing. It is a disgrace. I cannot understand why the government is so reluctant to provide such a small amount of funding when the economic benefits to the state are so obvious.

I move this motion with the support of my colleagues, and I thank them for that. We in the Liberal Party know the benefits that such an iconic tourism attraction can bring to the state. I congratulate and thank Mr John Geber and his wife, Evelyn, for their huge support of tourism in South Australia. His endeavours need to be recognised and rewarded.

The Labor government appears not to understand the flow-on benefits a small investment would bring, or is just unwilling to support the initiative. All I can do is urge the Premier and the government to act to support the reintroduction of the Barossa wine train before it is too late. I believe we only have weeks, not months, to address this. I think this will probably be the last opportunity that I, or we, have to address this matter to rebirth our lovely wine train. I believe we will never have the opportunity again to get a train that is so suitable and that is iconic to South Australia on the lines again.

I urge the house to support this motion to investigate and report on the business case for the reintroduction of the Barossa Wine Train; that is all I am asking. Have a look at the business case. Surely, you cannot oppose that. This motion condemns the Labor government for failing to examine options to support this train to run again. I put that there because you can amend that. You can delete that and then you can own it. That is why it is there—for no other reason than that you can delete it and you can then have some ownership. I ask the house to support the motion and give tourism a huge boost in South Australia. I ask you to support the motion.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (12:25):** Can I just say the member for Schubert is one of my favourite members of this parliament. He is a passionate advocate.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** My most favourite? That would be me. I love the way the member for Schubert drafts his motions. He says:

That this house—

- (a) directs the government to investigate and report to parliament on the business case of the reintroduction of the Barossa Wine Train.

He says in his speech, 'Wouldn't that be great? How can we possibly oppose that?' Then he goes on to say, 'and condemns the Labor government for failing to examine options' before the outcome of the motion. God bless the member for Schubert!

**Mr GRIFFITHS (Goyder) (12:26):** I rise in support of the member for Schubert on this and I do so because I know it is a passionate area for him. I have had the opportunity to be in his wonderful electorate twice with him and meet with Mr John Geber, the owner of the Barossa Wine Train. Indeed, what Mr Geber has done for the Barossa is tremendous too. He is very passionate about growing the economy.

**The Hon. A. Koutsantonis:** Unfortunately, you have both suffered the same fate in the Liberal Party. They don't recognise your talents.

**Mr GRIFFITHS:** We'll see. The motion is moved with all sincerity though. While the member for West Torrens might critique some of the words the member for Schubert has used, the sincerity behind it is actually an opportunity for positive growth in the state, not just for the Barossa but for the people who come to South Australia as a whole to have an experience that is lost to them at the moment but is there waiting to be reopened.

Yes, an investment will have to take place but, if we cannot get that dollar commitment, there has to be a commitment to an investigation of what the issues involved in it are, what the cost implications might be and whether that can be a private enterprise or government supported in some possible way; but at least the effort has to be made to ensure that it was reviewed.

As it stands at the moment, it will fail, and that will be a great frustration. Mr Geber invested considerable dollars of his own money with a partner not that long ago in the belief that he would be able to have this running again for the benefit of the state. The fact that he has had no-one seemingly with any influence prepared to listen to him and consider what the options are is a great shame.

*Mr Venning interjecting:*

**Mr GRIFFITHS:** There are some: the member for Schubert, most importantly, and myself a couple of times. Even with shadow responsibilities that change and different portfolio roles I have had in the past, when I have spoken to Mr Geber, there has been no commitment indeed from me when I had an opportunity to make them, but all I did was say to him that I think the work needs to be done to investigate it, to actually ensure that, if there is a chance, something on this is looked at.

The member for Schubert brings it, appropriately so, to this house. I hope that there is a willingness from members to vote on this one. It is not just a frivolous motion that is here to waste time: it is about an important opportunity to grow the economy of a region of South Australia that is known around the world and, indeed, for all of South Australia to benefit from it. I commend the member for Schubert.

Debate adjourned on motion of Mrs Geraghty.

#### **EDUCATION AND CHILD DEVELOPMENT DEPARTMENT**

**The Hon. R.B. SUCH (Fisher) (12:29):** I move:

That this house calls upon the Minister for Education and Child Development to significantly increase the availability of counsellors, psychologists and mental health professionals for all E&CD schools.

This is a very important issue. Members will recall the recent case of a lad who was 14, who was suspended from school and who went out and killed a lady in one of the Hills towns. It is an issue I have raised before, that is, the inappropriateness of excluding and suspending students, who are then free to go out—and in that case, according to the court report, the lad wanted to go out and kill someone, and he did. That lad obviously needed help, and he is one of many, probably hundreds if not thousands.

You talk to any junior primary teacher with any experience, and they will tell you that there are students who need special help. It is not just in the junior primary years, but that is where, if you can detect an issue, it should be dealt with. Some of the children need counselling. In the year 7 level in primary school, some of the students are exhibiting signs of requiring significant intervention by a psychologist, and at the secondary school level many secondary students are showing signs of mental health problems. But, sadly and unfortunately, those issues are not being addressed adequately at the moment.

There are some counsellors and psychologists, and there is what is known as CAMHS, the agency with responsibility for mental health issues, but what teachers and principals tell me is that, in order to access some of these services, they have to wait months to get the service of a professional person to deal with an issue involving a student. I do not believe that it is rocket

science that, if these issues are not addressed—and, tragically, we have seen this with Martin Bryant in Tasmania, the Truro murderer and with others—when those problems are apparent at school, that child can go on to do great harm not only to themselves but to the wider community.

I have mentioned in this place before the example of a doctor on the West Coast who took it upon himself to check out all the students on Eyre Peninsula, and a clinical psychologist assessed the students as well (it was funded, I believe, under the federal program, Divisions of General Practice), and they cut the suicide rate from about nine a year to about one—and, importantly, those who needed special help were directed so that they got that help. A lot of the behavioural issues which arise in schools and which result in suspension or exclusion are because those students clearly have some behavioural problem or whatever.

I will not be too specific, but the son of someone I know who works in the support staff area for members of parliament recently enrolled at a secondary school. This particular child has a learning disability. Within a few weeks of term 1 commencing, he was attacked by another student. That student was suspended, and that student who did the assault is known to spend his time at Marion shopping centre. How is that going to address the issues that particular child has?

Another thing that is quite concerning is that the department seems to have this view that, if a child is in a so-called affluent area, such as Burnside—and, for some strange reason, they include some of my electorate—the department seems to take a different view about their need for counselling and other help. I find that highly objectionable because, if you are a child who is experiencing family breakdown, it does not matter whether you live in Burnside, Bordertown or Bowden, you are a child in need and the system should be focused on children in need who need counselling.

I recall a student who did a lot of damage at one of my local high schools when his parents split up. He did thousands of dollars damage. If that child had been counselled and it had been explained to him, 'Your parents' splitting up is not your fault. Sadly, these things happen,' and it was worked through with that child, it probably would have saved the department tens of thousands of dollars in damage that could have been prevented to the infrastructure of the school. So, there is a consequence.

For example, we know that arsonists have a particular orientation (usually based on some sexual dysfunction) and that they get pleasure out of lighting fires. Those inclinations are well known early on. For people who go on to commit serious sexual offences—who assault and murder people—there is usually an indication long before it happens that those indicators are there and they need help.

The Truro murderer (who came from what people would regard as a fairly standard family; I think the father was in the Air Force) in junior primary school that lad was smearing faeces on the wall of the classroom. That is a classic sign of dysfunction; the issue was never addressed. I know the teacher who had that child in her classroom; the issue was never addressed. Society, in particular the government and the Department for Education and Child Development, needs to get a handle on this issue to ensure that there is proper intervention as early as possible.

Apart from the human cost, there are the savings. To incarcerate the lad who killed a lady in the Adelaide Hills for the next 15 years (which is the minimum term that was set) the cost will be a minimum of \$100,000 a year. Apparently he was addicted to games of violence and so on. There needed to be some sort of help in terms of the family situation. I understand the mother had left. We cannot guarantee it but possibly, if he had had the appropriate counselling and psychological help, it could have saved the life of that innocent woman and it could have saved the taxpayer 15 years of paying \$100,000-plus a year. The economics alone make a compelling case.

A lot of the behaviour that manifests in a negative way in schools is a result of young people showing early signs of a psychological problem or mental health issue; early signs of depression which, sadly, as we know, can often result in suicide. I do not need to stress the point any more. It is self-evident that if people at school, in their early years, have these significant issues (not only learning disabilities, but behavioural issues as well, and often the two are connected) then they need to be addressed.

I make a plea to the minister and the government that this is an issue which is above partisan politicking and point-scoring. We are talking about the lives of young people, in particular, but also the consequences for the wider community. There needs to be more emphasis on providing these services earlier on rather than when something bad happens. When a child does not achieve their learning potential, we sit back and say, 'Look, isn't that unfortunate? Isn't that

sad?' Let's make sure that something happens in a positive way early on to change the course of that child's life. Not only will it be a saving in monetary terms, more importantly it will be a saving in terms of the suffering of people who would be impacted negatively by the behaviour of an individual like that.

I include not only psychological and mental health issues but learning disabilities as well. It needs to be across the board. It needs to be available to all students irrespective of where they live. The income level of parents has got nothing to do with it. If a child is in need of support from a psychologist, a counsellor or a mental health worker, then it should be provided.

I think the current what I call 'post code discrimination' should end and all children who are in need should have those needs addressed promptly right across the state, in the city and the country. Often, country students miss out on access to some of the professional services, and I have spoken to people throughout the state who tell me that waiting months and months for an issue to be attended to because there is a lack of professional service available is just not acceptable.

I make this plea to the minister. I have spent a lot of my lifetime involved in education and I interact closely with all my schools, private and public, and there is a desperate need for all children to have access to professionally qualified people, whether they be psychologists, mental health workers or properly trained counsellors.

I do not oppose in any way, and I am not critical of, the pastoral care workers but, if you are dealing with some of these issues, you must have properly qualified psychologists and mental health professionals, not just people who may be there to promote values and religious orientation. I do not have a problem with that—I think that is good—but you need to have the professionally trained people as well. I commend this motion to the house and ask the minister to do something in the short term to implement what has been requested.

**Mr PEGLER (Mount Gambier) (12:41):** I rise to support this motion. It is something that has been very dear to my heart and is a matter that is extremely important for the young people in the electorate of Mount Gambier. Too often, we see children in trouble with their mental health or the way they fit into society in schools and they cannot get the professional help they require. Often, it takes many months for one of those professionals to turn up to see that child and, in the meantime, there is a lot of damage done. Of course, when those people do turn up, sometimes, the child may be out of sorts on that particular day and will not communicate properly with that health professional so then they have to wait another three or four months and there is more damage being done all the time.

I think that if we could have a lot more professional people working in this field, we could nip in the bud a lot of the ongoing problems and it would make it a lot easier for the families of those children, our schools and society in general. I certainly support the fact that we need many more professional people providing these types of services, particularly in the country areas where it takes many months to get those professionals to turn up to see those children. I commend this motion to the house.

Debate adjourned on motion of Mrs Geraghty.

### **SCHOOLCHILDREN, HEALTH CHECKS**

**The Hon. R.B. SUCH (Fisher) (12:43):** I move:

That this house urges the state government to fully commit to preventative health and wellbeing measures by introducing comprehensive health checks for schoolchildren in South Australia.

Members would know this has been a bit of a hobbyhorse of mine for a while, and I will give some real-world examples of why I think this proposal is needed. You hear a lot of talk about what is happening to our population health-wise, and so on, and, once again, it relates back to what happens in childhood and the pattern of behaviour and what is being experienced by children, and can have long-term consequences for them—things like scoliosis (which affects the spine), juvenile hernias, and a real-world example: I know someone who cannot have children because his testes did not descend. That would have been picked up by a medical examination at school, and it is a pretty heavy price to pay because it was not detected when they were a child. Also, dental issues—children whose teeth are badly affected, even more so today because a lot of children do not drink fluoridated water—issues with obesity, eyesight, and general growth factors.

Within my own family, one of my lads was born totally deaf in one ear and partly deaf in the other. Neither I nor his nurse mother (my first wife) picked that up; it was picked up with a medical check at school, because he is very good at lip-reading and a fairly sharp character in terms of reading people's intentions and so on. It was not picked up by his parents or anyone else other than through a medical check at school.

**The Hon. A. Koutsantonis:** How old was he?

**The Hon. R.B. SUCH:** He was six at the time. I can tell you that having a child who has a deafness issue is quite hair-raising when it comes to things like crossing the road and so on.

They are just a few examples. I know the chap who cannot have children, and I know many other cases where those sorts of things would have been picked up if there had been a screening program. The argument that is often dished up is, 'Look, people can go to their doctor.' The reality is that some do, but some do not do so at the right time. Sometimes, it can be too late, and things cannot be corrected as easily later in life. Children who have problems with eyesight, hearing, etc., which often manifest themselves in poor behaviour at school should be picked up, and would be by having suitably trained medical people assessing children in school.

When I was in primary school, which was a long time ago (shortly after Adam arrived on earth, I think), we had medical checks. I think nowadays it could be done in a slightly more discreet way, with more attention to privacy, but we had to line up in our jocks and have our hearts, lungs, and all those sorts of things checked out.

**The Hon. A. Koutsantonis:** I don't think we need the details, Bob.

**The Hon. R.B. SUCH:** Sorry?

**The Hon. A. Koutsantonis:** I don't think we need the details.

**The Hon. R.B. SUCH:** No, the minister is a bit coy about the details; he is too young to have experienced the cough technique, I guess. But, if you can save someone's life, or at least highlight some medical issue that can be addressed, surely that is a good thing to do. Singapore—not everyone else in the world is stupid; sometimes we seem to think we know all the answers—and lot of other countries, including Scandinavian countries, do this, and then they address the issues so that they are dealt with at the appropriate time.

If we are not careful in this country, the cost of treating people in hospital will overwhelm the budget of most governments, because we have allowed—I guess through our indulgence and the availability of a comfortable lifestyle—our lifestyle to impact on our health to the point where the cost of treating some of these medical conditions is going to become absolutely horrendous. I am sure the Minister for Health will not argue with the point that we are already seeing this happen. It is not simply prolonging life through medication, it is the fact that our lifestyle now—lack of exercise, eating too much, and all those things—is impacting on our health and individual future, as expressed in terms of health and wellbeing.

We need to do more than just check out children physically. There are some good programs, such as the OPAL program and some others, but if a medical professional examining a child at school can see that the child is on their way to becoming obese or has some other problem, that can then be addressed in a way that does not offend the child's dignity. They can talk to the parents as a follow-up.

The other thing that needs to happen is that physical exercise and activity needs to be integrated throughout the school day, not just sport on the weekend or at 3 o'clock on a Wednesday afternoon. It is not just for boys but for girls as well; it needs to be integrated into the curriculum. By the end of the day children should not be physically exhausted but should have been challenged in terms of physical activity.

Look at the number of children who are driven to school now because parents are worried about molesters. I can tell members that the risk of being molested is a lot less than the risk of being hurt in a car. When you see the kamikaze drivers around schools in the mornings and afternoons, there is a greater risk of being hurt by your parents driving you to school than there is by walking to school. That is not to say that you should not have an oversight of children walking to and from school, but there are some situations where children are literally being driven a few hundred metres to school.

Some parents want the reassurance that their child is at school safe and sound, but we have now got to the point where we are becoming more like the United States where they do not



walk, or do not want to walk, anywhere. That is being reflected in the health of our children—or the lack of.

I am not saying that this is the only thing to do, but we need integrated physical activity. I was a teacher many years ago and I had one character, Freddie (I will not say his full name), who used to blow a fuse every now and again. I would get him to run around the oval until he calmed down and he would be fine. Then the deputy principal said, 'No, you're not allowed to do that anymore,' and within a month or two Freddie was expelled from the school and went on to be continually expelled from schools.

That is a little digression, but it illustrates the point that we need a total health package, and I think we are moving that way in our health system. The federal government has set up a preventive—

**Mrs GERAGHTY:** Point of order. No offence to the member, but I think his time ran out some time ago.

**The SPEAKER:** I do point out to the member for Torrens that there is no time limit on his speech. However, member for Fisher, are you almost finished?

**Mrs GERAGHTY:** There is a time limit.

**The SPEAKER:** There was a time limit? I'm sorry; 15 minutes.

**The Hon. R.B. SUCH:** I am just about to wind up.

**The SPEAKER:** Member for Fisher, I know that you will be very concise in finishing what you have to say.

**The Hon. R.B. SUCH:** I make the point that it is not the only thing that needs to be done but it is an important thing, and I urge the government, both the Minister for Education and the Minister for Health, to commit themselves to a program like this and follow the lead of Singapore and other countries.

**Mr PEGLER (Mount Gambier) (12:53):** I certainly support this motion. I think it is extremely important for our less fortunate and less well-educated families that the health of their children is checked out at our schools. I think that schools are the proper place for it in that the vast majority of our children do go to school, and it is the place to pick them all up. By doing these health checks right throughout our schools, we will be able to pick up a lot of children who do have health problems that are not being addressed. This will often save our society a lot of money in the long run in the aspect that we have picked up those children early and are able to fix them early. I certainly support this motion, because I think it is a great initiative, particularly for those families that are less fortunate than others.

Debate adjourned on motion of Mrs Geraghty.

#### QUEEN'S DIAMOND JUBILEE

**Ms CHAPMAN (Bragg) (12:54):** It is with pleasure that I move:

That this house extends its appreciation to Her Majesty Queen Elizabeth II and acknowledges our indebtedness to our sovereign, as Queen of Australia, for her 60 years of service to our country and the state of South Australia.

This year heralds the Diamond Jubilee of Her Majesty Queen Elizabeth II. Members will also be aware that, since 1986, in addition to her reign across the empire, she had under the Australia Act acquired the very specific title of Queen of Australia. So, rather than just being one of the realm, we anointed her in that regard.

Although I am a very proud republican and have worked with the Malcolm Turnbull campaign to advance Australia to independence, I think it is very important that we recognise Her Majesty's extraordinary reign and commitment to us, her subjects. It also should be noted that she is the only reigning monarch who has ever visited the state of South Australia and, for that, she should also be acknowledged. Of course, there have not been many in between her and Queen Victoria. I suppose it would have taken quite a long time to actually travel to South Australia in Queen Victoria's time.

Back in 1897, Queen Victoria celebrated her diamond jubilee—great women at the top—but she, of course, had a significantly greater empire than Her Majesty currently enjoys. By the time

Her Majesty Queen Elizabeth II came to the throne in 1952, she had officially lost India, Ceylon, Pakistan and Burma. Some have peeled off and become quite independent since.

I still have a very beautiful photograph of my mother attending the Coronation Ball here at the Adelaide Town Hall in the early 1950s, when a young Queen Elizabeth visited Adelaide. Those in that vintage remember the Queen's visit with great affection. So, we thank her for not overlooking South Australia in the many areas of jurisdiction of her responsibility.

*The Hon. A. Koutsantonis interjecting:*

**Ms CHAPMAN:** Sadly not, but I am trying to organise Prince William to come. We have a situation where The Queen, of course, under the modern commonwealth of nations, has worked tirelessly, strengthening bonds for the advancement of peace and prosperity in the world. In recognition of her, I quote:

People across the earth; regardless of age, sex, race, creed or colour, will honour Her Majesty—not for the armies at her command, but for the dignity with which she has reigned. Perhaps more so than any other monarch, her greatest influence comes from her moral authority rather than from constitutional arrangements. Even those who would rather see Australia governed as a republic would merely expose their malicious bias to suggest that Queen Elizabeth has not reigned with grace and dignity.

Indeed, during the republican campaign, which now seems to be in the distance past, I can recall that our motto on badges here in South Australia was, 'If you love her, let her go.' I stand along with all monarchists—and I am sure many other South Australians who share my view on becoming a republic—to express our appreciation of her loyal service. Her unquestionably deep commitment to her subjects, her tireless work ethic and her immense knowledge and wisdom will be forever with us. Sir Robert Menzies, so captured by the Queen, said, 'I did but see her passing by, and yet I will love her till I die.'

There have been lots of records and books written about Queen Elizabeth's reign. The film *The Queen* describes the tragedy of Princess Diana's death and the way in which the Queen held the royal family together during a very difficult time. It was a very good film. The film depicted Tony Blair, the very new prime minister—I think the 10<sup>th</sup> prime minister under Her Majesty's reign—arriving to be received by the Queen and a rather inelegant curtsy by Mrs Blair. However, I want to say this: how incredibly apt was her statement when she said words to the effect, 'Do have a seat, Mr Blair. I receive you, you don't receive me. I just want to let you know that you are my 10<sup>th</sup> prime minister. Winston Churchill has sat here before you.' Would that not cut you to the quick as the new prime minister? What an extraordinary woman.

I did sit with the Hon. Patrick Conlon on a committee on constitutional reform for South Australia about whether we would retain a head of state in South Australia. In that, we recognised the importance of The Queen's representative here as the keeper of the royal fish. For as long as I am alive her whale, sturgeon and dolphin will be safe, whatever is in the Fisheries Act.

Debate adjourned on motion of Mrs Geraghty.

*[Sitting suspended from 13:01 to 14:00]*

## VISITORS

**The SPEAKER:** Honourable members, I would like to draw your attention to the presence in the gallery today of students from years 11 and 12 at St Peter's College who are guests of the member for Norwood. I hope you enjoy your time here. We also have a group of visitors from Hastings in England. Of course, Hastings is where our Muriel Matters lived for some time. We hope you enjoy your time here today.

## ROAD SAFETY

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 556 residents of South Australia requesting the house to urge the government to undertake steps to widen bike lanes throughout South Australia and to allow mobility scooters to ride on the road while requiring them to have a higher standard of visibility.

### HOSPITAL PARKING

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 12 residents of South Australia requesting the house to urge the government to reverse its decision by removing car parking fees from public hospitals.

### EATING DISORDER SERVICES

**Dr McFETRIDGE (Morphett):** Presented a petition signed by 12 residents of South Australia requesting the house to urge the government to provide a dedicated medical team and facility to provide eating disorder services, maintain funding and facilities for the Weight Disorder Unit at the Flinders Medical Centre and to keep the Weight Disorder Unit completely separate from general psychiatric facilities.

