

HOUSE OF ASSEMBLY

Thursday 14 June 2012

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:32 and read prayers.

PRISON CONDITIONS

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (10:33): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Yesterday I was asked a question about a prisoner whose name is Jacqueline Davies. I was asked when I first became aware of her case. I indicated using my memory that I only became aware of her case during the week as it was reported in the media. My memory is not as good as my staff's access to our files. I am now advised that I received a briefing in relation to this matter on 25 February which indicated the prisoner's care was subject to regular high-level review between Health and Corrections. So, I wish to correct the record and apologise to the house and the public for my error.

MOTOR VEHICLES (HISTORIC NUMBER PLATES) AMENDMENT BILL

Mr VENNING (Schubert) (10:34): Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

Mr VENNING (Schubert) (10:34): I move:

That this bill be now read a second time.

The legislation pertaining to historic numberplates currently requires the registrar to offer rights to a historic numberplate only at a public auction. If a historic vehicle with an original numberplate changes ownership, even within the same family, or is not registered for a period—for example, if the vehicle is in storage or under restoration—the plate is forfeited.

When the owner seeks to reregister the vehicle or a change of ownership is undertaken, the existing or new owner has to bid for the numberplate at public auction, even if it can be proven that the vehicle had that numberplate originally, often since it was manufactured. As a vintage car enthusiast myself, I have come across many examples of families that have lost rights to a historic numberplate as they have changed legal ownership of the vehicle, usually within the family, and they cannot afford to go to public auction and bid for the plates.

Can I say at the outset that I declare that I have three motor vehicles on historic plates which I have paid for, but not at public auction. Many years ago I think I paid \$300 or \$400 for one and a maximum of \$700 for the other, which I think is a reasonable amount to keep a plate. I do declare that. I am doing this for the enthusiasts, not for myself, because I do not intend to put any more cars on, even though I have quite a few more cars.

This issue really has caught the thousands of enthusiasts across the state. This bill then seeks to rectify this situation by amending the Motor Vehicles Act 1959 to allow historic numberplates that have been with the vehicle since it was manufactured to remain with the vehicle at a minimum fee. Currently, some of the plates at auction are contested for by dealers, and prices for a sixties numberplate can be as high as \$3,500 to \$4,000.

We saw a story in the paper the other day where a lad went to buy back a numberplate from his father's old Valiant—which I would not class as a historic vehicle, but it is old—which had an important meaning for him. He went to get the plate back again after taking it over from his father. He went to the auction to buy it and he bid \$3,200 for it. He was told that the reserve price for that plate was \$3,500. That is absolutely greedy, and I am appalled. The numberplate meant nothing to anybody else but him, so he is forced to pay. It is \$3,500; apparently, that is the reserve price.

On 20 May this year, the *Sunday Mail* covered this story about Mr John Gale when he paid the \$3,500 for this plate, because the car was given to him by his father. When he transferred the car to his name, he was forced to hand the numberplates back to the department. The article quotes Mr Gale as saying:

They said I could not change the ownership of the vehicle without redeeming them, so I had to pass the plates in. I then went through the process of finding out how I could get plates so when they came up for auction I bought them back. I bid \$3,200 but they said it hadn't reached the reserve so I had to pay \$3,500 to get the plates that had been on my father's car since [it was new in] 1966.

As I said, that is \$3,500 for six-digit plates that are of no significance to anybody else but this family. I do not know Mr Gale, but this is exactly the type of situation this bill seeks to rectify.

I did circulate this information to members a couple of weeks ago; I hope you all got it. I included a photograph of a Mr Collins from Naracoorte and you can see that he had this wonderful car. The same article contains comment from a spokesperson from auctioneers Evans and Clarke, Leo Capurso, about the reasons people buy plates at public auction:

A lot of Asian people are attracted to plates with the number eight in it because they believe that it brings good luck. There are actually people who make a living out of buying and selling plates.

One is a friend of ours and is well known to me. Mr Stewart Kay, historic plates proprietor, was reported in *The Advertiser* in December last year as saying:

People buy them from their self managed superannuation funds, they've bought them to leave to their grandchildren in their wills...and some just buy them to put on cars.

Well, that is what I thought they were for. So, you can see that it has become a business where people can trade and make money on them. It really is very unfair that, if a vehicle changes ownership, even within the same family, they have to go through the public auction system and compete at the public auction with vintage numberplate dealers and those who might want a specific plate for some other reason.

