

HOUSE OF ASSEMBLY

Thursday 31 May 2012

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:30 and read prayers.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

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) (10:31): I have to report that the managers for the two houses conferred together and it was agreed that we should recommend to our respective houses:

As to Amendment No 1—That the House of Assembly no longer insist on its disagreement to the amendment

As to Amendment No 2—That the Legislative Council no longer insist on its amendment but makes the following amendment in lieu thereof:

Clause 22, page 10, line 32 [clause 22, inserted section 35A(3)(a)]—After 'represents the prisoner' insert:

, or who is communicating with the prisoner for the purpose of determining whether or not to represent the prisoner

As to Amendment No 5—That the Legislative Council no longer insist on its amendment but makes the following amendment in lieu thereof:

Clause 41, page 15, after line 13—After subclause (2) insert:

(3) Section 67—after subsection (7) insert:

(7a) If the Governor does not approve the recommendation of the Board that a prisoner be released on parole, the Minister must, within 30 days after being requested to do so by the Board, advise the Board of matters (if any) that the Minister believes might assist the prisoner in making any further application for parole.

(7b) The Board must not disclose advice given by the Minister under subsection (7a).

(7c) The Minister and the Board cannot be required to disclose advice given by the Minister under subsection (7a) by any law of the State or for the purposes of any proceedings before a court, tribunal or any other body.

As to Amendment No 6—That the Legislative Council no longer insist on its amendment but makes the following amendments in lieu thereof:

Clause 49, page 19, lines 1 to 23 [clause 49, inserted section 76A]—Delete section 76A and substitute:

76A—Apprehension etc of parolees on application of CE

(1) If the CE or a police officer suspects on reasonable grounds that a person who has been released on parole may have breached a condition of parole, the CE or police officer may apply to—

(a) the presiding member or deputy presiding member of the Board; or

(b) if, after making reasonable efforts to contact the presiding member and deputy presiding member, neither is available—a magistrate,

for the issue of a warrant for the arrest of the person.

(2) A warrant issued under this section authorises the detention of the person in custody pending appearance before the Board.

(3) A magistrate must, on application under this section, issue a warrant for the arrest of a person or for the arrest and return to prison of a person (as the case may require) unless it is apparent, on the face of the application, that no reasonable grounds exist for the issue of the warrant.

(4) If a warrant is issued by a magistrate under this section—

(a) the CE or police officer (as the case requires) must, within 2 working days of the warrant being issued, provide the Board with a written report on the matter; and

(b) the warrant will expire at the end of period of 2 working days after the day on which the report is provided to the Board; and

- (c) the presiding member or deputy presiding member of the Board must consider the report within 2 working days after receipt—
 - (i) issue a fresh warrant for the continued detention of the person pending appearance before the Board; or
 - (ii) cancel the warrant, order that the person be released from custody and, if appearance before the Board is required, issue a summons for the person to appear before the Board.
- (5) If a warrant expires under subsection (4)(b) or a fresh warrant is not issued under subsection (4)(c)(i), the person must be released from detention.
- (6) The Board may, if it thinks there is good reason to do so, by order, cancel a warrant issued under this section that has not been executed.

Clause 49, page 19, lines 25 to 31 [clause 49, inserted section 76B(1)]—Delete subsection (1) and substitute:

- (1) A police officer may, on the authorisation of a senior police officer, without warrant, arrest a person who has been released on parole if the police officer suspects on reasonable grounds that the person has, while on parole, breached a condition of parole and the police officer is satisfied that—
 - (a) the breach is not trivial; and
 - (b) unless the person is immediately arrested, the person is likely to continue to breach conditions of parole, commit further breaches or commit an offence.

Clause 49, page 19, line 36 [clause 49, inserted section 76B(2)(b)]—Delete 'the CE' and substitute 'a magistrate'

Clause 49, page 19, lines 39 and 40 [clause 49, inserted section 76B(2)(c)]—Delete 'the CE' and substitute 'the magistrate'

Clause 49, page 20, after line 5 [clause 49, inserted section 76B]—After subsection (2) insert:

- (3) In this section—

senior police officer means a police officer of or above the rank of Inspector.

SELECT COMMITTEE ON THE ROAD TRAFFIC (EMERGENCY VEHICLES) AMENDMENT BILL

Ms THOMPSON (Reynell) (10:32): I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

VISITORS

The SPEAKER: Members, I think we have present in the gallery a class of students from the Migrant Resource Centre. It is lovely to see you here today. We hope you enjoy your time here. They are guests of the member for Adelaide. Welcome, it is lovely to see you.

STATUTES AMENDMENT (SEX WORK REFORM) BILL

The Hon. S.W. KEY (Ashford) (10:33): Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935, the Spent Convictions Act 2009, the Summary Offences Act 1953 and the Workers Rehabilitation and Compensation Act 1986. Read a first time.

The Hon. S.W. KEY (Ashford) (10:34): I move:

That this bill be now read a second time.

My bill seeks to amend a number of pieces of legislation to effect the Statutes Amendment (Sex Work Reform) Bill 2012. I will seek, later in my contribution, to table an explanation of clauses. I would like to thank everyone who has made the introduction of this bill possible. Special mention needs to be made to the Sex Industry Network (SIN), the Scarlet Alliance, the Australian Sex Workers Association, the Australian Services Union, the Working Women's Centre, the Equal Opportunity Commission, the Ashford electorate staff and volunteers, and minister Gago's staff.

We have spent a lot of time debating what should go in the bill and what model of reform we have been talking about. Submissions and assistance have also been available from SafeWork; individual sex workers; the National Council of Women; Business and Professional Women; Zonta International; the Law Society; the Hon. Kelly Vincent MLC; the Local Government Association;

Women's Information Support Group; South Australian Unions; the parliamentary library; the ALP, particularly PLUS; Labor lawyers; Tony Piccolo MP (member for Light); lawyers Graham Harbord and Bob Lempens; the Minister for Planning; the Minister for Health and Ageing; the City of Salisbury; the Uniting Church; the New Zealand Workers Collective; and also the member for Enfield; the Hon. Tammy Franks MLC; and the Hon. Kelly Vincent MLC. We also had considerable assistance from the groundwork that was done by the member for Croydon, the Hon. Michael Atkinson.

While there was support for the decriminalisation of sex work in South Australia, a number of qualifications were also voiced in regard to all sex workers being decriminalised and where sex work should take place. I need to place on the record that, although I did have a very good response from many people, some of whom I have named, in regard to my first draft bill, and although there was an overwhelming view that decriminalisation was the model, there were certainly some concerns raised as well.

Over the past two years I have had the opportunity to visit many different jurisdictions—the ACT, Tasmania, Western Australia, New South Wales and Victoria—to discuss how their systems work or do not work. I also had the opportunity, when I visited the Netherlands, to speak to sex workers directly in their workplaces, and find out from them how that system worked, as well as to the justice departments and various public servants who had administration of sex work in the Netherlands.

Through my visits around Australia I have had an opportunity to speak to ministerial advisers, ministers, and in some cases premiers, in regard to how they think the sex work industry should or should not operate. I have had the benefit of attending many fora, meetings and films, many of which I organised, regarding information on this area. I have to thank members in this house and also the other place for their attendance and input. It has been really important to be able to have those debates with you.

There are a number of different models that operate in the sex industry both globally and locally, particularly locally in Australia. Depending on the country or jurisdiction, sex work can be criminalised, legalised or decriminalised. Advice from workers and sex worker organisations, as well as the considerable research I have done and had done for me, has led me to support the decriminalisation model.

I have been particularly influenced by both New South Wales and New Zealand. In the case of New South Wales, since 1995 sex service premises have been able to operate like other businesses, and they have also been limited by local government planning laws. Individual sex workers are able to operate, escort agencies are not subject to regulation, and street-based prostitution is allowed in some areas. Of course, street-based sex work in New South Wales has been a legal occupation since 1979.

Scarlet Alliance say that since 1975 the New South Wales sex industry has been able to operate without fear of police corruption or arrest. They go on to say that this is incredibly important as sex workers are only now beginning to feel they can seek police assistance without fear of prosecution or arrest and actually come forward and report instances of rape, assault, theft and other crimes against them like any other person.

One of the other pluses in this model is the rights of people with varying abilities and disabilities to access sexual expression. I am sure many older people have also availed themselves of sex work services, too. My bill, if passed, will allow this to happen in South Australia in a decriminalised model. It is funny, you know, my mother, Ms Steve Key, a social worker and activist, was advocating the need for all people, particularly the aged but also people with disabilities, to be able to access sex services—and this was in the late 1970s, early 1980s. Typically, and I am not sure that my siblings and I really understood what she was on about. For us it was yet another important social justice issue she would bring to our attention. Now when I look back on what she was saying, working both in the aged care area and the disability area and certainly as a health officer, she felt this was a really important change that needed to happen—and I must say that I totally agree with her.

We have had the opportunity recently of being educated by some of the people who work in the disability area, particularly Touching Base, and I think that for many of us in this place that has changed our view about the need for access to those services for people who choose to access them.

Obviously the New South Wales system has its problems, and the more I read the more I realise that there is still work to be done and there still needs to be reform. It is interesting to note some of the works. Author Eric Glatz, in his work entitled *Prostitution rights* says that decriminalisation takes the sex work industry from a jurisdiction of the criminal code. It means private sexual acts between consenting adults are placed outside the realm of criminal laws. It would essentially bring the informal practice of tolerance of sexual behaviour out into the open without spending dollars and endless energy marginalising and prosecuting sex workers or even incarcerating them.

New Zealand's Prostitution Reform Act 2003 (PRA) and its operation over the past five years has been extensively reviewed by a New Zealand government advisory committee. In its 177-page report from May 2008 it says in its conclusion:

The PRA has been in force for five years. During that time, the sex industry has not increased in size, and many of the social evils predicted by some who opposed the decriminalisation of the sex industry have not been experienced. On the whole, the PRA has been effective in achieving its purpose, and the committee is confident that the vast majority of people involved in the sex industry are better off under the PRA than they were previously.

More recent data that reviews the New Zealand reforms says that the decriminalisation of New Zealand's sex industry has resulted in safer, healthier sex workers. The mid-2010 book entitled *Taking the crime out of sex work: New Zealand sex workers' fight for decriminalisation*, edited by L. Fitzgerald, C. Healey and G. Abel, reflects 772 sex workers who had been interviewed. They say that the relationship between sex workers, particularly street workers, and police has improved. Our evidence shows that there is compelling evidence that decriminalisation has achieved the aim of addressing sex workers' human rights and has a positive effect of their health and safety.

As a former worker advocate and trade unionist—I still consider myself to be an advocate, by the way, as I am sure we all do—I am keen to be able to deliver on sex workers having the same rights and responsibilities as other workers. This has been at the forefront of the campaigning that I have been doing. My attempts to achieve this, though, have been compounded by the fact—

The SPEAKER: Excuse me, member for Ashford. Can we have the noise level down a little bit please? It is getting very loud. Thank you.

The Hon. S.W. KEY: My attempts to achieve this have been compounded by the fact that the South Australian Fair Work Act 1994 does not really cater for commercial sex work, even with amendments, and particularly does not cater for contracts of employment in this area. In addition, it would have been difficult to establish an employment relationship within the context of commercial sex work.

Interestingly, the commonwealth Fair Work Act 2009 does cover private sector employment, and my advice is that there are some general protections for sex workers, regardless of their employment status. As the commonwealth act is under review presently, there may be an opportunity for national employment standards to apply to all permanent workers in the commercial sex industry.

Unfortunately, the word 'permanent' is a bit of problem, because many of the sex workers, certainly in South Australia, as I understand it, either work for themselves or work in ones or twos. It is not common that sex workers in South Australia work in sex work premises, although we may think that is the case; that may change.

Certainly, the usual industrial remedies that I would look for are not necessarily going to be easily translatable in this area, at least not for a while. There is scope, however, to introduce work, health and safety provisions into the industry and, should my bill be successful, this is something that I will be looking at. From memory, the ACT, New South Wales and Western Australia have a health and safety code of practice, so this is something we can look at.

I have had advice from many different sources, particularly people who work in the workers rehabilitation and compensation area, and I am advised that the provisions I have to amend the Workers Compensation Act 1986 can make provisions for both sex workers and also for employers who employ commercial sex workers.

I commend the bill to the house, and I hope that members will choose to support the decriminalisation model. I look forward to hearing contributions from other people in this place. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Law Consolidation Act 1935*

3—Amendment of section 5—Interpretation

This clause makes a consequential amendment by deleting the definition of 'common prostitute', a term which will no longer appear in the Act.

4—Amendment of section 270—Punishment for certain offences

This clause deletes section 270(1)(b), a paragraph dealing with common law offences relating to prostitution, and is consequential upon the abolition of those offences.

5—Variation of Schedule 11—Abolition of certain offences

This amends Schedule 11 of the *Criminal Law Consolidation Act 1935* to include common law offences relating to prostitution to the list of common law offences abolished by that Schedule.

Part 3—Amendment of *Spent Convictions Act 2009*

6—Insertion of section 16A

This clause inserts a new section 16A into the *Spent Convictions Act 2009*. The new section provides that convictions for prescribed sex work offences (which are listed in new section 16A(2)) are taken to be spent for the purposes of that Act as soon as the new section commences.

Part 4—Amendment of *Summary Offences Act 1953*

7—Amendment of section 4—Interpretation

This clause deletes the definition of 'prostitute' from the interpretation section of the *Summary Offences Act 1953*, as the term will no longer appear in the Act.

8—Amendment of section 21—Permitting premises to be frequented by thieves etc

This clause amends section 21 of the *Summary Offences Act 1953* to delete references to 'prostitutes' in that section.

The offence set out in the section (committed by a person who permits premises to be frequented by specified persons, or who is in premises that are frequented by specified persons) will no longer include prostitutes among the specified persons.

9—Substitution of section 25—Soliciting

This clause effectively amends the existing offence comprised in section 25 of the *Summary Offences Act 1953* by limiting its operation to where a person is, in public, actively accosting or soliciting people for a purpose related to commercial sex work.

The prohibition does not extend to advertising for commercial sex services: the regulation of such matters occurs under the *Development Act 1993* and similar legislation.

Former section 25(b)—loitering in a public place for the purpose of prostitution—will no longer amount to an offence.

10—Repeal of sections 25A and 26

This clause repeals sections 25A and 26 of the *Summary Offences Act 1953*.

Section 25A related to the procurement of persons for prostitution, and is based on the illegality of sex work. That will no longer be the case.

However, the repeal of the section does not affect the provisions of Part 3B Division 12 of the *Criminal Law Consolidation Act 1935*, which deals (amongst other things) with offences relating to sexual servitude, deceptive recruiting for commercial sexual services and the involvement of children in commercial sexual services.

Section 26 related to living off the earnings of prostitution. With sex work no longer, in general terms, being illegal, this offence becomes redundant. However, it is again worth noting that the repeal of this section does not affect the operation of other laws (such as the *Criminal Law Consolidation Act 1935*) regulating criminal behaviour, including where the behaviour occurs in the context of sex work.

11—Substitution of Part 6

This clause inserts a new Part 6 into the *Summary Offences Act 1953*, setting out some new offences that relate to the provision of sex work.

New section 27 defines key terms used in the new Part, including by clarifying what is, in fact, a sexual service.

New section 28 creates several new offences in the context of the provision of sexual services on a commercial basis. First, a person cannot request that he or she or any other person be allowed to have unprotected sex when engaging in a high risk sexual activity (which is defined in the section). Second, a person cannot require or encourage a person to engage in a high risk sexual activity without using an appropriate prophylactic. Third, a person cannot prevent or discourage another person from using an appropriate prophylactic when engaging in a high risk sexual activity. The provisions apply both to employers and clients of sex workers.

New section 29 creates an offence of providing, or causing or permitting the provision of, sexual services on a commercial basis at premises located within a prescribed distance of protected premises.

Subsection (2) of new section 29 sets out circumstances in which the offence does not apply, including where a carer organises for commercial sexual services to be provided to the person for whom the carer is caring at premises owned or occupied by the carer. It will not constitute an offence for an owner or occupier of premises to use the premises for the provision of sexual services on a commercial basis if the relevant protected premises are only established after the owner or occupier has commenced doing so.

Subsection (6) defines what constitutes protected premises: they are premises used for purposes such as providing child care centres, kindergartens, preschools, primary or secondary schools and religious services, as well as premises at which other services prescribed by regulation are provided.

The prescribed distance is different in the CBD to other areas: it is 50 metres in relation to the Adelaide CBD (reflecting the density of the area) and 200 metres in other areas such as suburbs and country towns.

It is a defence to an offence against the section if defendant is able to prove that he or she did not know, and could not reasonably have been expected to have known, that particular premises were protected premises.

Part 5—Amendment of *Workers Rehabilitation and Compensation Act 1986*

12—Amendment of section 3—Interpretation

This clause makes an amendment to the definition of 'employer' in section 3(1) of the *Workers Rehabilitation and Compensation Act 1986* that is consequential upon the insertion of new section 6C below.

13—Insertion of section 6C

This clause inserts new section 6C into the *Workers Rehabilitation and Compensation Act 1986*.

The new section provides for a number of matters that are related to the repeal of certain offences relating to prostitution by this measure.

In other words, the fact that a person can, within limits, lawfully engage in the provision of commercial sexual services as her or his occupation means that that occupation should be included in the occupations to which the *Workers Rehabilitation and Compensation Act 1986* applies, and so extends the protections that the Act provides in respect of the rehabilitation and compensation of workers who have been injured in the course of their work.

To do this the clause includes sex work to be work of a prescribed class, so that the arrangement between a sex worker and their employer is recognised as a contract of service, provided it satisfies the requirements set out in paragraph (a) of the new section.

It should be noted that by doing so, employers of sex workers will need to be registered under the *Workers Rehabilitation and Compensation Act 1986* in the same way as other employers.

Section 6C(b) clarifies that a person to whom commercial sexual services are provided is not an employer for the purposes of the *Workers Rehabilitation and Compensation Act 1986*, nor is a person of a class prescribed by regulation (which may include, for example, a person organising the provision of commercial sexual services on behalf of a disabled friend).

Section 6C(c) provides that the WorkCover Corporation cannot, when considering whether to extend the protections of the Act to a self-employed sex worker under section 103 of the *Workers Rehabilitation and Compensation Act 1986*, refuse the person's application simply because he or she is engaged in sex work. This provision is intended to ensure that a sex worker is treated no differently from other applicants.

Schedule 1—Transitional provision

1—Application of section 59(1) of *Workers Rehabilitation and Compensation Act 1986* to certain employers

This clause provides a transitional provision that provides a 'grace period' for employers of sex workers to apply for registration under the *Workers Rehabilitation and Compensation Act 1986*.

Section 59 of that Act provides an offence of employing a person in employment to which that Act applies if the employer is not registered with the WorkCover application.

The transitional provision will allow employers a reasonable time to prepare their applications and apply for registration.

Debate adjourned on motion of Dr McFetridge.

LOCAL GOVERNMENT (ROAD CLOSURES—1934 ACT) AMENDMENT BILL

The Hon. M.J. ATKINSON (Croydon) (10:48): Obtained leave and introduced a bill for an act to amend the Local Government Act 1934. Read a first time.

The Hon. M.J. ATKINSON (Croydon) (10:49): I move:

That this bill be now read a second time.

I refer members to my second reading explanation when I introduced a similar bill on 10 November last year. The bill lapsed with the prorogation. The bill is simpler than the last. The bill preserves section 359 closures under the Local Government Act 1934, except for road closures under section 359 prescribed by this bill. Clause 1(4) of schedule 1 defines prescribed road as 'an area of road or road reserve marked with the letter A in the plan set out in schedule 2'. That plan illustrates in a map the Barton Road Reserve within which is located the Barton Road bus lane.

Ms Chapman: With the new boundaries, it might be in your electorate.

The Hon. M.J. ATKINSON: The member for Bragg says—

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —that with the new boundaries it might be in my electorate, and no-one in this chamber is more willing to represent the people of North Adelaide than I am, and I hope at 11am it is annexed to the state district of Croydon.

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: Clause 1(1)(a) of schedule 1 says any exclusion of vehicles from a prescribed road that is the subject of a resolution under section 359 will no longer have effect after 1 July 2013.

An honourable member interjecting:

The Hon. M.J. ATKINSON: I have—many times, actually. There is also provision for the minister, on 12 weeks' notice to an affected council, to make a proclamation prescribing a road subject to a section 359 closure. I rather doubt that this provision would ever be used because there are no controversial section 359 closures, other than Barton Road, but it could be useful if Adelaide City Council seeks to rename or reconfigure the roads in this area to wriggle out of the effect of this bill.

The bill leaves it to the Adelaide City Council to restore normal traffic movement in the illustrated area marked with the letter A by 1 July 2013. I do not care how the Adelaide City Council does that; it is a matter for them. It hardly lies in the mouth of Adelaide City councillors to say that it may cost them money, given that they live off rates levied on commercial land values generated by people living outside the city limits who shop, work, study and play inside the city limits and to whom they deny the right to vote for the City Council.

The member for Adelaide's contribution on the last bill was vindictive and ad hominem. It is a rule in the house that we try to leave—

Members interjecting:

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

The Hon. M.J. ATKINSON: It is a rule in the house that we try to leave the family of members alone, but the member for Adelaide tried to argue—as Suzie Roux and Chris Sumner have in the past—that I have a conflict of interest in this matter owing to my daughter's once attending St Dominic's Priory School, Hill Street, North Adelaide. Suzie Roux made this claim in a letter sent to all members of parliament late last year and, sure enough, the member for Adelaide took it up. If this is a relevant interest in deliberating on legislation it is an interest I shared with more than 1,000 other South Australians and hundreds in the western suburbs.

As I recall, my daughter attended St Dominic's in 2000, 2001, 2002, 2003 and 2004—that is, she left eight years ago. Suzie Roux, Chris Sumner and the member for Adelaide talk as if my daughter has been repeating year 12 at St Dominic's for the past 11 years; in fact, she is in Adelaide Law School.

It is true, as the member for Adelaide says, that the road was closed in 1987 as part of a major realignment of roads, but it was driven in the government by Childers Street resident Chris Sumner, who was government leader in another place and attorney-general—now, that is a real conflict of interest. The member for Adelaide claimed in her speech on the last bill that I had 'not surveyed the people most affected in Ovingham'. The truth is that Ovingham was one of the first places letterboxed with a reply-paid leaflet about this and it has one of the highest rates of return in favour of reopening.

So, the member for Adelaide must have known that her claim was false when she made it or was recklessly indifferent to whether it was true or false at the time she made it and, funnily enough, that is exactly the reason that the federal opposition is trying to put Craig Thomson before the Privileges Committee; but, as for the member for Adelaide's misconduct, no-one here cares. The leaflet invited recipients to indicate whether they were in favour of the reopening or against it.

The SPEAKER: Point of order, member for MacKillop.

Mr WILLIAMS: I believe the member for Croydon is making allegations which can only be made under standing orders by substantive motion.

The SPEAKER: One of the problems there is I could not actually hear what was being said because of the noise that was coming from both sides of the chamber but, member for Croydon, I would ask you to be very careful in what you are saying.

The Hon. M.J. ATKINSON: I was absolutely careful not to accuse the member for Adelaide of a breach of privilege; absolutely careful not to. In a few minutes time we will know, with the handing down of the—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: —draft redistribution by the Electoral Districts Boundaries Commission whether Ovingham remains—

The SPEAKER: Order! Point of order. What is your point of order?

Mr MARSHALL: Point of order, standing order 125. The member opposite has been verballing the member for Adelaide for some time now, referring to her actions as being vindictive, and I ask under standing order 125 that the member withdraw offensive words against the member for Adelaide immediately.

The SPEAKER: You are very protective, member for Norwood, but it is really up to the member for Adelaide to ask for the withdrawal of those comments if she has a problem with it.

Ms SANDERSON: I ask for those words to be withdrawn under standing order 125, thank you, and apologise.

The SPEAKER: I am not sure what words you are withdrawing but I would ask you to withdraw them member for Croydon.

The Hon. M.J. ATKINSON: I will not be withdrawing my statement that the member for Adelaide's speech on the last occasion was vindictive and ad hominem because I am entitled to say so.

Ms SANDERSON: It is not accurate and the reference to Craig Thompson is completely unnecessary and I ask that it is withdrawn and that he apologise.

The SPEAKER: 'Vindictive' is not actually unparliamentary but I would perhaps ask the member if you wish to—

Members interjecting:

The SPEAKER: Order! Sit down, I have not dealt with that point of order yet. Member for Croydon, do you wish to withdraw that at all?

The Hon. M.J. ATKINSON: Madam Speaker, I was very, very careful in what I said and I suggest you re-read it, and I suggest the member for Adelaide re-reads it.

The SPEAKER: Member for Croydon, sit down.