### MEMBERS' TRAVEL PROVISIONS

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:04):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.W. WEATHERILL:** On 22 November last year I announced the intention of the government to refer the provision for spouses, domestic partners or family members to accompany members on parliamentary travel to the Remuneration Tribunal. When I did so, I acknowledged that there were legitimate community concerns about aspects of the travel provisions.

I said that, while travel for members of parliament is not particularly popular, it can make a valuable contribution to our legislature. I indicated that I shared with the community their concern about whether accessing a travel allowance for partners or family remains appropriate. However, I acknowledge that there may be occasions when it may be appropriate for a member of parliament to be accompanied by a family member.

On 27 November last year, I wrote to the Remuneration Tribunal to ask it to review these provisions. The government then provided a submission to the Remuneration Tribunal. In that submission, we submitted that there should no longer be an entitlement for a member of parliament to access the travel allowance to provide for the accompaniment of a family member but that there should be a discretion to authorise such access in a particular case, where there were reasons sufficient to justify public expenditure of funds to provide for the accompaniment.

The tribunal has now reported and determined a new set of rules. The report and rules were received in my office earlier today. The new rules set out by the tribunal improve elements of transparency and accountability associated with parliamentary travel; remove the entitlement of spouses and domestic partners to access the travel allowance except in approved circumstances, in particular, where the spouse or partner is formally invited to attend an official function with the member; preclude family members, other than spouses or domestic partners, from accessing the travel allowance; and provide for the cost of carer's travel, where the member has special physical or medical needs, upon application to the Remuneration Tribunal.

I thank the tribunal for its consideration of this matter and for its determination. In the government's view, the determination strikes a good balance and better reflects community sentiment on this issue. The new rules are being gazetted today. I seek leave to table the report and determination.

### HEALTH AND COMMUNITY SERVICES COMPLAINTS COMMISSIONER

**The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:06):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** The position of the Health and Community Services Complaints Commissioner was established by the Health and Community Services Complaints Act 2004. The commissioner was tasked with the important role of helping people—patients, carers and workers—to resolve complaints about health and community services, particularly when other complaints procedures have not succeeded or when a direct approach is unreasonable.

The current Health and Community Services Complaints Commissioner's seven-year term ends on 30 March 2012, and I would like to thank Leena Sudano for her work as commissioner in

establishing this important role. I can today inform the house that Mr Steve Tully has been appointed as the new commissioner for an initial 12-month term while we consult on the best way to structure the office to reduce its administration costs, and increase its accessibility to the public.

Mr Tully is returning to his home state of South Australia after seven years as the Victorian Electoral Commissioner. Mr Tully's work as the Electoral Commissioner in Victoria, and previously in South Australia, where I am sure many members here will have come across him, has called upon his considerable skills in investigation, analysis and negotiation—skills, I am sure he will need to draw upon in this new position. Mr Tully also has previous experience in the South Australian Mental Health Service, including a period as its chief operating officer.

Our intention is now to investigate moving the commissioner in with the office of the Ombudsman, where support and administrative services can be shared, as appropriate, while protecting the independence, authority and integrity of the commissioner's work. By sharing administrative, IT and back office support with the Ombudsman's office, I believe there might be some capacity to increase the public's accessibility to the commissioner's services and allow the commissioner to concentrate on his primary purpose of investigating and, where possible, resolving complaints raised by the public.

Mr Tully will be appointed in an acting capacity for 12 months while consultation on the proposed restructure is undertaken. I have given Mr Tully a personal undertaking that we will seek his advice, once he has been in the job for a period of time, as to which is the best way to go. We would welcome the constructive involvement of all sides of this house and the other place in this process, as well as that of all interested professional and advocacy groups.

*Members interjecting:*

**The SPEAKER:** Order!

#### VISITORS

**The SPEAKER:** Members, can I draw your attention to the presence in the gallery of the Director General of the Taipei Economic and Cultural Office, Ms Judy Wong; and also the Director of the Taipei Economic and Cultural Office, Melbourne, Mr Benson Lin. We welcome them here. They are guests of minister Kenyon. We are pleased to see you here. We had a nice lunch before, and we welcome you to South Australia and to our parliament.

**Honourable members:** Hear, hear!

#### PAPERS

The following papers were laid on the table:

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

Disability Information and Resource Centre—Annual Report 2010-11

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

South Australian Multicultural and Ethnic Affairs Commission—Annual Report 2010-11

#### ADDRESS IN REPLY

**The SPEAKER:** Honourable members, I advise that His Excellency the Governor is pleased to receive the mover and seconder and all other honourable members at 3.30pm on Tuesday 27 March 2012 for the purposes of presenting the Address in Reply.

#### QUESTION TIME

##### MEDIA SERVICES

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:10):** My question is to the Premier. Why is the Premier's department tendering for additional public engagement campaign services given that the Premier is already paying a private contractor for media services \$186 million over three years, is already paying a US company, Socialtext, almost half a million dollars to provide social media services, and already has a community engagement division within his own department, and how much will these new extra media services cost taxpayers?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:11):** I thank the honourable member for her question—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** She may have noticed that, from the very earliest time that I had the privilege of taking this role, I made it very clear that we were going to both lift the standard of debate and engage in a much broader debate with our community. I make no apologies for the fact that we will be using new ways in which to communicate and connect with the broader community.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Now I know that—

*Members interjecting:*

**The SPEAKER:** Order! I cannot hear the Premier. Order!

**The Hon. J.W. WEATHERILL:** Madam Speaker, I know that those opposite are not interested in the views of the community. In fact, they manifestly disregard the views of the community in relation to the shop trading hours debate. They set their base—

**Mr WILLIAMS:** Point of order, Madam Speaker.

**The SPEAKER:** Point of order, member for MacKillop.

**Mr WILLIAMS:** The Premier is clearly debating the answer to the question. I ask you to draw him back to the substance of the question.

**The SPEAKER:** Thank you. The member will sit down. I ask the Premier to return to the substance of the question.

**The Hon. J.W. WEATHERILL:** I think the substance of the question is about tendering. I would have thought it was a fairly orthodox matter to actually go out to public tender when you are—

*An honourable member interjecting:*

**The Hon. J.W. WEATHERILL:** Well, would you like to listen to the answer? It is a pretty orthodox matter to go out to public tender when you want to find the best value for money for providing government services at a particular time—

*Mrs Redmond interjecting:*

**The SPEAKER:** Order, Leader of the Opposition!

**The Hon. J.W. WEATHERILL:** —and, Madam Speaker, that is what we are doing in this case.

*Members interjecting:*

**The SPEAKER:** Order! The member for Mitchell.

#### **AUSTRALIAN SWIMMING CHAMPIONSHIPS**

**Mr SIBBONS (Mitchell) (14:13):** My question is also to the Premier. Can the Premier advise the house about the 2012 Australian Swimming Championships?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:13):** Madam Speaker, I can rule out one rumour: I will not be in speedos at the poolside making an appearance—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Today we see the start of the biggest swimming event Adelaide has ever hosted, with some of the best swimmers in the world racing right on our doorstep in this Olympic year, and it is appropriate that this event is being held at what is now one of the premier swimming facilities in Australia.

In addition to this event, the South Australian Aquatic and Leisure Centre is also hosting the 2013 Australian Swimming Championships, which will act as selection trials for the FINA World Championships and the 2013 Australian Age Swimming Championships. This is the first time since the 1997 Pan Pacific trials that Adelaide has hosted a swimming event of this calibre, and it is a strong vote of confidence in the state-of-the-art facility which was opened in April last year.

A record number of swimmers have registered to compete, with 834 athletes competing for Olympic and Paralympic nomination over the eight-day event. Those competing include Stephanie Rice, Blair Evans, Ian Thorpe, Michael Klim and Libby Trickett, with local swimmers aiming for selection, including Matt Cowdrey, Hayden Stoeckel, Ester Overton and Jay Dohnt. Ian Thorpe will contest the 200 metre freestyle tomorrow, while world record holding and multiple Olympic gold medallist Libby Trickett will be in action tonight in the women's 100 metre butterfly.

Swimming Australia has calculated that the economic benefit to the state for hosting this championship is in the order of \$9 million, with more than 1,800 athletes, coaches, support staff and spectators visiting from interstate. The event will be televised across the nation and internationally, with more than 100 media accredited for the event, including the UK, Brazil and the Middle East network Al Jazeera.

Hitaf Rasheed and the team at Events SA should be commended for the work that they have done in bringing this event to its successful culmination. While over 17,000 tickets have already been sold, there are still tickets available. This is a great opportunity for South Australians to get in and see the best swimmers in the world, right on the doorstep of an Olympic year. It is great to have a first-class pool, which will be adding to our first-class hospital, our first-class airport, our first-class—

**The Hon. P.F. Conlon:** Our two-way freeway.

**The Hon. J.W. WEATHERILL:** Our two-way freeway, and our first-class stadium. I know there are those of us who want to hold us back and there are those of us who want to keep looking backwards, but we are looking forward to a bright future in this state.

*Members interjecting:*

**The SPEAKER:** Order!

#### MEDIA SERVICES

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:16):** My question is again to the Premier. Given that the Premier's tender for public engagement campaign services is for media services until the next state election, how is this not a political use of taxpayers' money to try to get Labor re-elected in 2014?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:16):** Let me explain. The engagement of the community in decisions that affect their lives is the first thing that I said when assuming this office. It is the first point that I made about a change in the way in which we are going to do government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —and I know it causes mental confusion in the minds of those opposite, because they actually do not think the community belongs in the decision-making process. They do not believe that there is something valuable to be added in the public policy formulation process by involving the community. I will acknowledge that, in the past, we have not got this right. We have behaved as experts. We have sat in our ivory—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —towers dreaming up solutions to problems that we thought were important for people, and we have not done enough of consulting and communicating with the community about the things that affect their lives. So, I make no apologies that we are going to be spending resources on finding out what people want and involving them in the decisions that affect their lives. That will do two things—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —it will improve the quality of the decision-making process and it will gain more community support for that process. The only people who will remain out of the loop will be the Liberal Party of South Australia. They are the people that are holding back South Australia, the Liberal Party of South Australia.

*Members interjecting:*

**The SPEAKER:** Order! Point of order.

**Mr WILLIAMS:** The Premier has once again descended into debate.

**The SPEAKER:** Thank you.

**Mr WILLIAMS:** If he wanted to answer the question, he could answer the question previously asked, which was: what is this going to cost taxpayers?

*Members interjecting:*

**The SPEAKER:** Order! Premier, have you finished your answer?

**The Hon. J.W. WEATHERILL:** Yes.

#### AIR FORCE 462 SQUADRON

**Ms BETTISON (Ramsay) (14:18):** My question is to the Minister for Defence Industries. Can the Treasurer inform the house about the relocation of 462 Squadron to South Australia?

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (14:18):** I would like to thank the member for Ramsay. Of course, having an electorate in the northern suburbs, the defence industries are particularly important to her electorate. In 2009, the Department of Defence announced the relocation of the Royal Australian Air Force's Information Operations Squadron (462 Squadron) to South Australia.

The relocation of 462 Squadron from Canberra to Adelaide complements and strengthens the intelligence, surveillance and reconnaissance capabilities in South Australia. The role of 462 Squadron is to exploit and protect from exploitation the Air Force's computer network and information and communications capabilities, which are critical in modern warfare. 462 Squadron also supports RAAF Commanders by establishing secure information environments to support air operations.

The decision to move 462 Squadron to Adelaide predates the current Force Posture review commissioned by minister Smith that may result in the relocation of defence capabilities within Australia. The decision was made in part to co-locate Aerospace Operational Support Group units, and in particular it will be complementary to other defence units located in South Australia.

The initial 40 members of 462 Squadron commenced operations from their new facility on 16 January this year. The new \$14 million purpose-built facility has sufficient space to grow 462 Squadron to 100 personnel in the coming years. It is located next to RAAF's Joint Electronic Warfare Operational Support Unit at the DSTO, Edinburgh.

The RAAF has been operating out of Edinburgh since the mid-1950s, and these units make a valuable contribution not only to the nation's defence but also to our local communities. Edinburgh is the centre of Defence's maritime surveillance capabilities; 92 Wing operates the AP-3C Orion aircraft which currently supports operations in the Middle East.

Air Force focus and investment in RAAF Edinburgh and South Australia remains high. In May 2012, a new and separate \$18 million permanent building will be completed to accommodate 150 staff for 87 Squadron, the Air Force's Intelligence Squadron at RAAF Edinburgh. Comprehensive new crew facilities for 92 Wing are also nearing completion.

In total, Defence is more broadly investing some \$750 million to upgrade or build new Air Force and Army facilities on the base. This is the most extensive reconstruction of any defence facility in Australia. In 2007-08, RAAF Base Edinburgh was estimated to contribute some \$308.8 million to the state's economy every year. As at 30 June 2011, South Australia was home to 1,795 RAAF members and 392 RAAF reservists.

462 Squadron is made up of highly trained RAAF and Public Service personnel who specialise in secure and high-grade cryptographic communications and information systems. This will provide an opportunity for local industry to provide highly specialised support. South Australia will look to use this strength to attract other defence capabilities to the state. South Australia is proud of its Air Force heritage and welcomes the members of 462 Squadron and their families to South Australia.

### GOVERNMENT ADVERTISING

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:22):** My question is again to the Premier. What guarantee will the Premier give that state Labor has not understated their spending on government advertising following the Victorian Auditor-General's revelation that the last Victorian Labor government actually spent twice as much on government advertising as they revealed publicly?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:22):** Any disclosures that we make will be accurate disclosures.

### FLINDERS MEDICAL CENTRE

**Mr BIGNELL (Mawson) (14:23):** My question is to the Minister for Health and Ageing. Will the minister inform the house how the redevelopment works at the Flinders Medical Centre are progressing?

**The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:23):** I thank the member for Mawson for his question, and I acknowledge his very strong interest in health issues, particularly relating to the southern suburbs. I am very pleased to be able to advise the house that the final stage of the FMC emergency department redevelopment is now complete.

Work has finished on the new triage and waiting areas—the final stage of the upgrade project. The new areas, which came into operation on Tuesday of this week, now give patients more privacy, and there are dedicated areas for ambulance arrivals and patients arriving by other means.

The ED upgrade has been ongoing for some two years now, and I would like to thank patients and staff of the emergency department and the ambulance service as well for their patience while the department has been rebuilt. I said at the time that I announced this redevelopment that it would cause some problems over the course of the construction works, and it certainly did. They worked through it I think magnificently. Importantly, the work has now been completed and well ahead of the busy winter period.

The new emergency department has an extra 21 cubicles and can cater for an extra 10,000 patients a year. Every year, more than 60,000 people are treated in the ED, including around 12,000 children, so it is really pleasing that there is a new paediatrics unit which has been specifically designed for children—not just allocated for them, but designed for them—which includes a beautiful giant fish tank to complement the unit's ocean theme, so there is something to divert children when they are there.

There are also separate areas for adults who are likely to be admitted to the hospital, those likely to be discharged and for those who need urgent attention. So, this approach will allow us to move patients through the system more quickly.

A canopy is being added to the outside to provide shelter and additional comfort for people arriving by helicopter, ambulance or walking into the emergency department. For those who know the Flinders emergency department, that area has not been ideal. This will make it a lot better and that work is due for completion in May.

Work is also finishing on the final four operating theatres and two completely fitted out theatres for future expansion, bringing the total number of operating theatres at Flinders to 12. There are 16,000 operations performed annually and the extra capacity will allow the hospital to meet growing elective and emergency service demand as well.

The completion of these works in May will also signal the end of the \$163 million redevelopment of the hospital. This project has provided an acute medical unit, a new south wing building with birthing, an assessment suite and a maternity and gynaecology ward, an extra eight beds in the expanded intensive and critical care unit and a relocated new 20-bed cardiac care unit. I would like to thank all of the people involved in this project, many of them still working at the



hospital on site, for the great work they have done and, once again, thank everybody for their patience during this construction stage.

#### TRADING HOURS

**The Hon. I.F. EVANS (Davenport) (14:26):** My question is to the Premier. Why did the Premier tell the house last night that Woolworths and Coles were members of the Motor Trade Association when they are not, and will he now apologise to the MTA and the house?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. I.F. EVANS:** The Premier told the house last night, in relation to those opposing the government's shop trading hours policy:

...the significant members of the key protagonists in this debate, the AHA and the MTA, are Woolworths and Coles. That might tell you a little about where those organisations are coming from.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order, the Minister for Trade!

**The Hon. I.F. EVANS:** The Motor Trade Association has told the opposition that Coles and Woolworths are not members of their association and the AHA has told the opposition that Coles are not a member of the AHA, despite the Minister for Small Business' interjection.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. I.F. EVANS:** Two weeks ago, when the Premier made public statements about Coles' and Woolworths' involvement, Coles came out and said the Premier had misled the public:

Coles is not involved in, or funding, either the SA Business Coalition or the AHA campaigns regarding SA trading hours.

A Woolworths spokesman said the company had no direct involvement in the campaign.

**The Hon. J.D. Hill:** Direct is the word there.

**The SPEAKER:** Order!

**The Hon. I.F. EVANS:** They are not members of the Motor Trade Association, John. They are not members of the Motor Trade Association.

**The SPEAKER:** Order! The member for Davenport will sit down. Order!

*Members interjecting:*

**The SPEAKER:** Order, member for Davenport!

*Members interjecting:*

**The SPEAKER:** Order! There will be no quarrels across the floor. Premier.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:28):** I can appreciate why the anxiety levels of those opposite are being raised by this debate because they are on the wrong side of the argument and they know it. They are feeling the pressure of the—

**Mr WILLIAMS:** Point of order: a quite simple question was asked of the Premier.

**An honourable member:** What is the point of order?

**Mr WILLIAMS:** It is 98.

**The SPEAKER:** Thank you, we know what the question was. The member for MacKillop will sit down.

**Mr WILLIAMS:** The Premier has forged straight into debate.

**The SPEAKER:** Order! The member for MacKillop will sit down. Premier, I ask you to continue the answer.

**The Hon. J.W. WEATHERILL:** Thank you, Madam Speaker. I am just making a few preliminary remarks while I address the question.

**Ms Chapman:** Make them relevant.

**The Hon. J.W. WEATHERILL:** I actually get to answer in the fashion I choose. You don't actually get to script the answer as well as the question.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** I know the anxiety levels are very high on that side of the house and I know that they are strong supporters of Woolies and Coles. I know that they are on the side—

**Mr WILLIAMS:** Point of order: this is plain debate. The Premier is making an argument which has got nothing to do with the question—

**The SPEAKER:** Thank you. The member will sit down.

**Mr WILLIAMS:** It is totally irrelevant to the question, whether we are supporters—

**The SPEAKER:** Sit down.

**Mr WILLIAMS:** —of Coles or Woolworths or not, and we are not.

**The SPEAKER:** Sit down! The Premier can answer the question as he chooses. It does sound like preliminary remarks to me, but I would ask the Premier to get back to the substance of the question.

**The Hon. P.F. CONLON:** Can I make a further point of order, Madam Speaker? The Deputy Leader of the Opposition is calling for order on the points of order, and continually interjecting. Can I ask him to observe the standing orders as well.

**The SPEAKER:** Thank you, minister.

**The Hon. J.W. WEATHERILL:** Madam Speaker, it is very clear where the interests line up in relation to this matter. We have Coles and Woolworths, who are substantial owners of hotels, service stations and other institutions that are complaining—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —that are complaining—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —that are complaining about the proposition that we are advancing, and we on the other side of the debate are the independent retailers, and all of the City of Adelaide in all of its forms—all of the businesses in the City of Adelaide that stand to benefit from this, and—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. J.W. WEATHERILL:** —all of the working people of this state. The thing that strikes me is, try as they may to slip this characterisation, it is so much in their DNA they cannot—

*Mr Pederick interjecting:*

**The Hon. J.W. WEATHERILL:** That is, they are constitutionally incapable of seeing things from the perspective of working people.

**Mr WILLIAMS:** Point of order, Madam Speaker.

**The SPEAKER:** What is your point of order, member for MacKillop? Is it No. 98 again?

**Mr WILLIAMS:** Standing order 98, Madam Speaker, which says that in answering such a question, a minister or other member replies to the substance of the question and may not debate the matter to which the question relates.

**The SPEAKER:** Thank you—

**Mr WILLIAMS:** The question, Madam Speaker, was: why did the Premier tell the house last night that Woolworths and Coles—

**The SPEAKER:** Thank you, member for MacKillop—

**Mr WILLIAMS:** —were members of the MTA when they are not?

**The SPEAKER:** —you have made your point. You have made your point; you will sit down.

**The Hon. J.W. WEATHERILL:** Madam Speaker, the substance—

**An honourable member:** We're waiting for the ruling.

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** The substance of—

**Mr WILLIAMS:** Point of order, Madam Speaker: the Speaker hasn't made a ruling.

**The SPEAKER:** Order! I have not had a chance to make a ruling; you have been jumping up and down like a jack-in-the-box.

*Members interjecting:*

**The SPEAKER:** Order! The Premier will get back to the substance of the question. I do not believe, at this stage, that he has been debating. The words 'Coles' and 'Woolworths' have come into the conversation regularly, but, Premier, can you please get back to the substance of the question if they are feeling anxious about it.

**The Hon. J.W. WEATHERILL:** The substance of the question, Madam Speaker, is that Coles and Woolworths are substantial owners of interests in hotels, they are substantial owners of interests in the service stations which are represented by the Motor Trade Association on the one hand, and the AHA on the other—that is incontrovertible. They have been consistently—and we know what the position is of Woolworths and Coles: they want total deregulation, as do those opposite.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** Alright, that's fine; I acknowledge you—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** You were in the—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** You were in the pocket of Woolworths and Coles, and that's fine.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order, Madam Speaker: the Premier is again debating. He is saying—

**The SPEAKER:** Thank you; sit down.

**Mr WILLIAMS:** —'We know what the attitude of some people are.' That is clearly debating.

**The SPEAKER:** Thank you. You have not given the Premier an opportunity to answer the question because you keep jumping up all the time. Have you finished? Thank you. The Premier has finished his response; it is a waste of time.

**TRADING HOURS**

**The Hon. I.F. EVANS (Davenport) (14:32):** My supplementary question to the Premier is: does the Premier accept that Coles and Woolworths are not members of the Motor Trade Association?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:33):** Madam Speaker, what I accept is that Coles and Woolworths are on the side of the debate that is opposed to our liberalisation of shop trading hours in the CBD, and they are opposed to providing for working people—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —in this state, increased penalty rates—

*Members interjecting:*

**The SPEAKER:** Order! The Premier does not have to answer yes or no to any questions; you know that. Do you want to hear the Premier's answer or should we move on to the next question?