As I said earlier, I met a gentleman, Mr Eric Collins of Naracoorte, who has this 1929 Oakland—this is the photograph I sent to all members of this house. His father bought this car new in 1929, and it remains in original condition in every way, except for the numberplate. I have seen it, and I took that photograph. Mr Collins could not afford to go to the auction to purchase the numberplate when the ownership of the vehicle was transferred to his name, and the vehicle now has a most inappropriate modern numberplate. As I said, I have circulated the photograph to members, and you can see that it is a lovely car and you can see Mr Collins, who is a lovely man, but he obviously is not happy as he has the original plates in his hand.

The vintage and veteran car fraternity in South Australia comprises—and members would know this—over 100 clubs throughout the state, with over 10,000 members and affiliates. I have had personal contact and have liaised with all of these clubs regarding this issue. I have received much support for this amendment bill. I have presented a petition on behalf of many South Australian vintage car clubs supporting the proposition that cars be able to carry original registration plates without the burden of people having to go to auction to retain them if ownership is transferred or the vehicle is unregistered for a period of time.

I want to say here that I have not included hotrods and I have not included people who just want to keep family numbers; it has to be the vehicle with that number. You cannot just transfer a numberplate from car to car, as some people want to do. I have said no because it is going to be difficult enough to achieve this, and I do not want to complicate the issue any further. So, I have excluded deliberately hotrods and anything else, even though there are those who would love them to be included.

We really fostered the vintage car fraternity in South Australia with a wonderful historic vehicle registration process, which was brought in by the government, under minister Laidlaw, in 1994 or 1995. It has been hugely successful—so much so that it has been mirrored all over Australia now. Minister Conlon might say, 'Well, we're getting cheap registration.' All I can say is that, in this instance, I have about seven cars with historic registration, and in the last two years I have driven two of them. So, who is making the money? I registered them so that I have the opportunity to go down to the shed and get into them and take them for a drive. It is a pretty high price to pay, even at the historic registration rate.

To say that this is being abused, it is not. It can be abused. If someone is using a daily driver on historic registration, I can tell you that the clubs will find out and, when the club finds out, that member will be banned. It is up to the clubs themselves to keep an eye on that, and they do. They protect very tightly that privilege to be able to have historic registration.

The current legislation gives no consideration to the genuine car enthusiast wanting to keep the original numberplate with their historic vehicle. Authenticity is most important to vintage

car enthusiast, and the numberplate, which is very visual on the front of the vehicle, is a vital component of its authenticity.

I did circulate this bill to members, and I do hope that members read it. Really, I do not think it will be a negative thing for the government's budget, because very few people in the vintage car fraternity are buying these numberplates at these exorbitant prices. Most of the people who do up these cars are ordinary, working-class people who have one car, which they have inherited from the family. It really gets up their nose that they have to pay three and a half thousand purely to get the numberplate that was on that car, which can be easily proven. To me, it is just not fair, and really it is just plain greedy.

I hope that members will see this is as being constructive and helpful. I know that all members would know various enthusiast within these clubs who are lovingly restoring a car. The final thing is to put it back on the road, and then they have to put a crappy white plate on the front; it looks grossly out of place. In the photograph, you will see that Mr Collins is holding in his hand the original numberplates, and they have put these crappy white plates on the car. It does not look right, and I do not think it is fair.

This bill has been a couple of years in the making, and I hope that the government will support it. I have not had any indication from the government at all whether they will or will not, and I did not want to push the issue. I hope that you will be fair because there is no politics in this. I hope fairness and equity will seize the day. I ask members to support the bill.

Debate adjourned on motion of Mrs Geraghty.

ROAD TRAFFIC (EMERGENCY VEHICLES) AMENDMENT BILL

Ms THOMPSON (Reynell) (10:45): I bring up the report of the select committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

Ms THOMPSON (Reynell) (10:46): I move:

That the report be noted.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

LOCAL GOVERNMENT (INTERMENT OF HUMAN REMAINS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March 2012.)

Ms BETTISON (Ramsay) (10:46): The member for Davenport's bill seeks to insert a provision in the Local Government Act 1934 which will provide for a regulation-making power to mandate a formal identification of bodies before burial. Currently, the Cremation Regulations 2001 provide for a formal identification of the deceased person before a permit to cremate is issued. This is not required for burials, and the reason for this is simple.

I understand that the member for Davenport explained that the Australian Funeral Directors Association has raised the issue with him. They believe a loophole exists in the law because burial and cremation requirements are not the same. They say they are worried about mix-ups in burials. Members would be aware that in 2003 the House of Assembly Select Committee into the Local Government Act 1934 made a number of recommendations for reform of legislation governing the burial and cremation industry, including the creation of a single act.