Mr WILLIAMS: Point of order: I suggest that the member for Croydon is impugning improper motive on the member for Adelaide by suggesting that her speech was vindictive. If he disagrees with what she said, he can point out why he disagrees with it, but to accuse her of being motivated by vindictiveness is impugning improper motive on the member for Adelaide.

The SPEAKER: Thank you, member for MacKillop. I did not hear what the member for Croydon said. I will carefully read his comments afterwards, but at this stage I would ask the member for Croydon to—

An honourable member: Apologise.

The SPEAKER: I think it would be very difficult to get the member for Croydon to apologise on past experience.

Mr WILLIAMS: Madam Speaker, there is no doubt that the member used those words because he repeated them just a moment ago.

The SPEAKER: The words are not unparliamentary. 'Vindictive' is not considered to be unparliamentary. We have invited him to withdraw them and he has not, but there is really very little that can be done at this stage. Member for Croydon, I would ask you now to please refer back to the substance of the legislation that you are introducing, and please do not comment on members on the other side, and I will look at the *Hansard* afterwards.

Mr VENNING: I have a further point of order, Madam Speaker. Is it normal practice to stop the clock during discussions like this?

The SPEAKER: It is usually at the discretion of the Speaker in a situation like this. I am not sure whether or not we stopped the clock, but I can also use my discretion if I think there should be further time allocated.

Mr WILLIAMS: Madam Speaker, point of order. Might I suggest that, since the member is being deliberately provocative, it would have been best if the clock was not stopped. My understanding is—

The SPEAKER: Let him go on.

Mr WILLIAMS: —that the house has, by resolution, agreed that the clock will be stopped during grievance debate, but not during the normal course of debate.

The SPEAKER: Thank you, member for MacKillop. I am not really sure whether the member for Schubert was being protective and wanting us to stop the clock to give the member more time or allow the clock to go on. I think that the member for Croydon should be able to finish what he has to say in the next nine minutes, and, if he has not, then we will look at it. The member for Bragg.

Ms CHAPMAN: I raise a further point of order, Madam Speaker. As you have indicated that you are going to review the transcript of what has been said on this, I would ask you to view the words of complaint of the member for Adelaide who complained not of the 'vindictive' which has taken the course of other submissions put to you but the fact that she had been compared to the likes of Craig Thomson, and the slur that she had inflicted on her she took offence to. She confirmed to you that she took offence to that, and she asked the member for Croydon to apologise for that. When you are reviewing that I would also ask that you review the basis of her complaint which, as you rightly point out, does require the person offended to make the complaint, and that is what she in fact made the complaint about.

The SPEAKER: Thank you, member for Bragg. Yes, I certainly will look at that. Yes, member for Stuart.

Mr VAN HOLST PELLEKAAN: Madam Speaker, I understand that you will review the *Hansard* when you have the opportunity, but I would like you to take particular note of the fact that the member for Croydon accused the member for Adelaide of misconduct in this place.

The SPEAKER: Thank you, member for Stuart. Minister, is this a point of order?

The Hon. C.C. FOX: Madam Speaker, I believe that it is disorderly to interject, and during the time that the member for Croydon was speaking I, on this side of the house, could barely hear what he was saying.

Mr Williams: You were lucky!

The SPEAKER: Thank you, member for MacKillop. That is precisely the reason why I was unable to hear some of what the member for Croydon said. I will review the transcript. There will be no more points of order on this. Member for Croydon, you will get back to the substance of your bill.

Mr PISONI: Point of order, Madam Speaker.

The SPEAKER: Member for Unley, I said that there would be no more points of order.

Mr PISONI: Is it not disorderly to respond to interjections?

The SPEAKER: Yes, it is disorderly to respond to interjections. The member for Croydon, can you get back to your bill.

The Hon. M.J. ATKINSON: Yes. The member for Adelaide claimed in November that notice of this measure was wholly inadequate. Given that it has been six months since my last bill was introduced, all parties have had six months' notice of this measure and the member for Adelaide and the Adelaide City Council are deprived of that excuse.

Starting in September last year, I and my volunteers have been letterboxing the state districts of Croydon and Colton and the part of West Beach that is in the Charles Sturt Council area. West Beach is in the state district of West Torrens. We have about 4,000 returns so far in favour of reopening the road and about 40 against. These figures are all matched against the electoral roll.

We will then be letterboxing the state districts of Cheltenham and Lee and then, if time permits, moving on to the state district of Adelaide. As the member for Adelaide admits, there are many people in North Adelaide who support reopening the road and many North Adelaideans on both sides of the argument who nevertheless defy their council's restriction and use the bus lane to get to the airport and other points west—on her reckoning, at least 50 a day.

I think that we will finish with about 6,000 signed-up supporters of reopening Barton Road, and at the next general election I will be writing to these people giving credit to those Independent and minor party members of the other place who do the right thing. The member for Adelaide says that the Charles Sturt Council voted against reopening Barton Road. That is not quite right. Charles Sturt Council voted against Beverley Ward councillor's Edgar Agius's motion early in the life of the new council, but that was because he had not prepared the ground for the motion or given sufficient notice to his colleagues.

Among the people voting against councillor Agius's motion were councillors who were rusted on supporters of reopening and who had been elected on a platform of supporting reopening. If the member for Adelaide were so confident that Charles Sturt councillors were against reopening, then she would have been prepared to support my last bill and leave it to a vote of Charles Sturt council. The member for Adelaide told the house that reopening would be bad for Ovingham, Bowden, Brompton and Ridleyton residents when, in fact, they had voted in the survey by a margin of about 100:1 in favour of reopening. Evidently, the member for Adelaide thinks they are suffering from collective false consciousness and cannot see where their true interests lie.

The exclusion of vehicles other than buses at Barton Road relies on a 1995 motion of the Adelaide City Council excluding named vehicles from the bus lane. The motion mentions bicycles—bicycles apparently spoil the member for Adelaide's residential amenity—and private motor vehicles but, as a magistrate observed when adjudicating a case of a Fulham Gardens man fined for driving his van through the bus lane, it does not nominate tricycles and, therefore, tricycles can be ridden through Barton Road. I am the proud owner of a cyclo made in Saigon and, therefore, I ride it through Barton Road when the media does stories on the closure. A cyclo has three wheels.

Bicycle riders berated councillor Anne Moran recently for excluding them from Barton Road, and she responded by telling the *City Messenger* that she would be moving to amend the 1995 exclusion motion by allowing bicycles through. She did not carry out her promise, of course, because in 1998 the parliament moved to stop closures of this type in future without the consent of the adjoining council and, if Anne Moran were to alter the temporary closure resolution to drop bicycles, the Adelaide City Council would have to obtain the consent of the Charles Sturt council to the amended resolution, something which, *pace* the member for Adelaide, it knows it is unlikely to obtain.

To summarise my speech when the matter was last before the parliament, the Supreme Court found that the traffic exclusions on Barton Road were not lawful. The Adelaide City Council's

attempt to close the road under the Roads (Opening and Closing) Act was rejected. The attempt to make the exclusions under the temporary closure provision of the 1934 Local Government Act was disingenuous but effective to date, and traffic counts show that there is no valid traffic management reason for continuing with the exclusions and that they are in the same category as North Adelaide residents fencing off sections of the Parklands for private tennis courts, locking the gate to the Parklands and denying the key to anyone but themselves.

Debate adjourned on motion of Ms Chapman.

LOCAL GOVERNMENT (BOUNDARY REFORM) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 April 2012.)

Mr GOLDSWORTHY (Kavel) (11:09): I rise to speak on the bill that has been introduced by the honourable member for Fisher whose intent is to establish a metropolitan councils boundary reform commission to conduct an inquiry to determine the appropriate number and configuration of metropolitan councils here in South Australia.

The bill is, essentially, a reintroduction of a previous bill the member for Fisher introduced in 2010. As I said, the bill seeks to establish a commission to investigate the boundaries of metropolitan councils and to determine the number of councils and their respective boundaries. I note, with interest, that in the past five minutes most members in this place have received their Electoral Commission boundaries report and everybody is eagerly reading through the outcomes of the commissioner's recommendations in the draft report, so I do not think many people are concentrating on this current contribution. Be that as it may, I was pleased to read that, for once, there is no change proposed to the electoral boundaries of Kavel. That is pleasing to note, and we will see how that proceeds.

Back to the other business before the house relating to the bill the member for Fisher has introduced. It is my understanding that the boundaries reform commission would consist of a former judge of the Supreme Court, appointed by the Governor on the recommendation of the House of Assembly. The commission would have the powers of a royal commission and would produce a report to be considered and responded to by the Minister for State/Local Government Relations. The bill proposes that the report of the commission is to be laid before both houses of parliament not later than 30 June 2013 and that the minister must respond to the report by 31 December 2013, detailing which recommendations of the commission will be carried out, and how, and which recommendations would not be carried out and the reasons why.

Just looking at some history on this issue. Prior to this bill there was a bill introduced in 2010, but the member for Fisher had also moved a motion that was, in my opinion, aimed at achieving the same outcome as the bill. Previously, the Liberal opposition resolved not to support that motion. One reason for that was that we do not particularly want to engender, or generate, any unnecessary concern within the local government sector at the prospect of forced amalgamations. It may well stifle debate and consideration concerning voluntary efforts in relation to council amalgamations.

I note recent commentary in the media and other arenas, mayors and other members of the local government sector, if you like, and the debate they have been having over recent days concerning amalgamations and how many metropolitan councils we should or should not have, and so on. In an open democratic society people are allowed to debate whatever issues they see fit, and they are entitled to their own opinion. Another point I want to make is that we need to be mindful that all spheres of government, being federal, state and local government, should be on a continual program, or process, of improvement, and not necessarily just focusing on (in this house) local government issues.

As I said, that continual program, or process, of improvement encompasses all spheres of government. In meeting with mayors and CEOs and talking to the LGA—I like to think that being the shadow minister for state/local government relations I have established a good relationship with local government over the past year or so—I am aware that the local government sector is continuing a program and process of improving the delivery of services.

The Hon. R.B. Such interjecting:

Mr GOLDSWORTHY: I can get some evidence. I invite the member for Fisher to meet with the Local Government Association. I do not know whether he has or not, and he can certainly communicate to the—

The Hon. R.B. Such interjecting:

Mr GOLDSWORTHY: Yes, she was here yesterday listening to the tirade, I think, of the Attorney-General in his contribution on the Independent Commissioner Against Corruption Bill, but that is an issue that we can perhaps explore at another time. However, having talked to mayors and CEOs of councils, I know that they are looking to improve their resource sharing and how they deliver a whole range of services. So, in my opinion, local government is looking to improve those areas of their operation.

Having attended the local government general conference and annual general meeting a number of weeks ago, I know that some funding has been provided to smaller rural and regional councils to assist them in the management of their financial affairs. They are looking to get every one of the 68 councils in South Australia on a continual program of improvement in terms of their financial sustainability. I think that was a good initiative that was worked through with the Local Government Association to see those funds going to those smaller rural and regional councils in an effort to improve how they manage their financial affairs. Particularly with today being budget day, we all know how absolutely important it is that the finances, economies and funds are managed efficiently and effectively. In a previous career as a banker, I certainly am aware of how important that is out in the broader community.

I have read a number of reports in relation to amalgamations and proposals to amalgamate, not just historical reports here in South Australia but also in other states. The general feeling or consensus from these studies and the reports produced as a result of these studies is that, if you do not have the support of the community and the local people, forced amalgamations do not work. There is debate in the community now on how successful the amalgamation process that took place back in the 1990s was. I know there is debate that continues in one of the council areas in my electorate, being the Adelaide Hills Council. I get a number of calls from time to time from constituents debating the merits of the amalgamation of the previous four small councils into the Adelaide Hills Council.

Coming from the general conference of the Local Government Association recently, we know that, of their own volition and efforts, an expert panel has been formed within the local government sector to look at a whole range of issues, focused on the role and functions of councils, which will report to the Local Government Association State Executive Committee by November 2013. I cannot see any real reason to duplicate that effort, which the member for Fisher proposes, given the work that the local government sector themselves are undertaking in relation to establishing this expert panel and the reporting of this expert panel. So, unfortunately for the member for Fisher, this side of the house does not support the bill.

Ms THOMPSON (Reynell) (11:19): The member for Fisher has once again called for the establishment of a commission of inquiry to be known as the metropolitan councils boundaries reform commission to inquire into and report on the appropriate number and configuration of metropolitan councils in South Australia. The last time the honourable member introduced this bill to the house he was commended for his tenacity in pursuing this one topic over a number of years. I again acknowledge his efforts to promote public debate on the need to strengthen local government so that it can meet the challenges of the future and for councils to deliver services to their communities efficiently and in a cost-effective manner. Nevertheless, the government does not support this bill. The government considers that there are many more pressing matters for state and local government to focus on at present.

The government continues to be engaged in the most significant range of planning reforms in this state in decades, designed to provide strong, sustainable directions for the future growth and development of Adelaide and the regions. A key component of the planning reforms is the 30-Year Plan for Greater Adelaide. The plan details how and where Adelaide will develop, providing certainty for investment and service provision. The 30-Year Plan for Greater Adelaide addresses the need to plan now for population growth and change, residential development, economic development and sustainability. The state has engaged with local government to be a strong and strategic partner in this process.

The member for Fisher knows that there is already a significant amount of collaborative activity between councils at the operational level. Effective resource sharing between councils and

across the local government sector continues to be a strong focus and is actively encouraged by this government and the Local Government Association, but we need to concentrate on the main agenda: planning for the future of our state and managing growth by setting a long-term plan for metropolitan Adelaide.

This government has decided what our priorities should be at a time when South Australia is preparing for a mining boom that offers unprecedented opportunities for our resource sector but also challenges for our state more widely. This government is determined to focus on seven key priorities: clean, green food as our competitive edge; realising the benefits of the mining boom for all South Australians; growing advanced manufacturing; creating a vibrant city; renewing our neighbourhoods to make them safe and healthy; an affordable place to live; and every chance for every child. These priorities build on the things that have long underpinned our economy—agriculture, mining and manufacturing.

However, good government is about more than the economy: it is about investing in our society's wellbeing. I cannot imagine creating a vibrant city or safe and healthy neighbourhoods without councils. Councils are the sphere of government which is close to the community and, while there may not be unanimous approbation of all councils, some have an excellent record of generating real discussion and real engagement with the government's most important work.

The state government does not support forced amalgamations of councils. If councils wish to amalgamate, the Boundary Adjustment Facilitation Panel has been established under the Local Government Act 1999 to consider local government boundary reform. So, as I stated, the government does not support this bill.

The Hon. R.B. SUCH (Fisher) (11:23): I will close the debate. I am not greatly surprised that neither the government nor the opposition is really committed to reform in the state. In my view, both sides lack the spine to carry out reform.

Local government is important; that is why we need to have it operating efficiently and effectively. I am advocating a review as per the New Zealand process, which has been very successful, which uses a retired judge to hear from all parties. This process ensures that the 'local' is kept in local government, because what they do in the process is create advisory panels that work in conjunction with the elected members and so on.

As members know, we currently have 19 councils in the metropolitan area, or 20 if you include Mount Barker, which is really part of the metropolitan area, duplicating 20 times the number of mayors, CEOs, works depots. I do not think that Walkerville can even afford a works depot, but other councils have them, often within a stone's throw of each other. The consequence of this duplication is enormous costs on ratepayers.

Members will soon be deluged by people complaining about rate rises. I notice that the local council where my electorate sits has announced 6.3 per cent. But wait for some of the other councils—the people who should be answering in terms of why councils have to put up their rates will be the people who do not support council reform.

In South Australia, we are paying a lot more for councils than we need to in terms of duplication of services, duplication of policies, different policies. Whether it is managing traffic or whether it is building regulation, they differ. You ask the people in the private sector trying to deal with councils. The transport department has to negotiate with 20 councils in the metropolitan area. It is ludicrous; it is ridiculous.

I do not know what the correct number should be. That is why I am advocating for an independent judge to investigate, hear submissions and make a decision. Members, do not go crying when ratepayers come to you shortly saying their local council is putting the rates up. Members in here who do not support this motion have to accept responsibility for those increases, in part because they have refused to support reform.

I am not advocating a Brisbane model. That may be the desirable model; I am not advocating it. You only have to look at how Brisbane, with more than double the expenditure of the metropolitan area councils in Adelaide, operates with half the staff and they run the buses as well, and do the planning. They do all those things as well.

I will shortly be releasing some details, because I have a motion on the books. A detailed analysis has been done showing what it costs per ratepayer just to support the administration in these councils. In some councils it runs into the hundreds of dollars per ratepayer to support the administration alone. That is before they do anything.

Councils are important. I used to be in council a long time ago. They are not adequately funded. They should get a share of either GST revenue or income tax revenue, but the government and the opposition do not support that either. On the one hand we have councils that cannot maintain basic infrastructure because they rely on a property tax and parking fines, yet neither major party will agree to local government being funded properly with an ongoing growth tax through GST or income tax.

As part of the problem, neither the government nor the opposition will support consideration of reform. We have been hearing for years this talk that the councils are working together. There are only a few councils that share anything. We have different rubbish bins in Adelaide. We do not even have the same size rubbish bins; we do not even have the same colour for the bins; we do not have the same contract; we have councils with different policies relating to rubbish collection—all of these things. Some councils have after-hours officers keeping an eye on people transgressing; some councils cannot afford it. Some councils have community centres; others do not because they cannot afford it.

We have this ridiculous situation where, because of this plethora of councils in the metropolitan area with nearly 300 elected members, it costs more than Brisbane with its paid members. It costs more than that. You have mayors, generally, on about \$67,000, and the Mayor of Adelaide on about \$111,000. The City of Adelaide has, I think, 20,000 residents. This is laughable. People interstate and elsewhere shake their head in disbelief, and when I introduce the motion in the future I will produce a table detailing all these anomalies.

Second reading negatived.

ELECTORAL (VOTING AGE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 April 2012.)

The Hon. M.J. ATKINSON (Croydon) (11:28): The bill seeks to provide 16 and 17 year olds with the right to vote in state and local government elections, and it proposes amendments to the Electoral Act, the Local Government (Elections) Act and the Juries Act. I presume the member for Fisher wants optional voting for 16 and 17 year olds?

The Hon. R.B. Such: Yes.

The Hon. M.J. ATKINSON: So the rest of us would be compelled to attend—

The Hon. R.B. Such: No, no—optional enrolment.

The Hon. M.J. ATKINSON: Optional enrolment—so, the rest of us, 18 and over, if we are Australian citizens living in South Australia, are compelled to enrol to vote but it is optional for 16 and 17 year olds to enrol to vote. The first thing that strikes us is that that is the end of the joint electoral roll between the Australian Electoral Commission and the South Australian Electoral Commission. The majority of countries around the world have a minimum voting age of 18. Countries that have the most in common with Australia, including Canada, the United Kingdom and the United States, all have a minimum voting age of 18. Of course, that changed in my lifetime, in about—

Ms Chapman: Is it a conscience vote for your side?

The Hon. M.J. ATKINSON: No, it isn't. In 1971, I think it was, the voting age was dropped from 21 to 18. The impetus of that, of course, was that voteless 18, 19 and 20 year olds were being conscripted to serve in the Australian armed forces in Vietnam. I seek leave to continue my remarks.

Leave granted; debate adjourned.

LEGAL, JUSTICE AND POLICE RETIREMENTS

Ms CHAPMAN (Bragg) (11:31): I move:

That this house places on record its appreciation of the exemplary service of Chief Justice John Doyle, Commissioner of Police Mal Hyde and Director of Public Prosecutions Stephen Pallaras to the people of South Australia and their contribution to the legal, justice and policing services of the state.

It with pleasure that I move this motion. In this state, we are about to see a change in the guard in the legal fraternity. Just this week debate has progressed and, indeed, passed on the

establishment of an Independent Commissioner Against Corruption. On that passing in another place, the government will have the responsibility of appointing a commissioner for the new anticorruption body.

That will establish a new era as of 1 July, if the government have their way in progressing this, in law enforcement in this state. The separation of powers and the doctrines of independence in our state ensure that we also have an independent judiciary, a Director of Public Prosecutions for the prosecution of offences, and enforcement through the police force. It is fair to say that directly the Commissioner of Police is responsible to a minister of the Crown in South Australia but that efforts made in all our legislation to ensure that police maintain independence as to whom they investigate have been a very important aspect of our legal system.

The Chief Justice of the Supreme Court, Justice John Doyle, will shortly retire after an extraordinary period of service. He was appointed in 1995. Having been educated at St Ignatius College and the University of Adelaide, he completed his studies as a Rhodes scholar at Oxford and appointed Queen's Counsel at the age of 36. He also served our state as solicitor-general for nine years from 1986, and since his appointment in 1995 has led the Supreme Court as Chief Justice.

It has been 17 years of extraordinary commitment to the judicial office that he has held and also in significant law development over that time. Recently, at a special sitting to celebrate 175 years of service of the Supreme Court in South Australia, at which the Chief Justice presided, it was announced that he was only the eighth Chief Justice to serve the court in that role over the last 175 years. Unquestionably, Chief Justice Doyle has proven to be an outstanding jurist with a national reputation.

I have always been disappointed that he—I cannot say invited, he may well have been invited—never took up the opportunity and presented for commission as a member of the High Court of Australia. He was certainly in my view, and I am sure in the view of many in the legal profession, eminently qualified, and if he had taken up that role, I am sure that he would have done South Australia proud as a member of the High Court, and he would have then, of course, been the first member representative of the High Court from South Australia. I hope in my lifetime we have a representative from South Australia, but had he been so, he would have been exemplary.

Members would be aware that he suffered quite a significant accident in France recently, and he brought to our attention that, whilst incapacitated from injuries as a result of that accident, he was not even able to access his own Supreme Court courtrooms. I think this is, again, a reflection on the poor condition of our Supreme Court. I note that the Attorney-General recently announced a \$500,000 study into new Supreme Court courtrooms. I think the Chief Justice indicated that he was going to have that promise laminated and displayed in the court. He was impressed that at least that seemed to be opening the file.

I am very disappointed that the government has the capacity to allocate \$500,000 to set up a feasibility study for a metals core library. However, when the Chief Justice has come repeatedly to this chamber and told us that he needs in the order of \$750,000 just to complete the initial study, such a poor amount of only \$500,000 should be allocated to that exercise. But it is a start, and I do not want there to be any backflips on that promise. We want the file to be open and at least that exercise undertaken.

I thank the Chief Justice for his tireless efforts on behalf of all those who have to appear in the superior courts—not just the defendants but the witnesses and, of course, the plaintiffs, and the people who are victims of offences—that they should at least be able to have the dignity of their cases being heard in a place that is sound and approved in terms of occupational health and safety, so that is a good start.

To the Director of Public Prosecutions, Stephen Pallaras QC, I thank him for his service. Mr Pallaras graduated in arts and law from Monash University, served at the Melbourne bar for nine years and had a decade of service as senior counsel in Hong Kong from 1984 to 1994. A crown prosecutor in Western Australia for seven years from 1994 to 2002, he was appointed Queen's Counsel in 2000. Members will remember that Mr Pallaras was appointed South Australia's Director of Public Prosecutions in 2005. He was going to be the great Eliot Ness. I think someone forgot to tell the then premier, Mr Rann, that Eliot Ness was not actually a prosecutor, he was a police investigator but, nevertheless, a minor detail like that did not seem to faze the former premier.

Mr Pallaras was appointed as the Director of Public Prosecutions, and that is an independent statutory role to identify cases that should be prosecuted in our courts. Mr Pallaras has also been vocal on his expectation that it would be inevitable that there would be an anticorruption commission in this state and, as we now know, the government has now collapsed on their previous years of fighting that and agreed to introduce a bill which passed the house this week. I thank Mr Pallaras for his service as our DPP and for his advice. Sadly, much of his advice in his annual reports seemed to be ignored by government but, nevertheless, he was quite a significant contributor to the development of legal reform in this state and I thank him for that.

Finally, I pay tribute to the Commissioner of Police, Mal Hyde. The son of a 37-year veteran policeman, Mr Hyde joined the Victoria Police in 1967 at the age of 16 years, rising to become deputy commissioner of that force from 1993 to 1996. Mr Hyde holds a first class honours degree in law and a Master of Business Administration. He was awarded an Australian Police Medal in 1996 and made an Officer of the Order of Australia in 2008.

Commissioner Hyde has served as Commissioner of South Australia Police for 15 years, since 1997. Commissioner Hyde has become both the longest serving and one of the most highly-respected police leaders in Australia. He has led South Australia Police through a wave of changes, including challenges such as the historic sex offences cases, the 'bodies in the barrel' case and the anti-gangs efforts. Within the force he has changed processes, such as Focus 21, and the establishment of the new police academy and police headquarters have been major achievements.