**Mr WILLIAMS:** I was going to ask the Premier a supplementary question, Madam Speaker.

**The SPEAKER:** He has not finished.

**The Hon. J.W. WEATHERILL:** The substance of this debate is about the interests that the Motor Trade Association and the AHA represent, that are lined up—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —with Woolworths and Coles. Let's not beat about the bush here with your weasel words; we are on the side—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Madam Speaker, we are—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** We are on the side, Madam Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** We are on the side of working people, representing their interests, making sure they can spend time with their families on Christmas Eve and New Year's Eve and, when they are required to work, we want them to ensure that they are given a fair rate of remuneration for their work.

**TRADING HOURS**

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:34):** A further supplementary question, Madam Speaker: what did the Premier mean when he told the house that serious questions deserve serious answers?

**The SPEAKER:** If I accept that question, I will accept it as a question, not a supplementary.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:34):** Madam Speaker, I am prepared to talk all day and all night about this issue, because you are on the wrong side of this debate. The people out there have spoken on this issue; they spoke last Monday when they were in that mall enjoying their shopping hours. The working people of South Australia have spoken.

*Members interjecting:*

**The SPEAKER:** Order! Point of order.

**Mr WILLIAMS:** Madam Speaker, we had this debate last night. I have asked the Premier a serious question; I am expecting a serious answer. Is he capable of doing it or not?

**The SPEAKER:** There was no point of order there.

**The Hon. J.W. WEATHERILL:** This does seem to be an invitation for me to provide a serious answer, and the serious answer is this: we are on the side of the working people of South Australia. Those opposite—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —are constitutionally incapable of seeing things from the perspective of working people.

*Members interjecting:*

**The SPEAKER:** Order! Sit down, both of you.

*Members interjecting:*

**The SPEAKER:** Order! We will move on to the next question. The member for Torrens.

#### **ALERT SA**

**Mrs GERAGHTY (Torrens) (14:35):** My question is to the Minister for Emergency Services.

*Members interjecting:*

**The SPEAKER:** Order! Can you please sit down, member for Torrens, until we have some order in the place. Members on my right can go out as easily as members on my left. Can we please bring some semblance of order back into question time. Member for Torrens.

**Mrs GERAGHTY:** Thank you. As I said, my question is to the Minister for Emergency Services. Can the minister inform the house about the details of a new one-stop website to further assist South Australians in planning ahead during an emergency?

**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) (14:36):** I thank the member for Torrens for her question. Last Wednesday, I was pleased to launch a new website, that links the social media feeds from the State Emergency Services into one site, called Alert SA. Alert SA brings together social media messages from the South Australian police, the CFS, the MFS, the SES (the State Emergency Services)—

*Ms Chapman interjecting:*

**The SPEAKER:** Member for Bragg!

**The Hon. J.M. RANKINE:** —and the Bureau of Meteorology. I was pleased to see that within 10 minutes of being informed of Tuesday's fire at Wingfield updates from the agencies involved were posted on Alert SA. Yesterday, I was joined by the member for Port Adelaide to inspect the damage at the site and to talk with people on the ground who, throughout the incident, have done a magnificent job.

Alert SA is part of our ongoing effort to assist communities when an emergency strikes. Alert SA is no substitute for common sense or for being prepared and having plans in place. It joins a suite of other social media services, such as the smartphone apps and the websites of the individual agencies, as one way to stay informed. The site can be reached at [www.alert.sa.gov.au](http://www.alert.sa.gov.au) and is based on a similar model used by Queensland emergency services during the 2011 floods.

During these floods, with 90 per cent of Queensland affected, we saw how the population relied on social media messages from police to stay informed and keep safe. At the height of the emergency, Queensland police had 39 million exchanges in 24 hours on its social media site. This is the equivalent of 450 views per second. There is no doubt that it was a turning point in the way emergency services communicate with the public, and we recognised that we needed our own local version.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** This site is clearly a very valuable tool to ensure that the messages of all of our services are available in the one spot. Alert SA is hosted outside the government website. This means that if either it or one of our emergency service websites were to go down a backup site with the same information would be available.

*Members interjecting:*

**The Hon. J.M. RANKINE:** Well, this is one measure; it is not a golden bullet.

*Members interjecting:*

**The Hon. J.M. RANKINE:** No, it is no substitute—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** No, it's not a silver bullet either, and it is no substitute for people being prepared and making sure that they have other measures in place to ensure their safety. It is one way of getting consistent messages out to people in one place. There will never be a substitute for being ready. As I said, this is just an extra tool in helping to plan ahead and stay informed when a crisis arises.

#### ALERT SA

**Ms CHAPMAN (Bragg) (14:40):** Supplementary, Madam Speaker: will the minister consider adding to this excellent service SA Water calls which, since they have taken back the in-house call centre, now take two hours to get to the water leaks?

**The SPEAKER:** I will count that as a question.

**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) (14:40):** Can I thank the member for Bragg for her endorsement of this site. It is not what the shadow for emergency services was saying the other day; it was actually denigrating the site, but we really welcome your support. Thank you very much.

*Members interjecting:*

**The SPEAKER:** Order! Member for Ashford.

#### RECYCLING

**The Hon. S.W. KEY (Ashford) (14:40):** My question is to the Minister for Sustainability, Environment and Conservation. What is the government doing to raise awareness and encourage recycling in South Australia?

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:41):** I thank the honourable member for her very, very important question. I am pleased to inform members that the state government, through Zero Waste SA, is working hard to maximise the involvement of the community in recycling and reuse projects. The state government and Zero Waste SA are also continuing to improve our state's capacity to recover resources through further investment in waste infrastructure in our regional communities, with 14 new projects totalling \$1.45 million to be funded.

The majority of this funding will be to upgrade or establish new transfer stations, which play a critical role in diverting waste from landfills and recovering materials. This funding is stimulating further investments in regional waste management, with grant recipients contributing \$5.3 million towards these projects. The government is also making \$120,000 in funding available under its School and Community Grants program for reuse and recycling projects across our state.

This funding recognises the important role of schools and community groups in raising awareness at the grassroots level about the environmental and social impacts of our activities. Eligible projects include those which need infrastructure such as compost bins, recycling sheds, garden mulches and worm farms, as well as resources for education and communication.

This is a very popular program which has supported and inspired more than 100 schools and community organisations since 2005, with total funding of approximately \$650,000. In one project Zero Waste SA supported Finding Workable Solutions, a disability employment agency that operates businesses within the community to provide employment for people with a disability or a disadvantage.

Funding was provided to the organisation to help establish two resource recovery facilities at the Goolwa Refuse and Recycle Depot and the Mount Barker Windmill Hill Transfer Station. These centres salvage and sell household items, metals, electronic items, plastic items and household whitegoods.

This project has helped to reduce waste to landfill as well as creating employment opportunities. In another project, the Upper Sturt Primary School received funding to build a chicken run and vegetable garden and to purchase compost bins and a garden shredder. This infrastructure has allowed the school to reduce the amount of food and green waste sent to landfill and has increased students' learning about waste and resource recovery.

I encourage school and community groups to apply for funding under this particular program. These initiatives are indicative of the state government's commitment to maintaining our national membership in the area of recycling and resource efficiency and to shape our future as a sustainable, clean, green and vibrant city.

#### **PRINTER CARTRIDGE SCAM**

**The Hon. I.F. EVANS (Davenport) (14:44):** My question is to the Minister for Finance. Has the minister received advice that senior Treasury officers were advised in mid-2010 of purchases by Treasury officers of printer cartridges from suspect companies and that this issue was not referred to the Auditor-General or to the Government Investigations Unit and that no disciplinary action was taken against any officer and, if so, why is there no mention of this in the report of the procurement working group?

**The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (14:44):** I thank the member for Davenport for the question. My role has been very hands-off. I was the instigator, the convenor of the working group, which was chaired by Jim Hallion. I attended as an observer. I had some input in terms of pushing matters along—

**Mr Marshall:** We know about observers with the government.

**The SPEAKER:** Order!

**Mr Marshall:** Were you a real one?

**The SPEAKER:** Order!

**The Hon. M.F. O'BRIEN:** Yes, I was a real one. Given the fact that we were dealing with the actions of public servants and that there was disciplinary action that could flow from our investigations which were carried out, I did not at any stage interrogate the identity of any individual in any agency. I remained very much at arm's length from the investigations so that there could be no accusation of ministerial contamination of the process.

#### **PRINTER CARTRIDGE SCAM**

**The Hon. I.F. EVANS (Davenport) (14:45):** I have a supplementary question, Madam Speaker. Has the minister received advice that senior Treasury officers were involved in purchases of printer cartridges from suspect companies?

**The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (14:46):** The only advice that I received was the same advice that the working group received and, if it is not in the report, I have to assume that it was not received.

#### **MINERAL EXPLORATION**

**The Hon. M.J. ATKINSON (Croydon) (14:46):** I ask the Minister for Mineral Resources and Energy how the government hopes to involve the people living near mines and oil and gas drilling in these enterprises?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (14:46):** I would like to thank the member for Croydon for—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —for this question and his keen interest in all things petroleum, oil and minerals. South Australia is firmly positioned as a major destination for investment in minerals exploration. I think it is fair to say that there is a major exploration and mining boom occurring in our state. In the December quarter of 2011, South Australia experienced the highest level of spending in mineral exploration in more than three years. The latest ABS figures published this week show mineral exploration in South Australia climbed almost 21 per cent in that three-month period to \$90.3 million, compared with the previous quarter. Compared with the December quarter in 2010, mining exploration expenditure in this state soared by 51.8 per cent.

The \$312.8 million in spending on exploration in 2011 shows the minerals sector has recovered strongly from the downturn in investment triggered by the global financial crisis. This figure highlights the strength of our business confidence in our mining sector. This figure shows the prospect of long-term export growth is high. South Australia continues to lead the nation for export growth thanks to our copper (up \$388 million or 45 per cent); metal ores and metal scrap (up \$441 million or 26 per cent); and lead (up \$180 million or 53 per cent)—for the interests of the member for Frome.

Strong exploration figures like these show mineral exports will continue to grow at a rapid rate. The government is committed to realising the benefits of the mining boom for our community as a whole. Fundamental to a successful mining and energy sector is the industry's social licence to operate. It is a company's social licence that underpins all mineral resource and energy projects across South Australia, and thus far there has been a very good bipartisan approach to this social licence. I know the shadow minister and I are often shown the good work done by mining companies in our community.

The government recognises excellence and rewards it. That is why we recognise those mining and energy companies in South Australia that are going the extra mile to engage with local communities and contribute to the people of South Australia. The Premier's Community Excellence Awards in Mining and Energy recognise the companies that contribute, not just economically but also socially to our community.

The award recognises a mining or energy company that demonstrates leadership, commitment and a best practice approach to improving the social wellbeing of communities through programs and practices. These companies often employ people from remote communities to help break the cycle of disadvantage. They contribute to the sustainability of South Australia and our society by funding community programs, mentoring Indigenous business owners, sponsoring sporting and cultural events, and sourcing goods and services from local suppliers.

The 2012 Premier's Community Excellence Awards in Mining and Energy has two categories: Excellence in Social Inclusion and Excellence in Supporting Community Participation. The winners will be announced at the South Australian Chamber of Mines and Energy Resources Industry annual dinner on 30 April 2012 at the Adelaide Convention Centre. Nominations are open and close on Thursday 5 April 2012. I look forward to the awards showcasing examples of mining and energy companies continuing to go the extra mile in contributing to our state.

*Mr Marshall interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Madam Speaker, I always get very concerned when the member for Norwood gets excited because he has spent a lot of money looking that way and I don't want it to go to waste.

**The SPEAKER:** Order! The member for Bragg.

#### **BUS CONTRACTS**

**Ms CHAPMAN (Bragg) (14:50):** Thank you, Madam Speaker. I hope that you at least have observed how good I have been today.

**The SPEAKER:** You have done very well, member for Bragg; I have only heard you about 17 times.



**Ms CHAPMAN:** It may come as no surprise, Madam Speaker, but my question is to the Minister for Transport Services. Will the minister confirm that she is not the first minister to impose penalties on private bus contractors and that the \$38,000 fine she announced this morning is far lower than penalties imposed in previous years? The minister stated on radio this morning that she is the first minister to impose fines. Information provided to the Budget and Finance Committee shows financial penalties of \$440,000 and \$250,000 respectively for the 2006-07 and the 2007-08 years.

**The Hon. C.C. FOX (Bright—Minister for Transport Services) (14:51):** I would dispute the very premise of the member for Bragg's question. I understand that, indeed, I am the first minister to apply those particular penalties. In the past, those penalties have been applied by the department. Now—

*Members interjecting:*

**The Hon. C.C. FOX:** I am, actually—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.C. FOX:** Madam Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.C. FOX:** Madam Speaker, I will reiterate that—and I am not quite sure why it is so funny, but perhaps if I say it again you can do the strange fake laughter again. I am the first minister who has chosen to and who has applied these fee reductions to these companies in this way. This has not been done by a minister before. It has been enacted by a department but not by a minister, so I stand by that statement.

Your second question was in relation to the amount. The amount is, I think, an amount of \$38,000, and that is across a three-month period. It is probably worth pointing out in relation to that amount that was initially given to those particular contractors that the second quarter is just about to end. It ends on 31 March. The fines that may or indeed may not be applied in the second quarter would be substantially larger.

### BUS CONTRACTS

**Ms CHAPMAN (Bragg) (14:53):** Supplementary, Madam Speaker: on the question of whether the minister has instigated something or the department, my question, minister, is: are you suggesting that the department in exercising the contractual obligations of the bus contractors in previous years has done so without the authority of the minister?

*Members interjecting:*

**The SPEAKER:** Order! Minister for Transport Services.

*Members interjecting:*

**The SPEAKER:** Order! Is the Minister for Transport Services going to answer this one—

**The Hon. C.C. FOX (Bright—Minister for Transport Services) (14:53):** Yes, that would be good. No.

**The SPEAKER:** —or the Minister for Transport?

**The Hon. C.C. FOX:** I see; and also Patrick said the same thing.

*Members interjecting:*

**The SPEAKER:** Order! Have you answered the question minister? I couldn't tell.

**The Hon. C.C. FOX:** Well, I think I have, yes.

**The SPEAKER:** Thank you. The member for Light.

*Members interjecting:*

**The SPEAKER:** Order!

### GAWLER RAIL LINE

**Mr PICCOLO (Light) (14:54):** My question is also to the Minister for Transport Services. Will the minister inform the house about the partial reopening of the Gawler line?

**The Hon. C.C. FOX (Bright—Minister for Transport Services) (14:54):** Thank you very much, member for Light; and I would like to also acknowledge the work of the member for Light, the member Taylor and the member for Little Para in making this as easy an experience as possible for their constituents.

The centrepiece of the state government's \$2 billion investment into public transport over the next 10 years is the electrification of Adelaide's rail network. In preparation for the electrification of the rail network in 2013, track upgrades were required on the Gawler line. Stage 2 of those works began in 2011, during which the line was closed between the Mawson Interchange and Gawler.

I am pleased to announce today that passenger train services will now resume along the Gawler line between the Adelaide Railway Station and the Salisbury Interchange from this Sunday. The re-opening of the Gawler line will be done in two stages so that it minimises disruption to commuters.

I am really pleased that we are able to provide train services on the Gawler line from Adelaide to the Salisbury Interchange in the first instance, which I think will be welcome news for train commuters. Substitute bus services will continue to operate between Gawler Central station and the Salisbury Interchange until the full re-opening of the line. Major works are expected to be completed by the end of March.

Prior to the full re-opening, test trains will run intermittently between the two places, Salisbury Interchange and Gawler, before the upgraded line is commissioned. During the line closure we were also able to upgrade a number of stations and build new stations at Elizabeth and Munno Para. The new stations include an integrated bus interchange for easier and faster transfers between buses and trains.

I would really like to thank, once again, the people who commute on those lines, because it has not been an easy time. We know that there were significant inconveniences for customers and I would like to thank them. It is quite exciting to see that this is opening and I recommend the line to all of you.

### INNOVATE SA

**Mr MARSHALL (Norwood) (14:56):** My question is to the Minister for Manufacturing, Innovation and Trade. Why does his department continue to take out advertisements promoting the importance of Innovate SA's role in supporting renewable energy in South Australia, given that the minister has recently closed Innovate SA, terminated the Renewable Energy Commissioner and terminated the renewable energy grants program? What is the cost of this advertising and can the minister justify this expenditure in light of recent significant program cost cutting in his department? Innovate SA has taken out large colour advertisements on page 3 of the *SA Business Journal* for the past three weeks since announcing their imminent closure.

**The SPEAKER:** Minister, before you answer, there were some inferences in that question. However, I will leave it up to you to answer.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (14:57):** If you ever wanted an example of why Innovate SA was closed, it is because they are taking out full-page ads when they have had their funding ceased. The important thing to remember here is that the member for Norwood is very concerned about costs. Innovate SA was a saving. We brought that back into the government so we could control it. With Innovate SA taking out full-page ads when they have had their funding cut, it really questions their ability to manage their own finances. Quite frankly, I think his question really answered itself, didn't it? Why did the government cease funding when they are taking out full-page coloured ads? I think it is obvious. If you are so worried about costs—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —why would you move your office 100 metres down the road?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** I will tell you why he did. He says it on his website: to be closer to the Parade football ground.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order. I draw your attention to Standing Order 98.

**The SPEAKER:** Yes, I will uphold that. Minister, have you finished your answer?

**The Hon. A. KOUTSANTONIS:** The government is always prepared to look at making sure that we can do our very best for innovation. That is why we have created a brand-new department called the Department for Manufacturing, Innovation, Trade, Resources and Energy. The substantial growth in our defence—

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Pisoni interjecting:*

**The SPEAKER:** Member for Unley, order!

**The Hon. A. KOUTSANTONIS:** I liked it better when your mother was here; you were much better behaved.

**The SPEAKER:** We all did.

**The Hon. A. KOUTSANTONIS:** She's a very good woman and very proud of you, and so she should be. Substantial growth in our defence industries is a very good example of South Australia being a tech-based innovative place to do business and grow business. The government is on a mission to bring innovation to South Australia. We open the doors of the state to those who can recognise the potential to invest in South Australia. That is why we recently launched Invest in South Australia, to play a key role in securing investments that will build on existing prosperity. The government is committed to innovation and trade. We are committed to making sure that our manufacturers survive.

**Mr MARSHALL:** Point of order, Madam Speaker. My point of order is relevance. My question was: why is the government continuing to expend money on expensive colour advertisements for a department or an agency that they have actually closed down in the last three weeks?

**The SPEAKER:** Order! I think the minister is answering this adequately.

**The Hon. A. KOUTSANTONIS:** Innovate SA is independent, and we ceased the funding because the government is not satisfied with the service Innovate SA provided. Here is a great example of that service not being satisfactory.

*Members interjecting:*

**The SPEAKER:** Order! The member for Reynell.

#### NURIOOTPA HIGH SCHOOL

**Ms THOMPSON (Reynell) (15:00):** My question is to the Minister for Education and Child Development.

*Members interjecting:*

**The SPEAKER:** Order!

**Ms THOMPSON:** Can the minister inform the house about the benefits to students at Nuriootpa High School as a result of the provision of a new language centre at the school?

**The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (15:00):** I would like to thank the member for Reynell for this important question. I was delighted to

join staff, students, the principal (Mr Ian Tooley) and community members including the member for Schubert, together with Senator Anne McEwen and the mayor of the Barossa council, Mr Brian Hurn, to celebrate very recently the official opening of the new language centre at Nuriootpa High School.

The centre represents an investment of more than \$2 million in this great school in the Barossa. That investment is among many new classrooms, and in general our contribution in that area: gymnasiums, trade training centres and other buildings that support teaching and learning in our school communities.

There is no question that in South Australia the BER program has been very successful and I think it is something that everybody acknowledges, because this program has supported the construction of these very important facilities, as well as supporting thousands of jobs and regional and metropolitan businesses.

In the case of this particular high school, around one in three students at the school is learning a language other than English. More than 100 students across all year levels are studying German, around 100 are learning Indonesian and around 26 year 11 and year 12 students are learning Spanish.

I was most impressed, as I know the member for Schubert was, to see that it includes significant investment in information communications technology.

*An honourable member interjecting:*

**The Hon. A. Koutsantonis:** Why would you bring up her daughter, coward?

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GOLDSWORTHY:** Point of order, the minister referred to the member as a coward. That is completely unparliamentary and I ask that he withdraw and apologise.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! The Minister for Trade, order!

*Mr Marshall interjecting:*

**The SPEAKER:** And the member for Norwood also, order!

*Members interjecting:*

**The SPEAKER:** The Minister for Trade, order! We definitely do apologise for the Minister for Trade. Order! The Minister for Education.

**The Hon. G. PORTOLESI:** In addition to four classrooms—

**Mr WILLIAMS:** Point of order, Madam Speaker!

**The SPEAKER:** Point of order.

**Mr WILLIAMS:** The Minister for Trade, as soon as the minister got to her feet, called one of the members over here 'a grub' after having called the member a coward.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Madam Speaker, the house recently gave you the power to ask members who have been disruptive to leave the house. I would suggest that the Minister for Trade has been extremely disruptive today.

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! I did not hear the term 'grub' and the member who was apparently named 'grub' did not stand to complain about the issue, so we will now finish that or we will finish question time. Minister.

**The Hon. G. PORTOLESI:** Thank you, Madam Speaker. In addition to four classrooms and a retreat room for language tutorials, there is even a kitchenette for students to get involved in the particular cuisines of Germany, Indonesia and Spain. In fact, the member for Schubert and I were served a great deal of these specialities that particular morning. There is no question that this new language lab absolutely captures the cultural heritage of these languages and, in the case of German, is very important for that local region.

I have to say that I was very pleased to visit the school, where I had an opportunity to meet a number of the other school principals from the area; that was incredibly useful. I have talked at length with the member for Schubert about the particular history of this school. I think there is no doubt that this school is absolutely on the right track.

The principal reported to me that this year, I think, they experienced an increase in enrolments of about 40. I think their NAPLAN results are heading in the right direction. I commend the school leadership, the teachers, the SSOs and, of course, the students.