At present, there are a number of acts and regulations that govern various aspects of the burial and cremation industry. A single act to regulate the industry would create consistency across the industry and ensure that privately owned and operated cemeteries are subject to the same regulatory provisions as publicly operated cemeteries.

Mr Venning interjecting:

The SPEAKER: Member for Schubert, will you stop shouting across the chamber, please. Member for Ramsay, I am sorry about the horrible noise coming from the other side.

Ms BETTISON: To this end, the Attorney-General has drafted the Burial and Cremation Bill 2012. The bill creates a single regulatory regime that governs all cemeteries, natural burial

grounds and prescribed facilities. The Attorney-General has released the draft Burial and Cremation Bill 2012 for consultation. Comments on the draft bill or related matters can be sent to LLPsubmissions@agd.sa.gov.au. Consultation closes on 4 July 2012. Comments on the draft bill will assist the Attorney-General in finalising the bill for introduction into parliament.

The draft bill proposes to amend legislation regulating the provision of documents to be provided before disposal or interment of human remains. I understand that the draft bill allows for general regulation-making power, and one of the suggested regulations is to prescribe processes for the identification of human remains. This could include appropriate body tagging and verification procedures, and systems for crosschecking procedures and documentation associated with the transfer and management of human remains at each step in the process. I encourage the member for Davenport, the Australian Funeral Directors Association and other interested parties to comment on the government's draft bill.

As the member for Schubert has mentioned, I am the daughter of a former funeral director who was a member of the Australian Funeral Directors Association, and I encourage people to put their views across during this consultation period. I believe that incorporating long called for reforms and removing inconsistencies across the industry by introducing a single act to regulate burials and cremation is the most responsible and prudent approach.

On behalf of the government, I thank the Australian Funeral Directors Association and the member for Davenport for their input into this matter. I understand that the Minister for State/Local Government Relations would like to continue to work with you to look at a revised system of body identification. However, unfortunately, the government does not support this bill.

The Hon. R.B. SUCH (Fisher) (10:51): I support the intention reflected in this bill but I agree with the speaker for the government that shortly the government will introduce a very comprehensive bill relating to cemeteries and related matters following the select committee of, I think, almost seven or eight years ago, which I chaired. There are some anomalies at the moment. The member for Davenport and the funeral directors are quite correct: at the moment anyone who is (hopefully) deceased and inside a coffin is taken to the cemetery. Normally, there is no checking to see whether the person inside the coffin is the person whose name appears on the coffin.

In fact, it was put to the select committee that if you wanted to get rid of someone this was an ideal way. Unlike cremation, where it is required under law for someone to identify the person being cremated (because obviously once someone is cremated that is it), as a general rule, there is no checking at the moment to see whether the person being buried is the person whose name appears on the coffin.

There are a lot of other deficiencies in the current arrangements. Anyone can be an undertaker at the moment; all you need is a utility or a panel van. Some years ago I knew of bodies being carried around in a Morris Minor—which means that it would only apply to jockeys and very short people. Someone was doing that out in the Murray Mallee. However, anyone can be an undertaker at the moment. The industry is ripe for reform and likewise all the practices that go with burials.

At the moment, in a cemetery, it is illegal to have a deceased person in other than an enclosed container which is prejudicial to people who want to bury someone in a shroud or something similar. All those matters will be addressed in the new bill, as will the issue of natural burial grounds and a whole range of other matters. Whilst I fully endorse what the member for Davenport and the funeral directors are trying to do, I agree with the government, and, hopefully, in a month or so, it will introduce a comprehensive bill which will tackle all of these issues, including the requirement for identification of remains before a burial takes place.

In making those points I am not critical of the member for Davenport; I support what he is trying to do. However, as part of a comprehensive reform package that is not far away, his intention will be covered there.

The Hon. I.F. EVANS (Davenport) (10:54): I thank the members for their contribution, particularly the member for Fisher. I am claiming credit on this one. The Funeral Directors Association went to the government five or six years ago identifying this problem. The government had meetings and representations from the Funeral Directors Association about this issue and did flatly nothing about it.

I have introduced this bill a number of times because of the proroguing of parliament and elections, etc., and today the government has finally come in and put a view. The government's

view is that there is a problem, and now that the Attorney-General has legislation before him, he is finally going to act to try to cover off this problem.