Commissioner Hyde has had a regular particular interest in professional standards of police innovation and encouraging best practices and new ideas. He, too, operates as a leader on a national level in his role as a member of the Board of Management for the Australian Crime Commission, CrimTrac and as chair of the Australia New Zealand Policing Advisory Authority for the past three years. On behalf the opposition in this chamber, I offer to police commissioner Hyde best wishes for his long and happy retirement in whatever occupations he may undertake.

We know already that Mr Adam Kimber has been appointed to undertake the new role as the Director of Public Prosecutions. He, of course, is highly regarded—another St Ignatius graduate. There must be some hope for my sons who have also graduated from that institution. They of course have gone into the worlds of finance and media, so we will see what happens with them. Nevertheless, they seem to have avoided legal and law enforcement roles in their life, probably taken because of their parents. Nevertheless, I move on.

Mr Kimber has been appointed. He comes with significant legal accolade and credentials, and we wish him well in that role. We look forward to the government's announcement as to who is to become the new Chief Justice of the Supreme Court of South Australia; and I certainly hope that, in their time of office, they see the overseeing of a new and dedicated Supreme Court building for the administration of justice in this state. I commend the motion to the house.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (11:42): Can I start by doing the unusual thing of commending the honourable member for Bragg for bringing this motion to the parliament. We do not always agree. In fact usually we manage to disagree on almost everything, but today I think that I can only endorse the remarks, or at least those that were not attacking me, that the honourable member made in the context of her contribution today.

She has identified in her motion three people of outstanding public service to the state of South Australia, and I think it is only appropriate and reasonable that we in the parliament officially recognise their contributions. I intend to speak briefly about them, but I will probably say less about the police commissioner because my ministerial colleague the Minister for Police is going to be speaking about that, I expect, probably in much more detail.

First, can I just say a few remarks about Chief Justice John Doyle. John Doyle for anyone who knows him is a most remarkable man—a man of enormous balance, great intellect, enormous patience and a truly inspiring leader for the court, both by reason of his temperament and his great capacity for work. He has been a tireless administrator and leader of the court, and I do not think there would be anyone in the legal profession in South Australia who does not have absolutely enormous respect for Chief Justice Doyle. He is a person who has made a substantial impression on everyone who has met him but in a quiet, measured and entirely decent fashion.

I have to say that it is going to be a very difficult task for me as Attorney-General to make recommendations to cabinet to fill the void created by Chief Justice Doyle's departure. As the

honourable member for Bragg, in particular, might know, he is only the eighth chief justice we have had in South Australia since the first one was appointed and, therefore, these are not the sort of events that occur every day, and he certainly has discharged that role with great distinction.

I would like to place on record my sincere wishes that Chief Justice Doyle and his family have a long and enjoyable retirement together. I was speaking with him the other day and I understand that he has, I am not sure, two or three grandchildren about to arrive, which will take the number up to 10, and that, I think, is going to be keeping the Chief Justice fairly busy in what some might call his retirement—although, if he is spending a lot of time with 10 children—

The Hon. J.M. Rankine: The work's about to start.

The Hon. J.R. RAU: —the work's about to start: exactly. I wish the Chief Justice and his family all the very best and would like to express my personal thanks for the great support that he has given to me, the wise counsel he has given to me, and the way in which he has conducted himself in all of his dealings with me during my period as Attorney.

Can I now move on to say a little about the court precinct, because the honourable member for Bragg did mention that. I have to say I was delighted to be able to say a few words about that at the 175th birthday of the court because I think, number one, that was an auspicious occasion. Nobody turns 175 very often—I do not expect to do it at all—and, for the court to be in that position, I think that was an appropriate time to give some guidance as to what the future might hold for the court.

Secondly, and very importantly, it was a recognition in front of a wide audience at that particular ceremony that the efforts of Chief Justice Doyle in having the government recognise and take steps down the path of his dream of having the courts established in a 21st century building with 21st century technology in such a way as to improve their efficiency and service given to the community have begun to unroll. I think it was very important that occurred while he was still the Chief Justice and that was an important recognition of his great contribution.

I think the honourable member for Bragg will find that the amount of money was not \$500,000: I think it was \$600,000. I can tell the honourable member—as I am sure, in particular, my ministerial colleagues know—that I am quite an enthusiast about this project and, if it was left up to me, there will be no turning back, no backing off, or anything else. Who knows: the Treasurer may even say something about this this afternoon. I do not know. Who can say: it is a budget.

Ms Chapman: You are allowed to: it's your side.

The Hon. J.R. RAU: Am I? Well, I think the money might be in the budget for the study. Either way, it is going to happen.

I now move on to talk about Commissioner Hyde. Can I just say that my ministerial colleague, the Minister for Police and Minister for Emergency Services, will no doubt say a lot more about Commissioner Hyde. I have had many dealings with Commissioner Hyde during my period as Attorney. On every occasion he has been thoroughly professional, he has been courteous, he has been helpful, and I have felt at every turn that I have been able to pick up the phone and have a conversation with him and that he has been a very cooperative person to deal with. He is, obviously, an extremely capable man, and I think the tenure that he has had in that role has been one where the police force in South Australia has never been sullied by some of the muck that has been thrown at other police forces and that is, in no small measure, due to his personal qualities.

The Hon. J.M. Rankine: Integrity.

The Hon. J.R. RAU: Integrity, indeed. I will move on from that but I say: thank you, Commissioner Hyde, and I personally would like to express, again, my best wishes for your retirement for you and your family.

In relation to the director of public prosecutions, I had the opportunity to work with the former director for 18 months, or two years, or so. We had a practical working relationship and a respectful relationship, and I think during his time he did stabilise the office of the DPP, which had been going through a period of uncertainty, perhaps we could say, and I think he did settle down the office and stabilise it, and he did give some public profile to the office of the DPP in his own fashion. I would like to, again, place on the record my thanks for his efforts on behalf of the people of South Australia.

I welcome Adam Kimber to the role. As the member for Bragg has said, he is an outstanding lawyer. He is highly regarded by people in the profession and I think he will have an

excellent working relationship with both the legal profession and any government that he may be serving. I think we are going to be very pleased with him and the state will be well served by him. I welcome his appointment and look forward to working with him. In due course, my ministerial colleague, the Minister for Police and Emergency Services, will advise cabinet of a new person in the role of police commissioner.

There is a lot of change going on at the moment. It is a very interesting period: a new Chief Justice, a new police commissioner, a new DPP. We are at one of those points in time which happen almost by accident where all of the major areas in law and justice (and so forth) are turning over at the same time. I think we can all expect to see some changes as a result of that. I know that whoever the new Chief Justice is will bring different skills to the role and whoever the new police commissioner is will bring different skills to the role and, no doubt, a different emphasis. We will have to wait and see. I have not yet been told what is on the mind of the minister, so I do not know, but whoever it is I am sure they will be terrific. Likewise, I am sure the new Director of Public Prosecutions will serve the state well.

I congratulate the member for Bragg for bringing this motion before the house and I am delighted to be able to join with her and my ministerial colleague, the Minister for Police and Emergency Services, in congratulating these three great public servants on their many years of work for South Australia.

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) (11:51): I am very pleased to speak in support of this motion, recognising the retirement of Chief Justice Doyle and the Director of Public Prosecutions Stephen Pallaras. I have met Chief Justice Doyle on a number of occasions and always found him to be a most charming and insightful man. I have not had the opportunity to have any dealings with the Director of Public Prosecutions, but I look forward to working with Adam Kimber in the future.

I rise today to speak most particularly about the retirement of our current Commissioner of Police, Mal Hyde. On 6 March, Mr Hyde announced that he would not be seeking another term as Commissioner of the South Australia Police. When he retires in July, he will have become South Australia's second longest serving police commissioner.

Mr Hyde joined the Victoria Police in 1968 and served in a variety of postings, including detective, district patrol officer and superintendent of a large and diverse inner city division. In 1992, he was appointed to the position of Assistant Commissioner, Corporate Policy, Planning And Review. He supplemented his extensive policing experience with further education and received a Bachelor of Laws, with Honours, and a Master of Business Administration.

He was promoted to Deputy Commissioner in 1993, where he frequently acted in the capacity of Chief Commissioner and Deputy Commissioner (Operations) during critical incidents. As Deputy Commissioner, he had a key role in organisational restructuring, focusing resources to operational policing and overseeing personnel and industrial issues. Mr Hyde was awarded the Australian Police Medal in 1996 and, on 10 February 1997, he assumed his current role as Commissioner of the South Australia Police, following the retirement of Commissioner David Hunt. For many South Australians, these are the only two commissioners they have ever known.

At the time of Commissioner Hyde's appointment, SAPOL was made up of about 3,500 full time sworn officers and 700 civilian staff. At last count, we had 4,500 officers and almost 1,000 support and specialist staff, with recruiting well underway to add another 313 officers. In such an extended period at the head of our police, the commissioner has had the opportunity to craft a vision and put it into practice. This vision was that SAPOL be held in the highest regard as a modern, motivated, progressive and professional organisation, responsive to the community's needs and expectations. The vision is accompanied by a mission of working together to reassure and protect the community from crime and disorder.

SAPOL has made great progress in delivering on these aspirations, and the commissioner has been duly recognised for his work. On 9 June 2008, he was awarded the citation of Officer of the Order of Australia for service to policing and law enforcement as Commissioner of Police in South Australia, particularly through the development of improved service delivery methods, to the detection and prevention of illicit drug use and electronic crime, and through contributions to national law enforcement policies.

As the commissioner prepares to take on new challenges, SAPOL has just opened a new headquarters in the city and the first purpose-built police academy in South Australia's history,

something the commissioner described as possibly the most important investment we have ever made in policing. This Labor government supported our South Australia Police with both the resources and the tools to be a first class, effective and modern police force.

Commissioner Hyde leaves a legacy that has a positive impact on South Australians every day. Victim-reported crime has reduced by 37 per cent in the last decade, and the public report very high levels of satisfaction with and trust in our police. The road toll has reduced by a third in the past 15 years, and serious injury crashes dropped to less than 1,000 in 2011 for the first time. Cars are now impounded for serious offences and hoon vehicles can be crushed or sold. Drivers who put others at risk can lose their licence on the spot. From 2007 to 2009, SAPOL worked with other state government agencies and local governments to align their area boundaries and improve services.

The commissioner has overseen a major change in the tools of trade for our police. DNA and electronic fingerprint scanners are now integral to crime fighting. We see dedicated crime scene investigation vehicles on our roads, and cars equipped with advanced digital cameras scan multiple moving vehicles simultaneously to detect stolen, unregistered or wanted vehicles.

Police can test drivers for various drugs in addition to alcohol, and new firearms have been deployed, along with capsicum spray and tasers, the latter of which have been introduced more smoothly than in other states. This undoubtedly reflects a commitment to high-quality planning, training and review mechanisms within SAPOL.

SAPOL has ranked first in seven of the last 10 years in the Australian public's confidence in police. Over that time, we have never finished off the medal podium. South Australia has been ranked first five years in a row for the highest rate of operational police of any state, and I cannot agree more with the Leader of the Opposition's recent statement that South Australia is probably the safest place in the world.

Communication technology has made huge progress since 1997. Email and other digital media now form the backbone of internal police communications, upgraded call centre systems have been implemented, and a new computer-aided dispatch system has recently been rolled out across police and emergency services. SAPOL has also added Facebook and Twitter to its communications portfolio, with more than 40,000 followers now keeping close tabs on the latest community safety news.

Despite the new powers, equipment and buildings, the biggest change you can make is a change to how people think, the way the community see the police and the way the police approach their work. Initiatives such as neighbourhood policing teams, the family safety framework and various diversionary programs now apply non-traditional approaches to solving problems rather than just solving crimes. In the past year, SAPOL has initiated community surveys with those who have come into contact with the police, because one of the best ways to serve the public is to know what they think and what they expect.

During the commissioner's term, women have increased their presence in SAPOL and now account for around one-quarter of all sworn officers and around one-third of overall staff. This increase has been particularly dramatic amongst senior ranks. In 1996-97, there were two female inspectors and one chief inspector. In June 2011, there were 10 female inspectors, four chief inspectors, two superintendents, one chief superintendent and two assistant commissioners. This expanding role of women has been accompanied by a wide range of ages, ethnicities and professional backgrounds amongst those who choose to become police officers.

In addition to contributing to many boards and committees in his role as a public service chief executive, the commissioner also sits on the board of St John Ambulance, CrimTrac and the Australian Crime Commission, and chairs the Australian New Zealand Policing Advisory Authority.

At this point I would also like to pay tribute to Mrs Hyde. Mrs Marcia Hyde has been a constant support to the commissioner over decades of community service and the significance of her contribution should also be recognised. Whether travelling with the commissioner or meeting and supporting countless families and spouses of police, I know she has earned respect within SAPOL and the broader community and is held in the greatest of affection.

I am pleased that the commissioner has indicated that he and Mrs Hyde will be staying in South Australia. I think it says something about them, about our state, that they will continue to call this place home. The people of South Australia and the members of this house owe a debt of gratitude to the commissioner and I thank him for his outstanding service over so many years.

The Hon. R.B. SUCH (Fisher) (12:01): I rise to support this motion, firstly speaking in praise of the services of the Chief Justice who, I believe, has not only been a fine judge and a fine Chief Justice but who is also a decent human being. Those roles are not incompatible, or they should not be, but he is a decent human being who has a strong commitment to justice.

I cannot say I have had a lot of dealings with the Chief Justice, but in my limited dealings with him I have found him to be open to discussion. He is not responsible for any failings in the justice system, of course, but he has been prepared to listen and respond to issues I have raised with him. I think that is very important; there are not many places on this earth where people can have access to someone like the Chief Justice. When I met with him two months ago, I think, on the tour to have a look at the facilities, the Chief Justice was located in a very modest office—and that is probably understating the facility he has to work in.

In terms of his public role, his judicial role, he has, I think, been exemplary. I trust in his retirement—and I am sure he will continue to make some contribution to the community—ill-health does not detract from his enjoyment of that retirement.

This does raise the question of when judges should be compelled to retire. I am not sure the current arrangement is necessarily the right one, where there is an age prescription; I think we are moving to a point where people can contribute effectively even though they may have reached the ripe old age of 70 or 72.

However, if you have a system where a judge is able to continue on the basis that they are capable and so on, and you put that onus on the Chief Justice, that puts a pretty unfair burden on the Chief Justice to ascertain whether or not a judge is able to continue in the role. So I think it is an issue, and I am sure the Attorney is well aware of it, this question of when Justices should retire or be compelled to retire. As I said, I note with some concern that the Chief Justice is facing a personal health challenge, and I wish him all the best in the future in that regard.

In relation to the police commissioner, Mal Hyde AO, I have had the pleasure of meeting with him too and I found him to be accessible. Once again, whilst we are often critical of our system as a whole, there are not many places in the world where the police commissioner and, indeed, the Chief Justice as well, make themselves available via radio and other media for participation in the community. I think it reflects highly on our state and our community that we have a situation where people in those senior roles are able to participate in community discussion about their role and responsibilities.

We have a very good police force in South Australia. It is not perfect, but it is one of the best ones that I am aware of. In discussion with the police commissioner some time ago, he said that, ultimately in regard to the quality of the policing, it comes down to the integrity of the individual officer concerned. I had an unfortunate experience with one, and I do not want to go into great detail now, but the behaviour of that particular officer, I think, was not the norm.

I know many fine upstanding police officers. My local superintendents, Tom Rienets and Graeme Adcock, are excellent police officers, fine upstanding members of the police force. Many of my mates have sons in the police force. I will not go into specifics because they are in the criminal investigation area, but I know many police currently serving and those who have recently retired.

It is a difficult occupation to be involved in. In a way, you are set apart from the community. I guess there is a parallel there, too, with justices and magistrates. Whilst they might observe what happens in the community, they cannot really be in the community to the same extent as other people, and I think that is one of the issues that police have to confront in their daily life. They cannot, in a sense, be one of the boys—to use that old expression—or one of the girls, for reasons that people can determine themselves.

The commissioner has in recent times brought about some useful reforms, supported by the minister. We saw one this week in relation to the lowering of speed fines for lower end offending, and I am sure the police had some input into that. I welcome that and the increase in demerit points for offenders. I think that is another good initiative; I have been lobbying in relation to both those issues.

The commissioner has recently issued instructions in relation to procedures by police which I think are good because, for many years, the supervision of traffic enforcement has not been as good as it should be, and I do not think senior officers responsible for traffic enforcement have been as diligent as they should have been in supervising what has gone on in terms of issuing expiation notices and so on.

However, in recent correspondence from the minister and, obviously, coming from the commissioner, he has instructed all officers that they are not to do what happened in my case, where a constable signed an expiation as if he were a more senior officer. One would have thought that was elementary, but that practice was going on, so there was no proper checking of what was going on. To his credit, the commissioner has issued an instruction that that is not to occur in the future unless someone is, for example, out the back of beyond where there is no senior officer available to check the paperwork. That has been a welcome change. The other one relates to expiations; they are going to provide some more detail on them.

I believe the commissioner has been a good model for other police in his behaviour. I think it has been beyond reproach. He has also committed to some sensible reforms in terms of police procedures. I would like to see that go a bit further in terms of a different approach to reviewing expiation notices; it is an issue I have raised before. The other main issue is that the police should be answerable to a police integrity commission as a model, which I think is preferable to the current one where they theoretically answer to the police minister.

In relation to the Director of Public Prosecutions, I have never met with Stephen Pallaras. My observation is that he has been a dedicated law enforcement officer, if you want to use the general terminology. Some people have found him to be contentious in his views. I do not share his view about not allowing people to own firearms. As someone who shoots feral pests frequently on family and other farms, I do not agree with that, but I do agree that there needs to be strict controls on how firearms are used and stored. In all the circumstances I believe he has been a diligent public prosecutor. He has brought credit to that office, so I join in commending these three people—the Chief Justice, the Commissioner for Police and the Director Of Public Prosecutions—thanking them for their service to the state and wishing them all the best in the future.

Mr PENGILLY (Finniss) (12:11): I rise to support the member for Bragg's motion. Although I met Mr Doyle once or twice, I never met Mr Pallaras, but I do think that they have both been extremely good people working for the best interests of the state. The fact is that we have never heard any controversy around Chief Justice Doyle, and that says a fair bit. Unfortunately, Mr Pallaras was ill-named by the former premier as his new Eliot Ness. As the member for Bragg pointed out, he was not a police officer such as Eliot Ness; he had another role to play. From time to time he got unfairly beaten around the ears, and then he was summarily removed at the end of the day. I wish him and Mr Doyle all the best in whatever comes along in the future, and I hope that Mr Doyle's health holds up so that he can get on with what it wants to do for the rest of his life.

I do know Commissioner Hyde and his wife Marcia quite well through my activities in my current role and in my past roles, and they are very good friends of my wife and I. He does enjoy going to the island and going fishing on a regular basis, but he does not catch a lot of fish—that is his big failure. I think Mal Hyde has been a terrific Commissioner of Police in South Australia. There is no question that SAPOL is held in the absolute highest regard amongst police forces in Australia and elsewhere. Clearly, every now and again there is a bit of wayward activity by an officer, and that is dealt with in one way or another.

I find the commissioner an upstanding and very good person. His bearing is always terrific. When he appears at functions his behaviour is terrific. He speaks well, and he notes anybody he has to note in a very good manner. The way that he ran his department made it tick along particularly well. He seems to take his officers with him at all times, from his senior officers right down the ranks. Recently I enjoyed attending the opening of the new academy. I went along as a member of the Public Works Committee; I was on the committee when we approved it. I thought that day said a lot about Mal Hyde. He was very much in control, and they treated him with a great deal of respect on that day. Obviously the minister was there, and it was a day for her as well.

Quite frankly, I find Mal to be one of the best things that has come out of Victoria to South Australia for a fair while, and I will miss him. No doubt we will have a suitable replacement put in place as commissioner. Over the years, in various roles that I have taken in this place—and in veterans' affairs where we had quite a bit to do with their defence force representatives—quite often the police commissioner was there along with his wife, and we all developed a professional friendship and relationship which transcended politics, and I thought everyone acted in the best interests of the state.

Mr Hyde will be missed. He will not be lost to the state, as I understand it, but he will be missed out of the role, but people come and people go. Some go and are forgotten, but I do not think Mr Hyde will be forgotten in a hurry, and I wish he and Marcia all the best for the future. So, with those few words, I support the motion.

Mr HAMILTON-SMITH (Waite) (12:15): I rise to strongly support the motion. I think it is appropriate that the house signal its appreciation for the service of these fine South Australians, Chief Justice John Doyle, police commissioner, Mal Hyde, and the DPP, Stephen Pallaras. They are people who have made a very significant contribution to the legal, justice and policing services of South Australia.

I want to start with Chief Justice John Doyle. I do not intend to repeat his accomplished record of service; other members have done that eloquently. I want to say that as Chief Justice, he has carried with considerable dignity and intellectual rigour, a most important post in this state. I am one who fervently believes in the separation of powers, and who would argue earnestly that it is very important when appointing judges that we do so without political fear or favour; that the judiciary is an organisation to be respected for its independence; and that governments should never fall victim to the temptation to place into chief justice or judicial roles people who are seen to be in any way lined up with one political party or the other. To do so diminishes the judiciary and puts at risk our entire democratic system.

I think this is something that Chief Justice Doyle has understood. I think, particularly in recent years, he has been Chief Justice in difficult times, when the judiciary and the resources available to it have been under challenge, for a range of reasons. I must say that I think from time to time the current government has been unfairly critical of the judiciary. Of course, that makes it very difficult for the judiciary and members of it to respond, because the government must uphold the judiciary in the role of chief justice.

I think the current Attorney has brought a bit of fresh air to the relationship between government and the judiciary in certain respects, and I welcome that, and I am certain that on our side we would seek to continue that. From my observation, Justice Doyle has handled his responsibilities well: he has stood up for the judiciary; he has made his points about resources; he has made his point about the need for there to be independence and distance between government and the legislature and the judiciary; and he has done it without getting into a knuckle fight or a dust-up with the government in difficult times. So, I think that he has done an outstanding job and I wish him well.

I will move on to police commissioner Mal Hyde. I have had a quite a bit to do with the commissioner over the years, both when we were in government and in opposition, in a whole host of ways. I think our police force has managed to keep its nose clean compared to some other police forces around the country and has managed to establish its reputation as being corruption free rather well. In regard to the role of police commissioner, you can be judged in the role not only by what you have achieved but by what has not happened on your watch, and I think in that respect the police commissioner can take some comfort that, on his watch, his force has not endured the sort of scrutiny and the sort of drama that we have seen in Victoria, in New South Wales and, to a lesser extent, in Queensland and in other jurisdictions.

This is a very important thing. I spoke to the police union about this on a number of occasions when I was leader. They have a most important thing to take care of, that is, their reputation as a police service, and any weak link in the chain puts at risk the reputation of all in the service. It is up to the police service itself to enforce that discipline and to maintain that reputation, and I mean not only the association and the union, if you like, the association of police officers, who, I think, are very determined to keep that good reputation of the South Australian force in good order, but it also is up to the police commissioner of the day; and that is something that police commissioner Mal Hyde can hold his head very high about.

Of course there have been a host of challenges. We live in very difficult times for law and order. Drug and alcohol abuse is a real issue. We have had all sorts of problems with crime on the streets: shootings, completely uncivil behaviour by certain elements of the community that has cost lives and caused injury—extraordinary heartbreaking stories to tell. However, I think that you will get very good common sense from police officers when it comes to what is going on in the community.

I remember being in the APY lands a couple of years ago and it was quite apparent to me by the time I left that the people who knew most about what was going on in the APY lands were the police officers, and I think that is generally true in the community as a whole. To Mal and to his wife, Marcia, I just say, 'Well done. Enjoy your retirement.' I am sure there will be things for you to do in the future; I am sure that you will do them well.

I move on to the former DPP Stephen Pallaras, for whom I have to say I have the greatest respect and regard. I noted with interest his arrival in South Australia with the former premier as the Eliot Ness who was going to get the bad guys and lock them up. This was clearly seen as something that the former premier, Mike Rann, and the former attorney, Michael Atkinson, wanted to hang their hat on, and they had got their man. Their man quickly worked out who bad guys were, and I do not think that the former premier and attorney particularly liked what he found. I do not want to stray into that area of the debate in this motion, which has as its prime purpose to recognise their service.

I would say that I believe he was a great choice as DPP, and I think that, properly resourced, we could have done far better things together, that is the parliament, the government and the DPP. If the resources had been given to his office I think that a lot more criminals might now be in gaol and a lot more appeals might have been successfully launched.

I have to say that I think that former DPP Mr Pallaras was one of the most articulate officers that I have heard speaking on the subject of law and order. I believe he did a great job of communicating the role of the DPP to the public, as well as to members of parliament and also to others in the judicial system, and for that he is to be commended, following on as he did from former DPP Rofe.