### GONSKI EDUCATION REVIEW

**Mr PISONI (Unley) (15:05):** My question is for the Minister for Education and Child Development. How does the removal of \$6 million per annum from the budgets of schools forced to amalgamate complement the Gonski recommendations for more money in education in South Australia?

**The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (15:05):** As I have said publicly before, we absolutely welcome the Gonski review. It is something that has been much anticipated by all the sectors in our community—the government and non-government sectors. We will continue to work with these sectors plus the federal government.

I think in South Australia we are in a very good position. We have a very good relationship with the federal government in relation to this review. The Gonski report is a very useful and very significant body of work. For instance, it highlights South Australia, along with Victoria, as having the most decentralised systems in our nation—something that in fact the opposition is always going on about. Gonski sets the record straight in relation to these matters.

In relation to amalgamations, I have all the review reports. I am presently considering them, and I am doing what I said that I would do—that is, take them seriously.

### TAFE SA, WOMEN'S EDUCATION

**Ms BEDFORD (Florey) (15:06):** My question is to the Minister for Employment, Higher Education and Skills. Will the minister inform the house about courses at TAFE SA that provide women with pathways for further learning opportunities?

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (15:07):** I thank the member for Florey for her question. Everyone in this house would know that she has been a very strong advocate for women for a very long time and, along with the member for Ashford and the member for Reynell, has had a keen interest in the women's studies course at TAFE.

Women's Education covers courses delivered by TAFE SA and provides a range of learning that is often regarded as foundation skills, that is, language, literacy, numeracy and digital literacy. Unlike the many other courses delivered by TAFE SA, students who enrol in Women's Education often do so through word of mouth or when non-government and government agencies refer clients to TAFE SA. This presents a range of challenges, as TAFE courses, like those in our universities, generally cannot be delivered unless a critical number of students are enrolled and completing them. As a consequence, TAFE SA has made a number of changes to course and subject availability to ensure its ongoing success.

A number of members have spoken directly with me about the future of Women's Education. I have made it clear that I support the ongoing delivery of Women's Education courses for the opportunities it provides women facing multiple barriers to learning, as long as there is demand by students and courses and subjects delivered are financially sustainable like other TAFE SA courses.

Late last year, I was invited by Women's Education students at the TAFE SA Elizabeth campus to visit them and hear about their experiences. What was most striking was that virtually all the women in attendance had faced a range of significant personal challenges to enter further education. Many were single parents trying their best to raise their families and encourage their own children into learning; most of the women had not completed secondary schooling. Many women had lived isolated from the community and meeting women with similar circumstances had provided an important support network. There were recent migrants for whom English was their second language.

The Women's Education students I met at TAFE SA Elizabeth identified that there was one key benefit from their studies: gaining strategies that assisted them to overcome their personal challenges and to make decisions to fulfil their own personal development along with their families. I was impressed by the number of women who, after commencing Women's Education courses, had decided to further their education and learning, not only at TAFE but also at university.

Under the Skills for All reforms being rolled out, certificate I and II courses in Women's Education and other courses will have no student tuition fees from semester 2 of this year.

Madam Speaker, I can advise the house that Women's Education certificate III and IV courses will also be recognised as foundation skill courses, and have no student tuition fees from semester 2 this year. Cost should not be a barrier to women gaining the skills that they need to enter the workforce. This is an important development, as it recognises that Women's Education provides key language, literacy and numeracy skills that are needed for further learning and training opportunities that can lead to personally fulfilling employment.

### EDUCATION OUTCOMES

**Mr PISONI (Unley) (15:10):** My question is to the Minister for Education and Child Development. Is it not the case that, after 10 years, the Minister has no strategies in place to address the slide in education outcomes in South Australia in the last decade, as identified in the Gonski review and the Grattan Institute report?

**The Hon. P.F. CONLON:** Point of order, Madam Speaker. Plainly, standing order 97 forbids argument in a question, and that is nothing but argument.

**The SPEAKER:** Yes, I—

**Mr PISONI:** It is not argument. The minister—

**The SPEAKER:** Order!

**Mr PISONI:** The minister spoke about the Gonski report—

**The SPEAKER:** Order! The member for Unley will sit down.

**Mr PISONI:** The Gonski report is clear in identifying the deterioration in educational outcomes in Australia in the last 10 years, and in South Australia in the last 10 years—

**The SPEAKER:** Order! The member for Unley will sit down! There was argument in that question, and I won't allow that question. We will move on to grievances.

### GRIEVANCE DEBATE

#### TRADING HOURS

**The Hon. I.F. EVANS (Davenport) (15:11):** Trust, trust, trust! Whatever happened to trust, Madam Speaker? What we have here—what we have had this week—is an exposure of what the Premier is really about; that is what we have had. When he first became Premier, the Premier came in and told everyone in the parliament that there was going to be a new standard—there was going to be a new standard. We were all going to be civil, and we were going to be polite; it was going to be motherhood and apple pie, Madam Speaker. Motherhood and apple pie: that is what the Premier basically told the parliament—his leadership was going to lift the standards.

So, what we have, Madam Speaker, is the Premier out there misleading the public, and just because you mislead the public civilly, it does not get you away from the fact that you are misleading the public. It is a very, very simple issue, Madam Speaker—

**The Hon. M.J. ATKINSON:** Point of order, Madam Speaker.

**The SPEAKER:** Order! Is that a point of order?

**The Hon. M.J. ATKINSON:** Yes, the point of order is the member for Davenport has accused a member of the house repeatedly of misleading the house, and it may only be made by substantive motion.

*Members interjecting:*

**The SPEAKER:** Order! My hearing was that the statement was 'misleading the public', not the house.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. I.F. EVANS:** Thank you, Madam Speaker; I am sure there are going to be lots of points of order to protect the Premier, but it is very, very simple. The Premier accuses the opposition of using 'weasel words'; all we have done is ask the Premier about his very own words. He said quite clearly in the parliament yesterday that Woolworths and Coles were members of the Motor Trade Association, and he indicated that was why the Motor Trade Association was taking the position that they were regarding shop trading hours.

The reality is, Mr Acting Speaker, that the Motor Trade Association (which represents 1,100 small businesses in the state) has come out today and said the Premier's statement is simply untrue, it is simply false, and it is simply misleading the public. If we are going to set a new standard in the parliament, why is it the Premier could not do the right thing and apologise to the association that represents those 1,100 family and small businesses in South Australia?

He did not have the courtesy or the civility to apologise when asked. All he does is throw back across the chamber that the opposition is using 'weasel words'. We are using the Premier's words. The reality is that the Premier had advanced notice of this issue. Two weeks ago, the Premier went out in the media and made comments about Coles' and Woolworths' involvement in the shop trading hours debate that is currently public.

Coles put out a statement saying the Premier was misleading and Woolworths said they were not involved. The Premier's office, if you look at *The Australian* article of 1 March, actually was consulted about that issue and put out a statement. The Premier's office—the Premier's spokesman, on behalf of the Premier—put out a statement. So, two weeks ago the Premier knew about this issue. He knew that his assertion regarding Coles' and Woolworths' involvement simply was not true.

Then what happens? He comes in last night—and I understand it was a shock to the government to work past 6pm—and repeats the claim before the house. It is the Premier who said he was going to set a new standard; it was the Premier who said we were going to be civil; and it was the Premier who said serious questions deserve serious answers. On his first test, he fails.

Maybe the answer to this is in his attitude about family businesses, because last night he threw across the chamber this quote: 'Some of you have just inherited something from mummy and daddy.' That was an insult to every family business in the state. The fact that he says they inherited from their hardworking grandparents or parents is an insult to every farmer out there and every family business that has more than one generation and, frankly, Mr Acting Speaker, the Premier is a disgrace and should apologise today.

Time expired.

#### VIETNAMESE WOMEN'S ASSOCIATION

**Mrs VLAHOS (Taylor) (15:16):** I would like to speak today about last Saturday morning when I joined the SA Vietnamese Women's Association for the Vietnamese Reading Presentation at the Denison Centre in Mawson Lakes. The association does a fantastic job of helping South Australian Vietnamese community to maintain their culture, a task that is never easy when you are far from one's motherland. The association and its committee members, led by president Mrs Dieu Hong, work very hard to create empathy, understanding and harmony through the Vietnamese community in South Australia.

Joining me on the occasion were the Lieutenant-Governor and Chairman of the South Australian Multicultural and Ethnic Affairs Commission Mr Hieu Van Le, the new member for Port Adelaide, the federal member for Makin, Sandra Dan from the Working Women's Centre and Janet Giles of Unions SA.

For the first time, the association this year commenced a reading competition for young people to demonstrate their reading proficiency in Vietnamese. Commencing at the Tet Festival in February, the competition went through several rounds that culminated in the presentation on Saturday. It was an innovative way to showcase the talents of young people. By using the association's regular radio spots on 5EBI FM, the reading rounds were broadcast live and the radio audience became interactive contributors in the voting process via SMS, email and talkback calls.

I had the pleasure of presenting the winners and highly commended students with framed certificates and trophies. The youngest of the competitors was five years old, and the senior students were all of high school age. I made a personal contribution on the day to make sure that the competition becomes an annual event next year, and I look forward to seeing the way this interactive and innovative competition matures and grows in the future.

The event also commemorated the heroic efforts of the Trung sisters in ancient Vietnam with a traditional ceremony. The Trung sisters, Trung Trac and Trung Nhi, were daughters of a powerful Vietnamese lord who lived at the beginning of the first century. At the time, Vietnam was under the rule of the Chinese Han Dynasty and Vietnamese women still had many rights which their Chinese sisters had lost over time.

Vietnamese people did not actively oppose the Chinese rule until the year 39AD. To frighten the Vietnamese and bring them to submission, a Chinese commander raped Trung Trac and killed her husband. In retaliation, the Trung sisters organised a rebellion. With the support of tribal lords, they formed an army of 80,000 men and women. Thirty-six of the generals were females. With their mother, the Trung sisters led this army in an attack on the occupying Chinese forces. They won back the territory extending into southern China and were proclaimed co-queens. Their royal court was established in Me-lich, an ancient political centre in the Hong River plain.

Around the year 42CE, the Chinese forces were sent to recapture the area, and the queens and their people fought hard to resist their invaders. One close comrade of the Trung sisters, Phung Thi Chinh, led one of the armies in resistance as well, and she apparently fulfilled her mission, despite being pregnant at the time. She delivered her baby on the front line, hoisting her baby on her back and continuing to fight. However, in the end the Vietnamese troops were defeated. According to the popular belief, the Trung sisters elected to take their own lives in the traditional manner, by jumping in a river and drowning, along with their loyal Phung Thi Chinh.

The Trung sisters became symbols of the first Vietnamese resistance to China's occupation of their land. Temples have been built in their honour, and the people of Vietnam still celebrate them every year around February, just as the Vietnamese Women's Association of South Australia does each year in Adelaide and will continue to do, with the poetry reading competition in future years.

#### CLEAN UP AUSTRALIA DAY

**Mr GARDNER (Morialta) (15:20):** On 4 March, I imagine that many members were joining with groups in their local communities to involve themselves in the 22<sup>nd</sup> Clean Up Australia Day, which I—

*The Hon. C.C. Fox interjecting:*

**Mr GARDNER:** Where were you member for Bright?

**The Hon. C.C. Fox:** I was at Hallett Cove with my son, Theo, who picked up a lot of rocks.

**Mr GARDNER:** Well, I am sure Theo's rock collection growing on the day is going to be a boon to your family for years to come. The member for Adelaide was just telling me how she was at Prospect helping clean up along Prospect Road near the library and somebody had dumped two cartons of tomatoes just outside their backyard. Unfortunately, some people do dump rubbish around the place.

Australia has been coming together for more than two decades to clean up our community. I want to pay particular tribute in these short moments today to the Clean Up Australia group, of course, headed up by a great Australian, Ian Kiernan, whom I have admired for many years, and in particular some of the groups who did some terrific work in Morialta over that weekend a couple of weeks ago.

I can report to the house that in 2012 more than 591,400 volunteers across Australia and, I am sure, including most members of this chamber, helped to celebrate the 22 years of Clean Up Australia by donning their gloves and filling up Clean Up Australia Day rubbish bags with



16,199 tonnes of rubbish at over 7,000 sites across Australia and over 300 sites in South Australia, and that is those who are registered with Clean Up Australia. I am aware of some groups that go out on Clean Up Australia Day without having registered and that is, of course, to be encouraged as well.

I do not think we need to get too bogged down in the bureaucracy just to clean up our patch. Nor do we need to just do it on the day, but it is helpful having this day that reminds us all that we have a responsibility to our communities to help make sure that our environment is held in high regard, respected and cleaned where possible. I note that Clean up the World weekend is held on the third weekend of September every year, with over 120 countries participating.

I will now pay tribute to Ian Kiernan. In 1991, Ian Kiernan was awarded the Medal of the Order of Australia. The range of awards he has been presented over the years is significant. He was Australian of the Year in 1994 and was made an Officer of the Order of Australia in that year. He is a National Living Treasure, he is a Rotary Paul Harris Fellow, and he won a Centenary Medal. I note that in successive years in the *Reader's Digest* Most Trusted People poll he has been voted as one of our top five most trustworthy Australians, which is to be commended.

In the local area in Morialta, as I was going around on Sunday I was very pleased to see a number of great groups, including Inglesia Ni Cristo (the Church of Christ) who were working on Penfold Park and up at the Kensington Road lookout. They must have had a fantastic view on that warmish day. The Kiwanis Club of Athelstone cleaned Fifth Creek and Schulze Road in Athelstone. A couple of years ago, I was out with the Kiwanis Club of Athelstone doing an area just behind Gorge Road, and they always get a terrific group of volunteers along every year.

The Lions Club of Athelstone cleaned Ambers Gully car park, which was formerly the Torrens Valley area until it was renamed after Max Amber just last year in commemoration of his more than four decades of service to the Campbelltown council. He is a great South Australian and a former LGA state president and also an OAM. Agata Kocimska cleaned Olive Court Reserve. The Stradbroke Joey Scouts and the Campbelltown Rotary Club, of which I am proud to be a member, were both competing to help out on Silkes Road and Linear Park. It is a largish area, so there was room for both.

The Adelaide Hills Natural Resource Centre cleaned Old Norton Summit Road. I know that my constituents Ray and Jean White were very active in helping there, and they are great members of the community and support private bushland and the environmental efforts around Moores Road. The Morialta Residents Association, which is a terrific community group, had a focus on Morialta Conservation Park.

Clean Up Australia is an important initiative. It is the best sort of example of community activity coming from the grassroots and taking the nation and the world by storm. One idea from one person can make a significant difference to the world, and this is the sort of thing we should be commending when we have the opportunity, and I am pleased to do so today.

#### **DARWIN BOMBING ANNIVERSARY**

**Ms BETTISON (Ramsay) (15:25):** On Sunday 19 February, I attended the bombing of Darwin Memorial ceremony held at the Cross of Sacrifice, Orange Avenue, Salisbury. The ceremony was held to commemorate the 75th anniversary of the bombing of Darwin. A siren sounded at 9.58am, at the exact time of the bombing. *The Last Post* played and there was a minute's silence. I wish to thank Salisbury RSL, and I would especially like to acknowledge the role of Mick Lennon, President, and Lynne Leahy, Secretary, for the invitation and organisation of this event.

During World War II, Darwin was the only Australian mainland city to come under enemy air attack. On 19 February 1942, Australia came under attack for the first time when Japanese forces mounted two air raids on Darwin. It remains one of Australia's greatest disasters. This was the first attack on Australian soil and the first time Australian blood was spilled on our soil in an act of war.

These two attacks, which were planned and led by the Japanese commander responsible for the attack on Pearl Harbor 10 weeks earlier, involved 54 land-based bombers and approximately 188 attack aircraft which were launched from four Japanese aircraft carriers in the Timor Sea. Compared with Pearl Harbor, more civilians were killed, more bombs were dropped, and more ships were sunk in Darwin. However the magnitude of this attack and the death and devastation that followed has for decades remained virtually unknown.

In the first attack, heavy bombers pattern-bombed the harbour and town. Dive bombers escorted by Zero fighters then attacked shipping in the harbour, the military and civil aerodrome, and the hospital at Berrima. The attack ceased after about 40 minutes. The second attack, which began an hour later, involved high-altitude bombing of the Royal Australian Air Force Base at Parap which lasted for 25 minutes.

The two raids killed at least 243 people and between 300 and 400 were wounded. Veterans dispute today's figure of 243 killed on 19 February, so the number is more likely over 1,000. One of the groups that was not included at this time, and often not accepted in counts, was the Indigenous population who perished. Twenty military aircraft were destroyed, eight ships at anchor in the harbour were sunk, and most civil and military facilities in Darwin were destroyed.

Contrary to widespread belief at the time, the attacks were not a precursor to an invasion. The Japanese were prepared to invade Timor and anticipated that a disruptive air attack would hinder Darwin's potential as a base from which the allies could launch a counter-offensive and, at the same time, would damage Australian morale.

With Singapore having fallen to the Japanese only days earlier, and concerned at the effect of the bombing on national morale, the government announced that only 17 people had been killed. The air attacks on Darwin continued until November 1943, by which time the Japanese had bombed Darwin 64 times.

During the war, other towns in northern Australia were also the target of Japanese air attacks with bombs being dropped on Townsville, Katherine, Wyndham, Derby, Broome and Port Headland. In the hours following the air raids on 19 February, believing that invasion was imminent, Darwin's population began to stream southwards, heading for Adelaide River and the train south. Approximately half of Darwin's civilian population ultimately fled, and they were not permitted to return to Darwin until 1946.

Wartime censorship ensured that even the soldiers, sailors and airmen were ordered not to talk about the events in Darwin during World War II, and many Australians still do not know that following the first bombing attack these brave defenders suffered a further 63 Japanese air raids. In today's world of Facebook and Twitter, it is difficult for us to imagine that this horrific event remained unknown to most Australians. Social media and the 24-hour news cycle have made censorship a foreign concept to us. When your story remains untold to those you serve to protect your efforts can go unnoticed. This is the fate of those who defended Darwin during World War II. We will remember them.

### LOWER LAKES

**Mr PEDERICK (Hammond) (15:30):** I wish to respond to a report, commissioned in February, and a campaign petition launched by a Jennifer Marohasy, who represents the so-called Australian Environment Foundation. What she wants recognised is that there is an estuary that should be restored by re-engineering or removing the barrages to allow inflows from the Southern Ocean. I wish to correct her thoughts.

Prior to European settlement, Lake Alexandrina and Lake Albert, at the terminus of the River Murray, were predominantly fresh with river water discharging into the sea and keeping the mouth clear. Contrary to what some believe today, saltwater intrusions into the lake environment were not common until after 1900, when significant water resource development had occurred in the River Murray system. Before large-scale extractions of water, the lakes and Lower Murray were rarely subject to seawater invasions.

There is scientific proof that the Lower Lakes have not been a seawater environment for more than 7,000 years. Freshwater tributaries like the Finnis, Bremer and Angas rivers and Currency Creek inject much-needed fresh water into Lake Alexandrina during winter. Man-made seawater floods would trigger an environmental disaster where thousands of tons of freshwater fish would die, while some areas of the lake would become hypersaline because of no circulation, with a higher evaporation rate resulting in massive salt build-up.

The River Murray travels over 2,500 kilometres to the Southern Ocean, and in the final 100 kilometres before entering the ocean it passes through Lake Alexandrina, the Murray estuary and the Murray Mouth. Connected to Lake Alexandrina by a narrow channel is Lake Albert. These are the Lower Lakes, together holding approximately 2,000 gigalitres of water, nearly four times that of Sydney Harbour. The barrages separating the River Murray from the sea are designed to

ensure the lakes and lower reaches of the river remain fresh not only for environmental reasons but as a water supply source.

The barrages are not the only cause of change in the Lower Lakes. Decreased flows from upstream usage has a huge impact. Allowing sea water in, as suggested, would not return the environment to a natural state without a significant reduction in upstream water usage. A natural environment, where substantial quantities of fresh water run into the sea, would only be returned if the natural end of system flows were returned. This would entail pulling the other 3,000 plus structures out of the basin, if the barrages were removed. I cannot see that happening.

Of the total amount of water taken by the three states at the bottom of the system, South Australia takes about 8 per cent, while New South Wales and Victoria take 49 per cent and 35 per cent respectively. Queensland uses approximately 8 per cent. Ms Marohasy constantly talks about the evaporation of water in the Lower Lakes but never mentions other states, particularly her own. Menindee Lakes, for example, are half the size with the same evaporation rate as the Lower Lakes. Two of the dams, Lake Victoria and the Menindee Lakes, have the largest evaporation rates, which lead to increases in their salinity.

A summary of events over time include sealers, whalers and inhabitants of Kangaroo Island in the 1820s telling of the existence of a freshwater lake on the mainland of South Australia. In 1837 Strangways and Hutchinson travelled up river from near the mouth to Point Sturt/Point McLeay, where water 'was so pure that we filled our kegs'. In 1838 Sturt revisited, looking for an alternative mouth. He said, 'During my late visit I never observed sea running in, but a strong current always setting out to the channel.'

In 1839 cattle and sheep began being brought from New South Wales to South Australia by parties called Overlanders. One of the first to make the journey was a party led by Charles Bonney who, upon reaching Lake Alexandrina, commented 'came upon a point of the main lake, the water of which was perfectly fresh. The shores were also covered with reedy flats'. There were many other reports that I do not have time to talk about today.

In summary, short-lived intrusions of salt water would occur during periods of low flow downriver, resulting in a lowered level of water in the lakes. Even in times of these low flows it would appear that only small areas of the lakes around the Murray Mouth and into the channel towards Point Sturt, for a short distance, were affected. Winds would blow salt water into the main body of Lake Alexandrina for short periods, but, when the wind ceased to blow, the flow of water downstream pushed the saline water back out of the mouth.

*A Fresh History of the Lake* details and illustrates the conditions found from when colonisation of South Australia began in 1836 until changes to the quality and quantity of water began in the 1880s. It shows that extractions of water from the system upstream in New South Wales, Victoria and South Australia, along with drought conditions, caused change to the lakes. I just wish people would stick to the facts and not put out these misconstrued reports.

#### **LE CORNU, MRS ROBYN**

**Mrs GERAGHTY (Torrens) (15:35):** I did listen with great interest to the member's contribution. As we all know, we have really many, many dedicated volunteers in our community, and today specifically I want to talk about the outstanding contributions of an extremely dedicated individual. Her name is Mrs Robyn Le Cornu. I actually first met her when she was chairperson of the then Ross Smith Secondary School. She was its chairperson of the governing council.