This has been a problem for five or six years. It has been a lazy approach from the government not to move the appropriate requirements and legislation to fix what is a serious problem, but one that can be simply fixed. What the government is really saying is: 'Now that we've actually got to face the matter in the parliament through legislation, it is best we actually come up with a position and do something. We can't possibly give the opposition credit by voting for their bill, so what we'll do is come up with a slightly different proposal that incorporates their proposal and claim it as a government initiative.' It is pathetic, absolutely pathetic.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: And there is the poor old member for Croydon, the former attorney-general who did nothing about this issue when they approached him. All those years as attorney-general and, when you were approached, you did squat—nothing.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: Keep chirping up, member for Croydon, because your record on this issue is: they went to you and you did nothing. At least the current Attorney-General, faced with the same set of circumstances, had the courage to make a decision to fix the problem. At least this Attorney-General is fixing the problem, even if it is because the opposition has taken the initiative from the government. It is just a pity that the former attorney-general did not have the same enthusiasm to fix the problem as the current Attorney-General. I guess we will have to wait to see the government's bill.

Second reading negated.

FOOD (LABELLING OF FREE-RANGE EGGS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 March 2012.)

The Hon. R.B. SUCH (Fisher) (10:57): I will be brief. I commend the member for Finniss for bringing this to the house, and I understand that he has organised a journey, with a consultation process and a meeting, in the very near future. This is an issue that needs to be addressed. It has been addressed in other parts of the world—in Europe and in the UK—but we in Australia for some reason seem to have difficulty in properly labelling things.

An inquiry was recently conducted by Dr Neal Blewett, and we still have not got to a point where we have, in my view, proper labelling of products. We still have this nonsense about 'product of Australia', where cardboard cartons can be counted and all that sort of nonsense. I commend any change because, if you are an honest producer, you should not have anything to hide. If a product is genuinely free range—in terms of eggs or meat—it should say so and make it quite clear.

The ACCC has prosecuted some producers for making false claims about free range products. Those people who are not producing free range but claim to be are getting an advantage over genuine free range producers. We have quite a few excellent free range producers on Kangaroo Island, some in McLaren Vale, and I think in the Mid North as well. Those people should not be subjected to unfair competition because some big organisations—particularly in Victoria, where they crowd chooks into big sheds and then need to roster to allow them out for a minute or two because so many are trying to get out of the little exit—or big producers are not producing on a free-range basis but are selling and labelling their products as free range. I commend the member for Finniss. I hope that we get an outcome in the not too distant future where people can know exactly what they are buying in an honest and transparent way.

Mr VENNING (Schubert) (10:59): I am not sure whether I have spoken on this bill. I do not think I have, but it is certainly one I would always make a comment about because it is a subject that has been put before this house for some years. I have several constituents who have made their livelihood out of eggs. Even in our younger days we had chooks ourselves, but since being in this place I have never been home to look after them. My wife refused to have them so we do not have them anymore.

I agree that this issue certainly needs to be clarified. Our family has always cherished eating eggs from hens that naturally foraged and picked the food that they wished to eat from the

ground. It makes a huge difference to the egg that you are eating, the colour of it and also the nutrition that is in the egg. This issue certainly needs to be clarified in the definition of what is a free-range egg. As the member for Fisher just said, I do not believe chooks running around the floor of a large shed is free range at all.

I think that free range is a hen running free in the open and being able to graze and forage for itself the minerals and other things it wishes to eat over, say, five or 10 acres. I am looking at 10,000 fowls over, say, a five to 10-acre paddock—a small paddock. What happens is that they rotate these paddocks. They let them in and they move them from one to the other, and, in that way, the paddocks replenish and in that way the soil condition is maintained.

I think that we really need to tighten in that 'free range' definition. Free range means free range—that is outside being able to fend for themselves and having their shelter across to one side, and at night they go in and roost in their shed and during the day they are free to roam in open space, in a paddock, without any flooring or anything whatsoever.

The second issue is the labelling. How do we tell the consumer what is in this packet? I now buy eggs, which is most unusual for us. I now buy eggs in the Tanunda supermarket. I go there and I look and just try to work out what is what because the labelling is confusing. It just says 'large' or 'super large', and, when you open them, the colours do vary, and the colour of the shell varies. I suppose it is a different coloured chook.

I just think that labelling ought to be more simplified and quite clear as to what is a free-range egg, as well as the size of them and the age of them. Certainly I do support food labelling for free-range eggs. I congratulate the member for Finniss on his bill. I certainly support it. One of life's pleasures is an egg in the morning. I have two every morning and I look forward to that. It is good, healthy food, and I hope I am standing testament to that. I certainly support the bill.

Debate adjourned on motion of Mrs Geraghty.

EXPIATION OF OFFENCES (SPEEDING OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 May 2012.)