I wish the new DPP well in the role. He has very, very big shoes to fill. I think that the independence of the DPP was something that Mr Pallaras stood up for and with great moral courage at times in the face of a barrage of criticism from the very people who should have been supporting him. That having been said, you really work out the quality of men when they are under such pressure and, with regard to all these three gentlemen—Chief Justice John Doyle, police commissioner Mal Hyde and the Director of Public Prosecutions Stephen Pallaras—can I say that, under that pressure, they shone—they absolutely shone—and South Australia is all the better for it.

It is a good thing that this parliament has taken a few moments this morning to recognise their service. Public servants, generally, come in for a bit of a thrashing, as do politicians. I think it is good that from time to time we stop, reflect and consider the good work that they do and pay thanks to them. I think each of these three men has made South Australia a better place and made a difference and, after all, isn't that why we are all here?

Ms CHAPMAN (Bragg) (12:25): I simply thank the members for their contributions. As the member for Waite has said, it is important that we be generous in allocating time to recognise those who have served us so diligently, competently and with such commitment. I thank members for joining me in this motion of support. I certainly have not heard one murmur of dissent, so I would like the motion to be put forthwith and look forward to the house's support.

Motion carried.

SAME-SEX MARRIAGE

The Hon. S.W. KEY (Ashford) (12:26): I move:

That this house recognises the right of adult couples in Australia to be married if they choose to be, and for that marriage to be recognised and registered in law, regardless of sexual orientation or gender of the parties to the marriage.

I would like to speak most strongly in favour of my motion. The motion is on the issue of marriage equality—one that, in my view, is an evolving issue. The issue is in relation to how, for me, the community has altered its stance as the debate has progressed. Many of those who have previously stood against allowing same-sex couples to marry, arguing the defence of the institution of marriage, now accept that this position is discriminatory and unjustifiable. It is my experience that individuals have the ability to learn and grow and in that process the opinions of individuals develop and change. There has been an extraordinary change experienced within Australian society on this issue in recent years: it is evidence of how we can change and grow.

In fact, I remember, certainly in the 1970s—most members here would be too young to remember the 1970s—there was a real issue about marriage at all: in fact, why would people bother to get married? It is interesting that now we are talking about same-sex couple marriage. I was recently reading some literature in the gay and lesbian press asking what has happened to people. Why are they getting into this traditional institution? As I am saying, there is a variety of opinions and there seems to be a change.

For example, if we look back to 2004, which is not that long ago, only 38 per cent of Australians were in favour of same-sex marriage. Three years later, in 2008, the percentage of

Australians who supported same-sex marriage was up to 57 per cent. In 2009, this grew to 60 per cent and this year the level of support is measured at 62 per cent.

It is interesting to note that support for marriage equality in South Australia is actually 67 per cent, so I think, as members in this place, we probably need to think about that as an important issue. Those 67 per cent are in favour of extending marriage rights to same-sex couples. When you think about it, it is a huge change in the level of support for marriage equality in just only eight years and shows how dramatic the change in thinking has been.

When President Obama recently affirmed that he thinks that same-sex couples should be able to get married he explained how his position had evolved. His previous belief that marriage should be restricted to couples of the opposite sex had changed over a period of years. He credits this change to conversations he had with his friends, family, neighbours and members of his own staff who had been in committed monogamous relationships. President Obama's experience provides insight into why support for marriage equality has grown so much in such a short period of time.

I note that over the years, there has been policy in the ALP—having been a part of it, and there are a number of my colleagues sitting around me who have been part of these changes; we have campaigned for many years—both at a federal and state level, to support rights for same-sex couples. From memory, the actual call for recognising same-sex marriage came more recently at a state convention in November 2010, where, I am very pleased to say, the Adelaide and Reynell sub-branch moved that the ALP State Convention calls on the South Australian government to legislate and recognise same-sex marriage and civil unions entered into in other states and countries. They also moved another matter for the agenda (in my view), that the ALP State Convention congratulates the New South Wales government for its moves to allow homosexual couples to adopt and calls on the South Australian government to adopt these changes. So, the whole issue of parenting rights is on the agenda as well.

In looking at the media on the issue of equal marriage, it was interesting to note that, with the most recent French elections and the new French President (and I might say socialist) François Hollande, part of his electioneering was the promise of same-sex marriage and adoption rights for LGBT couples, that this would be on the legislative agenda for 2013.

I note that in the UK, although there have been civil partnerships for same-sex couples since 2005 with similar legal rights to married couples, the government is investigating, through its Home Office consultation paper, a number of things, including allowing same-sex couples to marry in a registry office or other civil ceremony, to retain civil partnerships and allow conversion to marriage and to allow people to stay married and legally change their gender. Those are some of the terms of reference for the UK Home Office consultation paper. I think there will be an interim report made shortly on its findings.

The newly departed Spanish Prime Minister José Luis Rodríguez Zapatero says that the initiative he is most proud of from his nearly eight years in office is the passage of full marriage rights for his gay and lesbian country people. In a recent newspaper article, *Diario de León* said:

If I consider the degree of recognition and gratitude I have received, then I think (it would be) the gay marriage law...Hardly a week goes by without someone reminding me or thanking me. Yes, it's a decision that has left its mark.

Of course, Spain's gay marriage law came into being on 3 July 2005. Interestingly, a number of countries have same-sex marriage: Argentina, Belgium, Canada, Iceland, the Netherlands, Norway, Portugal, South Africa, Spain and Sweden. That shows that Australia is not by itself in trying to address this issue.

When people talk in the abstract about the ability of same-sex couples to get married, when it is a hypothetical couple made up of individuals of the same sex, it is easy for people to take a stance against marriage equality. However, when the question becomes personal and when it is about the ability of your son or daughter, brother or sister, friend, neighbour or work colleague to marry their partner, it becomes much harder to maintain that thinking.

In closing, I would like to pay special tribute to a number of campaigners, particularly in the Labor Party. Obviously we have the inheritance of the great Don Dunstan, and it is good to see that there is a proposal that Norwood be changed to the seat of Dunstan. I think that is a fantastic suggestion.

An honourable member interjecting:

The Hon. S.W. KEY: It is Key, actually. No, I could never claim to have made the changes that Don Dunstan has contributed.

Mr Goldsworthy: You have tried, Steph.

The Hon. S.W. KEY: I have tried. Yes, thank you, member for Kavel. I would like to pay special tribute to the Hon. Ian Hunter, Senator Penny Wong and the Let's Get Equal campaign, who have been fantastic in educating not only the community but all of us. There are also the gay and lesbian rights groups that are in the trade union movement, particularly the Australian Services Union, and Rainbow Labor. There have been a number of people in the party that have campaigned not just for rights for gay, lesbian, transexual, bisexual and transgender people but for human rights and social rights, and have been absolutely consistent in that campaign. I would like to acknowledge them and thank them for their contribution.

Mr HAMILTON-SMITH (Waite) (12:36): I commend the member for bringing the motion to the house. I know that it is a motion in which she has genuine faith and which strikes deeply with many members in the house and in the community, and I understand why she has brought it forward. I have a different point of view to the honourable member, so I will not be supporting the motion. However, I do understand many of the merits in the argument that the motion puts forward. I want to touch on some of those, because it strikes to the very question of what is a marriage, what is a family and what should be included in those definitions and what should not, and each of us in this house has different views on that subject.

I would be the first to acknowledge that there are many imperfections in heterosexual marriage between a man and a woman and the traditional family model of mum, dad and the kids. There are many examples of that not working and many examples of that failing, and our divorce courts are full of examples of it not working well. Similarly, there are many examples of that traditional model working famously, and it has for centuries—and perhaps for longer—served humanity well.

Likewise, I readily acknowledge that there are many examples of same-sex couples providing wonderful outcomes for children as parents, for one reason or another, particularly when children come into the family from a previous heterosexual relationship, through extended fostering arrangements within a family context or for other reasons. I also readily acknowledge that those same-sex relationships bear many similarities to a marriage and that, as often as in heterosexual relationships, they can be deep, meaningful and loving relationships between wonderful people going through their lives together.

I am a person who does not feel any difficulty at all with same-sex couples or same-sex people. I have mixed with them quite a deal, as I am sure many members have. I have discussed this very subject with a lot of them, and the response has been interesting. Same-sex couples themselves have told me that this is by no means a unanimous view held by all same-sex people.

This program, this policy and this intention to get same-sex marriage agreed to by parliaments around the country is by no means something that the whole of the gay community embraces. It has been put to me that there is a small activist group who want it, there is another group in the gay community who think it is a rotten idea and then there is a larger group in the middle who are either ambivalent or would accept it and think it is probably not a bad idea. They would like to have the right to marry if they wish to, but it is not something they are fervently arguing for. That is what has been put to me by a large number of people in the gay community.

There is merit in the argument, there is no question of that. I do not agree with it, but I want to make the point that I do not think it is the unanimous view of all gay people that this motion should be agreed to. In fact, a lot of them have said to me that they do not want to be characterised as husband and wife, they do not want to be characterised as married; they are quite happy with the de facto arrangements as same-sex couples that they have struck. They do not want to be, if you like, drawn into the marriage definition. I think that is an aspect of this that will need reflection.

The member has made certain assertions about the extent to which this enjoys popular support. I am not sure about that, but I would not be surprised if at the moment the majority of Australians favour the concept of same-sex marriage. I do not know whether that is correct or not, but I would not be surprised if it were; it would warrant thorough mooting. However, in my opinion, yes, marriage is about love; it is about property and about money too. It is also about children, and about family connections and family. It is about a whole host of things.

I think many of those issues have already been dealt with regarding same-sex couples, particularly with respect to property issues, money issues, bills and so on, by previous acts of parliament. You get to the core issue of children and this is where it gets interesting, because if nature had intended for same-sex couples to have children I suppose nature would have made it possible. The trouble with issues to do with children is that, when you make a lifestyle choice, or a life choice, to select a same-sex partner, you narrow your options there for one reason or another; in a natural sense you narrow your options. You need assistance of some kind in order to make it possible. We have just debated a bill on that very subject, and I just make the obvious point that if nature had intended it that way it would have made it possible. It has not.

So it does get back to this question of the family unit, whatever one perceives that to be, being the basic building block of society as we know it. I readily recognise that there are a lot of families involving same-sex couples that are as wonderfully loving and fantastic as those that are heterosexual couples, and that there are examples of failure on both sides of the equation. I readily accept that, but I would argue strongly that nature and history tell us that the traditional model of a man and a woman and children, all of whom love each other, is a pretty solid model. It has served humanity well, and has built great civilisations and wonderful communities.

An argument that same-sex marriage advocates use is that it does not do any damage to marriage to include same-sex couples in the equation. I am not sure that I agree with that; I think the more that you extend the definition of marriage the more it changes and the more it is devalued in the opinion of others—it devalues, in the opinion of some heterosexual couples, their marriages. Others may not agree with me, and I respect their point of view.

I read with interest the article in *The Australian* on 25 May by Ian Higgins, dealing with this issue of polyamorists. The polyamorists argue that many of the arguments used to make the case for same-sex marriage for gay couples also hold for those arguing for polyamorist marriages involving three or four individuals, in that if three or four individuals are in a genuine, loving, long-term relationship and want to make a commitment to each other, why should that not also be extended to the term marriage? Why should it not also be included? I note there is also an argument going on with Greens volunteer and polyamorist Naomi Bicheno and Senator Hanson-Young on this very issue, and this debate has been made.

No doubt this debate was argued, too, when we had de facto legislation before the parliament many years ago. People were saying that having de facto relationships would devalue marriage, that it would take something away, and many would look back now and say 'Well, yes it did.' We are where we are; but I am sure that when the de facto legislation was being argued no-one in their wildest dreams would have said, 'Okay; let's extend the term "marriage" to include gay couples' at that particular point in the history of the country. Here we are, though, debating it.

Perhaps if we ever do extend the definition of marriage to include same-sex couples, then 10, 15 or 20 years from now someone will be sitting here, perhaps in the very place I am standing, arguing for polyamorist marriage on the very same basis. There is an incrementalisation here, where one thing leads to another and is then used to justify the next step. Can I just say that I completely recognise the genuine intent of this motion put forward by the honourable member and I know it will be agreed to by many members on both sides of this house, but I think it is a motion that the house should not support.

Most of us can have these discussions at a dinner party and leave at the end of the evening thinking, 'Well, that was a good night; we had some really interesting, vigorous debate.' The difference with being a lawmaker is that what you do changes the country. The laws you make and the motions you pass send a signal to people about how their lives will be shaped in the future, and I think it is time for this parliament to reflect very carefully on some of the initiatives it is making.

We need to be looking at ways to strengthen families and in particular, in my personal opinion, mums, dads and the kids—particularly children. With the numerous inputs they now face, we need to reflect very carefully on what we present to them as role models for marriages and for families. That is why I think this motion should not be agreed to, though I fully understand that it is genuinely put. I would encourage members to consider voting against the motion.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (12:46): I do not know that legalising gay marriage will devalue the sanctity of marriage, which I support very much, and I understand exactly what the member for Ashford is trying to do. Unfortunately, I cannot support her and I will not support her.

I agree with Prime Minister Gillard that marriage is between a man and a woman and that is a belief that I have and hold very dear. I understand that gay couples are in long-term loving relationships that are very successful and I believe we should afford them civil unions and legal rights that will allow them to express that love in ways that married couples can in terms of property and other legal requirements.

However, marriages between a man and a woman have traditionally been about the establishment of a family and growing our community. I am not trying to say that homosexuals cannot be good parents: of course they can. What I am saying, though, is that my conscience draws me to making a point to maintain—a point where we positively discriminate in favour of married couples, and I mean that not in a legal sense but in terms of the term 'marriage'.

I believe that marriages are very difficult and they require a lot of work. They require a lot of effort, just like any other relationship, but I think the value of a marriage to society is exceptionally important and it is something that we need to protect and encourage. It is difficult, I think, sometimes to argue this point, especially in the political party that I sit in because I understand that the Labor Party has striven for equality since its very existence and everything we do is about gaining equality.

I think this is probably the next step to what a lot of people in the Labor Party think is equality. Quite frankly, I think it is probably an unstoppable force and I think I will be in the minority. The great thing about the Labor Party is that we allow a voter conscience and I will maintain my conscience and my views and beliefs to the very bitter end, but I will defend always the rights of others to express their views and express their conscience.

I find myself in the difficult position of agreeing with what the member for Waite said. I have to say that it is not something that I enjoy terribly much, so the way I rationalise it is that he agrees pretty much with what I say.

An honourable member interjecting:

The Hon. J.M. Rankine: That's right; he just got to say it first.

The Hon. A. KOUTSANTONIS: He just got to say it first. I accept one point that the member for Waite said, that I do not accept that the Australian population is ready for gay marriage. I understand the President of the United States, the leader of the free world, has changed his views. I will be interested to see how that plays out. I will be interested to see what the American population thinks of that. I will be interested to see what the Australian population thinks about it, given that we have two leaders vying for the top job who both share the same views on homosexual marriage: Tony Abbott, Leader of the Opposition, and Julia Gillard, our Prime Minister.

I accept her view on this matter, and I think her view is the right one. I do not accept that she has been forced into that position by some deal. I think it is a matter of strong principle that she holds, and I applaud her for it, and I will be personally supporting her in that view. I do not think the world would end tomorrow if gay marriage was allowed. I do not think our community or society would change dramatically for the worse if it was allowed, but I do believe it will reach a point where the member for Waite's arguments about what actually defines a marriage will keep on growing larger and larger. At what point do we say that's it? I do not accept that the Australian population will ever accept three or four people being in a relationship and determine that a marriage, but I think the point he is trying to make is: at what point do we say this is the line?

Mr Pengilly interjecting:

The Hon. A. KOUTSANTONIS: I wouldn't use those terms, but I think there needs to be boundaries, and I think those boundaries that are long established, that have served us well for many generations—a lot longer than our federation has lasted—will continue on into the future. These things move in cycles. I also do not believe the gay community overwhelmingly supports the idea of gay marriage. Some people in the gay community obviously do. I have been lobbied very intensely by people who believe that they should be allowed to marry, and I understand their point of view; I just respectfully disagree.

I have also met with representatives from the gay community who say to me, 'Well, actually, no, marriage is not something that my partner and I are engaged in; what we are engaged in is something completely different,' and I respect that also. I do believe, though, that gay couples should have legal rights that determine the way assets are dealt with, the way they are taxed, etc., and that is more than appropriate. In the past it was appalling to see some gay couples in moments of tragedy separated from their partners because of legal requirements in terms of next of kin. I

think that was awful and horrific. To have two loving people separated at a time when they need each other the most is appalling, and I think that has been remedied.

There are other ways in the community that we can still remedy things and go even further, but I think marriage is between a man and a woman and, I have to say—I am going to die with my boots on here—that I think this is an argument, member for Waite, that we are going to lose in the long term. However, I will be there arguing that marriage and the sanctity of marriage belongs between a man and a woman.

I hope I have not offended anyone with what I have said. I am not in any way trying to discount the love that homosexual couples feel for each other; I am sure that that is valid. Although I have very strong Christian views and values, and those Christian views and values I try to practise in my everyday life, I am probably nothing more than a humble sinner who is always falling over and trying to get up. I do not know if I am on the right track here—I hope I have been guided the right way—but I do not want anyone in the gay community to think that I discount the feelings they have for their partners because I do not.

What I am trying to do is to defend an institution that has served our community and our civilisation well. It is important that we maintain that distinction for the benefit of our community and the benefit of our country. Again, I hope I have caused no-one any offence with my remarks. Maybe I have; it is not intentional. I just am merely speaking my conscience. I know the member for Ashford has been clear on this from the day she was elected to the parliament, as have many members. Despite what some commentators in the paper say about the grouping that I belong to within the Australian Labor Party—about it being run by conservative Christians—the truth is that we support many candidates who do not share the same views as me on this issue, and many of those candidates hold high office. We do not discriminate on those opinions. All we ask is that we allow members to exercise their conscience on these issues, in the same way I would never compel other members to vote against their conscience. So, I lend my voice of opposition to the motion.

Mr VAN HOLST PELLEKAAN (Stuart) (12:55): I rise to speak on the member for Ashford's motion that this house recognises the right of adult couples in Australia to be married if they choose to be, and for that marriage to be recognised and registered in law regardless of sexual orientation or gender of the parties to the marriage.

All of that really does come down to same-sex marriage. It means lots of things to different people but, certainly, for the purpose of this debate, we really are talking about same-sex marriage. I would like to say at the outset that for many people a debate on same-sex marriage comes down to debate on the rights and wrongs of homosexuality, and I think that that is inappropriate. I know that is not what the member for Ashford is putting forward at the moment—very clearly—and I do not get that feeling from the members who I have heard speak here this morning either. But let me make it very clear that I think that does happen in the broader community and I think that that is inappropriate. They are too very separate debates. This is about same-sex marriage.

I would like to point out that there is an enormous range of marriages that are perfectly acceptable in many cultures around the world; that, it is probably fair to say, have stood many cultures in good stead for, in some places, centuries. Overseas, people are allowed to get married at a range of different ages to what we allow in South Australia and in Australia. Different numbers of husbands and wives are allowed overseas—polyamorous relationships is a term that I have learnt this morning. I note also that the men seem to fare better overseas than the women. It is more normal that a man is allowed to have numerous wives than it is that a woman is allowed to have numerous husbands. For some people that seems to work in other countries. There are places where same-sex marriage is allowed; there are places where gender changes are quite comfortably included in marriage as well; and a range of other relationships.

I would also like to point out, and this is a very important view of mine, that there is a much broader range of exceptionally important one-on-one relationships in the world that may or may not be platonic or sexual relationships. I think particularly of parents and children. I mean this in the very best way, but people whose lives will continue and they will be forever, often because of a disability, each other's significant life partner in life. I think about siblings. I know many sets of siblings who go into old age—and one will die before the other, of course—and go to their graves knowing that they were each other's significant life partner. I think about carer/caree relationships.

There are many different types of relationships where people who are not married, who are never going to be married, have each other as their significant others. I think the greatest

contribution I would like to make to this debate is that we need to significantly broaden the way in which we allow those relationships to be recognised when it comes to transfer of assets, when it comes to financial security, and when it comes to recognition. I am not talking about anything that I or any other member here would consider to be an unhealthy thing, but I think that is a very important part of this debate.

Let me get to the nub of the issue: when it comes to same-sex marriage, I do not support same-sex marriage. I believe that there is something exceptionally special in a man/woman relationship, ideally with the aim of producing a family. In my own marriage, unfortunately Rebecca and I will not be able to have children. We love each other enormously. So I put on record my opinion that there are all sorts of wonderful relationships out there, but I do not support same-sex marriage, and that is not to denigrate other relationships. I seek leave to continue my remarks.

Leave granted; debate adjourned.

[Sitting suspended from 1:00 pm to 2:00 pm.]

BUS ROUTES

Dr McFETRIDGE (Morphett): Presented a petition signed by 38 residents of South Australia requesting the house to urge the government to undertake community consultation before considering any changes to bus routes in Glenelg.

REGULATED AND SIGNIFICANT TREES

Mr MARSHALL (Norwood): Presented a petition signed by 114 residents of Adelaide and the greater metropolitan area requesting the house to urge the government to take immediate action to reopen the consultative process with appropriate industry and community bodies with the intention of rewriting the Development (Regulated Trees) Variation Regulations 2011.

QUESTION TIME

PUBLIC SECTOR EMPLOYEES

Mrs REDMOND (Heysen—Leader of the Opposition) (14:03): My question is to the Premier. Will the Premier guarantee that no South Australians were available to fill jobs in the public sector that were ultimately filled by 457 visa holders? On Tuesday, the Premier said that he would only allow imported labour as a last resort in South Australia and 'only where there are no local workers with the skills needed'.

However, 20.7 per cent of temporary 457 visa holders employed in South Australia are employed by the government—the highest of all mainland states—compared to 6.8 per cent in New South Wales, 8.1 per cent in Queensland and 5.9 per cent in Victoria.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:03): Of course, my remarks were in the context of the EMA agreements that—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Well, that was the context in which my remarks were made. The honourable member has then matched them up with another issue and sought to make a political point. I suppose it goes without saying but I will say it for the benefit for those opposite who may not appreciate this, that is, that those visas in fact were granted by the commonwealth government, not granted by—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —the state government. I stand by what I said. We should in all respects ensure that South Australians are found those jobs before bringing people from interstate or overseas. Having said that, we have taken those things about which we have control, that is, the capacity to influence the training systems to make sure that people have the skills to get those jobs, seriously. Indeed, members already would have heard earlier this week of the substantial investment this government is proposing to—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —the question of engineering and mining skills to ensure that the people are ready to take the jobs that will no doubt flow from the mining boom. So I stand by my remarks.

An honourable member interjecting:

The SPEAKER: Order! You have asked a question, order! Member for Torrens.

MURRAY-DARLING BASIN PLAN

Mrs GERAGHTY (Torrens) (14:05): My question is to the Premier. What action is being taken to strengthen our capacity to fight for a basin plan that delivers on a healthy River Murray?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:05): I thank the member for this question. She, I think like many right-thinking South Australians, is outraged about the way in which we have been treated over decades by the upstream states. Everybody in South Australia knows that we have been duded in relation to this river and they look to their government to stand up and fight, and that is what we are choosing to do. We are strengthening our efforts to raise community awareness around the inadequacy of the revised plan and are calling for even stronger community backing to help us bring pressure to bear to make changes to that plan. That is the name of the game at the moment—to bring pressure to bear on the commonwealth decision-making process.

I am pleased to be able to advise the house that, just within two days of our commencing the Fight for the Murray campaign, 750 people have signed up to be part of it, and we are going to continue to grow that campaign effort. We will invite those opposite to join with us in being part of this campaign.

Mr Williams interjecting:

The SPEAKER: Order! The member for MacKillop, order! There will be no arguments across the floor. It is an important day. Order!

Mr Marshall interjecting:

The SPEAKER: Order! The member for Norwood, order, or you will leave the chamber! Premier.

The Hon. J.W. WEATHERILL: On behalf of the government, I thank them for responding so swiftly and encourage more people to join by visiting www.fightforthemurray.com.au. Within government, we are focusing our resources on the fight ahead. Mr Scott Ashby, former chief director of the Department for Water, will take up a new position as chief executive of the Murray-Darling Basin Plan Taskforce. This team will bring together government experts to focus squarely on the next steps in the basin plan development process and will support the community campaign to fight for the Murray. The South Australian government has already done substantial work to understand the implications of the basin plan for irrigators, for the environment, for critical human water needs—

Mr Whetstone interjecting:

The Hon. J.W. WEATHERILL: I must say it does surprise me that the member for Chaffey so quickly holds up the white flag on behalf of his own irrigation community.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: There are 971 gegalitres sitting out there, yet to be allocated, which could be coming right at the Riverland irrigators, and what do they do? Haul up the white flag! They haul up the white flag on behalf of South Australia. Don't empower me to negotiate on behalf of this state to get the best deal for this state: don't empower me to stand up for the irrigators. I am prepared to stand up for the irrigators: why won't you?