I am sure that members will be interested in this because we do have some quite dedicated and unique volunteers out there, but over the years Robyn has continued to impress me, I must say, with her energy and her enthusiasm and certainly her enormous capacity to lend a hand. In 2011, just last year, Robyn was presented with the Sports SA Volunteer Award. This award recognises an individual who has made a significant contribution to the sports industry in a voluntary capacity.

Robyn certainly has had an outstanding impact on community sport, given that she has been volunteering for 50 years, and I think that is an admirable contribution of her time and certainly a true indication of her dedication and passion. One of Robyn's greatest passions is cricket, and she has an outstanding 50 years of service just to Cricket Australia. Her dedication and commitment to cricket over the past five decades has been tireless and, I am sure we agree, admirable, to say the least.

Cricket Australia recently rewarded her 50 years of service with a trip to Melbourne so that she could attend the Volunteer Recognition Program, at which she received one of the 2012 Allan Border medals. Robyn's contributions in the role of coach, umpire and administrator have provided Cricket Australia with an enormous amount of expertise and support, and it has been able to count on her for decades. She has regularly taken up a position behind the stumps as an umpire, and she has been a South Australian Cricket Association accredited umpire since 1973.

She has coached junior cricketers at many different levels, including primary school (in fact, one in my electorate just recently), high school, junior grade boys' teams and state female under-age teams. Most importantly, Robyn can take pride in knowing that she has inspired many other females to become involved in cricket. She is still involved in the game as a player and is one of the few grade cricketers who has played in every decade since the 1960s.

It is not only cricket that is certainly better off due to Robyn's voluntary service, her passion for myriad other sports, I think, is just really astounding. Somehow she has found time to participate in and help other sports groups, such as basketball, badminton, hockey, netball, mini Olympics, multiskills, scooter hockey (I am not sure what that is), tennis and volleyball.

*Mr Gardner interjecting:*

**Mrs GERAGHTY:** Okay, right. I had better get padded up for that—I think I already am. Robyn is a warm and very kind-natured volunteer who is a great credit not only to cricket but to South Australian sport in general. The South Australian Cricket Association has been exceptionally lucky to have the pleasure of dealing with her for so many years, as have many other sporting associations, clubs and schools.

Robyn's tireless involvement and enthusiasm for sport has inspired and benefitted women and men and girls and boys, and she is, undoubtedly, a great role model and deserving recipient of the award. I am also extremely proud to call her my friend and I applaud her for her commendable contribution to sport. I know that while she is fit, willing and able she will be contributing for many years to come.

#### CAVAN TRAINING CENTRE

**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) (15:41):** I table a copy of a ministerial statement relating to the capture of Cavan escapee made earlier today in another place by my colleague the Hon. Ian Hunter.

#### STATUTES AMENDMENT (NATIONAL ENERGY RETAIL LAW IMPLEMENTATION) BILL

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:41):** Obtained leave and introduced a bill for an act to amend the Electricity Act 1996, the Essential Services Commission Act 2002, the Gas Act 1997, the National Electricity (South Australia) Act 1996 and the National Gas (South Australia) Act 2008. Read a first time.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:42):** I move:

That this bill be now read a second time.

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

Leave granted.

This Bill forms part of the Government's package of legislation to implement a national framework for regulating retailers and distributors who sell and supply electricity and gas to customers. The National Energy Customer Framework is an important component of the national energy reforms to which this Government is committed.

The purpose of this Bill is to amend the *Electricity Act 1996*, the *Gas Act 1997* and other Acts as a consequence of the implementation of the National Energy Customer Framework in South Australia. It has been agreed that jurisdictions will aim for a start date of 1 July 2012 for the new Customer Framework.

Honourable Members will be aware that the National Energy Retail Law (South Australia) (Implementation) Amendment Bill 2012 will replace significant parts of existing jurisdictional energy legislation as South Australia transitions to the Customer Framework. This Bill therefore seeks to remove from South Australian energy legislation areas of duplication or inconsistency with the new national Framework.

Further, certain provisions of the National Energy Customer Framework rely upon jurisdictional energy legislation for their full effect. For example, the operation of energy ombudsman schemes, guaranteed service level schemes, and social policy initiatives such as community service obligations. Therefore, the Customer Framework is intended to operate in parallel with jurisdictional energy legislation, and this Bill provides for those jurisdictional arrangements to work with South Australia's application of the Framework.

The Customer Framework will also work alongside existing national electricity and gas regulatory frameworks covering wholesale markets and network access regulation. This Bill will make limited consequential amendments to South Australia's application Acts for the National Electricity and Gas Laws to ensure the National Energy Retail Law operates effectively within the broader energy regulatory environment. These amendments are necessary to ensure the important preparatory work being undertaken by the Australian Energy Regulator ahead of the commencement of the Customer Framework is valid. These are uniform provisions that each participating jurisdiction will include as part of its legislative reforms to implement the Customer Framework. The Commonwealth passed the *Australian Energy Market Amendment (National Energy Retail Law) Bill 2011*, which contained the same validation provisions, in September last year.

Honourable Members will be aware that energy retailers operating in South Australia are currently subject to a range of obligations contained in the *Electricity Act 1996* and the *Gas Act 1997*, their Regulations, and in Codes made by the Essential Services Commission of South Australia. The requirement to comply with these obligations is established by conditions attached to the retail licence.

At the commencement of Customer Framework, South Australian licensing of on-grid electricity and natural gas retailers will cease and will be replaced by a national regime of retailer authorisation under the Framework. For the avoidance of doubt, licensing arrangements for the retail of off-grid electricity, the retail of reticulated liquefied petroleum gas, and for electricity distribution remain unchanged.

While most of South Australia's retail obligations will be replaced by similar obligations under the Customer Framework, some existing obligations are not covered and yet remain important features of the retail environment in South Australia. Existing retailer obligations which are not covered by the Customer Framework include South Australia's Residential Energy Efficiency Scheme, the customer concessions scheme, gas safety awareness plans, and the electricity feed-in mechanism.

Accordingly, these features will be preserved and continue to apply to retailers operating under the national retailer authorisation. For this purpose, the Bill provides for these retail obligations to continue as direct statutory obligations under the *Electricity Act 1996* or the *Gas Act 1997*. The Bill creates new Parts in each of these Acts that will set out the continuing obligations that are to apply to a NERL retailer when operating in South Australia. The new Parts will enable certain existing retail obligations to be prescribed in regulations, such as specific Codes or Code provisions made by the Essential Services Commission.

These new Parts will apply to NERL retailers despite the fact that those retailers are not required to hold a licence in South Australia. Just as exemptions may be granted from South Australia's existing retail licensing regime, this Bill also provides that, with the approval of the Minister, the Essential Services Commission of South Australia may provide exemptions from the requirements set out in these new Parts.

The new Parts contain appropriate compliance and enforcement provisions, which are based on the existing provisions that apply with respect to a breach of a licence condition. For the majority of these direct obligations, the relevant regulator will continue to be the Essential Services Commission. Where a direct obligation relates to a technical or safety matter, the Technical Regulator will be the relevant regulatory body. Consequential amendments will be made to the existing provisions of each Act that govern the issuing of warning notices and assurances to enable these to work in relation to the obligations contained in the new Parts.

The Essential Services Commission also retains responsibility for South Australia's retail price regulation arrangements. The application of the Framework in South Australia will be modified by the National Energy Retail Law (South Australia) (Implementation) Amendment Bill 2012 to enable price regulation by the Commission to continue. This Bill makes minor amendments to the price fixing provisions of the *Electricity Act 1996* and the *Gas Act 1997* to ensure the Commission is able to continue to regulate the retail prices of a NERL retailer that is prescribed under the *National Energy Retail Law (South Australia) Act 2011* as having the obligation to offer to sell energy.

To ensure consumers retain the ability to advise the Commission in relation to their remaining retail functions, the Bill provides for the role of the consumer advisory committee to continue to encompass the Commission's retail functions under the *Electricity Act 1996* and the *Gas Act 1997*.

To ensure the Essential Services Commission and the Technical Regulator have the appropriate functions and powers in relation to retained obligations, amendments are proposed to the corresponding provisions in each of the *Electricity Act 1996* or the *Gas Act 1997*. Furthermore, it is also necessary to amend the *Essential Services Commission Act 2002* to ensure that the Commission is able to regulate NERL retailers, including by requiring a retailer to conduct an audit and report the audit results to the Commission.

Honourable Members will be aware that South Australia currently provides for an industry-funded model for the regulation of the energy retail sector in South Australia. South Australian retailers currently pay a licence fee that represents a contribution to the costs incurred to administer the regulatory framework for energy retailing.

The Bill provides for retailers operating under the Customer Framework to continue to be obliged to pay a fee that represents a reasonable contribution towards the administration costs that relate to those retailers. Administrative costs which can be recovered have been defined and will be further prescribed by Regulation.

The new administration fee is modelled on the existing retail licence fee arrangements, with an important difference. The amount of the new annual administration fee will be calculated in accordance with requirements to be prescribed in the regulations. This will improve transparency about the licence fee and enable businesses to better plan their business costs.

South Australia's arrangements for contestable network services will continue via a new provision to be inserted in the Electricity Act. The current arrangements are achieved via a transitional derogation under the National Electricity Rules, which will fall away with the commencement of the Customer Framework. Continuing to provide consumers with the ability to choose their service provider for certain types of network services such as network extensions will ensure competition and more efficient costs over the longer term.

Honourable Members will also note that the Bill removes the current Retailer of Last Resort (or 'RoLR') arrangements that apply to ETSA Utilities, as the Customer Framework establishes a comprehensive RoLR regime that will apply to both the electricity and gas sectors. Accordingly, the provisions contained in the *Electricity Act 1996* are no longer required.

Minor amendments will also ensure the *Electricity Act 1996* and the *Gas Act 1997* make appropriate reference to the national energy laws, including the National Energy Retail Law, Regulations and Rules.

Subject to the passage of this Bill, supporting regulations will be required to specify the detail of the continuing obligations.

I commend the Statutes Amendment (National Energy Retail Law Implementation) Amendment Bill 2012 to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Electricity Act 1996*

###### 4—Amendment of section 4—Interpretation

###### 5—Amendment of section 6A—Functions and powers of Commission

###### 6—Amendment of section 14A—Consumer advisory committee

These amendments are consequential.

###### 7—Insertion of Part 3 Division A2

This clause inserts proposed new Division A2 in Part 3.

###### Division A2—Application of provisions

###### 14E—Application of provisions

Proposed section 14E relates to the application of provisions in Part 3 to NERL retailers.

###### 8—Amendment of section 23—Licences authorising operation of transmission or distribution network

These amendments repeal the provisions relating to the retailer of last resort requirements and remove the requirement that the Commission make a licence authorising the operation of a distribution network subject to a condition for the purposes of those requirements.

###### 9—Amendment of section 24—Licences authorising retailing

This amendment relates to the repeal of retailer of last resort requirements.

###### 10—Amendment of section 24B—Licence conditions and national energy laws

###### 11—Amendment of section 35A—Price regulation by Commission

###### 12—Amendment of section 35B—Initial electricity pricing order

These amendments are consequential.

###### 13—Amendment of section 36AA—Provision for standing contract with small customers

These amendments relate to the implementation of the National Energy Retail Law.

###### 14—Insertion of Part 3 Division 3AC

This clause inserts proposed new Division 3AC in Part 3.

###### Division 3AC—Contestable services

###### 36AF—Contestable services

Proposed section 36AF relates to the provision of services on a contestable or competitive basis.

15—Amendment of section 54—Emergency legislation not affected

This amendment is consequential.

16—Insertion of Part 6A

This clause inserts proposed new Part 6A.

Part 6A—Regulation of NERL retailers

63AA—Application of Part

The Part applies to NERL retailers.

63AB—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

Proposed section 63AB requires a NERL retailer to comply with certain requirements under codes published by the Commission and the regulations.

63AC—Participation in ombudsman scheme

Proposed section 63AC requires a NERL retailer to participate in an ombudsman scheme.

63AD—Compliance with customer concessions scheme and performance of community service obligations

Proposed section 63AD requires a NERL retailer to comply with any scheme for customer concessions or the performance of community service obligations.

63AE—NERL retailers annual administration fee

Proposed section 63AE provides for the imposition of an annual administrative fee on NERL retailers.

17—Amendment of section 63A—Warning notices and assurances

18—Amendment of section 80—Power of exemption

19—Amendment of section 94B—Energy efficiency shortfalls

These amendments are consequential.

20—Amendment of section 98—Regulations

This amendment relates to the implementation of the National Energy Retail Law.

Part 3—Amendment of *Essential Services Commission Act 2002*

21—Amendment of section 29—Commission's power to require information

This amendment provides that the Commission may require a NERL retailer required to comply with Part 6A of the *Electricity Act 1996* or Part 5A of the *Gas Act 1997* to conduct an audit of its compliance with the relevant Part and report the results of the audit to the Commission.

Part 4—Amendment of *Gas Act 1997*

22—Amendment of section 4—Interpretation

23—Amendment of section 6A—Functions and powers of Commission

24—Amendment of section 15—Consumer advisory committee

These amendments are consequential.

25—Insertion of Part 3 Division A2

This clause inserts proposed new Division A2 in Part 3.

Division A2—Application of provisions

18C—Application of provisions

Proposed section 18C relates to the application of provisions in Part 3 to NERL retailers.

26—Amendment of section 26A—Licences authorising retailing

This amendment relates to the implementation of the National Energy Retail Law.

27—Insertion of section 26B

This clause inserts proposed new section 26B.

## 26B—Licence conditions and national energy laws

This amendment relates to the implementation of the National Energy Retail Law and achieving consistency with the *Electricity Act 1996*.

## 28—Amendment of section 34A—Standing contracts

These amendments relate to the implementation of the National Energy Retail Law.

## 29—Repeal of Part 3 Division 3B

This amendment repeals the retailer of last resort scheme.

## 30—Amendment of section 54—Emergency legislation not affected

This amendment is consequential.

## 31—Insertion of Part 5A

This clause inserts proposed new Part 5A.

## Part 5A—Regulation of NERL retailers

## 61AC—Application of Part

The Part applies to NERL retailers.

61AD—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

Proposed section 61AD requires a NERL retailer to comply with certain requirements under codes published by the Commission and the regulations.

## 61AE—Participation in ombudsman scheme

Proposed section 61AE requires a NERL retailer to participate in an ombudsman scheme.

## 61AF—Compliance with customer concessions scheme and performance of community service obligations

Proposed section 61AF requires a NERL retailer to comply with any scheme for customer concessions or the performance of community service obligations.

## 61AG—NERL retailers to match available gas to customers' estimated aggregate demand

Proposed section 61AG provides that a NERL retailer must ensure that at all times the quantity of gas available to it for delivery to its customers from a distribution system is sufficient to meet reasonable forecasts of its customers' aggregate demand for gas from the distribution system.

## 61AH—NERL retailers annual administration fee

Proposed section 61AH provides for the imposition of an annual administrative fee on NERL retailers.

## 32—Amendment of section 61A—Warning notices and assurances

## 33—Amendment of section 77—Power of exemption

## 34—Amendment of section 91A—Energy efficiency shortfalls

These amendments are consequential.

## Part 5—Amendment of National Electricity (South Australia) Act 1996

## 35—Insertion of section 15A

This clause inserts proposed section 15A.

15A—Regulation-making power for the purposes of the *National Electricity (South Australia) Law*

Proposed section 15A inserts a regulation making power for the purposes of the *National Electricity (South Australia) Law*.

## 36—Insertion of Part 8

This clause inserts proposed new Part 8.

## Part 8—Validation of instruments and decisions of AER

## 20—Validation of instruments and decisions made by AER

Proposed section 20 relates to the validation of instruments and decisions made by the AER.

## 21—AER—authorisation of preparatory steps



Proposed section 21 relates to the authorisation of certain steps required of the AER before making a decision or an instrument.

Part 6—Amendment of National Gas (South Australia) Act 2008

37—Insertion of section 24

This clause inserts proposed section 24.

24—Regulation-making power for the purposes of the *National Gas (South Australia) Law*

Proposed section 24 inserts a regulation making power for the purposes of the *National Gas (South Australia) Law*.

38—Insertion of Part 6

This clause inserts proposed new Part 6.

Part 6—Validation of instruments and decisions of AER

25—Validation of instruments and decisions made by AER

Proposed section 25 relates to the validation of instruments and decisions made by the AER.

26—AER—authorisation of preparatory steps

Proposed section 26 relates to the authorisation of certain steps required of the AER before making a decision or an instrument.

Debate adjourned on motion of Dr McFetridge.

## **NATIONAL ENERGY RETAIL LAW (SOUTH AUSTRALIA) (IMPLEMENTATION) AMENDMENT BILL**

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:43):** Obtained leave and introduced a bill for an act to amend the National Energy Retail Law (South Australia) Act 2011. Read a first time.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:44):** I move:

That this bill be now read a second time.

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

Leave granted.

This Bill delivers on the Government's commitment to a national framework for regulating retailers and distributors who sell and supply electricity and gas to customers.

In June 2006 the Council of Australian Governments amended the Australian Energy Market Agreement to provide for (among other things), the national framework for energy access; and the national framework for distribution and retail services. This final component is known as the National Energy Customer Framework, here referred to as the Customer Framework, and consists of a package of Laws, Rules and Regulations.

A key component of this package of Laws includes the National Energy Retail Law, which as Honourable Members will be aware, passed South Australian Parliament as lead legislator for national gas and electricity legislation without amendment and received Royal Assent on 17 March 2011.

The purpose of this Bill is to apply the Customer Framework in South Australia. This framework provides national consistency for the sale and supply of energy to retail customers and therefore simplifies the regulatory regime for energy retailers and distributors. Further, the Customer Framework contains a wide-ranging suite of energy-specific consumer protections.

As a result, this Bill will see the regulation of non-price retail and non-economic distribution functions shift from South Australia's independent energy regulator, the Essential Services Commission of South Australia (here referred to as the Commission) to the Australian Energy Regulator.

Other jurisdictions which are part of the National Electricity Market, namely, Victoria, New South Wales, the Australian Capital Territory, Tasmania, Queensland and the Commonwealth will also introduce application Acts which apply the Customer Framework for the purposes of those jurisdictions.

Under the terms of the Australian Energy Market Agreement, it is a requirement that Ministerial Council on Energy unanimously agree each jurisdiction's Implementing Legislation, which includes this Bill to apply the Customer Framework in South Australia, and supporting Regulations, as well as any future amendments or additional Regulations made for the purposes of applying or modifying the Customer Framework in South Australia.

The Ministerial Council on Energy has agreed that relevant jurisdictions will introduce the Customer Framework progressively, noting that some transitional legislative arrangements will be required to appropriately manage the transition process. Furthermore, it has been agreed that jurisdictions will aim for a start date of 1 July 2012 for the Customer Framework.

A jurisdiction's application Act may, for transitional or other reasons, modify the application of various provisions of the National Energy Customer Framework for the jurisdiction. Further, certain provisions of the National Energy Customer Framework rely upon jurisdictional energy legislation for their full effect, for example, the operation of energy ombudsman schemes, guaranteed service level schemes, and social policy initiatives such as community service obligations. Therefore, the Customer Framework is intended to operate in parallel with jurisdictional energy legislation.

In most cases, South Australia will apply the Customer Framework provisions in full from the start date but there will be a small number of modifications to certain provisions that allow South Australia to continue certain existing arrangements.

Honourable Members will be aware that currently South Australia provides for retail price regulation. This Bill will allow for retail prices to continue to be regulated under jurisdictional energy legislation administered by the Commission.

Consistent with current legislation, the Bill will impose the obligation to offer to sell energy to small customers at a regulated price on prescribed retailers. It is intended that the current retailers with an obligation to offer to sell energy will be prescribed in the regulations.

In the circumstances of a deemed customer arrangement, such as a customer move in or carry over, or where a retailer is acting as the retailer of last resort, the Bill does not require the prescribed retailers to charge a regulated price. It is important to note that the Customer Framework only intends for customers to remain in a deemed customer arrangement until such time as the customer enters into a market contract with a retailer or elects to be subject to the regulated price.

To provide small business customers with similar protections to those that currently apply, the Bill provides for the prescription of a higher upper threshold than included in the Customer Framework for the purpose of defining a small electricity customer. It is intended that the current upper threshold of 160 MWh per annum will be prescribed. This provides continued access to the full suite of protections offered by the terms and conditions of a standard retail contract and regulated retail price to all small customers including small business.

The Customer Framework provides for the Australian Energy Regulator to establish a price comparison service to assist customers to compare, free of charge, energy retail offers. Customers of all participating jurisdictions will be able to use this service to compare offers.

While the Australian Energy Regulator has commenced development of the price comparator, the project is highly complex and there is a risk that a delay in its development could result in no price comparison service, or an incomplete service, being available to South Australian customers at the commencement of the Customer Framework.

Honourable Members will be aware that the Commission currently offers a price comparison service in this State. Accordingly, the Bill provides for the retention of this service. It is intended, however, that once the Australian Energy Regulator's service is complete, fully operational and meet South Australia's requirements, the Commission's service will expire and the national price comparison service will commence by local instrument. This will ensure that customers continue to benefit from the service and that there is no gap during the transition period.

The Bill provides for all existing energy customers to be transitioned to the new Customer Framework with minimal interruption to the customer, and ensures that customers and retailers will not be required to re-establish payment plans, security deposits or direct debit arrangements.

Therefore, the Bill provides that standing contracts and market contracts will continue and be transitioned to the Customer Framework without requiring customers to enter new retail contracts. The provisions of the Bill ensure that a customer currently subject to a regulated price continues to be subject to a regulated price under the new framework.

For South Australian customers currently on a default contract, the Bill provides that they will transition to a deemed customer retail arrangement under the Customer Framework, which, unlike the default contract, is a temporary arrangement that does not constitute an appropriate contract for sale. Retailers will therefore be required to contact these customers once the Customer framework commences to assist them to move to a standing contract or a market contract.

Equally, a contract between a distributor of electricity and a customer will be deemed to be replaced by the standard connection contract provided under the Customer Framework. For gas, this will mean that a new contract will be deemed to exist between distributors of gas and customers.