The Hon. R.B. SUCH (Fisher) (11:03): This was part of a two-barrelled approach to try to bring some meaningful changes to the way in which expiation notices are issued. The Police Department calls it as a result of community input: I think it is more the result of a bit of stirring. They have made some changes to the expiation notices, and one in particular, which is very important, is that an expiation notice now issued by a police officer will be checked and signed by a more senior officer unless the issuing officer is out at Coober Pedy, or somewhere like that, where it is not realistic.

That is very important. I do not want to go into the history of my situation, but in my case the officer signed as if he was the checking officer, and he got away with it. Other police I have spoken to, including people at very high levels in the police force, shake their head to think that a police officer could sign a legal document and pretend that they are a more senior officer. In my view that is falsifying a public document. He got away with it, and I have to wear the consequence of what happened.

The good news is that the police commissioner has recently issued a directive that all expiation notices are to be checked and signed by a more senior officer, and that is the way it should be. That is what happens in most jurisdictions. Most police do the right thing. The overwhelming majority of police are decent, honourable, ethical people, but the police commissioner told me that there is always the possibility of someone not acting with integrity. The reform is welcome, and it is in place.

The other change that has been made is that, when a speed detection device is used, the details will be recorded on the expiation notice; that is important. There is still one significant deficiency in the current notice. I recall what the minister said when she spoke on this two weeks ago, that is, the police department welcomes input from people on this issue. One deficiency relates to the use of the term 'place'. With modern GPS and other technical equipment, it is possible to be a bit more precise than to just say someone was booked on Main North Road. Where? That can become critical if the matter goes to court: place, whereabouts?

In my case, the police officer claimed that he had been in front of a house at Oakridge Road 11 times—No. 70—and he had no idea that he had been in front of that house. That is pretty

implausible. That house has larger than normal numbering (No. 70). He claimed that he had been there 11 times, but he had no idea of the house number. I think that is a deficiency. The question of place needs to be a bit more precise. Some police have said that with GPS and other equipment they could now give a pretty precise location. Most times it would not matter but it can matter in some critical instances.

The other thing is that the police have not agreed to disallow the practice of pre-typed questions on the expiation notice; I think they should. I think it is outrageous that someone can have an expiation notice with pre-typed questions, in effect asking: why are you guilty, why were you doing a certain thing? You then go to court and have to try to explain that it was not the question that was put to you at all. Some police officers, not all of them, but the ones with a bit of integrity, do not pre-type their questions, so that what they record on the expiation is what is actually said in the conversation, and that is what should be the case.

I understand that this process of reform goes on. I am pleased that it has had an airing and I am pleased that the police commissioner, through the reform of the notice system, has brought about some significant and important changes.

Second reading negatived.

VOLUNTARY EUTHANASIA BILL

Adjourned debate on second reading.

(Continued from 1 March 2012.)

The Hon. R.B. SUCH (Fisher) (11:09): In summarising this, I believe this is a very reasonable proposition. It is a very restricted option, and it will probably only apply to fewer than a dozen people in South Australia. To qualify you have to be in the terminal phase of a terminal illness and unable to get adequate pain relief. My belief is that if you can get adequate pain relief it takes away much of the argument for someone ending their life.

If palliative care is working, then I do not believe you need prematurely to end a life. You have to be in the final phase of a terminal illness. The doctors participating have to be doctors who know the patient, so you cannot go around doctor shopping. It will not allow advance requests: you cannot put in writing, 'If I become a vegetable, I want my life ended.' My bill does not allow that. My bill does not allow people who are depressed to avail themselves of this.

I have been criticised by some people in the voluntary euthanasia movement because my bill is so restrictive and tight, but I think this is a fair and reasonable approach. We had the sad case of Gordon Bruce, the former president of the upper house, a lovely man, who died in absolute agony begging people to end his life. I do not believe we should have that situation. There are some illnesses where you cannot prevent or stop the pain completely; in most cases you can, but in some you cannot. Motor neurone and some bone cancers are awful diseases, where people are crying out in agony for people to kill them, yet we cannot allow that person to exercise that right of autonomy over their life.

This bill is not, in my view, about death but about life, about the quality of life, people having the right to choose when they cannot get adequate pain relief. I was on the Social Development Committee that inquired into voluntary euthanasia, and I remember one senior cleric who spoke to the committee said 'pain is good for people' and that 'pain refines the person' and all this sort of thing. Afterwards, two of the lovely nuns from Mary Potter Hospice came up to me, put their arm on me, and said, 'He's not in the real world; we're dealing with death every day and it's a grey area, it's not black and white.' There was such a contrast between the senior cleric saying that pain was good for people and the nuns saying that it was not black and white.