We delivered to the authority a 160-page submission detailing 71 recommendations for change. These recommendations included fair treatment for our irrigators and protection of our environmentally and internationally recognised Coorong wetlands and Chowilla flood plains. They

were the result of extensive community consultation and rigorous financial analysis. These are the things that most South Australians—indeed, all Australians—support. This is why we are not prepared to accept second best or, in the words of the member for MacKillop, a Mazda rather than a Rolls Royce, and be prepared to roll around in a Mazda. The new Murray-Darling plan task force team will play a critical part in that effort, and we call on all South Australians to stand with us in this important fight.

Members interjecting:

The SPEAKER: Order!

Ms Chapman interjecting:

The SPEAKER: The member for Bragg, order! The Leader of the Opposition.

PUBLIC SECTOR EMPLOYEES

Mrs REDMOND (Heysen—Leader of the Opposition) (14:09): My question is to the Minister for the Public Sector. If the government does not need the 5,150 public servants that they have budgeted to let go over three consecutive budgets, why were these people employed in the first place?

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (14:09): Where does one start? We have gone through a global financial crisis. Europe is now in turmoil. The plus is that Australia sits among the top five in terms of national wealth. A week or two ago, the Minister for Health and Ageing informed us that Australians are among the top five nations in terms of life expectancy. So, we are one of the wealthiest countries in the world, we live longer—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: —we are one of three nations that went through the global financial crisis without going into recession, the others were Norway and Israel, but despite the sound economic fundamentals of Australia and South Australia what is happening elsewhere in the world, particularly in southern Europe and the eurozone—

Members interjecting:

The SPEAKER: Order!

The Hon. M.F. O'BRIEN: —is having an impact and we are responding to that impact.

Members interjecting:

The SPEAKER: Order! You are wasting your question time. The member for Fisher.

DA VINCI SURGICAL ROBOT

The Hon. R.B. SUCH (Fisher) (14:11): My question is to the Minister for Health and Ageing. Can the minister inform the house of a possible replacement for the Da Vinci robot at the Royal Adelaide Hospital?

The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:11): I thank the member for Fisher for his question and I acknowledge his abiding interest in the Da Vinci robot technology used at the Royal Adelaide Hospital.

The Hon. R.B. Such: It saved my life.

The Hon. J.D. Hill: It saved his life, he says. I advise the house that the current Da Vinci robot was donated to the state by the Pickard Foundation in 2004.

The Hon. P.F. Conlon: A great man.

The Hon. J.D. Hill: As my colleague the Minister for Transport and Infrastructure said, a great man. This robotic platform offers a minimally invasive option for major surgery and is an alternative to other laparoscopic techniques or open operations. It was initially planned to use the robot for cardiac and urological surgery. However, cardiac surgeons decided it was not of

significant assistance to them in improving patient outcomes. It was taken up by urological surgeons and I am advised that more than 2,000 cases have been performed, with excellent outcomes. I am also advised that radical prostatectomies are performed as 23-hour cases, so almost day surgery, which is the point the member for Fisher made to me when he was talking about this at some other time.

The machine has also been used for gynaecological and laryngeal procedures, proving to be an effective way of reducing length of stay and, in the case of ear, nose and throat surgery, reducing the need for tracheostomy and post-operative care in the intensive care unit. In total, the machine has been used to perform more than 3,000 major procedures. That is the good news. The difficulty is that the company that manufactures the robot is phasing out the model in operation at the RAH and will be unable to support the current machine beyond 2013.

Currently, a significant proportion of patients treated by the robot are privately insured because no such machine exists in the private sector. So, the Royal Adelaide Hospital is supporting a machine which is used quite substantially by the private sector as well as the public sector. I am told that the replacement cost for a new Da Vinci robot would be more than \$3 million, and that there is an annual \$300,000 maintenance cost. So, it is quite an expensive machine. Individual costs are quite high too. The machine costs about \$6,000 in consumables for every time it is used, so it is a very expensive option.

What we have to do in assessing whether or not and what kind of technology will be used to replace the existing machine is to do a cost-benefit analysis. It is true it means that patients will spend less time in hospital, but the capital cost of delivering the service to them is much greater. So, we will go through this analysis over the next little while. One option worth exploring is whether the private sector might take a machine on and then public patients could gain access to it at various times.

We will need to look at it and all of the other available technologies which might be used to replace it. I do not want to be a complete wet blanket, but it is a very expensive bit of technology. It was given to the state free of charge so we did not have that capital cost. We did have high maintenance costs. It has been a very effective bit of technology, and the member for Fisher can attest to that, but we will go through a proper assessment of it, I can assure him of that.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:15): My question is to the Minister for Water. What penalty has the government imposed under the desalination plant contract with AdelaideAqua due to their failure to deliver upon the December 2010 first water deadline?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:15): Of course, the matter of any dispute between the consortium and SA Water is a matter for them. Of course, there were—

Ms Chapman: You're the minister.

The Hon. P. CAICA: Yes. Amongst—

Members interjecting:

The Hon. P. CAICA: They can answer the question if they like.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Of course, the primary objective of this whole process is to ensure that this state has water security into the future. Hence, the decision to build—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg, order!

The Hon. P. CAICA: The best outcome that could be achieved is an outcome that is an agreed outcome and seeking a resolution between the two parties. Of course, the desalination plant, I am advised, is still on track to be completed at the date that was originally envisaged, that is December 2012. It will come in on or under budget. But I am pleased to report to the house that I

have been advised that SA Water has reached a resolution deal with the consortium and, as we know, the best outcome—

Members interjecting:

The Hon. P. CAICA: I don't have the details of that resolution. All I have been advised is that resolution has been reached, and that is a good thing. It probably does not suit the opposition because, not only do they—

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Member for MacKillop, you have asked your question. Order!

The Hon. P. CAICA: Not only do they disagree with aspects of how it is that we go about making sure that water in this state is actually secure, not only do they not agree with the state government's position—indeed, the significant majority of South Australia's position—on fighting for the River Murray, they of course do not like the idea of being able to settle a long-running dispute, and that is what has occurred, and I congratulate both SA Water and the consortium on reaching that.

Members interjecting:

The Hon. P. CAICA: No, the answer is I don't know the terms of the settlement, but—

Members interjecting:

The Hon. P. CAICA: Well, I said that.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. Conlon interjecting:

The Hon. P. CAICA: Yes, that's right. As my good friend the minister for infrastructure said, they are quite happy to fight the Spanish but not the Victorians.

Members interjecting:

The SPEAKER: Order!

ABORIGINAL POWER CUP

Ms BETTISON (Ramsay) (14:18): My question is to the Minister for Aboriginal Affairs and Reconciliation. What benefits were derived by participants in the 2012 Aboriginal Power Cup?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:18): I thank the member for Ramsay for her very important question. The Aboriginal Power Cup concluded on 19 May with the grand finals in both the boys and the girls competitions. These games were in fact the culmination of dozens of previous matches played at Alberton Oval by about 300 students from 25 school sites. The—

The Hon. A. Koutsantonis interjecting:

The Hon. P. CAICA: It must be said also that I am starting to become far more comfortable than I ever have in the past at attending Alberton Oval. The commitment and enthusiasm displayed by this—

Members interjecting:

The Hon. P. CAICA: This is a very important subject, Madam Speaker, and I would appreciate you pulling some of these people behind me that are interjecting into order. The commitment and the enthusiasm displayed by this year's group of students was commendable and it was a fitting celebration of the event's fifth anniversary. This year, for the first time the Power Cup was aligned to the AFL's Indigenous round, with the grand finals being played as curtain-raisers to the Power's Indigenous round clash with North Melbourne. I am very pleased to report that I was a goal umpire in the grand finals—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: I only made a couple of mistakes but it did not affect the outcome of the game, and I promise to wear my glasses next time. Just for the record, the boys grand final was taken out by Salisbury High, scoring 11 goals 8 behinds to Murray Bridge's 8 goals 9 behinds. It was an outstanding game. However, the tables were turned in the girls grand final, another outstanding game because there are some pretty good players playing in both games. Murray Bridge won 7 goals 9 behinds to Salisbury's 3 goals 5 behinds.

Some might say that there is more to life than football, and that is certainly the case when it comes to the Power Cup program, which encourages Aboriginal secondary school students to continue in education or training and forge rewarding career pathways through what is an innovative curriculum mix that includes cultural activities, team building and life skills, healthy eating, physical activity, leadership development and creative design.

The state government is a very proud supporter of the Power Cup initiative, but special commendation should go to Port Power for its commitment to giving back to the community and taking on the responsibility of helping young Aboriginal South Australians to develop and enhance their capabilities and self-esteem both on and off the football field. Recognition must also go to Santos for its valuable support, and all other supporters, in particular—

The Hon. A. Koutsantonis: And Port Adelaide.

The Hon. P. CAICA: I did say Port Power, but I also want to acknowledge the Power Community Board, Simon Forrest and his team, and their ability to engage the broader community in this particular project. It has been outstanding; five good years, and I hope there are many, many more to come.

In addition to participating in the football carnival, students were awarded points for completing their school curriculum tasks over terms 1 and 2 as part of the SACE-accredited Aboriginal Power Cup subject. The school work was a critical part in determining which teams played in the grand final games. There were also several awards made to teams that stood out throughout the 2012 program:

- the South Australian Government Curriculum Excellence Award was won by Salisbury High School;
- the Santos Staff Leadership Award, Salisbury High School;
- the UniSA Best Guernsey Design, Coober Pedy Area School and Marree Aboriginal School;
- the SAPOL Best War Cry was won by Salisbury High School;
- the Solid Team Award, Windsor Gardens Vocational College (girls) and Murray Bridge High School (boys)—

An honourable member interjecting:

The Hon. P. CAICA: Aren't you interested in this?

An honourable member: Not really.

The Hon. P. CAICA: Not really?

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Not really, Madam Speaker. That says a lot about your attitude towards these type of things—

The SPEAKER: Order!

The Hon. P. CAICA: To finish off, Madam Speaker, Le Fevre High School and Ocean View High School (boys) won the SANFL Best Football Team Award. That also included Port Augusta Secondary School, and I am sure that the member for Stuart is happy to hear that even if the member for MacKillop and the member for Chaffey are not interested in this.

I look forward not only to reporting to members about the success of future Power Cups but also to reporting about other educational and cultural initiatives that are providing opportunities for young Aboriginal people.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:23): My question is again to the Minister for Water. Why were payments made under the operation and maintenance contract for the desal plant prior to handover of the first stage of the plant, which should have followed performance and reliability testing by the commissioning team after first water was achieved? Payments under the operation and maintenance contract started on 8 July 2009, almost two years before first water was achieved in November 2011.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:23): Just to help the member for MacKillop (if anyone is capable of doing that), a lot of arrangements were put in place to ensure that the desalination plant was, and I am happy to report is, on schedule to be completed at the due date—

Mr WILLIAMS: Point of order, Madam Speaker. The question was specifically about operation and maintenance payments which have been paid by the government for nearly two years before first water was achieved.

The SPEAKER: Thank you. The minister can answer the question as he chooses. We will wait to hear the entire answer.

The Hon. P. CAICA: Thank you very much, Madam Speaker. I will also say this: there were certain arrangements put in place to ensure, amongst other things, proper adherence to safety and to improve safety on the site—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Payments were made for a variety of areas to ensure that the completion of this project would be on schedule and on budget. All those payments—

Mr Williams interjecting:

The SPEAKER: Order! The member for MacKillop, order!

The Hon. P. CAICA: The initial date still stands for completion in December 2012. Unless the member for MacKillop is deaf, I have said that on numerous occasions and we are on schedule.

Mr Williams: That doesn't make it right.

The SPEAKER: Order!

Mr Williams: Just because you said it doesn't make it right.

The Hon. P. CAICA: No; what it does, Madam Speaker, is it makes the member for MacKillop wrong. That's different. We get an enormous amount of FOIs from the opposition on numerous occasions.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: What we do know is that it takes an enormous amount of resources to compile those FOIs and the likes of that and, as I have said to my friend the member for Stuart and others over there, just get on the phone and give me a ring and I will give you most of the information anyway. When I cannot, I will tell you that I cannot but I have certainly made that offer to many over there.

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Listen, I will offer you a briefing so you get a better understanding—sorry, Madam Speaker, not you, because you do understand. I will offer the member for MacKillop a briefing on anything he wants so that he will get a better understanding of the true situation.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:26): My question again is to the Minister for Water. Is it the case that galvanised pipes with stainless steel lining were installed in the desalination plant—

Mrs Redmond: Instead of full.

Mr WILLIAMS: —instead of full stainless steel pipes and are these pipes now being replaced?

The SPEAKER: Order! That is a very technical question, member for MacKillop, for the minister to answer.

The Hon. P.F. CONLON: I could not hear the question because the Leader of the Opposition was interjecting. I would ask her to stop doing that.

Members interjecting:

The SPEAKER: Order! Minister, did you hear the question?

The Hon. P. CAICA: Why don't we have him ask it again, Madam Speaker, because there were people on his own side who were interjecting on him?

The SPEAKER: Member for MacKillop, can you ask the question again?

Mr WILLIAMS: Thank you, Madam Speaker. It is my pleasure to ask it again. I hope the minister answers at least once. Is it the case that galvanised pipes with stainless steel lining were installed in the desalination plant but these pipes have now been replaced with full stainless steel pipes because of failure?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:27): I am not across every detail of the desalination plant. However, I would say this: there is certainly an expectation of the government that every requirement of the contract will be fulfilled and met.

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: I am presuming that, if indeed what the member for MacKillop says is true and it was at odds with whatever the arrangements were that were agreed to with respect to the material that should have been used, that would have been rectified.

The Hon. P.F. Conlon interjecting:

The Hon. P. CAICA: I'll go down this afternoon and check, Patrick. I'll drive down and have a look at the pipes. What I will do is take some advice on what the situation happens to be to try to test, in doing so, the veracity of the question asked by the member for MacKillop, and I will certainly get back to the house.

Ms Chapman: Check on that penalty while you're out there.

The SPEAKER: Order!

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:28): My question again is to the Minister for Water. I am a very patient man. What were taxpayers getting in return for the payments under the operation and maintenance contract which were made between July 2009 and October 2011 when first water was first achieved?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:29): Thank you very much, Madam Speaker. I apologise. I was not—

Ms Chapman: Another world.

The Hon. P. CAICA: No, I wasn't. It is that bloke that is in the parallel universe, not me. What I would say is this: what are the people—meaning the customers, I guess; the people of South Australia—getting as a result of the—

Mr WILLIAMS: Point of order, Madam Speaker. I am more than happy to repeat this question because apparently the minister has not listened. What were the taxpayers of South Australia getting in return for the payments made under the operating and maintenance contract between 2009 and 2011 in the period before first water was achieved?

The Hon. P. CAICA: I did actually hear the question, Madam Speaker, and had I been given the opportunity—

An honourable member interjecting:

The Hon. P. CAICA: Well, I said three words. I can't quite work out how it is that I haven't answered the question after three words.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: But what are the people of South Australia getting? They are getting water security. This government made a decision to construct a desalination plant that ensures that future generations are not only having their water security underpinned but there is water for the economic growth of the state. And, as a consequence of that and all payments for the desalination plant, that is what they are getting.

OLYMPIC TRACK CYCLING TEAM

Mr MARSHALL (Norwood) (14:30): My question is to the Minister for Recreation and Sport. Will the minister retract his comments made yesterday in the house regarding the members of the Norwood Cycling Club in the 2012 Olympic track team considering that there are, in fact three members of the Norwood Cycling Club—Annette Edmondson, Jack Bobridge and Glen O'Shea—in the Olympic team? Yesterday in question time the minister stated:

I am proud to confirm that seven of the 14 cyclists chosen to represent Australia for the 2012 London Olympics are from South Australia...I don't think there's anyone from the Norwood Cycling Club...

The SPEAKER: The Minister for Recreation and Sport.

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (14:31): I am very, very pleased to hear that there are three members of the Norwood Cycling Club in the Olympic cycling team. I congratulate them. It is a great effort for the cycling team, it is a great effort for the Norwood club. It is very pleasing, as I said yesterday, to see seven South Australians in the Olympic team. It is a great effort, and the member for Norwood can pass on my congratulations to the Norwood Cycling Club for their fantastic effort.

MEMORIAL DRIVE TENNIS FACILITIES

Mr VAN HOLST PELLEKAAN (Stuart) (14:32): My question is also to the Minister for Recreation and Sport. Can the minister advise what provision is being made for the Tennis SA and Memorial Drive tennis facilities to operate without interruption while the Adelaide Oval is upgraded?

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (14:32): Those negotiations are ongoing. We have been talking to Tennis SA. I met with Tennis SA and Tennis Australia in Melbourne in January, and I was very pleased to spend some time with them. They outlined what they see as the future for their sport in South Australia. We are very pleased to work with them as the time goes on. I am happy to seek a fuller explanation for the member for Stuart if he would like some detail on that, and I am also happy to arrange a briefing with the SMA if that suits him.

APY LANDS, ACCOUNTS

Dr McFETRIDGE (Morphett) (14:32): My question is to the Minister for Aboriginal Affairs and Reconciliation. Has the minister received APY's annual accounts and annual report for the year ended 30 June 2011 and the approved budget for the current financial year, which were required to be furnished to him by the end of 2011?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:33): I will take—

Members interjecting:

The Hon. P. CAICA: No, instead of giving the incorrect answer, I will answer it the way that I see fit, if that's alright.

Mr Marshall interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Look, there's expectation—

The Hon. P.F. Conlon: The member for Norwood is an expert on this too.

The Hon. P. CAICA: Yes—

Mr Marshall interjecting:

The SPEAKER: Order, member for Norwood!

The Hon. P. CAICA: That's true. I took this job in October last year. I am, amongst other things, focusing on what the requirements are for this financial year. I am presuming that all requirements would have been met, but I do not know the answer, and I will get back to the house on that because I was not the minister at the time of the furnishment of that report.

FORESHORE MANAGEMENT

Mr PENGILLY (Finniss) (14:33): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister explain why the government has allocated only \$300,000 of discretionary funds to assist seaside councils with foreshore management and protection support? With the storms we experienced recently, combined with high tides over a few days, the City of Victor Harbor alone has experienced foreshore damage that may potentially cost \$500,000-plus to rectify. There needs to be greater urgency in assessing and responding to these problems by the Coast Protection Board. The minister needs to—

The Hon. P.F. CONLON: Point of order.

The SPEAKER: Order! There was some comment in that. I presume that was your point of order.

The Hon. P.F. CONLON: It's a speech about what we should be doing. It is out of order.

The SPEAKER: The member for Finniss should be aware of that. You have asked the question, which was a fair enough question. The Minister for Environment.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:34): I am very pleased that the member for Finniss has finally been allowed to ask a question, and I say 'Welcome back!'

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: I think the question talked about discretionary funding and I am presuming that, because that funding is discretionary, it will get allocated where it is seen fit by the Coast Protection Board. I am not across the finer detail, as you might expect, but I am happy to offer the member for Finniss—as I am for everyone on that side—a briefing on these particular matters so he will become more aware of it. Having said that, I will get the details and come back to the house on it.

The SPEAKER: The member for Schubert.

Honourable members: Hear, hear!

PHYLLOXERA

Mr VENNING (Schubert) (14:35): It is a rare thing indeed; it is indeed an honour! My question is to the Minister for Sustainability, Environment and Conservation. Is our protection against the phylloxera insect compromised by changes to the regulations no longer requiring the

disinfection of grape harvesters and other machinery and equipment moving between phylloxera exclusion zones?

The government recently weakened the rules protecting our grape and wine industry from phylloxera. The changes to the regulations mean that South Australia will now allow entry of grape harvesters (and other machinery and equipment) from other states if those transporting them can simply show proof that they have come from a phylloxera-free zone, without having to clean the equipment. Both New South Wales and Victoria have phylloxera and South Australia has always been phylloxera free.

The SPEAKER: Member for Schubert, what insect did you say?

Mr VENNING: Phylloxera.

Members interjecting:

Mr VENNING: You should know.

The SPEAKER: Thank you. Minister.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:36): As I understand it, the phylloxera board has made some recommendations about the very important issue that the member for Schubert identifies, that is, the management of phylloxera in this state, and I think it is an announcement, as I understand, that my colleague in the other place—the Hon. Gail Gago, the appropriate minister—has responded to. I am not across the fine detail.

Members interjecting:

The Hon. P. CAICA: Well, I know that you might expect that—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: —but I will get those details, of course, and get back to the member for Schubert and, maybe, I might just catch him outside afterwards and do it in a timely fashion for him.

MARINE PARKS

Mr TRELOAR (Flinders) (14:37): My question today is to the Minister for Sustainability, Environment and Conservation, who is having a busy day, indeed. Minister, will the reduced fishing activity on the state's West Coast, as a result of the government's marine parks sanctuary zones, impact on the government's \$1.5 million commitment to a fish unloading facility at Thevenard?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:37): This question was raised with me in the street last week by a representative of the fishing industry. I thank the member for his question because he is a decent bloke.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: The government has naturally considered a range of options in relation to the implementation of the marine parks. After all, this is one of the most significant conservation programs ever undertaken in this state. We have always been committed to achieving a balanced outcome that increases protection to the marine environment, whilst also ensuring people's lifestyles and livelihoods are protected, and part and parcel of that are the arrangements that have been entered into across government to make sure that the pragmatic approach to sanctuary zoning is done in such a way that it not only minimises impact on current activity but it takes into account prospective growth in a variety of areas.

I am not aware that the government has made a \$1.5 million commitment, and I am told that the commonwealth may have been looking at some aspects of Thevenard and the use of the port there, but from the state government's perspective, I am advised that there has been no commitment from the state government for such a port.

Notwithstanding that, what we have done—and the information that we have been able to gather from transport, from aquaculture, and from other areas of government operations—is to make sure that when we do zone these areas, we take into account current activities and potential future activities to zone in such a way that we do not minimise the potential for ongoing economic growth. That is why I said that, on all occasions, we have looked at pursuing what would be a balanced outcome that increases the protection of the marine environment while still taking into account those particular matters. Madam Speaker, whilst I have got the opportunity, when we talk about marine parks—

Mr Williams interjecting:

The Hon. P. CAICA: Well, I can answer your question. Ask it again. Go on, ask it again.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: I refer back to a press release that was promulgated on 6 December 2002—

Mr PENGILLY: Point of order, ma'am. The point of order is relevance. The question was directly related to the \$1.5 million for the fish unloading.

The SPEAKER: Member for Finniss, we do not know what he is going to say, so I do not think that your point of order is relevant yet—unless you can read his mind. Minister.

The Hon. P. CAICA: And when talking about marine parks, the then environment minister, the honourable member for Davenport, said:

The government has taken the view that this is an issue which must be addressed now before it is too late and future generations are left with marine issues which will be much more difficult to fix than to prevent.

The Hon. J.D. Hill: And that's what you're finding.

The Hon. P. CAICA: That's right. In addition to that, too, Madam Speaker, the then Liberal government's position on marine parks was:

MPAs [that is, Marine Protected Areas] in South Australia will be multiple use—
similar to what I said to my good friend the member for Flinders—
but will have some high-core protection areas that may exclude some activities. The—

Mr WILLIAMS: Point of order.

The SPEAKER: Order! You are talking about relevance, I presume?

Mr WILLIAMS: Yes.

The SPEAKER: I was actually thinking about the question. Part of the question was: reduce fishing activity in marine parks, etc. Minister, I would ask you to wind up your answer. We only have a few seconds left.

The Hon. P. CAICA: Madam Speaker, I will point out where this is relevant. The MPAs under the Liberal vision would be multiple use but will have some high-core protection areas that may exclude some activities. The impacts of this will be considered on a case-by-case basis, but also, they say, the management plan—

Mr WILLIAMS: Point of order. Surely he has had enough leeway to wind up his answer in his limited time?

The SPEAKER: Thank you. The wording in the question was broad enough to encompass it. Minister, have you finished?

The Hon. P. CAICA: Yes, I have.

The SPEAKER: Thank you. I am glad you have finished. The member for Adelaide.

WOMEN'S AND CHILDREN'S HOSPITAL

Ms SANDERSON (Adelaide) (14:41): My question is to the Minister for Health and Ageing. Can the minister advise whether the government has sought approval from the Women's and Children's Hospital Foundation regarding the sale of the hospital's car park? According to cabinet documents leaked to the opposition, multilevel car parks at the Women's and Children's Hospital will be sold. The government has indicated that the foundation partly owns the car park and its consent for the sale must be sought.

The Hon. J.D. HILL (Kaurua—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:42): Yes, the member is correct, there is a joint ownership. From memory, I think that the Women's and Children's car park is partly owned by the foundation—it might be 20 per cent, or thereabouts; a minority holding. In any event, before we were to proceed with any long-term lease rather than a direct sale we would seek agreement from the minor owners of that long-term lease.