South Australian consumers will continue to have access to dispute resolution procedures, including the services of the Energy Industry Ombudsman of South Australia, under the Customer Framework. This Bill provides that any complaints involving a matter arising before the Framework comes into operation, and any disputes referred to the Energy Industry Ombudsman before the Framework starts, can proceed under the Customer Framework. To avoid doubt, the intention of these provisions is to ensure the Customer Framework's procedures for handling disputes and complaints can apply to these matters. The Bill does not intend that the Australian Energy Regulator will have a dispute resolution role in relation to these matters.

Honourable Members will be aware, that South Australian energy legislation provides a number of consumer protections applicable to small customers. In order to ensure that customers receive the same or enhanced benefits under the Customer Framework, the Bill provides for the retention of a number of these protections including South Australia's minimum standards of service for small customers in relation to written and telephone enquiries.

The Bill also includes additional limitations regarding the imposition of a fee for late payment of a bill in regard to a retail service received. While the Customer Framework already provides that a retailer cannot impose such a fee on a hardship customer, this Bill extends this prohibition on imposing a late payment fee to situations where a customer has lodged a complaint in relation to a bill. Furthermore, the Bill retains South Australia's current limitation that where a late fee is imposed, it must not exceed the reasonable costs a retailer incurs recovering the overdue amount.

The Government has not proposed, however, to modify or commence provisions in the Customer Framework where evidence suggests that current South Australian practice is meeting the needs of customers. This is the case of the small compensation claims regime which is currently offered by ETSA Utilities on a voluntary basis and compensation for wrongful disconnection which is currently managed by the South Australian energy ombudsman.

Whilst the Bill provides for the commencement of the Customer Framework small compensation claims regime, it is not the intention of the Government to proclaim the application of this provision unless the current voluntary scheme administered by ETSA Utilities ceases to meet the needs of South Australian consumers.

Honourable Members will also note that the Bill does not provide for the payment of compensation for wrongful disconnection. After extensive analysis of the area of wrongful disconnection, it was found that the current scheme of payment of compensation by South Australia's energy ombudsman provided sufficient incentive for systems to be in place to ensure the cases of wrongful disconnection were minimised in South Australia and where such cases did occur, that the impacted customer was provided appropriate compensation that was reflective of their loss.

The Government has also been conscious of the impact of the new Customer Framework on energy businesses. At the time of the sale of the electricity distribution business, arrangements were put in place that provided that the distributor could enter into an agreement with a small customer to limit the liability of the distributor associated with a failure to supply electricity done or made in bad faith or through negligence. Accordingly, it has been necessary to modify the Customer Framework to retain this provision.

I advise the Honourable Members that the Bill also provides some transitional provisions to assist energy businesses to transition to the Customer framework. In particular, the Government recognises that the creation of a Retailer of Last Resort scheme for gas requires the development of extensive automated systems for seamless operation of the scheme. The scheme to be established under the Bill therefore provides for a relaxed approach to timeframes associated with the scheme until June 2013 when it is expected all relevant parties will have undertaken the work necessary to automate all relevant systems.

The Bill also provides the State electricity distributor with transitional support in relation to the requirement to notify customers of planned interruptions. Currently, the distributor is not required to provide prior notification of a planned interruption of less than 15 minutes to the customer and it is the intention under the Bill to continue this provision until the electricity distributor's next regulated revenue period commencing in 2015.

Honourable Members will also note that the Bill includes amendments to the National Energy Retail Law. A small number of important amendments have been identified as necessary to clarify the operation of the National Energy Retail Law or to correct or clarify minor drafting issues. The need for and form of these amendments have been agreed by all participating jurisdictions and are included with this Bill in South Australia's capacity as lead legislator. The Bill will make these nationally agreed amendments prior to the commencement of the Customer Framework, and the amendments will apply to all participating jurisdictions.

The Bill amends the National Energy Retail Law to clarify the way in which a partnership should be dealt with under the retailer authorisation framework. The amendments include provisions to allow applications to be made by two or more persons jointly, to enable a retailer authorisation to be held jointly by two or more persons, and to clarify that a change to a person constituting a partnership is taken to be a transfer of the retailer authorisation requiring approval of the Australian Energy Regulator.

The Bill also clarifies that where a distributor has a standard connection contract for large customers approved by the Australian Energy Regulator, the distributor may move existing large customers from the old deemed standard connection contract to the new contract and must give notice to those customers.

The Bill clarifies the relationship between retailer authorisation and market registration, and makes clear that registration with the Australian Energy Market Operator is only required if it is required under the relevant national electricity and gas regimes.

The Bill provides the Australian Energy Regulator with a limited discretion in its decision to issue a Retailer of Last Resort notice.

The Australian Energy Regulator's power to obtain information will be extended to any powers that the national regulator takes under the National Energy Retail Regulations or under participating jurisdictions' application Acts. Other amendments are also set out in the Bill to correct or clarify minor matters to improve the clarity of the National Energy Retail Law.

I commend the Bill to Members.

## Explanation of Clauses

## Part 1—Preliminary

## 1—Short title

This clause provides for the short title of the Act.

## 2—Commencement

The measure will be brought into operation by proclamation.

## 3—Amendment provisions

Part 2 of this measure will amend the *National Energy Retail Law (South Australia) Act 2011*. Part 3 will amend the *National Energy Retail Law* (which is set out in the Schedule to the Act).

Part 2—Amendment of *National Energy Retail Law (South Australia) Act 2011*

## 4—Insertion of Parts 5, 6 and 7

This clause sets out a series of provisions that are to apply in connection with the operation of the *National Energy Retail Law* (the *NERL*) in relation to this jurisdiction. In particular, the following provisions will be included in the *National Energy Retail Law (South Australia) Act 2011*.

## Part 5—Implementation of national law in South Australia

## Division 1—Preliminary

## 15—Preliminary

Section 15 makes it clear that the application of the *National Energy Retail Law* in this jurisdiction is subject to the operation of these new provisions.

## Division 2—Application of law—electricity

## 16—Application of law—electricity

Section 16 will ensure that the *NERL* will, in relation to electricity, only apply to electricity supplied via the interconnected national electricity system within the meaning of the *National Electricity Law*. It will also be possible to exclude a particular area of the State from the operation of the *NERL* in South Australia.

## Division 3—South Australian arrangements

## 17—Consumption thresholds

Section 17 will allow the Governor to prescribe consumption thresholds for business customers (rather than relying on thresholds prescribed by the *National Regulations*).

## 18—Standing offer prices

Section 18 will allow the Governor to prescribe an entity or entities that will be taken to be designated retailers for the purposes of the *NERL* (SA). The requirement to make a standing offer to small customers will only apply in relation to an entity prescribed under this section. The standing offer price that will apply under this scheme will be a price fixed by the Commission under section 36AA(4a) of the *Electricity Act 1996* (in the case of electricity) or section 34A(4a) of the *Gas Act 1997* (in the case of gas) so that such a price will continue to be regulated under jurisdictional energy legislation.

## 19—Small market offer customers

It has been decided not to apply section 31 of the *NERL* in South Australia.

## 20—Price comparator

Section 20 is relevant to the operation of section 62 of the *NERL*. This provision will require the Commission to maintain a price comparator on a website. The purpose of the price comparator is to allow a small customer to compare the standing offer price available to the customer and market offer prices that are generally available to classes of small customers in South Australia. It will be possible, by regulation, to bring this scheme to an end and instead apply section 62 of the *NERL* (SA), under which the price comparator is established by the AER.

## 21—Retailer of last resort scheme

Section 21 sets the standing offer price for a retailer of last resort.

## 22—Small compensation claims regime

Part 7 of the *NERL* will apply from a date to be fixed by proclamation.

## 23—Minimum standards of service for customers

Section 23 will allow the regulations to prescribe minimum standards of services for customers or customers of a prescribed class.

## 24—Late payment fees

Section 24 relates to late payment of fees.

25—Immunity in relation to failure to supply electricity

Section 25 will allow a distributor of electricity to enter into an agreement with a small customer to vary or exclude the operation of section 316 of the NERL (SA), subject to the provisions of the regulations.

Division 4—Miscellaneous

26—Application of *Essential Services Commission Act 2002*

27—Delegation by Minister

28—Extension of AER functions and powers

Sections 26, 27 and 28 set out provisions that relate to various matters of administration of the scheme.

29—Regulations

Section 29 is a regulation-making power for the purposes of this Part.

Part 6—Validation of instruments and decisions of AER—energy retail laws

30—Validation of instruments and decisions made by AER

31—AER—authorisation of preparatory steps

Sections 30 and 31 ensure that certain acts or steps undertaken by the AER for the purposes associated with bringing the NERL into operation since the enactment of the *National Energy Retail Law (South Australia) Act 2011* are valid in all respects.

Part 7—Transitional provisions

32—Interpretation

33—Conditions—exempt entities

34—Customer contracts—electricity

35—Customer connection contracts—electricity

36—Customer contracts—gas

37—Customer connection contracts—gas

38—Complaints and dispute resolution

39—Provision of information and assistance by Commission

40—Transitional regulation-making power

Sections 32 to 40 (inclusive) relate to various transitional matters.

Part 3—Amendment of *National Energy Retail Law*

5—Amendment of section 76—Formation of deemed AER approved standard connection contract

This clause amends section 76 of the NERL. The amendment will address the situation where the AER approves a new AER approved standard connection contract for a particular class of large customers where those customers are already on a deemed standard connection contract. In such a situation, the provision will provide that the relevant customers will be taken to have been moved from one contract to the other.

6—Substitution of section 88

This amendment will clarify the need to apply for a retailer authorisation or status as an exempt seller under the NERL independently of any requirement under the NEL or the NGL.

7—Amendment of section 89—Applications

8—Insertion of section 96A

9—Insertion of section 104A

These amendments will expressly allow a retailer authorisation under the NERL to be held jointly by 2 or more persons and allow the AER to regulate any charge in the membership of a relevant partnership or joint venture.

10—Amendment of section 107—Power to revoke retailer authorisation

This is a consequential amendment.

11—Amendment of section 132—Designation of registered RoLR for RoLR event

12—Amendment of section 136—Issue of RoLR notice

13—Amendment of section 139—Publication requirements for RoLR events

Currently, the NERL does not allow the AER a discretion as to whether or not to issue a RoLR notice on the occurrence of a RoLR event. In certain circumstances, it would be appropriate not to issue a notice due to the nature of the event. A series of amendments establish a scheme under which the AER will have such a discretion.

14—Amendment of section 187—Making of claims

This amendment corrects a minor error in the drafting of the NERL.

15—Amendment of section 204—Functions and powers of AER (including delegations)

16—Amendment of section 206—Power to obtain information and documents

These amendments clarify the ability of the AER to act under the National Regulations and, in appropriate cases, the Rules or an application Act.

Debate adjourned on motion of Dr McFetridge.

### **CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL**

Consideration in committee of the Legislative Council's message.

(Continued from 16 February 2012.)

*Amendments Nos 1 and 2:*

**The Hon. J.M. RANKINE:** I move:

That the Legislative Council's amendments Nos 1 and 2 be disagreed to.

I advise the house that we will accept two of these amendments as they significantly improve arrangements in relation to the granting of automatic parole. We will oppose four amendments as the government believes they weaken the intention of the original bill introduced to this house last year and subsequently prevent the delivery of the most safe and efficient correctional services.

On amendment No. 1, the removal of prisoners from prison by SAPOL for questioning is an important practice in helping to prevent crime. It is also a procedure that supports the interests of the prisoner, as removing them off the prison site for questioning allows better protection for those prisoners.

On amendment No. 2, we regard the recording of conversations between prisoners and others as an important practice and part of this bill. Legal representatives acting on behalf of prisoners should remain exempt. The wording in the original bill in relation to legal practitioners was 'those who represent the prisoner'. The amendment weakens that down to 'a legal representative acting in his or her professional capacity'. This opens up the potential for misuse and clearly is not in the prisoner's interest.

**Dr McFETRIDGE:** The opposition is insisting on these amendments. While I, as a humble veterinarian and not a lawyer, do not have a grasp of all the nuances and semantics that are involved in legislation that goes through this place, I like to think I have a reasonable amount of common sense in reading the legislation and being guided by my colleagues in the upper house and in this place. We think that reasonable grounds is a reasonable thing to do, so we will be insisting on that amendment.

We do not want to get in the way of the police doing their job—and they have done an excellent job in capturing the final Cavan escapee. I understand he turns 18 tomorrow and he is going to Yatala, so it will be interesting to see whether he is more aware of his misdemeanours now that he is in the adult system. It is something that I will be watching very closely because we do want to make sure that our prisoners are not only treated well but also able to be rehabilitated, and parole is part of that.

With regard to the access of lawyers to prisoners, I can understand, particularly with some of the allegations of coercion through bikies and so on that goes on around the place, that there could be a remote chance that a lawyer could be seeking access to a prisoner who was not actually their client and was acting for a third party. I can see that, but I would think the chances of that would be extremely remote. So, I am comfortable with the fact that lawyers should be trusted to be acting in his or her professional capacity, as the amendment says.

**Ms CHAPMAN:** I was not able to hear the minister's position on amendment No. 1 as there was a bit of noise in the chamber. I assume, from the contribution made by the member for Morphett that the government is rejecting amendments Nos 1 and 2?

**The ACTING CHAIR (Hon. M.J. Wright):** Correct.

**Ms CHAPMAN:** Thank you, Mr Acting Chairman and minister, for indicating that. There has been considerable debate about this bill. I will just bring to members' attention the principal reason why we are reforming the Correctional Services Act which was published by the government. The minister may not be privy to this but, if she were to read through the announcement that coincided with the launching of this draft bill and the review of the matter, she will recall the rather tragic case of the death of Shane Robinson.

Just briefly, in 2009, Shane Robinson killed himself after he had stabbed a police officer and held a 75-year old woman hostage at Yunta, which is a small settlement in the north of this state. The circumstances were compounded in the eyes of the public by the fact that Mr Robinson had acted in this way while he was out on parole. It is fair to say that there was public outrage.

The then attorney-general, the now member for Croydon, just exploded with anger at the Parole Board Chair. It was then discovered that the Parole Board Chair was not in the country at the time (in fact, she was in England) and that she had not actually presided over the case. Another member of the Parole Board who had been appointed, as it turned out, by the previous attorney had actually conducted the review and allowed the prisoner to be released on parole. Notwithstanding that, the Chair came back from England and said, 'If one of my colleagues has dealt with this matter and there is some error, I take responsibility for it'.

It was then discovered that for some two weeks a warrant issued for Mr Robinson to be taken back into custody for breach of parole had sat on a table, so to speak. There was a question raised at the time by the general community about why the police had not apprehend this person. So, whilst a reasonable question was asked by the public about why the Parole Board let him out at all, upon being notified of a breach of parole, the Parole Board instructed that parole be withdrawn but no action was taken.

By the time we came to debate this bill, assurances had been given by the police that they were going to act immediately on warrants that were issued as a result of breaches of parole. Apparently, by the time we got to the debate here in this chamber, there were no outstanding warrants as such and they were actually ensuring that practice. That was of some comfort, I think, to all members here in the house.

However, the single area of reform which came through on this bill was to take away the exclusive powers of the Parole Board and use the police commissioner instead; but, more importantly, for the Chief Executive Officer of the Department for Correctional Services to be able to trigger the procedure that would withdraw the parole of a prisoner, presumably for breach of one of the conditions. The opposition raised concerns about that at the time because the executive and administrative role—indeed, a very important role—of the Department for Correctional Services was in the management of prisoners, not judicial matters.

**The Hon. J.M. RANKINE:** Point of order, Acting Chair: this history lesson by the member for Bragg is very interesting, but I understand that we are dealing with two amendments not revisiting the entire legislation and her view of history around it.

**The ACTING CHAIR (Hon. M.J. Wright):** We are dealing with amendments 1 and 2, and I am sure the shadow minister will ensure that her comments are in regard to those amendments.

**Ms CHAPMAN:** I appreciate that, and I appreciate that the minister was not perhaps privy to the original debates on this, so I hope I will make it very clear quickly. What happened since this debate is a very interesting thing, bearing in mind that the thrust of this reform was to bring in administrative people—the Chief Executive Officer of Correctional Services, for example—to come in on parole and to be able to make sure this thing could not happen again.

In the very case that had triggered this legislation last month, the coronial report was handed down on the death of Shane Robinson and during the course of that coronial inquiry, evidence was given about the circumstances surrounding this case. In particular, the chief executive of correctional services, namely, Kevin Hill, gave evidence to the inquiry that after the attacks and death—

**The ACTING CHAIR (Hon. M.J. Wright):** Point of order!

**The Hon. J.M. RANKINE:** When we get to a clause that deals with this, I can understand the member for Bragg—who is not the shadow minister; the member for Morphett is—talking about these things, but I do not think now is the time to revisit the history as she knows it. We are here to deal with the clauses that are before us and they are not about the CE's powers.

**The ACTING CHAIR (Hon. M.J. Wright):** I will ask the member for Bragg to confine her remarks to amendments 1 and 2, please.

**Ms CHAPMAN:** I am happy to repeat it all when we get to some further amendments, if you like, or I am happy to conclude reference to this and you have my undertaking not to repeat it all again when we get to the next amendment, but because this is a package, and the government has shown, I think, some judgement in accepting some modification to the powers of the chief executive in this package of amendments, which I welcome—it does not go as far as I would like to, but nevertheless it is welcomed—I am happy to just place on the record the reason why we are pleased with the government in that regard.

After the attacks and death, questions were raised and there were allegations obviously at the time that have been dealt with, but his evidence was that there had been a delay in information from the department of corrections in that very case. So we not only have the parole board with a question mark over it, we have the police department and the very institution that was going to be accepting responsibility under this bill with a shadow cast over them for many of the reasons that the opposition had raised in the original debate.

I suppose you can say, in the end, 'We told you so.' That gives us no comfort here in the parliament; what gives us comfort is that we get these things right and that we do the best we can to ensure that things are done properly. In respect of amendment No. 1, I am amazed that this is one of the two that they are rejecting. Firstly, 'on reasonable grounds' is frequently used in legislation. In fact, in the very bill we are about to finish off after this one, the government has included provision for a reasonableness factor to be put in it.

It is all through the criminal legislation and it is just bizarre to me that the government would reject this when it comes to the exercise of executive power. In this case, it is that of a correctional services officer; in the other bill it relates to a police officer in confiscation of spray cans and implements for graffiti. This is not an uncommon thing, so how this weakens the bill, I do not know. I think the minister needs to explain that and we may need to move into committee to do that.

The second matter, which she has spoken on, really relates to this question: there is a quite reasonable attempt to try and manage information transfer between prisoners who want to do bad things with that information. In dealing with that, legal practitioners of course have access to their clients, and this militates against, as I think the member for Morphett said, persons who might be lawyers but who would act in a manner which is totally unprofessional—in fact if they were to do so, it would probably be illegal—to be the courier of information under the guise of pretending to be their legal practitioner.

The addition of 'acting in his or her professional capacity' personally I did not think was even necessary. However, what is amazing now is that in the other place when they are saying that it is confined to that, I am just amazed that the government would stand here today and remove that. It does not weaken this at all. In fact, it eliminates even more the relationship between the legal practitioner and the prisoner being protected against these obligations by saying it must only be in his or her professional capacity. I just cannot understand where the government is going on this.

In any event, our position is very clear, as indicated by the member for Morphett. I would ask the minister to go back and either re-read it or get some advice again on it because it seems to me that it would only strengthen her argument to accept this amendment.

**The Hon. J.M. RANKINE:** The shadow minister purports to be a practitioner of common sense. These two amendments are based on common sense. They are about putting in place measures that are going to protect prisoners from intimidation and harm. The removal of prisoners from prison by the police so that they are not under the watchful eye of other prisoners—

**The ACTING CHAIR (Hon. M.J. Wright):** We are still dealing with amendments Nos 1 and 2.

**The Hon. J.M. RANKINE:** Yes, that is amendment No. 1 I am talking about. It is simply common sense. The fact that members of the upper house removed the clause that a legal practitioner would not be recorded if he was representing his client is astonishing. To put in place this amendment, again, just simply puts prisoners at risk.

Motion carried.

*Amendments Nos 3 and 4:*



**The Hon. J.M. RANKINE:** I move:

That the Legislative Council's amendments Nos 3 and 4 be agreed to.

Motion carried.

*Amendments Nos 5 and 6:*

**The Hon. J.M. RANKINE:** I move:

That the Legislative Council's amendments Nos 5 and 6 be disagreed to.

It was never the intention of the original act to provide reasons to the prisoner for refusal by the Governor in Executive Council of their non-release. We are talking here about prisoners who have been convicted of the most serious crimes. This point was made in December 2010 by the Chief Justice, John Doyle, in the James David Watson case. The Full Court unanimously found that the Governor was not bound by the board's recommendations stating:

It's not a case in which the Governor was obliged to make particular findings of fact, jurisdictional or otherwise. It's possible the Governor was simply not persuaded that the release was appropriate.

The Executive Council takes its responsibility under the act very seriously and has used its responsibility to keep in prison some of the state's worst criminals who continue, in the view of the Executive Council, to be a significant risk to the community's safety.

We have a system where people are convicted by a court, sentenced by a judge and, at a predetermined time, may apply for parole. They are assessed by the Parole Board, but in these very serious cases the law has given Executive Council and the Governor oversight of whether these people pose such a risk that they should not be released out into the public. The Executive Council of this government has taken that responsibility very, very seriously.

I can give you some examples of the sorts of people who have been refused: Michael Allen Shillabeer, who, in 1992, abducted and stabbed to death a 17-year-old girl before dumping her naked body in a scrubland near Truro; and criminals like Kevin Riley, who murdered and attempted to rape a little seven-year-old boy, whose body was discovered near his house at Brooklyn Park in 1988. These men are behind bars because of this government's application of the act as it stands; otherwise, these people would now be walking amongst our community. I see absolutely no reason why, after going through all of those processes and taking responsibility very seriously, the Governor's decision should then revert back to a judicial review.

**Dr McFETRIDGE:** I look at this particular amendment on (7b):

Despite subsection (7a)(b) and (c), the Governor is not required to disclose to the prisoner any reason or matter if any such disclosure is likely to give rise to a significant risk to public safety.

I think that is pretty open and you can do that, but I would also approach this from another point of view. I agree 100 per cent with the examples the minister has given of people who should not be allowed out of gaol, but, as I say, I am just a simple bloke and, when life is the sentence, why doesn't it mean life, and you would not be having to face this? If these people are dangerous prisoners, they should have been sentenced in the first place. I do not want them to come out. I just do not want them out there in society.