We know from the surveys that most people support voluntary euthanasia—it is about 80 per cent—but it has to have proper safeguards. This bill of mine will not allow people to get rid of people. You are not allowed to benefit. If you are involved in the process, you are not allowed to benefit financially from the death of a person—that is prohibited under this bill. So, the argument that people will want to get rid of their grandparents to obtain their assets is not allowed under my bill; there are a lot of safeguards in it.

I have said to people opposed to voluntary euthanasia (and I respect their views) that, if you can tell me how this bill can be made tighter with greater safeguards, let me know. I have not had one proposition put to me. We need to make a decision. This bill comes after a lot of effort, a lot of consideration. I go back to the time when John Quirke introduced a bill in here. That bill was

not even allowed to be discussed, so we have come a long way. The time has come now when we should allow people—

The Hon. M.J. Atkinson: It got a full second reading.

The Hon. R.B. SUCH: No, it was not allowed to go through the full process of committee. I think the time has come when we need to take a stand on this issue and, if people want to move amendments in committee, they can if they can think of ways to improve it. Now is the time when we should vote for people to end their life with dignity if they are suffering unbearable, enduring pain. I commend the bill to the house.

The house divided on the second reading:

AYES (20)

Bedford, F.E.	Bignell, L.W.	Caica, P.
Close, S.E.	Conlon, P.F.	Fox, C.C.
Gardner, J.A.W.	Geraghty, R.K.	Hill, J.D.
Key, S.W.	Marshall, S.S.	McFetridge, D.
Pisoni, D.G.	Portolesi, G.	Sanderson, R.
Sibbons, A.J.	Such, R.B. (teller)	Thompson, M.G.
Weatherill, J.W.	Wright, M.J.	

NOES (22)

Atkinson, M.J.	Bettison, Z.L.	Brock, G.G.
Chapman, V.A.	Evans, I.F.	Goldsworthy, M.R.
Griffiths, S.P.	Koutsantonis, A. (teller)	Odenwalder, L.K.
Pederick, A.S.	Pegler, D.W.	Pengilly, M.
Piccolo, T.	Rankine, J.M.	Rau, J.R.
Snelling, J.J.	Treloar, P.A.	van Holst Pellekaan, D.C.
Venning, I.H.	Vlahos, L.A.	Whetstone, T.J.
Williams, M.R.		

Majority of 2 for the noes.

Second reading thus negated.

ELECTORAL (VOTING AGE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 May 2012.)

The Hon. M.J. ATKINSON (Croydon) (11:23): I rise to oppose the bill. The reason I do so is that most countries in the world have a minimum voting age of 18, including those countries which have most in common with Australia: Canada, the United Kingdom and the United States. Indeed, I recall when the voting age was lowered from 21 to 18 in about 1971, and the reason for that at the time was that the federal Liberal government had applied National Service to young men; some of them were required to serve in a war in Vietnam, and it was considered wrong to send voteless 18 year olds, 19 year olds, and 20 year olds to serve in Australia's armed forces overseas under conditions of conscription.

But no-one is suggesting that we are about to conscript 16 and 17 year olds for overseas service, so the same argument for lowering the voting age does not apply. Moreover, if 16 and 17 year olds were enfranchised for state elections, we would have difficulties with electoral roll management. I think it is best that the eligibility criteria be the same for commonwealth and state parliaments because that facilitates the keeping of a joint electoral role. I understand, however, that there are some countries that do allow people under 18 to vote. The Islamic Republic of Iran, I am told, has a minimum voting age of 15, but there are few countries in this category.

I think among the arguments against this provision is that younger people have fewer life experiences on which to draw when they come to vote, and this really is recognised by the law in setting the age at 18. A person who is less than 18 years of age cannot make a will, or be the executor of a will; enter into any contract, other than one for necessities; sue and be sued in

person; get married or witness a marriage; change a name without parental consent; view restricted films, publications and computer games; purchase alcohol or drink alcohol in licensed premises; or purchase tobacco, but the member for Fisher now proposes that we allow people in that category to vote.

The member for Fisher no doubt argues that 16 year olds and 17 year olds are affected by the policies of the government, but that is true also of 14 and 15 year olds and, as far as I can see, no-one is advocating lowering the voting age to 14. I mentioned earlier the practical consideration of a joint electoral role. I think it would lead to some confusion having 16 and 17 year olds voting for a state election but ineligible to vote for a federal election. I am not sure if this provision of the member for Fisher would allow 16 and 17 year olds to vote for local government.

The Hon. R.B. Such: Yes, it would.

The Hon. M.J. ATKINSON: It would, well, at least there would be no confusion between state and local government. We would have to accommodate these 16 and 17 year olds on a special separate or supplementary electoral roll and, as I understand it, the member for Fisher is not proposing to make it compulsory for them to enrol, so, whereas it is compulsory for people 18 years and above to enrol to vote, it would not be compulsory for those aged 15 and 16. I think it would introduce too many inconsistencies, and so I for one will be voting against the bill.