However, we cannot do anything while the matter is still subject to industrial disputation, and the full bench of the Supreme Court is considering the appeal from the PSA, which is claiming that it is somehow a breach of its industrial arrangements. This is an interesting case, which will no doubt be resolved at some future—

Ms Chapman: The High Court, perhaps?

The Hon. J.D. HILL: No doubt in the High Court. The whole vibe of the thing might continue on for some time.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Until that matter is resolved, we cannot really contemplate sale because we will not know what the sale price is until we know what we can charge for car parking. It is really just in a holding pattern. Of course, we would obviously need to talk with that partner, and the whole basis of the long-term lease would be on what is in the financial best interests of the state. We would not make a deal unless it was in our long-term best interest and, if it is in our long-term best interest, I assume that it would also be in the foundation's long-term best interest.

MURRAY-DARLING BASIN PLAN

Mr WHETSTONE (Chaffey) (14:44): My question is to the Minister for Small Business. Can the minister advise whether the government has commissioned a study into the impact on 4,000 small businesses and 50,000 employees in South Australia affected by the Murray-Darling Basin Plan; and, if so, what are the findings to the study and, if not, why not?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:44): Madam Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Madam Speaker, as would be apparent from listening to the debate over recent days, we do not yet have a plan, but what is at stake in that plan is an unallocated amount of reduction of something in the order of 971 gigalitres which will be distributed across the basin. At the moment—

Mr Williams: The southern connected basin.

The Hon. J.W. WEATHERILL: The southern connected basin, exactly. We happen to be in that, don't we? What that means is that in South Australia we run the risk, and the advice I have, that it is more likely than not, absent any change, that in a free trading system a large proportion of that would be taken out of South Australia. That would be a catastrophically bad result for South Australian irrigators. I do not understand why somebody who purports to represent a district that includes irrigators, which would absolutely smash small business—

Mr Whetstone interjecting:

The SPEAKER: Order! The member for Chaffey, order, or you will leave the chamber!

The Hon. J.W. WEATHERILL: —absolutely smash small business in the Riverland, is not standing together with me on behalf of the South Australian community. I do not understand what part of representing your constituency you do not get.

Members interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The SPEAKER: Order! The member for Norwood, order!

Members interjecting:

The SPEAKER: Order, members on my right, also!

The Hon. P.F. Conlon interjecting:

The SPEAKER: Minister for Transport, order! The member for Hammond.

WATER PRICING

Mr PEDERICK (Hammond) (14:46): My question is to the Minister for Water. What modelling has the government done in regard to the impact of the increases in water price to the viability of running livestock in this state? Many producers have contacted me indicating that the high water price—which has increased 70¢ per kilolitre from \$2.75 per kilolitre in 2011-12 to \$3.45 per kilolitre as of 1 July 2012, and almost tripled the price of 2007-08, which was at that time \$1.16 per kilolitre—will have a huge effect which will make running livestock unviable and this will have a significant impact on the food production capability of this state.

The Hon. P.F. CONLON: Point of order. Not only does it contain argument, the argument virtually answers the question. He has just said it would be unviable. It is an argument and it is out of order.

Members interjecting:

The SPEAKER: Order! I agree. I uphold that point of order. Member for Hammond, you need to be careful about your explanations. However, there was a question at the start of it and the minister should be given the opportunity to respond to it if he wishes to.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:47): That is right. It was so long ago, Madam Speaker, but I do remember the question that relates to modelling. I have met with a significant number of primary producers across this state not only in my time as minister for agriculture, food and fisheries but also since as Minister for Water and in my other portfolio responsibilities. I am acutely aware of the impact of increased water prices—when I say 'increased water prices' I mean the use of potable water for the purposes of feeding stock; and, indeed, in other areas, of course, grape production as well.

Of course, during the debate on the Water Industry Bill, motions were put forward within this house to look at ways by which a privilege could be provided with respect to some concessions that were being called for to be made to primary producers. Quite rightly, those amendments were knocked off. Notwithstanding that—

Mr Williams: You said you were going to go for third-party access.

The SPEAKER: Order!

The Hon. P. CAICA: Ask me a question on third-party access, if you like.

Ms Chapman: Have you done any modelling?

The Hon. P. CAICA: Madam Speaker, I'm not going to respond to their rudeness and their interjections.

An honourable member interjecting:

The Hon. P. CAICA: No, I am telling Madam Speaker I am not going to.

The SPEAKER: Order!

The Hon. P. CAICA: What we need to do is work with primary producers to look at alternative supplies of water. Third-party access in the medium to longer term may be one of the

advantages. We see in the BIL, in the wonderful member for Schubert's area, the way BIL is operating up there. We are not comparing apples with apples, because that is not water that is being drawn from potable sources.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: No, you won't. Let me make this point, Madam Speaker. Instead of modelling, I go and talk to the primary producers.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Quite simply, under the arrangements, if we were to provide additional support for potable water for any sector, and I will add that primary producers and industry are capped at the second tier level—

Mr Pederick interjecting:

The SPEAKER: Member for Hammond!

The Hon. P. CAICA: —if we were to do what it is that the Liberal opposition wants, what that means is that the 600,000 or 700,000 other customers in this state would see their prices increased to provide that level of support and subsidy that the opposition are calling for.

Members interjecting:

The Hon. P. CAICA: That is the arrangement and I have made it perfectly clear to all primary producers that we have no intention of revisiting that aspect of what is the policy for potable water use as it relates to primary production in this state.

MOUNT BARKER INFRASTRUCTURE PROJECTS

Mr GOLDSWORTHY (Kavel) (14:50): My question is to the Minister for Transport and Infrastructure. Can the minister advise whether negotiations have been finalised between the government and the developer consortia to determine the level of their funding contributions for infrastructure projects in Mount Barker? The government rezoned 1,310 hectares of land for residential development in Mount Barker. Part of the process that followed was the government negotiating with developers on the level of their contributions for infrastructure projects in the town.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:51): I would not say they are concluded with respect to all infrastructure. There has been very substantial agreement reached on transport infrastructure, but, of course, transport infrastructure is only part of the picture. The last discussions I had were with a private water supplier who was seeking to convince the private consortia that that was a good model.

There is, of course, SA Water in the mix and its pricing and we have the council itself, which has sought to be involved in the provision of water infrastructure. Therefore, those matters are not concluded and I hope that what you will gain from my answer is an indication of the complexity of those infrastructures. In short, I think good arrangements have been reached in transport but there are other areas of infrastructure where there are many parties and many discussions still ongoing, including the Department of Planning, Transport and Infrastructure.

MONTACUTE CFS STATION

Mr GARDNER (Morialta) (14:52): My question is to the Minister for Emergency Services. Can the minister advise the house of when construction on the Montacute CFS station will begin and when it is due to be completed? Material distributed during the last election listing achievements of the then Labor government identified one claim as 'secured new land lease and station for the Montacute CFS', but as of this morning yet a sod is to be turned.

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) (14:53): I thank the member for Morialta for his question. I understand there were some considerable delays in relation to accessing a particular site; there were building regulations and council regulations that needed to be gone through. I know the member made some assertions in response to the member for Schubert's motion in this house, I think in the last

sitting week. I do not have the date of commencement of works but I am happy to get that information and bring it back to the house.

MURRAY-DARLING BASIN PLAN

Mr WHETSTONE (Chaffey) (14:53): My question is to the Premier. Has the Premier or his government commissioned research on the social and economic impact on South Australia of a basin plan which returns 4,000 gigalitres to the Murray-Darling system? The Premier has made repeated statements that a basin plan which returns a minimum of 4,000 gigalitres to the system is necessary to restore the river to health. The guide to the proposed plan includes a model which shows that under the 4,000 gigalitre scenario South Australia would have a sustainable diversion limit of 433 gigalitres, a reduction of 35 per cent from the state's 2009 baseline diversion limit. Has the Premier commissioned research to determine the impact this reduction would have on food producers and river communities here in South Australia?

The SPEAKER: That was a very lengthy explanation, but I call the Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:55): The question rather falls at the first hurdle, because it has been the consistent proposition that any additional water that goes down the river, which is needed for the health of this river, should be taken from the upstream states. We say that because, over the last 40 years—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: We pegged what we took from the river back in 1969, while those upstream merrily overallocated the waters of this river such that it has now damaged, depleted and polluted this most precious natural resource, this magnificent national river, this vital natural resource for our state and this wonderful internationally recognised set of environmental assets. All of those things we have understood and respected for the last four decades. Those upstream have used and abused the waters of this river. So, that is at the heart of our submission.

It is at the heart of our constitutional argument that states were created equal and that, when we came together to form this commonwealth, we did so as a group of equals rather than as a mendicant state, accepting what flowed from the upstream. It is an absolutely central concept to the way in which this nation was formed that one state cannot act to damage and destroy another state. That applies to our interboundary rivers. That is why we say that any changes which are about improving the health of this river should not come at the expense of South Australia. I am mystified that somebody that calls themselves—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —a representative of the Riverland—and I suspect there might be a few other representatives of the Riverland that might bob up in the future; ones that better understand that the better way to represent the people of the Riverland is to stand together—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —with their state government and give the state government, give the state premier and give the state water minister the best possible opportunity to negotiate the best deal for South Australia.

Members interjecting:

The SPEAKER: Order!

DESALINATION PLANT

Mr WHETSTONE (Chaffey) (14:57): My question is for the Minister for Water. Could the minister explain why residents in Chaffey are paying for the Adelaide desalination plant when they receive no water from it and there is no environmental dividend for the River Murray from it? The government has announced that South Australians who do not benefit from the River Murray water will not be required to pay Save the River Murray levy. Will the minister extend the same principle to South Australians who do not benefit from the Adelaide desalination plant?

The SPEAKER: Member for Chaffey, that was not an explanation, it was another question. You need to be very careful about the wording of your explanations. They are to explain the question, not to make a statement. Minister.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:58): I will make this very important point: water security affects all South Australia—the ability to be able to ensure that this state has underpinned its water security in the future, which in turn guarantees our social, economic and environmental wellbeing. As a result of that, every member of the South Australian public will in some way be contributing to that water security. So, the answer is no.

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Member for MacKillop, order, or you will go out!

OAKLANDS PARK RAIL OVERPASS

Dr McFETRIDGE (Morphett) (14:58): My question is to the Minister for Transport and Infrastructure. Can the minister advise when the report undertaken by his department into the Oaklands Park rail overpass project will be completed and when the government will announce its plans to tackle traffic congestion at this site? In September 2011, the government announced its intention to spend \$2 million to develop a long-term infrastructure solution to alleviate traffic congestion in the vicinity of the Oaklands Park rail crossing. The department for transport, energy and infrastructure sent out questionnaires to the local community with a return date of 5 October 2011. The study was due to be completed by the end of 2011.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:59): I thank the honourable member for his question. I note that he has indicated, in asking the question, that the solution has already been found; it is an overpass. Of course, that may well be the case, but I am not quite sure how the infrastructure solution was found before the report was finished. It is a matter that is very important, it is a matter about which we have had many discussions with the member for Mitchell, and my understanding is that the report is not very far away. As soon as we have it we will get it for the member.

BAY TO BIRDWOOD

Dr McFETRIDGE (Morphett) (15:00): My question is to the Minister for Police. Why does the South Australian police department no longer have adequate resources to control one-way traffic on the Bay to Birdwood route between Tea Tree Gully and Birdwood? With your leave and that of the house, I will explain—

The SPEAKER: Member for Morphett, that was a question that had argument in it. However, continue with your explanation.

Dr McFETRIDGE: The question will be put into context, Madam Speaker, by the explanation. Thousands of spectators and vintage car enthusiasts participate in this major tourist attraction, which has remained unchanged since 1986. The opposition is advised that the provision on one-way traffic was introduced in 1986 because of safety concerns for the Bay to Birdwood participants. The Vintage Sports Car Club of South Australia has stated:

...because SAPOL is of the opinion that it cannot justify the resources required to control the one-way traffic provisions, the section of the route from Tea Tree Gully to Birdwood will no longer be one-way traffic.

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) (15:01): Just a couple of things in response to this particular question. First and foremost, the commissioner makes a decision about how he allocates resources and I have every confidence that if he says that this is not an appropriate use of policing resources then perhaps it is not an appropriate use of policing resources. My understanding is that this particular year is no different to what it was last year, but the police are working with all the agencies and organisations that are involved in this.

To say that the police do not have enough resources to service South Australians generally is quite a different thing, and I can say very categorically that we have almost doubled the police

budget here in South Australia. We have 700 more sworn police officers here in South Australia, we are boosting their resources by another 313, and we have something like 1,000 support people supporting South Australian police in their duties.

We have had a very strong history over the last 10 years of not only providing the police with the resources they need to do their jobs, but also with the tools to do their jobs; that is, the appropriate legislation that allows them to do their jobs, very strong policies in supporting South Australian police. However, I have to say that the last time I looked at the Liberal Party website it had no policy documents whatsoever about the police, and when you log in and say 'police/law/corrections/road safety' it says, 'Coming soon'.

Members interjecting:

The SPEAKER: Order!

WOMEN'S INFORMATION SERVICE

The Hon. C.C. FOX (Bright—Minister for Transport Services) (15:03): I table a copy of a ministerial statement relating to the Women's Information Service history function made earlier today in another place by my colleague the Hon. Gail Gago in another place.

BUDGET PAPERS

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:03): I lay on the table the following budget papers:

Budget Overview 2012-13—Budget Paper 1

Budget Speech 2012-13—Budget Paper 2

Budget Statement 2012-13—Budget Paper 3

Agency Statements 2012-13—Volumes 1, 2, 3 and 4—Budget Paper 4

Capital Investment Statement 2012-13—Budget Paper 5

Budget Measures Statement 2012-13—Budget Paper 6

I move:

That the Budget Statement, Agency Statements, Capital Investment Statement and Budget Measures Statement be published.

Motion carried.

APPROPRIATION BILL 2012

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:04): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the year ending 30 June 2013, and for other purposes. Read a first time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:05): I move:

That this bill be now read a second time.

South Australia will be a very different place in a few years.

The expanded Olympic Dam mine—

Members interjecting:

The SPEAKER: Order!

The Hon. J.J. SNELLING: The expanded Olympic Dam mine—the largest open pit mine in the world—will be operating, along with dozens of others, exporting copper, gold and uranium to a region hungry for our resources.

The Future Submarine Project—the largest nation-building project since the Snowy Mountains Scheme—will be in full swing, employing thousands of South Australians, and transforming our industrial landscape.

Australia's most advanced hospital will be looking after the health needs of our citizens. The centre of Adelaide will be thriving, the redeveloped Adelaide Oval will rival the great sporting stadiums of the world, and the Riverbank will bring together our cultural and entertainment precincts. But realising this vision isn't going to happen without obstacles sometimes presenting themselves.

When preparing this budget, I was confronted with the biggest revenue write-down in our history because of international economic and national political uncertainty. Doing nothing was not an option, and so tough choices had to be made.

But the vision for a greater South Australia couldn't be abandoned; not if we want SA to be a place where our kids stay, to in turn raise their kids. The budget steers a course between those who'd abandon financial prudence, and those who'd abandon building the future our children deserve.

In this budget, debt is kept to sustainable levels while a once-in-a-generation renewal of our infrastructure gathers pace; new spending for those with disabilities and their carers is prioritised; and stimulus is given to key areas of our economy to keep unemployment at historic lows. In short, the 2012–13 State Budget builds the strong foundations for the stronger future that awaits our state.

At the Mid-Year Budget Review, I signalled a return to surplus in 2014–15. Owing to the \$2.8 billion revenue write-down, the return to surplus is now forecast to occur in 2015–16 at \$512 million. Our debt is expected to peak that year at \$8.8 billion, when the New Royal Adelaide Hospital is added to the state's balance sheet.

The savings measures that I outline today will bring the total savings announced by the government from the onset of the Global Financial Crisis to the end of the forward estimates to slightly over \$6 billion.

Of these savings, almost \$4 billion have already been implemented.

These savings will ensure that the debt cap I set in December—that government borrowing would never exceed half our annual revenues—is achieved. This is like a household with a total family income of \$100,000 a year, ensuring the mortgage is kept to no more than \$50,000.

Government agencies will cut 1 per cent a year from their budgets from 2013–14. This will deliver extra savings, growing to \$129.5 million a year by 2015–16.

A smaller public sector needs to be more productive and it is, therefore, vital we retain the skills of our most experienced public servants. Approximately \$20 million a year will be made available for a new public sector skills and experience retention benefit, for public sector employees who have completed 15 or more years of effective service.

To offset the cost of this, we will further reduce the number of public sector employees by 1,000 over three years, beginning in 2013-14. By 2015-16 this will deliver savings of \$86.6 million a year. As a percentage of the total workforce, the public sector will be the smallest that it has been since 2000.

Merging the Department of Environment and Natural Resources and the Department for Water will build to a \$1.9 million saving a year by 2013–14.

The government corporate box at the Adelaide Entertainment Centre will be axed. The Integrated Design Commission and the Thinkers in Residence Program will end once current commitments have been met.

The 2010-11 Budget announced a 15 per cent reduction in Ministerial Office spending to be carried out by 2013–14. This measure will now be fully implemented this financial year instead.

Of our massive capital spend over the next four years, \$444.2 million will be suspended or deferred. We will suspend the electrification of the Gawler and Outer Harbor lines and the rail standardisation of the metropolitan network. The purchase of land to extend the Seaford line to Aldinga will be deferred.

The electrification of the Noarlunga and Tonsley lines will proceed, as well as the extension and electrification of the line from Noarlunga to Seaford. These lines will be serviced by new electric trains. The re-sleeping of the metropolitan rail network will continue as planned, as well as the construction of St Clair Station and the turnback at Elizabeth Station. We will also proceed with the purchase of new trains, increasing the network capacity by around 25 per cent.

The stage 3A redevelopment of the Queen Elizabeth Hospital will be postponed until 2015-16. A part of the redevelopment of Modbury Hospital will also be postponed until 2016-17. However, the \$17.4 million expansion of the emergency ward at Modbury will go ahead as previously announced.

The revenue write-downs have made it necessary to defer the abolition of stamp duty on non-quoted marketable securities and non-real property transfers. This will deliver around \$45 million in revenue a year from 2013-14. The government will look to reschedule the abolition of these taxes as its fiscal position allows.

The payroll tax exemption for trainees and apprentices will be replaced with a targeted payment. Registered group training organisations will receive an offset of their payroll tax for apprentice and trainee wages. Other employers will receive incentive payments upon the completion of qualifications by apprentices they employ in priority skill areas. This measure will save \$16.6 million from 2012-13.

Last year the budget added \$37.5 million over four years in extra resources for disabled people and their carers. I maintain what I said then, that when new money was available, the most vulnerable would take priority.

The day after I delivered last year's budget, I met Enyanaya Idika Uduma at Novita Children's Services. Enyanaya is four and a half years old; he has cerebral palsy and is vision-impaired. He relies not only on care from his mother, Lynda, but also from service providers like Novita. I would like to welcome Enyanaya and his mum, Lynda, here today in the chamber.

So when it came time to frame this year's budget, I knew that despite the profound revenue write-downs, the government had to help more children like Enyanaya.

We will provide \$212.5 million in extra funding over five years to support people with disabilities and their carers. The funds will help more people with disabilities choose the services they need.

\$106.1 million over five years will provide extra accommodation and community support, community access and respite services. \$61.5 million will fund the construction of new high quality community-based accommodation.

A further \$2.3 million over four years will be used to establish a disability community visitors' scheme, and \$1 million over the next two years will assist not for profit disability service providers to undertake business planning.

I welcome the Federal Government's National Disability Insurance Scheme (NDIS) announcement in its 2012-13 Budget. The scheme will deliver personalised care and support for people with a permanent disability. This budget provides \$20 million over three years from 2013-14 for the establishment of the first NDIS launch site here in South Australia.

The government will spend \$3.3 million over four years to fund a program to meet the needs of disadvantaged families. A pilot program will begin in Adelaide's northern suburbs to improve the wellbeing of infants and young children, raise parents' awareness of their health needs and, where necessary, provide opportunities for early intervention.

\$2.1 million will be provided in 2012-13 to improve the delivery of electricity to Aboriginal communities in the APY Lands. An additional \$288,000 will provide back-up power generators to guarantee refrigeration of food.

The threat posed by natural disasters has been brought home in recent years. The Victorian bushfires, the Queensland floods and the severity of the recent storms and floods in South Australia emphasise the importance of being adequately prepared.

CFS volunteers generously give of their time and often put their lives on the line. It is fitting that they have the best equipment.

\$1.5 million will be used to replace breathing apparatus sets to better protect volunteer fire fighters. Another \$2.6 million over four years will be made available for further training for CFS and State Emergency Service volunteers. This will ensure that the state's 18 000 volunteers receive nationally accredited training.

The budget provides \$2 million to upgrade the Metropolitan Fire Services' specialist aerial fire fighting appliances, used to fight fires in multi-storey buildings and medium to high-density housing.

Mobile phone technology has improved the ability to get important messages to the public quickly and reliably. The government will invest \$1.7 million over four years to support changes to the National Emergency Warning System that will enable emergency warning messages to be sent to mobile phones located within an affected area.

South Australia has the highest number of police per head of population of any state in Australia. This budget continues to make South Australia safer with 300 extra police being employed, including more than 100 this year.

Over the next four years \$37.3 million in new spending will strengthen the state's prison system. There will be 86 new prison beds at Port Augusta Prison, and we will also train and employ 30 new correctional officers.

Electronic security systems at Mobilong Prison will be upgraded and a high dependency unit will be constructed at Yatala Labour Prison, to provide an additional 26 high security beds for ageing and infirm prisoners. Later this year, construction will begin on a new 112 bed cell block at Mount Gambier Prison.

With unprecedented investment in new mining ventures, the state risks skill shortages in mining, engineering, defence and transport industries with around 25,000 to 30,000 vacancies estimated within the next five years. The state's prosperity depends on our people having the skills needed by these expanding industries.

I realised when I was Minister for Employment, Training and Further Education, that training had not only a narrow economic purpose but could also empower people and transform lives. Skills for All will provide industry with the skilled workers it will need, but also enable more South Australians to overcome disadvantage, to get employment for the first time, or to get a better job.

To support this, the government will invest \$38.3 million to establish the Mining and Engineering Industry Training Centre. The Centre will open in June 2014 and provide training for those working in our mining, engineering, defence and transport industries.

Health has been a priority for this government and at the present time our state has more nurses, doctors, and hospital beds per head of population than any other state in Australia. The number of doctors per person is 11 per cent higher than the national average and the number of nurses exceeds the national average by 18 per cent.

Health spending accounts for 31 per cent of the state budget. If allowed to grow unabated, it will reduce the government's capacity to invest in other key areas. A new resources unit has been established to build the controls necessary for the Health Department to meet its budget. We will provide \$132 million in 2012-13 and \$35 million in 2013-14 while this work proceeds.

More than 80 per cent of diagnoses made by medical practitioners depend on a pathology result. \$30.4 million will fund the Enterprise Pathology Laboratory Information System. This new system will improve turnaround times for tests, which is particularly important for the clinicians in Emergency Departments.

The budget provides \$142.6 million over ten years for the Enterprise Patient Administration System which will allow doctors to access a patient's records electronically across the health system.

\$18.7 million will be made available over three years for the new Enterprise System for Medical Imaging which will almost completely eliminate the need for hard copy films, film storage, and retrieval costs.

While we have had to defer or suspend some of the spending foreshadowed in previous budgets, we will continue building for the long-term prosperity of South Australia, with \$10.8 billion committed to infrastructure projects over the next four years.

Beyond their value to future generations, these projects put food on the table for thousands of South Australian families today. Not just those involved directly in construction, but also those countless others who benefit—from the shopkeeper who supplies the pasties and drinks, to the company that supplies the port-a-loos, and the families of those workers.

The government wants to see a more vibrant city and will continue the Riverbank development, the upgrading of the Convention Centre, and the new Adelaide Oval. Our investment

over the next four years will put the centre of Adelaide on an equal footing with other state capitals, and will make our first city a more attractive place to live, work and do business.

The government continues to invest in transport infrastructure, including its massive investment in the South Road Superway and the duplication of the Southern Expressway. These projects will be of particular benefit to businesses in the greater Adelaide area, ensuring efficiency for the delivery of heavy freight.

In partnership with the Commonwealth, \$443 million has been allocated to upgrade the Goodwood and Torrens rail junctions, a development that will increase productivity by separating the interstate freight rail line and the Adelaide metropolitan rail network.

The government was wrong when it made the decision to close the Parks Community Centre. We have listened. This budget provides \$28.7 million for the redevelopment of the Centre, revitalizing an important piece of community infrastructure in the north-western suburbs.