There are some people who would want to go even further than saying, 'Bang them up for the rest of their mortal days.' Some of those people would want to shorten those mortal days quite considerably. I am not saying that at all, but what I am saying is we would not even be discussing this if there was some, I suppose, truth in sentencing, in this case. If you are sentenced to life, it should be until the day you die. It should not be that, in a few years' time, we are going to have to consider. You are the lowest of the low. Fancy attacking a child and fancy doing some of the crimes we have been given examples of. I do not want them out on the street. They do not deserve to be out on the street, ever.

So, why can't we approach it from the other point of view? In the meantime, I think there is room in this amendment to make sure that the Executive Council does not have to divulge its reasons through the Governor. So, I think we can live with this. Once again, I will say I am not a lawyer. There may be things in here that complicate this, but I would be like most people out there just thinking that these people are seriously nasty, dangerous people who should be banged up for the rest of their life. We should not be considering parole.

**Ms CHAPMAN:** Just when I thought the minister was having a light bulb moment and had realised how important it was to listen to the upper house and accept the previous amendments,

now we find that she has demonstrated the very difference between the government and the opposition. Let me say this: this is a fundamental difference between them and us.

We say that if you demand that the behaviour of someone who acts in such a reprehensible way, whether it is the mutilation or death or rape of a child, across to other heinous crimes, whether it is the abuse of the vulnerable, whether it is multiple murders—I mean, there are a number of things which are heinous. If they are so bad, if they are so aggravated, if they are so disgusting and so nauseating to a government, then there is every likelihood they will be so to the public.

So, why not have the courage to bring in the criminal law consistent with that and come into this parliament and say, 'We are going to throw away the key'? 'Forget about all that rehabilitation bulldust; they do not deserve it. We are going to change the law so that in a number of circumstances'—like the minister has outlined—'they should never get out.' Well, that is the difference between them and us. If we say there is never a chance of rehabilitation for these people, they should never see fresh air and birds fly again, then we would come into this parliament and would make those laws. All we are asking here is that, except in a circumstance where the public will be put at risk, they should give some reason.

There is another very good reason for that, apart from just being a transparent and open government, which they pretend to be when they clearly are as opaque as that back wall behind you, Mr Chairman. There is another very good reason, and that is that we pay a lot of money to Frances Nelson QC and other members of the Parole Board to do this job, to actually make assessments, call in these prisoners, talk to them about what they have been doing, get witnesses from the department of corrections (these are all people who work for the minister) and bring them in and get information from them about what is important to consider whether they are eligible for parole are not, whether that application is going to be successful. Time after time after time these prisoners come before the Parole Board on those applications only to find a circumstance where, on multiple occasions by this government, there is just an executive decision: no, do not release, parole decision overruled.

The money alone that is spent, let alone the cruel expectation that people might have even if you think they are the lowest scum on earth, to keep dragging them back out of the prison going through all that process, wasting the time of the witnesses, the correctional services people, all that wasted time, energy and resources could be money that could be applied some other way—in helping rehabilitate prisoners who do have a chance, who are decent people, or whatever we might do to help crime prevention so that other young people do not end up in prison.

There are a number of different worthy causes that that money could be put towards. All I am asking, and the opposition has asked and the Legislative Council has given some consideration to and supports, is that we have some disclosure of reasons, with the very clear caveat that there surely can be circumstances—and I have quoted this before—where a government is privy to information that is so sensitive, that is so critical to a question of public risk, that in those circumstances that should not be disclosed. It is usually in the form of intelligence that comes forward. Sometimes it is collected by security organisations and even if that information were released to the public it may cause alarm.

So there always has to be an executive power preserved to protect against that, and that is why parole boards, members of the profession, Chief Justice, all sorts of people out there, not just the people in here in the opposition, have said, 'Let's be sensible about this and understand that whilst this government is regularly putting the black stamp on this legislation it is important to preserve executive power.' I have always supported that. We just ask them to give a reason in a circumstance where there is no public risk. Let the prisoner then go back into the prison and not waste the time and all the resources that are currently being wasted as they drag back and forth on these applications for parole where there is clearly no light of day.

I had hoped that having a new minister we might actually have a breath of fresh air on this and a bit of understanding, especially as this is a minister who has had experience in dealing with families and communities; families that have come in contact with that department are the breeding ground, sadly, for children who do not enjoy the benefits of so many other children, and who end up down in those prisons. I think that it is very disappointing that the government should act in a way which is not transparent when they have an opportunity here to still do what they want to do, but just explain to the public when they do so.

**The Hon. J.M. RANKINE:** This government has shown very clearly that it is unlike the previous Liberal government that was a rubber stamp for anything that came to it from the Parole Board, so you might just as well not have had a system of Executive Council oversight. We will not be a rubber stamp to that and there are situations where we have disagreed with the view of the Parole Board on the risk posed to the community here in South Australia.

I have given only two examples of that, and members opposite have said how heinous those crimes are. The shadow minister says these people should never be let out, yet what they want us to do is support an amendment that means that the Governor has to provide reasons to these people as to why they have not been granted parole, and open up for these people to actually tie up the courts in challenge after challenge. We are not prepared to go down that road.

Motion carried.

### **GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 14 March 2012.)

**Mr PEDERICK (Hammond) (16:16):** I rise to continue my remarks from yesterday's debate on the rise in graffiti. While most agree that often it is youths who are caught by police while undertaking graffiti vandalism, the hardcore vandal is often aged over 20, well organised in a crew when undertaking attacks, and they undertake their vandalism late in the light. They have spotters keeping an eye out for the authorities, and have a disregard for any public or private property, including religious and public memorials of significance.

A national approach in tackling graffiti has often been dismissed over the last 25 years, as has a multiple government departmental attempt in tackling this crime that does not have or know of any boundaries. As I indicated in my debate yesterday, the organisation Graffiti Hurts: Australia is a national not-for-profit charity institution developing and providing resources for all levels of government, industry, public service providers and the community to help reduce their increasing spend on tackling graffiti vandalism.

The organisation seeks support on a continuous basis to engage the community to actively help federal, state and local governments, as well as industry and businesses, tackle the issue of graffiti vandalism; to educate the community and our youth on the real effects of this gateway crime; and also to help reduce local antisocial behaviour with a national message and a national approach. Graffiti Hurts: Australia has a campaign to help educate communities to reduce the effects graffiti vandalism has on every Australian, and assists all levels of government to reduce their spend on graffiti vandalism to provide other more worthwhile community services than graffiti vandalism removal. If everyone gets together, we can educate and provide a cleaner, safer Australia for us all.

Graffiti Hurts: Australia has provided some very helpful comments, and I note that, as much as we support the Graffiti Control (Miscellaneous) Amendment Bill, we will be moving amendments from this side. I will say that it is disgraceful when graffiti artists deface memorials, whether they be headstones or war memorials. It is the lowest form of the criminal act of graffiti vandalism that someone can do. I appreciate this legislation because it is making the penalties tougher. I also note that the shadow minister (the member for Bragg) will be pushing for some amendments in relation to the bill, but I indicate my support for the bill.

**The Hon. J.M. RANKINE:** Mr Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**The DEPUTY SPEAKER:** Attorney-General, you are closing the debate on the second reading of the graffiti bill.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:21):** Yes, I am, and can I start by thanking everybody for their contributions. I wanted to say a few things about this in closing. First of all, it is clear from all the contributions that every member of this parliament to one degree or another has received feedback from their constituencies about this scourge of graffiti.

I think it is fair to say that everybody I have listened to in here who has made a contribution has expressed very strong views about how unsatisfactory this behaviour is. To that extent, I am

delighted to see that the parliament is functioning in an apolitical fashion and that everybody is recognising that this is a problem shared by all of us, in all our constituencies, and that all members and their constituents have been touched by this.

I also pay particular tribute to the honourable member for Fisher who has for the whole time I have been here (and I have to say that I have been here a good deal less time than the honourable member)— and I remember coming here as a novice member—

**The Hon. R.B. Such:** A whipper snapper.

**The Hon. J.R. RAU:** Well, I don't know what, but I will call myself a novice member anyway—

**An honourable member:** With a bit of experience.

**The Hon. J.R. RAU:** With a bit of experience, yes—and I remember being impressed by the passion that the honourable member for Fisher expressed about a number of issues. In those days he and I seemed to be particularly interested in some matters; in fact, he initiated me into the world of regulation of tattooing and body piercing. Up until the time I met the honourable member, it had never occurred to me that it was an area of endeavour and, there you are, it is something we have worked on.

On this issue, I have to say, the two of us have been very passionate advocates for further action, and I congratulate the honourable member on his passion and continuing work in this area. I am very pleased that he and I are able to be participants in this debate and supporters of this legislation. I do, however, express some concern that when you talk the talk it is often handy if you also walk the walk. I know that the honourable member for Fisher is going to be not only talking the talk but also walking the walk.

However, I have some concern, having regard to the material I have seen by way of foreshadowed amendments to be brought on by the opposition, that the main opposition party in this place is talking the talk but not walking the walk. I thought that became pretty clear this morning when the Hon. Stephen Wade went on Radio FIVEaa I think immediately following the honourable member for Fisher. The way I read the transcript was that he was a solitary voice out there pleading for softer penalties for graffiti offenders.

In saying that, though, can I actually thank the member for Bragg for having done the parliament and the government the courtesy of filing these amendments in this chamber? I often criticise the honourable member for not doing that but this time she has. Even though we have only had a day to consider them, I still would like to place on the record my appreciation for the fact that those amendments have been filed in here, which is something I have asked for repeatedly. It means that the government has had a chance to have a look at them.

It means, as I said yesterday, that the non-government members in this place—not opposition members but the Independent members—have also had a chance to look at them and, therefore, have also had a chance to comment and reflect upon the actual position being taken by the opposition in this debate, and I think that is something which is very important. I formally thank the member for Bragg and the opposition for having done this house and all of its members the courtesy of providing us with their foreshadowed amendments because it means we are now having an informed debate, not a debate in a vacuum.

If the honourable member in another place reads the *Hansard* of this place, he might turn his mind to doing us the courtesy of allowing the member for Bragg to bring his amendments into this place so we get a chance to read them and comment on them so that our independent members here are not done the disservice of being ignored and so that the members in the other place have the benefit, for what it is worth, of having some informed debate here in this place that they might have regard to when they turn their minds to casting a vote elsewhere.

Thank you, member for Bragg, for that, and I thank all members of the opposition and I encourage you to speak to your party room, because all of you in this chamber who are members of the opposition are being diminished in your role as parliamentarians by not being given the opportunity of debating your own party's amendments. Anyway, I press on.

I can indicate that, having had the opportunity to reflect on the amendments overnight, it is the government's position that we do not support the amendments, and I will speak very briefly about why. Obviously, we can go into committee and do it at length in that regard but I think there is no need to do that. I can shortly state our objections and we can move on from there.

First, there were really only two amendments, in substance. The first amendment is removing the power to prescribe things from the regulations and transforming that into provisions of the act. That is basically the first one, and I will explain briefly why, with respect, the government does not support that.

There is a particular fetish that has crept into opposition amendments in the Attorney-General's portfolio, particularly, strangely enough, whereby anything that conceivably could be put in the act is put in the act instead of being put in the regulations. There are times when it is very important that the act contains the measures, particularly when you are dealing with powers and things of that nature, but not when you are dealing with matters of fine grain, particularly when you are dealing with things where, over time, the subject matter will change.

For example, if you wanted to prescribe types of weapons that you thought were dangerous, the market might change over time. Thirty years ago, I do not know how many nunchakus were out there. Probably, there were a few, because Bruce Lee was pretty popular then.

**Mr Sibbons:** Chuck Norris.

**The Hon. J.R. RAU:** Chuck Norris; yes. Maybe there were nunchakus out there then, but there might be new weapons now, anyway, that nobody ever thought of 30 years ago which are out there in the public domain. How ridiculous that you would take the time of the parliament to pass an act of parliament to insert the word 'nunchaku' into a piece of weapons legislation when a simple regulation change would do. Of course, let us not forget that regulations are disallowable, anyway; if they are so obnoxious and weird they are disallowable.

There is a current fetish about taking things out of regulations and putting them in the act. Can I explain to you how weird this becomes: 'prescribed graffiti implement'—we want to put this into the act so it will stand for time immemorial until this parliament changes it—'a can of spray paint'—that, in and of itself, is not weird.

**Ms Chapman:** It's already in there.

**The Hon. J.R. RAU:** It isn't weird; I agree. I did note in dispatches today somebody was talking about the latest trend which is to get a 20-litre can of paint, punch holes in the bottom of it and walk around dribbling paint all over the place. I make the point to members, does that come within the definition of 'a can of spray paint'? I do not think so.

The second element of it is 'a graffiti implement designed or modified to produce a mark'—so far, so good—that is not readily removed by wiping or by use of water or detergent'. Again, you might think that is reasonable. It does not say 'detergent or other solvent or other cleaning material' but, fair enough, I am happy with detergent because that makes it a fairly expensive thing and most people should deal with that at home. Then, 'and is more than 15 millimetres wide'. Why 15 millimetres?

Can I ask this question: why not 10, why not 12, why not eight, why not two, why not six, why not five, why not 28? I do not know. I presume the Hon. Stephen Wade had a moment of inspiration when the light bulb went bing and the number 15 popped up. So that is what we got: a bing moment from the Hon. Stephen Wade and 15 millimetres.

I have had people say to me in public meetings where this issue has come up, and it has come up many times, 'Do you know that there are people who are using scratching implements on train windows—things like compasses, glass-cutters, screwdrivers, etc.—and they are scribbling their marks or other drivel onto the windows of public transport?' I think the member for Fisher alluded to this the other day.

**Ms Chapman:** It's called damage to property.

**The Hon. J.R. RAU:** Sure it is; but bear in mind 'prescribed graffiti implement' is used in the context of this legislation to trigger a number of things including the capacity of the police to take it off you. If we adopt this prescriptive put it all in the act type model that the Hon. Stephen Wade thinks is really cool, what we are going to have is this: the police can find a bloke wandering down the street with a 20-litre tin of paint with holes punched in the bottom dribbling the paint all over the place but they cannot take it off him because it is not a prescribed graffiti implement.

They can find some loser sitting in a train etching their initials into the train window with a compass, a glass-cutter, a bit of sandpaper or something else. Some of these trains have perspex windows, don't they? If you get the sandpaper out you can make a real mess of it! So they are

doing all of that, but is that a can of spray paint? No. Is it designed or modified to produce a mark that is not readily removable by wiping or detergent? It possibly is. Is it more than 15 millimetres wide? I do not think so. So, again, bizarre.

What if the person decides that they are into fine-grained vandalism instead of the Rolf Harris style of vandalism, where you get the big brush out and you go whack, whack; or the Mr Squiggle sort of style? What if they are into the really fine-grained Kabuki style, where you get the fine textas that you get at Target and the texta colour produces a line no bigger than a ballpoint pen? Is that going to be 15 millimetres wide? I am not sure about that. I do not think so.

This fetish about taking everything out of the regs and putting it in the act produces bizarre outcomes. This is one of them. If we lock this in, the absurdity of the outcome will be frozen there like some insect in a bit of amber for everyone to look at, to their great embarrassment, for eternity, or at least until we change it. So, that is why we are opposing that. I think that covers all of the amendments of that particular ilk.

The other amendments are basically this: the Hon. Mr Wade stated on the radio today that he is worried about—and this is breathtaking—repeat graffiti vandals having their car taken off them. Do you know why? Because they might have walked there, or they might have gone on a pushbike, or they might have one of those rocket scooter things where you hold it in the front and wiggle your backside as the scooter wiggles down the street. I have seen those around the place. That is not a car either. What do they call those things?

**Mr Sibbons:** Sliders.

**The Hon. J.R. RAU:** Sliders; that is it. You might have a slider. If you have a slider and you travel to the scene of the vandalism on your slider, you should not be able to have your licence taken off you. Well, hello, there does not have to be a connection between whether you drove to be a vandal, or whether you walked to be a vandal, or whether you were carried in a sedan chair to be a vandal. It does not matter. It is not relevant. What a peculiar, perverse outcome the Hon. Mr Wade advocated this morning. He was saying that all of those vandals who drive to the scene of a vandalism, 'Okay, we don't mind if you take the licence off them because they drove there,' but if they did not drive, if they went on a skateboard, or walked, or went in a sedan chair, or they had, presumably, a non-vehicle like a gopher—

**An honourable member:** Hot air balloon.

**The Hon. J.R. RAU:** Hot air balloon, a glider.

**Mr Bignell:** Gyrocopter.

**The Hon. J.R. RAU:** Gyrocopter.

**Mr Bignell:** Jet pack.

**The Hon. J.R. RAU:** Jet pack. One of those things they used to have in *Lost in Space*, that was a jet pack, was it not, where they would go up in the air and—

**Mr Bignell:** Yes.

**The Hon. J.R. RAU:** *The Jetsons*. If you pick any of those things, any of them at all, nothing happens to your driver's licence. What the Hon. Mr Wade was telling FIVEaa listeners this morning was, 'Listen, you vandals out there, if you are going to go out and destroy someone's property, cause embarrassment and distress to people who are just getting on with their normal life, if you want your state, through local government and other government agencies, to be spending \$12 million a year cleaning up your mess, but you don't want to lose your driver's licence, get your mate to drop you there, or just walk there, or, even better, park your car around the corner and walk, or get your mate to carry you.' What a joke. How could anyone take that seriously, but that was the proposition advanced today.

So, unequivocally, we say, and I think the honourable member for Fisher would say: 'If you are going to get involved in this idiotic behaviour, repeatedly, and the magistrate thinks the only way they can get your thick skull to absorb some information about: this is not right, is to take your driver's licence off you, well that's a matter for the magistrate.'

**The Hon. R.B. Such:** Or delay your P-plates.

**The Hon. J.R. RAU:** Or delay your P-plates. That is a matter for the magistrate. Whether you drove to the scene of the crime determining whether the magistrate can affect your driver's

licence is lunacy. I am surprised we do not have an amendment here that says, 'If you're wearing a green safari suit or if you're into Morris dancing you can't be picked up either.' What sort of other ludicrous criteria can you select out of the millions of possibilities?

I think I have probably explained the position as well as I can. We do not agree with this fetish of moving things into legislation when regulations are the more effective and responsive way of dealing with them. The idea that we should be shielding these criminals—repeat offenders—from the potential of a magistrate selecting a penalty for them which will acutely draw their stupidity to their attention (that is having their licence taken off them) is, quite frankly, ridiculous and we do not support it.

This is another example of the Hon. Mr Wade deciding that the interests of the criminal are more to weigh in one's balance than the interests of the victim, or the interests of the state in imposing a discouragement in the system. With those few thoughts, I will close the debate. I like to finish on a high note because I think that is always nice. It is always nice to finish with a happy thing.

The happy thing I want to say to the honourable member for Bragg and the members of the opposition on behalf of the government and, if it is not presumptuous, on behalf of the crossbenchers, is thank you. Thank you for doing us the courtesy of bringing the amendments into this chamber, because it has offered us the opportunity of considering them, it has offered the crossbenchers the opportunity of actually hearing a debate about something in particular rather than a debate in generalities that never gets anywhere, and it does mean that those in the other place, when they read the *Hansard*, if they wish to, at least have heard a couple of opposing views about these propositions. They will do with that what they will, but at least they have had the opportunity of considering what people might say in regard to these amendments.

I think that probably sums up our position. Hopefully I have made our position and the reason for our position clear in relation to the proposed amendments.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

**Ms CHAPMAN:** I move:

Page 2, lines 11 to 13 and page 3, lines 1 and 2 [clause 4(1) and (2)]—Delete subclauses (1) and (2) and substitute:

Section 3—after the definition of *minor* insert:

*prescribed graffiti implement* means—

- (a) a can of spray paint; or
- (b) a graffiti implement designed or modified to produce a mark that—
  - (i) is not readily removable by wiping or by use of water or detergent; and
  - (ii) is more than 15 millimetres wide;

I will address my amendments 1 to 10 en bloc, to the extent that I will not repeat myself because some of these are consequential amendments. In essence, it is to deal with the question of ensuring as best as possible that we describe and define within the act, rather than in regulation, what we are talking about. My amendments essentially are to bring into the act, we think with some clarity, what we are talking about when we identify what we say is a prescribed graffiti implement. What we are starting with, just to remind the Attorney and those members following this debate, is that we currently have a Graffiti Control Act 2001.

I was not here in 2001. I can only assume that the previous Liberal government had seen fit to introduce specific graffiti control legislation out of the Summary Offences Act in recognition of how important it was that we manage this type of illegal and antisocial behaviour in the community. So, if there is any assertion that the opposition in some way is sort of going soft or weak in this area, then we totally reject that.

What we are asking for is some definition, as best we can, when we are dealing with what is captured. The very reason we are seeking to do that is not just the good principle of law that it is

we on behalf of the people of South Australia who define what is illegal or inappropriate conduct and what implements will be used, etc., rather than the minister. That is a good, sound principle of law which, all too often, this government is ready to throw to the wind. But, in addition to that, the general community out there in the real world that sells anything from biros to coins, compasses or any other implement that may be used, in this case, for the purpose of causing graffiti—that is, a marking, as distinct from property damage which we have a myriad of laws to cover, and the Attorney well knows—needs to know what they need to do.

The reason is that they may sell an offending prescribed graffiti implement, whether it is the lady in the toyshop who I referred to yesterday or whether it is somebody in a hardware store who has equipment that ultimately could be used for the purposes of carrying out some graffiti. That is what this is all about. This is what is necessary.

I am sure that the Attorney would have received, as I have, letters from the Hardware Association of South Australia. They are very concerned about the potential penalties for people in the hardware industry who face up to 12 months imprisonment for selling a piece of equipment to a minor who has been involved in a multiple offence. These are very, very serious penalties which the government proposes to bring in through this bill. The very good law-abiding citizens who sell very ordinary things that can be misused by unquestionably mischievous young people are saying that this is just another level of red tape which they are going to have to comply with.

I think it is very clear that large textas or markers are being used. It is very hard to remove the ink stains. The hardware stores having to keep the register, and the incredible amount of red tape and paperwork that is going to be imposed on them, plead with me, on behalf of the hardware industry, and say, 'Please stop this. Please do not impose this on us.'

I say that the extra cost and burden for small business, of course, seems to be completely irrelevant to this government. Goodness, we have already spent half the week on trading hours legislation/holiday pay. Obviously, they do not give a toss about small business in this state.