Ms CHAPMAN (Bragg) (11:29): I thank the member for Fisher for bringing this bill to the attention of the parliament because he highlights the importance of participation of our young people in decisions that affect them not only now but in the future. The opposition has given some long consideration to this because, although it is not the first time that this type of proposal has been presented—that is, to introduce the opportunity, as distinct from the compulsion, to enrol to vote—it is one that comes with some aspects of complication.

The member for Croydon has outlined some of those, in particular, the inconsistency with recognising young people for the purposes of enrolling to vote, as distinct from the prohibition against 16 or 17 year olds being able to participate in juries. I seek leave to continue to remarks.

Leave granted; debate adjourned.

VISITORS

The SPEAKER: I draw attention to the presence in the gallery of a group of students in the chamber; I am not sure where they are from, but we will find that out afterwards.

MEMBERS OF PARLIAMENT

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

That this house adopts the following statement of principles for members of parliament—

1. Members of parliament are in a unique position of being accountable to the electorate. The electorate is the final arbiter of the conduct of members of parliament and has the right to dismiss them from office at elections.
2. Members of parliament have a responsibility to maintain the public trust placed in them by performing their duties with fairness, honesty and integrity, subject to the laws of the state and rules of the parliament, and using their influence to advance the common good of the people of South Australia.
3. Political parties and political activities are a part of the democratic process. Participation in political parties and political activities is within the legitimate activities of members of parliament.
4. Members of parliament should declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their duties. Members must declare their interests as required by the Members of Parliament (Register of Interests) Act 1983 and declare their interests when speaking on a matter in the house or a committee in accordance with the standing orders.
5. A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.
6. Members of parliament should not promote any matter, vote on any bill or resolution, or ask any question in the parliament or its committees, in return for any financial or pecuniary benefit.
7. In accordance with the requirements of the Members of Parliament (Register of Interests) Act 1983, members of parliament should declare all gifts and benefits received in connection with their official duties, including contributions made to any fund for a member's benefit.

8. Members of parliament should not accept gifts or other considerations that create a conflict of interest.
9. Members of parliament should apply the public resources with which they are provided for the purpose of carrying out their duties.
10. Members of parliament should not knowingly and improperly use official information, which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for private benefit.
11. Members of parliament should act with civility in their dealings with the public, ministers and other members of parliament and the Public Service.
12. Members of parliament should always be mindful of their responsibility to accord due respect to their right of freedom of speech within parliament and not to misuse this right, consciously avoiding undeserved harm to any individual.

And that—

- (a) upon election and re-election to parliament, within 14 days of taking and subscribing the oath or making and subscribing an affirmation as a member of parliament, each member must sign an acknowledgement to confirm they have read and accept the statement of principles; and
- (b) a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Members may recall—although some have come into the parliament only since the committee met—that there was a joint committee to consider a code of conduct for members of parliament. It had the Hons Gazzola, Lawson and Xenophon, Ms Chapman, the Hon. John Rau and me. That committee adopted those principles on 14 October 2004, nearly eight years ago, and since then I have been trying to get parliament to adopt them.

At the time the report was handed down six Australian legislatures had a code of conduct. South Australia did not, and it still does not have one. Most professions and many public and private organisations have codes of conduct, including South Australian public sector employees. I also understand that the government, through its ICAC proposal, is planning to incorporate a code of conduct. I do not know the precise wording of it, but if what we do in the house today in relation to this motion encourages the government to pursue that particular avenue, and it is similar to what is proposed here, then I would be very pleased. I do not think that we, as members of parliament, can ask others to have a code of conduct and to behave in a particular way if we do not have the same process applied to us.

The point was made when we had that inquiry—and the member for Bragg can probably recall this—that members of parliament are ultimately subject to the decision of their electorate; that is, if your electorate decides it does not want you, because of your behaviour or whatever, then people can cast their vote accordingly. Obviously that is true, but in practice it would depend on a whole range of factors, including whether it is a so-called safe seat. There is a whole range of factors, so it does not necessarily mean that a member is held accountable for particular actions. They could be, but it may not necessarily happen that way.

At the outset I should say that this is my 23rd year in here, and I cannot recall MPs of any party or grouping behaving in a way that has been outrageous in terms of the law. We have had a couple of members of parliament who have been dealt with for misleading the house—which is a euphemism for telling an untruth, a porky pie—but, contrary to what the media portrays and what the public often thinks, MPs are very much law-abiding citizens. I see that the *Sunday Mail* had a bit of a go the other day about MPs who might have a bit of lead in their foot. I do not know what it is, but MPs tend to be picked on with regard to highlighting what might be a temporary aberration when other groups in the community are not held to account in the same way.