The population of Gawler has grown substantially in recent years. Its main street is struggling to carry the increased traffic. \$250,000 is allocated to design a future eastern collector road that will divert traffic from the Gawler town centre. \$13.7 million will also provide critical traffic related infrastructure for this growing area. The intersection of Main North and Tiver Roads will be upgraded, signalized and connected to a new Gordon Road in Evanston South to form a four-way intersection.

The construction industry is a key driver of our state economy. Indeed, it is one of our largest employers. The real estate industry, builders and tradespeople have warned me of the fragility of the property market. In such an environment the government has decided that now is not the time to proceed with winding down the First Home Owner Bonus payment. The \$8,000 bonus will continue for eligible contracts entered into in 2012–13.

As a further measure, a full stamp duty concession will be made available for off-the-plan apartment purchases in the Adelaide City Council area for two years, with a partial concession available for the following two years.

Together, these measures potentially provide \$31,000 in support for a first home buyer purchasing a city apartment. The government is confident that these measures will support jobs in this critical area and encourage people to make their homes in the city.

\$11.7 million will be spent to construct a multi-storey car park at the Adelaide Entertainment Centre, to be used as a park'n'ride by day. This is set to increase parking capacity by 602 spaces, enabling people to take advantage of the free tram and so ease city congestion.

The government will also bring forward, by one year, the purchase of 17 new buses to provide additional capacity for the metropolitan bus network. A further \$1.5 million will fund these additional services.

When the government came to office in March 2002, a mere four mines were operating in this state. The government recognised that our vast mineral resources are deeper in the ground than those in other mining states. We saw the need for investment in the necessary infrastructure to attract mining companies to South Australia, and set up mining-specific initiatives, including the Plan for Accelerating Exploration, known as PACE. Where there were four mines, now there are 20, and there are currently 25 advanced projects under consideration that are set to commence by the end of 2020.

The government is aware that we need to keep investing to attract mining companies to South Australia. The Woomera Prohibited Area is roughly the size of England and worth an estimated \$35 billion of potential development, including iron ore, gold and uranium prospects. A special PACE initiative will be dedicated to the Woomera Prohibited Area in 2012–13. \$2 million will fund a geoscience survey program to support the expansion into this area which is an abundant source of untapped mineral resources.

The state's Drill Core Library facilities are a key part of the government's exploration investment in the minerals and energy industries. We will follow up our spending in 2011-12 with \$760,000 for the initial design work for a new facility. This new, larger library will encourage exploration for minerals, petroleum, and geothermal energy.

As a state we need our industry to be diverse. Commodity prices may not always be as high as they are today. The rise of Asian manufacturing has forced changes to South Australia's industry. We need to continue being more agile, more adaptive, more innovative.

This budget provides \$8.3 million over four years for the development and implementation of a new manufacturing strategy, which will improve local industry's ability to capture emerging opportunities and fast-track the move of traditional manufacturing into new higher value areas.

Defence industries are the cornerstone of South Australia's advanced manufacturing strategy. When this government came to office it pursued and won defence contracts, with South Australia now responsible for a quarter of the domestic defence procurement awarded by the Commonwealth.

To build on this, \$2 million will be invested for preliminary work to expand the Techport Common User Facility. This will support the increased activity associated with the Air Warfare Destroyer and Future Submarine projects.

The Defence Teaming Centre will be funded \$470 000 a year, so it can continue its work supporting the defence industries that constitute such a critical part of our economy.

This government values the arts, and is proud of our status as the Festival State. The budget provides \$7.7 million over three years for critical work at Her Majesty's Theatre, and upgrades at the Adelaide Festival Centre.

The Adelaide Symphony Orchestra enriches the life of our city and we will continue to support it by providing \$490,000 indexed from 2013-14. This funding will allow the orchestra to maintain its current ensemble size and perform a full musical repertoire.

When digital film format is adopted internationally in 2013, South Australians in our regions won't be able to enjoy new release films. Digital projection systems will be installed in four regional theatres at Whyalla, Port Pirie, Renmark and Mount Gambier to ensure these theatres can screen digital presentations.

When my wife is waiting with other mums and dads to collect our kids from school, or when I'm watching my son play soccer and talking to other parents, or having a cup of tea after church, there is a consistent message: families are worried about increasing bills, especially utilities.

In preparing this budget I was determined that the burden from the historic revenue write-down would not be placed on South Australian families. I can therefore announce that no new taxes will be imposed as part of today's budget.

As previously announced, we will provide \$45.7 million for a one-off Water Security Rebate of either \$45 or \$75 depending on usage from 1 January 2013.

We have also made \$4.2 million available over four years for a utilities literacy program and other measures to assist those who are struggling to better manage their household budget.

When I delivered my first budget, I stated my intention to manage the state's finances prudently and to confine borrowing to sustainable levels. The 2012-13 Budget continues on this course.

These times demand that agencies improve and innovate, to do more with less. I know this will not be popular in some quarters. There are also those who will say we should cut more deeply: abandoning infrastructure projects and compromising services.

However, such an approach is anything but prudent. In the short term it would be destructive for the economy and harmful to jobs. In the long term it would undermine the state's capacity to grasp opportunities and generate wealth.

When I'm sitting with my family at the dinner table, like any other parent, I think about what this state will be like for my children. Many of my generation had to go interstate or overseas to find good jobs.

Now, our kids can look forward to the opportunities emerging here—in this State—and see South Australia as a place they will want to raise their children. For this reason, we need to look beyond the short term, beyond the noise and bustle of election cycles, to future generations—imagining what we can be in ten, twenty, fifty years time.

This budget is part of our commitment to govern responsibly. It provides strong foundations for a stronger future. Madam Speaker, I commend the budget to the House.

Debate adjourned on motion of Mrs Redmond.

STATUTES AMENDMENT AND REPEAL (BUDGET 2012) BILL

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:31): I move:

That standing orders be so far suspended as to enable the introduction forthwith of the Statutes Amendment and Repeal (Budget 2012) Bill.

The SPEAKER: As there is an absolute majority of the whole number of members of the house is present, I accept the motion.

Motion carried.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:32): Obtained leave and introduced a bill for an act to amend the Education Act 1972; the Electricity Corporations Act 1994; the Electricity Corporations (Restructuring and Disposal) Act 1999; the First Home Owner Grant Act 2000; the Highways Act 1926; the Livestock Act 1997; the Local Government Act 1999; the Parliament (Joint Services) Act 1985; the Payroll Tax Act 2009; the Public Finance and Audit Act 1987; the Public Sector Act 2009; the Residential Tenancies Act 1995; the Stamp Duties Act 1923; and the Summary Procedure Act 1921; and to repeal the State Bank of South Australia Act 1983. Read a first time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:34): 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 introduces legislative amendments required to implement budget measures that have been announced as part of the 2012-13 Budget.

This Bill amends the *Education Act 1972*, *Electricity Corporations Act 1994*, *Electricity Corporations (Restructuring and Disposal) Act 1999*, *First Home Owner Grant Act 2000*, *Highways Act 1926*, *Livestock Act 1997*, *Local Government Act 1999*, *Parliament (Joint Services) Act 1985*, *Payroll Tax Act 2009*, *Public Finance and Audit Act 1987*, *Public Sector Act 2009*, *Residential Tenancies Act 1995*, *Stamp Duties Act 1923*, *Summary Procedure Act 1921* and repeals the *State Bank of South Australia Act 1983*.

This Bill amends the *First Home Owner Grant Act 2000* to remove the phase out of the bonus grant from 1 July 2012. In the 2011-12 Budget, the Government announced that the bonus grant would be reduced to \$4,000 from 1 July 2012 and be fully abolished from 1 July 2013.

The first home bonus grant was announced in the 2008-09 Budget and under current arrangements, eligible first home owners who purchase or build a newly constructed home valued up to \$400,000 receive a grant of \$8,000. The bonus grant phases out for newly constructed homes valued between \$400,000 and \$450,000. This grant is in addition to the \$7,000 First Home Owners Grant.

To provide support to the housing market given current property market conditions, the Government has decided to continue its current level of assistance for first home buyers in 2012-13. The first home bonus grant will remain at \$8,000 for eligible transactions entered into between 1 July 2012 and 30 June 2013. This is estimated to benefit 1,000 home buyers in 2012-13.

To support the government's objective of creating a vibrant city for people to live and work in and to encourage higher density inner-city living in line with the government's 30-Year Plan, this Bill amends the *Stamp Duties Act 1923* to introduce a stamp duty concession that will apply for the next four years for purchases of off-the-plan apartments in the Adelaide City Council area.

The concession will provide a full stamp duty concession for the first two years (capped at stamp duty payable on a \$500,000 apartment) and a partial concession for the second two years.

A full stamp duty exemption will be available for all apartments purchased off-the-plan with a market value of \$500,000 or less, where the contract is entered into between 31 May 2012 and 30 June 2014 inclusive, saving eligible purchasers up to \$21,330. Where an eligible apartment has a market value greater than \$500,000, the purchaser will be entitled to a stamp duty concession of \$21,330.

For eligible off-the-plan apartment purchase contracts with a market value of \$500,000 or less entered into from 1 July 2014 to 30 June 2016, stamp duty will be payable only on the deemed unimproved value of the apartment and the value of any construction already undertaken and not the full market value of the apartment. Purchasers of eligible apartments where no construction has commenced will therefore pay a level of duty broadly in line with duty paid by purchasers of house and land packages. This concession will save purchasers of eligible off-the-plan apartments up to \$15,500.

The Bill sets the deemed unimproved value of an apartment at 35 per cent of the market value of the apartment (at contract signing), and the value of construction will reflect the nature of works already performed. The Bill provides for 6 stages of construction of a multi-storey residential development or substantial refurbishment and the Commissioner of State Taxation will liaise with industry representatives to provide appropriate information about those stages in a Gazettal notice prior to 1 July 2014.

Where a contract is entered into from 1 July 2014 to 30 June 2016 to purchase an off-the-plan apartment with a market value greater than \$500,000, the purchaser will be entitled to a stamp duty concession of up to \$15,500 (adjusted for construction works completed prior to the date the contract is signed). In effect, a purchaser of an eligible apartment with a market value over \$500,000 will receive the same concession in dollar terms as a purchaser of a \$500,000 apartment at the same stage of construction of the apartment building.

The off-the-plan stamp duty concession will replace the existing inner city rebate administrative scheme which provides a \$1,500 rebate to purchasers of new apartments in the city centre.

The Bill also provides an exemption from stamp duty for a conveyance of a carbon right created under an Act of the Commonwealth or a conveyance of a renewable energy certificate created under the *Renewable Energy (Electricity) Act 2000* of the Commonwealth. The Government has previously given an undertaking to the Commonwealth Government that carbon rights would not be dutiable under the *Stamp Duties Act 1923*. With the deferral of the abolition of stamp duty on non-real property transfers until budget circumstances allow, and to avoid any uncertainty in relation to the duty implications arising upon the transfer of these instruments, it is considered appropriate that a specific exemption be included in the *Stamp Duties Act 1923* for these rights.

This Bill amends the *Electricity Corporations Act 1994* and the *Electricity Corporations (Restructuring and Disposal) Act* to allow RESI Corporation (RESI) to finish its operations and to put in place a scheme to enable the dissolution of RESI in an orderly fashion.

ETSA Corporation, established under the *Electricity Corporations Act 1994*, changed its name to RESI Corporation (RESI) in January 2000 under section 8 of the *Statutes Amendment (Electricity) Act 1999*.

RESI's principal activity is the litigation of a number of matters initiated by former employees of ETSA or contractors who worked at ETSA sites. The plaintiffs' claims are usually for compensation for 'breach of duty and care' going as far back as the early 1950's. The litigation process is complex and it is funded from RESI's own resources originally allocated when it was established in 2000 and supplemented when required through the budgetary process.

Due to the falling numbers in asbestos claims and the reduction in volume in the remainder of RESI's operations, including placement requests from employees returning to the public sector from the private sector, it has become inefficient to continue to run RESI as a separate entity.

SAFA and an administrative unit of the Public Service that is primarily responsible for assisting the Treasurer in the performance of his Ministerial functions and responsibilities are to take on the residual activities of RESI following its dissolution.

RESI will stop its operations at the earliest opportunity but, in order to be in a position to transfer assets and liabilities at an appropriate time and to manage reporting requirements, the start and operation of the various provisions will be controlled by one or more proclamations until financial statements and reporting has been completed by the RESI Board and so as to ensure that RESI has zero balances when it is dissolved.

This Bill introduces a public sector skills and experience retention entitlement to apply to public sector employees who have completed 15 or more years of effective service and who are employed under the *Education Act 1972*, *Public Sector Act 2009* or *Parliament (Joint Services) Act 1985*, or who are subject to the long service leave entitlements under the *Public Sector Act 2009*.

The new public sector skills and experience retention entitlement is based on completed months of service and will be phased in with up to two working days entitlement in 2012-13, up to three working days entitlement in 2013-14, and then fixed at a maximum of four working days entitlement from 2014-15 onwards. There is a transitional entitlement of up to two working days in relation to 2011-12 provided the person was employed as at 1 July 2012. The entitlement will accrue on a monthly basis and will be pro-rata for part-time employees.

A public sector skills and experience retention entitlement may be taken, depending on the amount accrued, as one or more whole working days of leave and must be taken within 5 years from the end of the financial year in which it accrued, otherwise it will lapse.

An entitlement accrued during a particular financial year may, at the end of that financial year, be converted at the election of an employee to a monetary amount to be fixed by the regulations in accordance with a scheme prescribed by the regulations.

The annual cash payment will be fixed at \$180 per full day of leave accrued during the 2012-13 financial year. The per day cash payment will be indexed in accordance with the consumer price index for each subsequent financial year.

The public sector skills and experience retention entitlement will apply to about 26,000 public sector employees with 15 or more years of effective service. An employee can only be entitled to one form of retention leave and this leave will not apply to SAPOL employees who benefit from the Retaining Police Knowledge and Experience entitlement established in the *South Australian Police Enterprise Agreement 2011*.

Administrative arrangements to implement this entitlement will need to be put in place during 2012-13. While this will limit employees being able to take this entitlement as leave during 2012-13, employees will not be disadvantaged. At the end of 2012-13, employees will be able to elect to convert their accrued entitlement for both 2011-12 and 2012-13 to a cash payment and any entitlement retained as leave will not expire before 1 July 2018.

Regulations will extend the public sector skills and experience retention entitlement to prescribed employees under the *TAFE SA Act 2012*, which is currently before the Parliament.

This Bill repeals the *State Bank of South Australia Act 1983* and makes related amendments to the *Public Finance and Audit Act 1987*, to allow South Australian Asset Management Corporation (SAAMC) to wind up its operations and to provide for other matters relevant to the final dissolution process.

Since its establishment in 1994, SAAMC has:

- Sold all its assets at no less than their value as recorded in SAAMC's balance sheet
- Extinguished all its outstanding liabilities except for \$2.5 million of unclaimed customer deposits, some of them dating back to the late 1800's
- Completed all the outstanding SAAMC litigation
- Recovered and repaid the State about a third of the indemnity paid to the State Bank of South Australia
- Wound up all of its subsidiaries
- Except for two part time employees who will resign when SAAMC is wound up, retrenched or offered retirement packages to all of its employees with all their entitlements paid.

SAAMC has now met all the objectives of its Act and the dissolution will close down the operations of SAAMC with any contingencies in either assets or liabilities being transferred to the Treasurer or, if appropriate, another State entity.

This Bill amends the *Highways Act 1926* and *Local Government Act 1999* to allow for commercial activities on specified roads.

The *Highways Act 1926* gives the Commissioner of Highways general powers, subject to the approval of the Minister for Transport and Infrastructure, to purchase or acquire land for road works, or obtain land for any purpose under the Act associated with road works. When road works are finished, the land acquired by the Commissioner becomes a public road and the ownership of the road transfers from the Commissioner to the relevant Council.

Although the Commissioner is permitted to generate income from land that has been acquired for the purposes of section 20 of the Act until the land is required for road works, for example, rental income from existing properties on the land, he does not have the ability to put in place opportunities of a longer term nature, because land that is no longer required for road works must be disposed of (usually by sale).

The amendments will vest certain existing and future roads in the Commissioner of Highways rather than allowing them to vest in the relevant Council upon the completion of the roadworks. They will also enable the Commissioner, subject to the approval of the Minister, to retain land that is no longer required for roadwork, for purposes related to roads or transport needs. This will give the Commissioner similar powers to those that Councils already have.

Existing roads that will vest in the Commissioner are the South Eastern Freeway, and the Port River, Southern and Northern Expressways. Future roads, to be identified by regulation, will also be major controlled access arterial roads like these expressways. In these cases, the land that will vest in the Commissioner will be land that has been acquired for the purpose of making the road, land that was already road (and was therefore vested in the relevant Council) or land that was already Crown land. These are roads where the Commissioner has, or is intended to have, responsibility for maintenance of all of the road corridor.

This will enable the Commissioner, with the approval of the Minister for Transport and Infrastructure, to enter into commercial contracts for activities on the roads vested in the Commissioner, and to lease land that is no longer required for roadworks to enable facilities such as service centres for motorists to be built alongside the road.

The revenue from any commercial activities will be paid into the Highways Fund and it is intended that it be used to fund additional road maintenance. Other States already have such powers, including New South Wales and Victoria.

Freeways and expressways experience high volumes of traffic and are therefore suited to commercial activities such as service centres and advertising. It is anticipated that commercial activities will be placed strategically at high exposure sites and planned to ensure that road safety is not compromised. It is initially proposed to raise revenue from leasing land for service centres and selling advertising space. Future revenue opportunities could include mobile phone towers and underground fibre optic services (in conduits alongside the road). Any developments that are made possible by these amendments will require development approval.

An amendment to the definition of roadwork will clarify that the Commissioner has the power to construct parking facilities for the benefit of commuters, and other amendments ensure that the land that vests in the Commissioner can be used for these purposes.

The Bill amends the *Payroll Tax Act 2009* to remove the current payroll tax exemption for apprentices and trainees. From 1 July 2012, the existing payroll tax exemption for the wages of eligible trainees and apprentices will

be abolished and replaced with a grant scheme administered by the Department of Further Education, Employment, Science and Technology (DFEEST). These grants are intended to ensure that the government's assistance is targeted to training areas most in need.

Registered training organisations will be assisted through grants to support the training of apprentices and trainees. This approach recognises the higher completion rates that group training organisations achieve and the key support they provide to small and medium enterprises, to which they hire apprentices and trainees. Other organisations that employ apprentices and trainees who complete their training in a priority skill area, will receive a completion bonus.

This Bill amends the *Livestock Act 1997* to create a legislative framework to enable cost recovery of the animal health program.

The initiative was included in the 2010-11 Budget and has been delayed to enable industry consultation. Further engagement with industry on animal health cost recovery is occurring and this amendment will allow for implementation of the results of this process.

With effect from 1 January 2013, there will be a one-off Water Security Rebate provided to SA Water's residential drinking water customers, in recognition of the water price increases for 2012-13. This Bill amends the *Residential Tenancies Act 1995*, to require a landlord to pass on the Water Security Rebate to a tenant, where the landlord recovers all or some of the SA Water bill for drinking water from a tenant.

This Bill amends the *Summary Procedure Act 1921* so that costs will not be awarded against any party to proceedings for an indictable offence, unless the Court is satisfied that the party has unreasonably obstructed the proceedings or if proceedings are delayed through the neglect or incompetence of a legal practitioner or a prosecutor who is not a legal practitioner. The amendment brings the Magistrates Court in to line with the superior courts where there are no costs awarded on an indictable offence.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

This clause provides for commencement of the measure. The provisions will commence on a day or days to be fixed by proclamation apart from Parts 2, 3, 7, 8 and 9 and clause 36 (which will be taken to have commenced on 1 July 2012) and clause 35 (which will be taken to have commenced on 31 May 2012).

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Education Act 1972*

4—Amendment of section 19—Long service leave and retention entitlement

These amendments will provide for a form of leave to be known as *skills and experience retention leave*. The leave will accrue as follows:

- (a) for each month of effective service completed during the 2012/2013 financial year— $\frac{1}{6}$ working days leave;
- (b) for each month of effective service completed during the 2013/2014 financial year— $\frac{1}{4}$ working days leave;
- (c) for each month of effective service completed on or after 1 July 2014— $\frac{1}{3}$ working days leave.

It will be possible to convert skills and experience retention leave accrued over the course of a financial year to a monetary amount fixed by the regulations in accordance with a scheme prescribed by the regulations.

This form of leave will be required to be taken as 1 or more whole working days. Leave not taken within 5 years after the end of the financial year in which it accrues will be lost (and no monetary equivalent will be payable).

5—Amendment of section 20—Taking of leave

This is a consequential amendment.

6—Transitional provisions

An officer who has, or attains, at least 15 years of effective service during the 2011-12 financial year and who is an officer on 1 July 2012 will qualify for an additional entitlement equal to $\frac{1}{6}$ working days for each month of effective service completed during that financial year (for the period for which the officer is a long-term employee). It will be possible for the Governor to make other transitional or ancillary provisions that may be necessary or expedient in connection with the provision of an entitlement to skills and experience retention leave.

Part 3—Amendment of *Electricity Corporations Act 1994*

Division 1—Amendment of Act

7—Amendment of section 4—Interpretation

These are consequential amendments.

8—Repeal of Part 2

The Part of the Act providing for the continuation and activities of RESI Corporation is to be repealed.

9—Amendment of section 34—Establishment of corporation

This is a consequential amendment.

Division 2—Transitional provisions

10—Interpretation

This clause sets out the definitions that are to be used for the purposes of the transitional provisions that are required in order to wind up the activities of RESI. It is important to note that the concept of a claim for workers compensation is to include any claim or action relating to personal injury, disease, other medical condition or death arising out of or in the course of the performance of work, or resulting in any other way from exposure to any material, substance, disease or conditions at a workplace.

11—Assets and liabilities of RESI

This clause will provide a mechanism for dealing with the assets and liabilities of RESI.

12—Redeployees

The Department will be required to assume responsibility for arranging for the redeployment of any person who, under the scheme established under the *Electricity Corporations (Restructuring and Disposal) Act 1999*, is to be employed in the public sector.

13—Related provisions

This clause sets out various provisions that are relevant to the transfer or vesting of assets or liabilities of RESI under this Bill.

Part 4—Amendment of *Electricity Corporations (Restructuring and Disposal) Act 1999*

14—Amendment of section 3—Interpretation

These are consequential amendments.

Part 5—Amendment of *First Home Owner Grant Act 2000*

15—Amendment of section 18BA—Bonus grant for transactions on or after 17 September 2010 but before 1 July 2013

Under section 18BA, the amount of a first home owner grant can be increased by an additional payment (a *first home bonus grant*) if various requirements are satisfied. Currently, the bonus grant under section 18BA is payable in relation to eligible transactions that commence before 1 July 2012. Under the section as proposed to be amended by this clause, the first home bonus grant will be payable in relation to eligible transactions that commence on or before 1 July 2013.

If an eligible transaction is a contract for an 'off-the-plan' purchase of a new home entered into on or after 1 July 2012, the bonus grant will be payable if the contract states that the eligible transaction is to be completed by 31 December 2014 or the transaction is completed on or before that date.

16—Repeal of section 18BAB

Section 18BAB, which provides for the payment of a reduced first home bonus grant in relation to eligible transactions that commence between 1 July 2012 and 30 June 2013, is repealed by this section.

17—Amendment of section 18BB—Market value of homes

18—Amendment of section 18C—Amount of grant must not exceed consideration

The amendments made by these clauses are consequential on the repeal of section 18BAB.

19—Transitional provision

This clause deals with the possibility that a person entitled to a first home bonus grant under section 18BA in relation to an eligible transaction that commences on or after 1 July 2012 may receive, before the Act is assented to by the Governor, either a grant under section 18BAB (which is to be repealed from 1 July 2012) or an *ex gratia* payment made by the State in contemplation of the amendments to section 18BA being taken to have come into operation on 1 July 2012. The amount of a person's entitlement under section 18BA as amended will be reduced by any amount received by the person under section 18BAB or as an *ex gratia* payment.

Part 6—Amendment of *Highways Act 1926*

20—Amendment of section 7—Interpretation

This clause makes a consequential amendment to the definition of *controlled access road* and amends the definition of *roadwork* to include the construction of buildings or facilities relating to public transport or parking for users of public transport.

21—Amendment of section 20—General powers of Commissioner

This clause makes a consequential amendment to section 20 to ensure that the *Development Act 1993* exemption that exists in relation to land acquired under the section doesn't extend to land to be used for the purposes of a lease or licence granted in respect of a road that vests, or land that remains vested, in the Commissioner under proposed section 21A.

22—Insertion of section 21A

This clause inserts a new section as follows:

21A—Certain roads and land vest in Commissioner

Proposed section 21A allows for the vesting of roads, or parts of roads, in the Commissioner by regulation (where the Commissioner has, after commencement, carried out roadworks on a road) and the vesting of the whole or parts of the South Eastern Freeway, the Port River Expressway and Salisbury Highway, the Southern Expressway and the Northern Expressway by proclamation. A regulation or proclamation may define the extent to which land or structures on land vest in the Commissioner (and may do so by reference to a plan deposited or filed in the Lands Titles Registration Office or by any other method of description).