What I want to make clear is this. The definition has been prepared by parliamentary counsel to be as definitive as possible so that everyone knows where they stand, not just the offender in this instance but the people who sell products in the ordinary course of business. They are going to have obligations and a duty of care and they will be required to prove that the product was bought for a lawful purpose. I think that it is quite unfortunate, at best, and pig-headed of the government to refuse to recognise how this will adversely affect small business, and to insist on imposing it, and leaving it in such broad terms.

I am concerned to hear in the course of the minister's second reading when he covers this issue that the use of coins, compasses and other instruments that would be used to scratch into the back of some equipment on a train and deface it and cause some property damage has anything to do with this legislation. It is possible it can be caught under it—there is no question about that—especially under his set of rules, but we already have a whole lot of other laws which cover that type of defacing of property and damage and which are very specifically in relation to public transport.

He might want to have a look at that and appreciate that we already have, firstly, laws to cover it; secondly, inspectors out there making sure it does not happen; and, thirdly, the capacity to prosecute when it does. He should not be at all concerned that this has been ignored in some way or is not already covered in another way.

**The CHAIR:** I have given you a chance to speak to all your amendments. If your first amendment fails, do you still want to go through each individual amendment?

**Ms CHAPMAN:** No.

**The CHAIR:** Shall we use the first amendment as a test?

**Ms CHAPMAN:** Yes, we can do that.

**The Hon. R.B. SUCH:** As a general point, there was discussion about regulations and disallowance. I think that system can be improved, and I am working with parliamentary counsel on a proposal which, rather than just have the blanket disallowance provision, would have a system where each house could indicate to the minister that they wished a regulation to be changed, and the minister would have so many sitting days to respond. I do not want to spend too much time on it now, but I just point out that I think we can improve the system in terms of having not just a blanket disallowance but a more considered approach to regulation so that it is not all or nothing.



In terms of the licence suspension or the delay in getting P or L plates, I think members need to consider that we are talking about repeat offenders. We are not talking about little Johnny who does one silly act on someone's letterbox going home. The real effect of the threat of losing a licence or delaying the Ps or Ls for the younger person is that it would act as a very powerful deterrent. The magistrate could say, 'Listen, you come back in here a second or third time, you run the risk of losing your licence, or I can delay your Ps or your Ls.' That is a very powerful deterrent for repeat offenders.

I have said this before: we are not talking just about little kids. We are talking about people who are seasoned offenders, who drive around and who come from interstate. They come down here to vandalise. We have had people in the southern area who have come from different parts of the metropolitan area to vandalise. There is a connection, but in general we do not have a system in which the punishment has to be related directly in the same format to the offence. If someone bashes up grandma, we do not get the offender and say, 'We are going to belt the hell out of you because you belted up grandma.' We have to have like for like.

I do not see the logic of saying we can't punish someone by taking away their licence, or delaying their Ps or Ls, simply because they didn't use the car at that particular time; it is a punishment. We detain people in prison, where there is no direct association between being detained and the offence. The only example I can think of is in Yatala, where you have bars, and if you rob a bank, you might find a few bars there protecting the bank, but that is a pretty thin association.

I hope the opposition reconsiders this, because I think they have it wrong. My view is that the public will look at this in a very hostile way if there is any attempt to water down—and you could hear the reaction this morning on the radio—what has been a long time coming. This has been longer than an elephant's pregnancy; it has been a long time coming, and I do not think the public will take kindly if the opposition here and in another place was to try and water something down.

The example I gave about the licence—that concept was taken from other jurisdictions where they already do it, and all of this was considered in great detail. My staff and I researched jurisdictions around the world and in Australia, so this was no five-minute formulation, and the government, to its credit, picked up some of them. The government did not incorporate the example of businesses having to keep a register, and the police, and so on, and I accept that; I think that was borderline, because it could have imposed heavily on business.

I do not accept the argument from the opposition that this bill will impose a great burden on retailers. It is not going to affect the retailers who do the right thing, but there are a couple of businesses who I believe are on the borderline, and who make an income out of supplying this sort of material while knowing it will be handed down to minors as well. I just make those points, but I think in terms of licence suspension or the delayed provision of Ps or Ls is a very powerful deterrent for repeat offenders.

**The Hon. J.R. RAU:** Because I have expressed my view about this pretty well before, I will just go very quickly. Can I just say; another good reason for these prescriptive matters not to be in the act but to be in the regs is that it enables us to go out and have a lengthy conversation with people like the hardware people, and to finetune that with them on an ongoing basis instead of bringing it back to parliament all the time; that is point number one.

Point number two is that the member for Bragg accused us of proposing a system which would wrap people up in red tape. It is not red tape that we have to worry about, it is tape measures. Everybody in a hardware store will have their Tally-Ho packet out, measuring things to see whether they are 15 millimetres wide—everybody—and if they do not have a Tally-Ho packet, they will have to have a ruler, checking every product.

Now, is that red tape, or is that not red tape? That is what the opposition has put in there. By the way, is it self-evident that a particular product is water soluble? I don't think so. Is it self-evident that a particular product can be removed using detergent?

*[Sitting extended beyond 17:00 on motion of Hon. J.R. Rau]*

**The Hon. J.R. RAU:** As I was saying; not red tape, but tape measures. Fifteen millimetres is not self-evident without the assistance of a tape measure, so every hardware store owner is going to be out there with their Tally-Ho packet or whatever, measuring up to see whether or not

these things are across the line. This will then be followed by the next question: is it water soluble, and will it come off with detergent?

So, they then get out their magnifying glass and read the fine print on the product. So far, they have spent five minutes with the Tally-Ho packet, and now they have to get out the magnifying glass to check out the detail. They find sodium oxymoron, or whatever the ingredient is, and say, 'Gee, I wonder what that is.' They then get out the chemistry set, they go onto Google, they google 'sodium oxymoron'. What is it? Is it soluble in water? Is it affected by detergent? Still not clear. Right, into the kitchen, out with the Palmolive. A hand full of Palmolive and water, get working away on it. How long to do you have to work on it? Does it have to come off straightaway—if it eventually comes off?

**The Hon. R.B. Such:** Has it got enzymes in it?

**The Hon. J.R. RAU:** Yes. What sort of detergent, because apparently they are not all the same. They are like oils. If anybody thinks that this simple so-called solution is a simple solution that gets rid of red tape, it does not do that at all. So, we respectfully oppose it.

Amendment negatived; clause passed.

Clauses 5 to 12 passed.

Clause 13.

**Ms CHAPMAN:** I move:

Page 6, lines 11 to 34 and page 7, lines 1 to 25 [clause 13, inserted sections 10A and 10B]—

Delete inserted sections 10A and 10B

Whilst other speakers, including me, have addressed the question of delaying probationary licence entitlements and/or disqualification of licence at some length, I wish to add some other matters, given the public statements that have been made today and in the response to the Attorney in his summing up. Here again, we have a demonstration of the difference between the government and the Liberal Party. I do not take for one moment the statements made on one radio station—whether it is 5AA, Mr Byner or anyone else—as being an accurate assessment or, indeed, disclosure of what the differences are. I appreciate that the fulsome aspects of this are not always disclosed in the course of a few minutes on a radio talkback program.

What is very clear, and I think everyone agrees, is that the public is furious about it, especially those who have been victims of graffiti, and they want something done about it. There is no question about that. The people who call into Mr Byner's program or any other like talkback program are very clear about that, and I think they represent the constituents who contact our electorate offices and convey that message. There is an absolute intolerance to this not only because of the wanton damage that is caused—especially in areas (which we have identified in previous legislation and again in this bill that aggravate it) like places of worship—but also when it is repeated. Unquestionably, it is seen as a symbol of disrespectful, disruptive and unacceptable behaviour by young people.

This is where the ignorance of the government comes through, even though they have had a desire to try to deal with this very issue. They have presented an argument saying, 'Let's take away from young people the one thing that they really want, that is, their licence.' This is something which they cherish and which they work for. They turn 16 (or whatever it is these days; it is still 16, I think) and they can get their probationary licence. It is a sign of graduation into the juvenile period of their life—and I do not mean that in a delinquent sense obviously. They are graduating into adulthood and they want to have a licence. It is cherished. So, the objective of the government—and I think it was very much the motivation, having read the speeches of the member for Fisher—is to hit kids where it hurts. That has some merit: there is no question about that. But here is the difference between them and us.

If we are going to use something that is precious to children which we are going to deprive them of as a deterrent for antisocial behaviour, where is this legislation when it comes to a 17 year old bashing up a child in a schoolyard who does not ever get his licence taken away? He is unlucky even to get caught in this jurisdiction, let alone have any penalty of losing his licence. Where is this deprivation of a licence when a child is involved in drug trafficking or drug use, or selling it to other kids in the schoolyard? Where is the withdrawal of this privilege as a means of dealing with illegal behaviour? It is nowhere near it.

So we start with the fundamental principle that, other than the usual course—a fine, imprisonment or community service—if you use housebreaking implements or use equipment for the purposes of making pills or to be able to carry out some enterprise of an illegal nature, there is a power of confiscation. That is in lots of our laws. But if we are going to move to a situation of punishing them by depriving them of a car, the only punishment I know of is clamping and impounding for hoon driving. That was used as a measure to deal with that.

Here, though, it seems to be exclusive to what I would have to say is the lower level of illegal conduct. We are going to use this area to withdraw that privilege. If you are going to use this as a new instrument of discipline for ill-behaved children, let's have it across the board and those who actually commit serious offences are given the same deprivation. Let us have that debate.

There is a second point, and this is the stark contrast between them and us. There are about 1.5 million people in South Australia. About one million of them live in the city—it is closer, I think, to 1.1 million—and all the rest of the population lives in regional South Australia. When the government considers these things and appreciates that the disqualification of a licence or the extension of a probationary period for children may affect their employment or their capacity to even undertake their normal family or community duties, it should understand this: there are thousands of children who actually live outside of Adelaide.

Why is that so important? It is important because if you withdraw a licence from a child living at Yunta or Ceduna, it clearly has a much more devastating effect on their capacity to work and interact with the community or even, as I say, to undertake their family responsibilities, than it does on a child living in Beaumont or Pooraka. The reason is quite simple: there is an alternative in metropolitan Adelaide. There are taxis and public transport services available.

Children here can have the penalty imposed and still have some other options. It may not be as convenient and it may be a bit irritating. They may have to go down early in the morning to catch a bus, train or some other service, or catch a lift with someone else going to work, but the reality is that children who live in regional South Australia in these circumstances are going to face a much more severe penalty.

This is, of course, not even on the wavelength of the government. They do not even have any consciousness of this. Their only member out in the country is our Speaker. A large part of her electorate would be affected by this but, of course, there are not many people living out there; but, Whyalla, which of course is in the centre of her electorate and comprises, I am sure, a very important part of her electorate, does have bus and taxi services.

I highlight to the house that when the government comes in with these ideas that sound great and on the face of it have some merit, we in the opposition have a responsibility to say, 'Let's be realistic about the effectiveness of it'—and we were persuaded by some of the research done by the member for Fisher—'If we are going to apply it let's have it across the board'; that is, across the board of offences that are not directly related to using a vehicle. Finally, 'Let's impose something that is not going to be a much more severe penalty for those children in the country.'

To give you some idea, if a 17 year old lives outside of a town with no public transport and no alternative transport, but who is some distance from work, that obviously affects their employment. Their social activity may be involvement in a local football club or social activity which they cannot get access to. They may live outside of a town in a family situation where they are also relied upon to transport other siblings, parents or relatives—workmen or others.

These are all things that are not even on the government's radar. It has no comprehension of the significance of the impact. We, on this side of politics, have to look at all South Australians. In this case, all of that cohort of children (not that there is a huge number of them) across South Australia. I do not suggest for one minute that you can have one rule for country children and one rule for city children, but these are the sorts of differences that need to be taken into account when we make final decisions that affect much more than just a recalcitrant, recidivist 17 year old who keeps doing texta drawings on the side of a public building. They are the sorts of things that we take seriously.

I appreciate that we still have an angry community out there. It is certainly seen as a symbol of disrespect when this sort of behaviour is carried out. I respect the member for Fisher's research on this, but let's be practical and understand that we have to have something that is uniform, universal and effective.

**The Hon. R.B. SUCH:** I can understand the member for Bragg's passion about this, but I draw her attention to the new sections 10A to 10C in the bill. It is headed, 'Court may'—it does not say 'must'—'Court may make orders in relation to driver's licences', so it is not a mandated penalty. It says, 'A court finding a person guilty of a prescribed graffiti offence that is not a first offence', so they cannot give this penalty to someone the first time up. It goes on further to say you must have a prior conviction for this sort of thing. If you are silly enough after being convicted of a graffiti offence to turn around and commit another graffiti offence, the magistrate can then take into account the suspension of your licence or a delay to your Ps or your Ls.

I understand why drivers and young people in the country need to be able to get around. One of the points that should also be made is that we have less graffiti in country areas, whether because the young people there are more usefully occupied doing other things, so I do not think the member for Bragg's fear is well-founded, because a magistrate would have enough sense to take into account the circumstances. That is why we have magistrates, not computers. We know they do not always get things right, but we have people who will take account of the circumstances and may make an order.

If it was mandated I think the member for Bragg would have a point, and if it was 'first time up you lose your licence' she would have an even more powerful argument. It is not mandated and it does not allow for a first offence to result in a disqualification or a delay. So I think the fears of the member for Bragg and members of the opposition are ill-founded and I do not think that young country people will be particularly disadvantaged. This, I am sure, will be applied by magistrates to the very hard core, systematic, serial offenders. We see their tags, more than just tags, there is 'vegan', there are all sorts of ID they use. We are talking about people who are not 15 year olds and 16 year olds. You might be surprised to know that a lot of these people are in their 30s. They are not little kids and they do get around town in cars. If they are silly enough to keep doing this sort of thing then a magistrate has the authority to take away their licence, and I think that is appropriate.

**The Hon. J.R. RAU:** We have covered some of this before. First of all, I agree entirely with what the honourable member for Fisher has just said. This is at the discretion of the court and, of course, in a rural district the magistrate would have regard to the repeat offender needing their car to be able to go to work. That goes without saying. So, I am sure that is adequately dealt with.

I do not know that I should be exploring this too much, but was the honourable member for Bragg inviting us to consider extending this motor vehicle forfeiture type arrangement to 17 year olds who bash other kids at school and 17 year olds who sell drugs to other kids at school, because if that is what they are asking us to do, please speak to us about it and we will consider their proposition, if that is what they are asking, because I am happy to be consistent, if that is what they want, very happy. In fact, the Hon. Stephen Wade said on the radio the other day that he did not think it was too bad that the Australian Crime Commission could compel people to answer questions, even if the answers tended to incriminate them. I asked him, 'Are you going to support measures like that in South Australia?' and he moved on to another topic.

Another issue, and there appears to be some confusion about this, is that this bill contains no extension or probation elements. It is simply: lose your licence. It is a pretty simple, very elementary tool. Getting back to the discussion the Hon. Stephen Wade had on the radio this morning, I thought I was listening to a variation on the *Life of Brian* theme, you know when the people's liberation army are arguing about doctrinal issues and one of them is upset because he cannot be called Loretta and things like that—it all got a bit silly; it got very silly. At the end of it though something good emerged from the program because the Hon. Mr Wade has now secured for himself a new sobriquet, courtesy of Mr Byner, which is Ferrero Rocher: soft in the middle. We may even refer to him henceforth as Ferrero, because it does sort of fit.

We do not agree with the proposition to remove this. We think the magistrate is a reasonable person to have the common sense to apply these things to repeat offenders only when it is necessary and appropriate to do so.

**Ms CHAPMAN:** Just before we proceed, for the record, I have just checked with the Attorney's adviser and it seems that the final draft is 2012. I have been reading from the 2011 bill, which we had had an assurance from the Attorney was the same as what was presented last year. I am not suggesting he was trying to mislead us in this regard, but it seems as though the issue of learner's permit and probationary licence has been removed from the current bill, so I will withdraw all reference to the learner's permit and probation. I would ask the Attorney that if things are

different in those circumstances, it may seem to be fairly small, but we would like to at least have them identified.

Amendment negatived.

**Ms CHAPMAN:** I move:

Page 7, line 29 [clause 13, inserted section 10C(1)]—Delete 'reasonably suspects' and substitute:

suspects on reasonable grounds

*The Hon. J.R. Rau interjecting:*

**Ms CHAPMAN:** Excellent. It seems that the Attorney has thrown himself on the mercy of the parliament and accepted this wise move to fix it up.

**The Hon. J.R. RAU:** Can I say, Mr Chairman, that I am exhausted from the flaying I have received so far and that I tap the mat on this one. Can I correct the record again: the second reading explanation on this particular legislation on 29 February 2012 states, in the first and second paragraph, that 'certain concerns relating to these matters have been addressed in the bill now before the parliament'. So, it is actually in the second reading explanation that we—

**Ms Chapman:** You told us on the day that these were the same.

**The Hon. J.R. RAU:** On what day?

**Ms Chapman:** When you brought them back in, remember.

**The Hon. J.R. RAU:** There was no intention to mislead and, if I did, I apologise. It was not intended to be tricky or anything. As I said, I yield.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:21):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

#### POINT OF ORDER RULING

**The DEPUTY SPEAKER (17:23):** Yesterday, in discussions regarding the shop trading hours, I was asked to provide an opinion on a matter that was raised. I have had the opportunity to look at the *Hansard*. The question put before me was whether the Premier should have tabled a document. I sought clarification from the Premier as to whether he was quoting from the document and he said no. I have looked at the *Hansard*, which I will quote:

The Hon. J.W. WEATHERILL: These are appended to cabinet documents. They are not ones that we traditionally release to the—

Ms CHAPMAN: You said you had done it and you haven't done it.

The Hon. J.W. WEATHERILL: I am actually looking at it.

**An honourable member:** That doesn't make sense.

**The DEPUTY SPEAKER:** It does. When you look at it in context, the actual document was not referred to and was not quoted, but it was on his desk and all he was doing was verifying the existence of the document. Therefore, since the requirement to table a document is to quote from the document, the Premier has not done that and my ruling that it was not required to be tabled was correct, and I confirm that now.

#### ADJOURNMENT DEBATE

##### KANGAROO ISLAND SCHOOL

**Ms CHAPMAN (Bragg) (17:24):** I just wish to bring one issue to the attention of the house. I am very proud of the public school education that I had for 11 years at Parndana Area School on Kangaroo Island. When I first came into this place, I spoke with the then minister for education, minister White, about a proposal she had to significantly reduce the classes available at

that school. This is a school which had been created after World War II and which had a significant history in providing education for most of the children who lived in the centre and western end of Kangaroo Island.

She had in mind that she would rationalise some of the schools on Kangaroo Island, and she sent over the member for Reynell to conduct a review to reduce the classes at Parndana school from R-12 school—an area school—down to R-5. Obviously, as you might expect, for those who know the geography, the outrage of two hours plus in a bus every morning and two hours at night for 10 year olds to have to travel to Kingscote was seen as oppressive and the community certainly expressed that.

A report went back to the minister and there was an agreement not to pursue that option from the minister. She decided that she would not, but she would establish the Kangaroo Island School and establish three campuses: one at Parndana, one at Kingscote, one at Penneshaw. I must say that, of course, in days gone by, there have been schools at Middle River, there have been schools at Karatta, Nepean Bay and so on—there were a number of other different schools all dotted around the island when there was much less population, I might say.

There are currently about 120 students at the Parndana campus of the Kangaroo Island School. I recently wrote to the minister because I had a call from a local resident on Kangaroo Island to say, 'We are very concerned that we have received a letter saying that years 11 and 12 are going to be closed on a trial basis.' Those children on Kangaroo Island would need to come to school in the morning on their school bus, which might sit there for an hour or an hour and a half—some, I am told, leave at about 7:30 in the morning. If they want to go on to do their year 11 and 12, they then have to catch another bus at 8:30 to Kingscote, about 20 or 25 minutes away, and then do the same thing—leave half an hour earlier from school at Kingscote, go back and then catch the normal bus.

I was very disappointed to hear this and I wrote to the minister because I had sought some information about the basis upon which this decision had been made. There may be very good reason, yet to be disclosed, as to why this decision has been made. The member covering this area, the member for Finniss, is apprised of the issue and he is very interested to make sure that educational facilities are maintained on Kangaroo Island.

There are two reasons I raise this. One is, on the face of it and on the information I have received, none of the parents of the other children in the school—that is, reception to year 10—had any notice or consultation that this was going to occur, and these are the ones who have got the children coming through, until they got the notice at the end of last year at school that this was going to start in February this year.

That in itself was very concerning to me because we had—and I remember attending the meeting at Parndana with hundreds of others—I thought, got some pretty good assurances from the government representative at that stage that there would not be subsequent attempts to try to close down schools or classes without the community being consulted. So, I am hoping that eventually I will get a letter. In February, I wrote to the Minister for Education, and I am hoping that she will respond to this and provide some cogent reason as to why this is being applied.

I hope that, if the community have not been consulted, which it appears they have not—and I spoke to some more parents of other children who were there when I was home—then the government will remedy that and they will call a meeting and they will properly advise the parents. All I am asking is that, whatever decision is made about whatever education services are at their schools, wherever they are in country areas, the local people know about it, they get consulted about it, they make a contribution to what they think is a priority and it is acted on.

It is very good that the Attorney-General is here because he had some involvement as the former minister for tourism in the establishment of what I think was the Future of KI Authority (I cannot remember the full name of it now) and a document entitled 'Paradise Girt by Sea' and so on. That document highlighted a very important thing for the development of agriculture and tourism in that particular precinct of South Australia—and it applies to many other parts of South Australia.

What was made very clear in that report was the importance of continuity of education in regional areas; that is, when those children do not have the opportunity or privilege of being sent to another educational facility because their parents cannot afford it or they simply do not have the resources to do it, they have continuity of education. For example, they can continue on at that campus and do an agricultural course which is available there. They need to be fully skilled to

assist in the objectives that are in these reports, and they must have the services available to do it. It is so terribly important.

I look forward to receiving the minister's response. I hope that it is not an example that is replicated around South Australia's regional areas, because if that happens and there has not been very clear consultation, then there will be much anger and it will undermine any positive approach that the government has—and I am sure it does have good intentions for some of these regions. I look forward to her response.

At 17:31 the house adjourned until Tuesday 27 March 2012 at 11:00.