The provision further provides that where the Commissioner has, after commencement, determined that land vested in the Commissioner is not required for the purposes of present or future roadwork or any other purposes connected with this Act, the Commissioner may, subject to the approval of the Minister, determine not to dispose of the land if the Commissioner is satisfied that the land may be required in the future for purposes related to roads or transport needs.

23—Amendment of section 26—Powers of Commissioner to carry out roadwork etc

24—Amendment of section 26A—Powers of Commissioner in relation to trees etc on roads

25—Amendment of section 26B—Total or partial closure of roads to ensure safety or prevent damage

26—Amendment of section 26C—Certain road openings etc require Commissioner's concurrence

27—Amendment of section 27CA—Vesting of roads outside districts

Clauses 23 to 27 make minor consequential amendments.

28—Insertion of section 30AC

This clause inserts a new section as follows:

30AC—Certain roads taken to be controlled-access roads

This proposed section allows the regulations to specify that a road that is vested in the Commissioner by regulation under section 21A is a controlled-access road.

29—Amendment of section 30B—Provision for compensation

This clause is consequential (and ensures that the compensation provision applies in relation to roads that become controlled-access roads by virtue of section 30AC).

30—Insertion of section 42B

This clause inserts a new section as follows:

42B—Registrar-General to issue certificate of title

This proposed section provides for the issuing of certificates of title in respect of land that vests in the Commissioner.

Part 7—Amendment of *Livestock Act 1997*

31—Amendment of section 3—Interpretation—general

A pointer definition is included in relation to the proposed new fund.

32—Amendment of section 22—Application for registration and fees

Section 22 is amended so as to enable the fee for registration fixed or calculated in accordance with the regulations to include an amount for the costs of the programs and other matters for which the new fund may be applied.

33—Amendment of section 26A—Requirement for identification codes

Section 26A is amended so as to enable fees in relation to identification codes fixed or calculated in accordance with the regulations to include an amount for the costs of the programs and other matters for which the new fund may be applied.

34—Substitution of heading to Part 5 and insertion of Division 1 and heading to Division 2

These amendments establish the new fund, the *Livestock Health Programs Fund*. The Fund is to consist of—

- fees paid under Part 3 or Part 3A;
- money advanced to the Fund by the Treasurer from the Consolidated Account (which is appropriated to the necessary extent);
- money received from the Commonwealth or a State or a Territory of the Commonwealth for payment into the Fund;
- any other amounts of a kind prescribed by regulation;
- income from investment of money belonging to the Fund.

The Fund may be applied—

- in programs administered by the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the *Livestock Act* for the purposes of—
 - certifying or demonstrating the disease free status of livestock for the purposes of markets outside the State; or
 - detection, reporting and investigation of diseases that may affect livestock; or
 - maintaining laboratory diagnostic capability in relation to diseases that may affect livestock and subsidising the cost of laboratory tests; or
 - consulting with livestock advisory groups, veterinary surgeons and other public sector agencies and interested persons in relation to detecting, controlling or eradicating diseases that may affect livestock; or
 - providing information and training in relation to detecting, controlling or eradicating diseases that may affect livestock to persons in the livestock industry, veterinary surgeons, employees in the administrative unit and other interested persons; or
 - participating in national bodies and programs relating to detecting, controlling or eradicating diseases that may affect livestock; or
 - otherwise ensuring that the administrative unit has the capacity to respond quickly and appropriately to any outbreak or suspected outbreak of a disease that may affect livestock and to coordinate the response with other agencies or instrumentalities of this State, the Commonwealth or another State or a Territory of the Commonwealth; or
- in the administration of the *Livestock Act*; or
- for other purposes prescribed by the *Livestock Regulations*; or
- in administering the Fund.

There is a requirement for management plans, consultation with industry advisory groups and inclusion of relevant information in the administrative unit's annual report.

Part 8—Amendment of *Local Government Act 1999*

35—Insertion of section 240A

This clause inserts a new section as follows (consequentially to the amendments proposed to the *Highways Act 1926*):

240A—Roads vested in Commissioner of Highways

A by-law made under the *Local Government Act 1999* does not apply to any act or omission specifically authorised under a lease or licence granted by the Commissioner in relation to a road vested in the Commissioner under the proposed amendments to the *Highways Act 1926*.

Part 9—Amendment of *Parliament (Joint Services) Act 1985*

36—Amendment of section 20—Long service leave and retention entitlement

These amendments will provide for the long service retention leave entitlement to apply to an officer under the Act. The scheme will be the same as that applying to other categories of employees under other related Acts to be amended by this measure.

37—Insertion of section 36

This is a consequential amendment.

38—Transitional provisions

This clause will provide for transitional and other provisions relating to the skills and experience retention leave entitlements of officers.

Part 10—Amendment of *Payroll Tax Act 2009*

39—Amendment of Schedule 2—South Australia specific provisions

This clause repeals Schedule 2 clause 10A, abolishing the exemption for wages paid to apprentices and trainees (as defined by that clause).

Part 11—Amendment of *Public Finance and Audit Act 1987*

40—Amendment of section 18—Financial arrangements

This is a consequential amendment.

Part 12—Amendment of *Public Sector Act 2009*

41—Amendment of Schedule 1—Leave and working arrangements

These amendments will provide for the skills and experience retention leave entitlement to apply to employees under the *Public Sector Act 2009*.

42—Transitional provisions

This clause will provide for transitional and other provisions relating to skills and experience retention leave entitlements.

Part 13—Amendment of *Residential Tenancies Act 1995*

43—Amendment of section 73—Rates, taxes and charges

This section is amended to require a landlord who receives the benefit of the water security rebate amount to ensure that the rebate is credited to any amount for rates and charges for water supply to be borne by tenants under an agreement under subsection (2) or under subsection (3)(b).

Part 14—Amendment of *Stamp Duties Act 1923*

44—Insertion of section 71DB

This clause establishes a scheme to provide for concessions with respect to stamp duty payable on conveyances that give effect to the purchase of apartments within the City of Adelaide under off-the-plan contracts.

The scheme will apply to contracts entered into between 31 May 2012 and 30 June 2016 (both dates inclusive). However, the amount of the concession will vary according to whether the contract is entered into by 30 June 2014 or between 1 July 2014 and 30 June 2016. The rate of the concession will also vary according to whether the market value of the apartment does not exceed \$500,000, or exceeds \$500,000. For the purposes of determining the market value of an apartment for the calculation and imposition of stamp duty on the conveyance, the date of the sale of the relevant property will be taken to be the date on which the relevant qualifying off-the-plan contract was entered into.

45—Amendment of Schedule 2—Stamp duties and exemptions

The following instruments are to be exempt from stamp duty:

- (a) a conveyance of any carbon right created under an Act of the Commonwealth;
- (b) a conveyance of a renewable energy certificate under the *Renewable Energy (Electricity) Act 2000* of the Commonwealth.

Part 15—Amendment of *Summary Procedure Act 1921*

46—Insertion of section 188A

This clause inserts a new section 188A as follows:

188A—Costs—indictable offences

Subject to sections 189A, 189B and 189D(1) and (2), the Court must not make an order for costs against any party in proceedings relating to a charge of an indictable offence.

47—Amendment of section 189—Costs generally

This amendment is consequential.

Part 16—Repeal of *State Bank of South Australia Act 1983*

Division 1—Repeal of Act

48—Repeal of *State Bank of South Australia Act 1983*

The *State Bank of South Australia Act 1983* is to be repealed.

Division 2—Transitional provisions

49—Interpretation

This clause sets out the definitions required for the purposes of the Division.

50—Vesting of assets and liabilities

This clause provides a specific power for assets or liabilities of the South Australian Asset Management Corporation to be vested in the Treasurer or another State entity.

51—Additional provisions

This clause provides that, on the repeal of the *State Bank of South Australia Act 1983*, any remaining assets or liabilities of SAAMC will vest in the Treasurer. The Governor will also be able to address any outstanding transitional or saving matters by proclamation.

52—Related provisions

This clause provides for some ancillary matters associated with the operation of the measure.

Debate adjourned on motion of Mr Griffiths.

FAMILY RELATIONSHIPS (SURROGACY) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

SUPPLY BILL 2012

The Legislative Council agreed to the bill without any amendment.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council, having considered the recommendations of the conference, agreed to the same.

Consideration in committee of the recommendations of the conference.

The Hon. J.M. RANKINE: I move:

That the recommendations of the conference be agreed to.

It has taken quite some considerable time to come to this agreement so I want to place on record my thanks and appreciation to those members of the House of Assembly who participated in this deadlock conference, and also those members of the Legislative Council. As I said, it has been quite a lengthy and difficult process to get to this point but I think that we have amendments now before us that are workable, that will allow the corrections department, the Parole Board and, importantly, the South Australia Police to undertake their duties in a very swift manner, and it is another piece of legislation that is going to enhance community safety here in South Australia.

Ms CHAPMAN: I would also like to endorse the minister's remarks. Members will recall that this was a bill that came into the parliament consequential upon the shameful event of the Shane Robinson death and the circumstances surrounding that. Some significant reforms were proposed. Obviously, some agencies, including the police, considered that some aspects of that were unworkable. I agree with the minister: it was a complex matter which did require resolution, and one will hope that the ultimate implementation of the reforms in this bill will have the effect they are designed to have.

I especially acknowledge a member of our committee, the member for Croydon, who was most helpful on this occasion, in a light bulb moment, in recommending a compromise position. He was at his very best on this occasion. It was brief, this little act of brilliance but, nevertheless, it was leapt upon by other members of the committee as a matter which would be helpful in resolving the issues in contest, and I thank him for that. Of course, I want to remember the importance of recognising that he is the member for Croydon and not the member for Spence. He would want to have Catherine Helen Spence immortalised as his electorate name but, nevertheless, as the member for Croydon in this instance on this important issue, he has been most helpful. I look forward to seeing another gem—a diamond—of inspiration coming to those meetings.

Dr McFETRIDGE: I would like to thank the members of the conference on the deliberations. It was my first time in a deadlock conference. We had seven meetings and there were some interesting times; there are no rules that really govern the discussions in these conferences. There is nothing like the rules in this place, that is, the standing orders in this place. So, what we saw was some full and frank discussion. It was good to see that even though, in theory, it was the House of Assembly members up against the Legislative Council members there

was some good dialogue and use of resources (briefings from the stakeholders), which brought about a resolution that is going to be not only workable for the members of the conference but, more importantly, the stakeholders who are going to have to enforce these pieces of legislation in the future.

The member for Croydon was very helpful, I must admit. It was delightful to be working with him rather than opposing him, as we often do in this place. Deadlock conferences are an interesting but very essential part of the legislative process. I thank the minister for, finally, not agreeing but being conciliatory, and the members of the other place for bringing about a good resolution to these issues.

Motion carried.

LIVESTOCK (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the amendments made by the House of Assembly without any amendment.

ROAD TRAFFIC (AVERAGE SPEED) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

MEMBER'S REMARKS

The SPEAKER (15:42): Earlier today during debate on the Local Government (Road Closures—1934 Act) Amendment Bill, there were a series of points of order and I advised the house that I would review the *Hansard* transcript, as at the time I was unable to hear what the member for Croydon had said due to noise coming from both sides of the house.

Having had the opportunity to read the *Hansard*, it is clear that the member for Adelaide objected to comments made by the member for Croydon that the member for Adelaide's contribution on a previous debate was vindictive and that the claim made by the member for Adelaide was:

...false when she made it or was recklessly indifferent to whether it was true or false at the time she made it and, funnily enough, that is exactly the reason that the federal opposition is trying to put Craig Thomson before the Privileges Committee...

In response to the member for Adelaide's objection at the time in relation to the use of the word 'vindictive', I ruled that it was not unparliamentary. However, I invited the member for Croydon to withdraw it, but he declined.

As to the reference to Craig Thomson, the words are not unparliamentary. While the member for Adelaide may object, there is no requirement on the member for Croydon (in standing orders) to withdraw those words. Having said that, the member for Croydon would know that allegations of deliberately misleading the house have to be made by substantive motion. If the member for Adelaide feels she has been misrepresented by the comments made by the member for Croydon, she can always seek leave to make a personal explanation, or rebut any statements in reply when the matter is next called on. I will leave it at that.

ADJOURNMENT DEBATE

ST CLAIR HOUSING ESTATE

The Hon. M.J. ATKINSON (Croydon) (15:44): Recently, the Charles Sturt council surveyed residents of the new St Clair housing estate about the name by which the new suburb should be known. Residents voted by a 74 per cent majority for St Clair as the name, with Cheltenham Park coming in second. I do not have a strong opinion either way but believe it is a matter for residents of the new development.

The Mayor of the City of Charles Sturt and her backers at the last council election, the Cheltenham Park Residents Association and the Save St Clair Recreation Park group do have a strong opinion, and that is that the name St Clair should not be saved as a suburb name and the new residents should not have their way on the naming. Councillors endorsed on mayor Kirsten Alexander's ticket at the last election, councillor Joe Ienko and councillor Bob Randall, and Kirsten Alexander ally, councillor Raelene Hanley, voted to call the new suburb Cheltenham Park, despite having the results of the survey before them.

The argument advanced for the name Cheltenham Park is that, during the First World War, soldiers camped at Cheltenham racecourse before leaving for the war, and therefore the name

Cheltenham is of major historical significance. A majority of Charles Sturt councillors respected the result of the survey and voted for the name St Clair. The final decision will be made by the Surveyor-General.

My great uncle Jim served in the war, but it has never occurred to me that the soldiers camping at Cheltenham racecourse before embarking was a compelling reason to call a suburb built on or near the Cheltenham racecourse Cheltenham Park, as indefatigable letter to the editor writers from the aforementioned protest groups say it is. I do not think that, in passing over Cheltenham Park as a name, we would be trashing history or being disrespectful to ex-servicemen. We already have a suburb called Cheltenham.

On 9 May, mayor Kirsten Alexander appeared on ABC radio on the question of which name should be applied to the suburb. Kirsten Alexander told listeners that some people may have engaged in multiple voting in the council survey and that is why the name St Clair obtained a majority. This is odd, because Kirsten Alexander is the mayor of the council that organised the survey. Within a week, mayor Kirsten Alexander was publicly gloating on a Facebook site that an online poll on Adelaidenow had preferred the name Cheltenham Park to St Clair, yet there is no bar to multiple voting on Adelaidenow polls and anyone in the world could have voted in that poll.

It is well known that the organisations that backed Kirsten Alexander in her campaign for mayor and Woodville ward councillor Bob Grant's bid for re-election in October 2010 opposed and continue to oppose the building of homes on the land bounded by Actil Avenue, Torrens Road, Cheltenham Parade and the railway line. Indeed, they will oppose any building between Actil Avenue and Woodville Road. If these groups had their way, no new residents would be living there. Other councillors, some of whom were members of the ALP and some not, supported the development, allowing it to go ahead.

At street corner meetings I held last Saturday, one of mayor Kirsten Alexander's supporters described the St Clair housing development as 'a slum' and said it would be full of 'migrants and Housing Trust people'. The woman asserted that the Woodville West redevelopment, the Kilkenny transit village and the Bowden urban village would also be slums full of migrants and Housing Trust people and that no-one would want to live in them.

I tried not to interrupt this person's flow, but I did say at one stage that I did not think that was true. I might have added, if I had not been so appalled, that one-quarter of my constituents are migrants from non-English-speaking countries and many of my constituents already live in public housing, and I would be pleased if they lived in the Kilkenny transit village and the Bowden urban village.

The insult 'slum' is also used in written submissions to the Charles Sturt council on whether St Clair residents should be allowed to have a road connecting them with Woodville Road and is a staple of bloggers on the Save St Clair website. From time to time, in the past 2½ years, a tall St Clair protester in his 60s has picketed my office holding up the rather clever sign 'Take the Mick out of Croydon'. He also holds a Southern Cross flag on a big stick and he protests—

Dr Close interjecting:

The Hon. M.J. ATKINSON: He protests at the Port Adelaide electorate office as well, the member for Port Adelaide tells me, and he protests on the steps of Parliament House. I have engaged him in conversation while helping him hold up his 'Take the Mick out of Croydon' sign because he did not have a helper to hold up the other end. This gentleman told me that he thinks the western suburbs are a dumping ground for Asian and African migrants and that the White Australia policy was a good policy for Australia. He also made an allegation of criminality against a Charles Sturt councillor that is demonstrably false and relies entirely on racial stereotyping.

Kirsten Alexander's contribution to the Save St Clair Facebook site includes referring to the St Clair development as 'little boxes, little boxes and they're all made out of ticky-tacky and they all look just the same', referencing the Pete Seeger song. The mayor liked the song so much she arranged for it to be sung at a consultation she held at the Governor Hindmarsh Hotel on the Bowden Urban Village. The mayor also supplies us on the Facebook site with a link to the Stable Population Party's website, a party that wants to stop migration to Australia.

Last week I travelled around the entire St Clair development and I think it will be a great place to live. I would like to live there myself. There has been a prolonged controversy about an access road from the St Clair development to Woodville Road. Mayor Kirsten Alexander recently told the Facebook site, 'I do not want to see any road through the park.' So, if the mayor got her

way, the St Clair development would be an enclave, with access to the outside world only through Actil Avenue to Torrens Road. Owing to the common sense and goodwill of other Charles Sturt councillors, the mayor and councillor Bob Grant did not prevail on this point.

Those opposed to the St Clair housing development are continuing their hostility to the development by taking it out on the new residents: trying to stop them choosing their own suburb name; casting aspersions on the process by which they voted for their new name; and making it as difficult as possible for St Clair residents to access Woodville Road. These episodes are yet another reason why, in my opinion, those living in the new development should be wary of mayor Kirsten Alexander and councillor Bob Grant. It is important that people living in St Clair keep a weather eye on the Charles Sturt council and organise to elect one of their own at the next Charles Sturt council election due in October 2014.

PERSONAL CREDIT RATING

Mr VENNING (Schubert) (15:52): I want to raise a personal matter. It is something that I was not going to raise but I am now going to. A few days ago it was brought to my attention that I had a mark against my credit rating.

The Hon. M.J. Atkinson: Surely not—you're a plutocrat.

Mr VENNING: That was my response, too. I thought: how can this be? I tried to make some inquiries and the person told me (and probably was not supposed to tell me because of the so-called Privacy Act) that it was an outstanding amount of \$136 right back from 2005. I went on the hunt trying to work this out and I offered to pay it straightaway.

Guess what? It was a Telstra account in the name of the Department of Treasury and Finance that had never been paid. Why was I not told? Why was it left there and handed to a debt collector without telling me? I think it is absolutely disgusting. This has been on my record since 2005 and nobody was going to tell me. To make it worse, I find looking at this week's Telstra account there is an overdue amount there—'Please pay immediately'—of \$479.44 which has been there since 2010.

What the hell is going on here? Why can't we pay our phone bills? It is ridiculous. We are not informed of these matters. I paid the amount immediately and I am seeking legal advice because that is an aspersion on my character. To say that I cannot pay my bills I take very seriously, because I have always paid my bills. How was I going to find this out except when trying to do some transactions for my children and being told, 'Your credit rating is less than perfect'? I think that is an absolute disgrace.

Another little issue—not as serious as that one, I do not think—is about a bridge in the Barossa Valley between Nuriootpa and Tanunda. It is called the Robin Bridge, after the family who donated the land to build that bridge there right back in the 1960s. It has not been painted since 1960. Three, maybe four, years ago I wrote a letter to the minister asking that they paint this bridge as it is extremely drab and is right in the middle of the beautiful pristine parkland area on the outskirts of Nuriootpa—a beautiful area. This scungy bridge is crying out for a bit of attention. It is a steel bridge in good mechanical order but crying out for a coat of paint. The minister said that there was nothing in the pipeline and, 'We'll have a look at it.'

We then had the local APEX and Rotary Clubs offering to paint it for nothing. I wrote to the minister and asked permission to do this and was told that, no, permission would not be granted, that we cannot justify the cost of removing the bridge, taking it to Adelaide, sandblasting it and reinstalling it at Nuriootpa because of the so-called lead in the paint that would fall into the river underneath. Well, God, help us all! I could not believe it: there must be a thousand ways—there is not much paint left on it anyway—that you could pick up what is left of the paint you would scrape off. To knock back the local service clubs that will do the for nothing is an outrage.

I wrote again to the minister and he said no, but that it was included in a list of candidate projects for future funding. I have had a quick look at today's budget and there is nothing in there that even looks like paint for the Robin Bridge. I have said on the front page of the *Leader* paper, in which it appeared, that I would paint that bridge, and if I go to gaol so be it. I am just sick of the bureaucracy of this. What is the cost of painting that bridge? Probably about \$1,500 at the most, yet you can spend \$41 million on a new bridge over the Torrens. It is pretty hard to spin that yarn to the people in the Barossa. It is a little project but it means a lot. It is just an indication of what the government thinks about the Barossa Valley: it does not give it any credence, any credibility or any priority at all.

Members interjecting:

Mr VENNING: If I paint the bridge, okay. I made the comment here three or four weeks ago. I did nothing more about it. The local paper read the *Hansard* and saw this bit and said, 'What are you going to do?' I said, 'I'll paint it,' and they said, 'Well, you had better come up for a photo.' So I went up there, stood by the bridge, and they took the photo. I thought that it would be down by the classified ads, but, no, front page! Now, I really have to paint the bridge, and I will, because I can, but the problem is that I do not know what the law will say about me. It is fairly safe; there is a six-foot path on both sides of the roadway, so I think I can do it safely.

I still challenge the minister, as there is time for him to come out and say, 'Look this a project we will deal with in the next six months'. If you do it in the next six months, I will leave it, but if not I will do it myself, and I will make provisions to make sure that the few fragments of leaded paint do not go into the river underneath. There are a dozen ways to stop that, particularly a vacuum cleaner and some covers, or make up a bracket that holds it. I am sure when I start this little project I will have plenty of observers and plenty of helpers to help me do it. It is a disgrace when you have to come to this; it is just not reasonable. There are interesting times ahead. I hope that the minister will here this and say, 'Look, for Pete's sake, shut him up and paint the bloody bridge.'

The SPEAKER: I don't know, member for Schubert: not paying your bills, an act of vandalism, destroying the environment—a bit of a worry there.

THEVENARD PORT FACILITIES

Mr TRELOAR (Flinders) (15:58): I take this opportunity today to go back to question time this afternoon, where I asked the Minister for Environment about the state government's commitment of \$1.5 million to the fish unloading facilities at Thevenard. The minister's statement was:

I am not aware that the government has made a \$1.5 million commitment and I am told that the commonwealth may have been looking at some aspects of Thevenard and the use of the port there, but certainly from the state government's perspective I am certainly advised that there has been no commitment from the state government for such a port.

I assume there he is meaning the fish unloading facility that I raised in the question. On Tuesday 28 February 2012 the Hon. Gail Gago in the other place announced via a press release that commercial fishermen, grain handlers and the mining industry stand to benefit from the state government commitment of \$1.5 million to a potential new fishing harbour at Thevenard. She goes on to say:

This project is of strategic economic importance for the region. It will enable the fishing and aquaculture industries to operate viably and grow as the mining and grains industries expand.

Admittedly, that funding was contingent on attracting commonwealth funding as well but, on hearing the minister's response today, I decided to take the opportunity to talk about what was not in the budget today and not just about his response, his lack of understanding and his correspondence with other ministers.

In the budget speech today, the Treasurer made no mention whatsoever of the regions. He made no mention whatsoever of aquaculture or the seafood industry. As a regional member, I find that extraordinarily disappointing. Time and time again in this house, particularly on this side of the house, we remind the government of the importance and the vitality of those primary production industries and the importance of their contribution to this state, yet the oversight was glaring again today. I will certainly take the time later this afternoon to wind my way through the budget papers. I have no doubt that there will be further funding cuts to primary industries, probably seafood as well. I should not prejudice what I might find in the budget papers, but my suspicion is certainly that.

I also need to remind the minister and the government of the sense of despair on the Eyre Peninsula, on the Far West Coast, as a result of the sanctuary zone proposal. People are going to hurt from this. People are going to suffer. I understand that the government is offering compensation and will be looking to buy out licences but it will be nowhere near the value of the fishery, and it will hurt many small businesses. The flow-on effects through the regional communities will be felt for a long time.

My personal opinion is that the days of shut-the-gate conservation are long gone; it is a hangover from years gone by. I do not have any dispute with the fact that we do need to manage the environment, but we need to manage it so that it is a productive environment from which we

can harvest and reap the rewards. It is from the environment that we gain our sustenance, and shutting the gate on vast areas is no way to maintain that environment.

At 16:02 the house adjourned until Tuesday 12 June 2012 at 11:00.