MPs are under constant scrutiny. All members would know that. If you go to the supermarket, if you go to a country town people know exactly who you are and they keep a close eye on what you do. So we do have constant observation. The media are always watching. Someone once described to me the profession of journalism as being akin to sharks, circling around waiting to devour a politician. I guess the reality is that politicians, like journalists, all want to be on the front page—for the right reasons. So we are constantly under scrutiny.

You only have to look at Craig Thomson in terms of federal parliament. As far as I know he has not been subject to any legal or criminal prosecution. He may have done some bad things, I do not know, but the way he has been treated not even a war criminal would be treated in Australia.

So, anyone who thinks MPs are not under scrutiny is deluding themselves. I am not saying this statement of principles is perfect. It is what the committee—made up of our colleagues—came up with. The committee had representation from Independents, the ALP and the Liberal Party. There were quite a few lawyers on that committee: a QC and three others who had law degrees, so it was a fairly hard-hitting and powerful committee that looked at this issue.

I do not think I need to press the point much more. Members either agree or disagree with the statement of principles. I think it would be good, when members are sworn in, that they acknowledge what those principles are and commit to them. We require it of public servants, so I do not think it is unreasonable that we follow a similar approach. Apart from anything else, this list of principles provides a guide for members as to what to do and what not to do. It is important that people know what the rules are.

Often, when people come into parliament—sometimes, individual parties will provide a bit of background—they are like a babe in the woods. If they do not have a law degree, for example, then they would not be aware of some of the trip-wires that are out there for people who might want to sue them for defamation or libel, and so on. There should be a proper induction to parliament. I have been here for a long time, and I am not sure what the parliament provides by way of an induction program for new MPs, or what individual parties provide, but there should be a comprehensive induction which includes these principles, or similar principles, so that members know precisely what is acceptable and what is not. They need to know not only the rules of the house but other aspects of the wider law so that they do not get themselves into trouble.

Members will make their own judgement, but I seek an indication that we support this motion. If the government wants to put it in its ICAC bill, or proposal, that is fine. I ask members to support the intent of the motion. If they want to change it then, obviously, they have the prerogative, or the right, to do so.

VISITORS

The SPEAKER: Before I call the member for Bragg, I understand the group of students in the gallery (the previous ones and now this group) are from Pimpala school. Welcome, it is nice to see you. I think you are guests of the member for Reynell, so I presume you are from the south of Adelaide. It is nice to see you and we hope you enjoy your time here. It is nice to see the colour up there. Member for Bragg.

MEMBERS OF PARLIAMENT

Debate resumed.

Ms CHAPMAN (Bragg) (11:43): Thank you, Madam Speaker. Hopefully, we have some aspirants to come into the parliament one day. I am pleased to indicate my support for this motion. Representatives on the committee of inquiry, chaired by the Hon. R.B. Such, member for Fisher, were myself and the Hon. Robert Lawson (some years ago now). A recommendation came from that committee, established with the blessing of the then premier, the Hon. Mr Rann, to identify and recognise the importance of the standards by which members of parliament should abide.

Members may not be aware that at that time the government had announced that it was going to have a high level of integrity and accountability. Indeed, the premier had announced that there were going to be new standards and a new regime imposed on his ministers, and codes of conduct were implemented.

In fact, since that time, there were other announcements made by the then premier, such as that we would have high degrees of transparency and that there would be a new regime for the disclosure of cabinet documents. We know now, as we have been under the Labor government for over 10 years, how difficult it is to get documents. We have a situation where, despite being an environment in which the government had applauded the high level of standards of accountability, it still consistently refused, year after year, having presented this report to the parliament, and there was a resistance to adopt a statement of principles.

The committee, under the stewardship of the member for Fisher, had undertaken its work. It came back with what I would call a minimalist approach. There was no recommendation in that report for any body to be established to exercise any discipline of members who were in breach of any code of conduct or, as we recommended, a statement of principles, because there was a clear recognition that the responsibility of members was to their electorate and that the final arbiter of the conduct of the members would and should continue to be in their hands, with the right to dismiss them from office at elections.

It is important to be consistent here because we were not suggesting that there be some execution squad, some permanent committee who would be able to either exercise any discipline or have any powers of suspension. That is left in the course of the parliament to you, Madam Speaker, and to the President in another place, to ensure the orderly management of the houses and, ultimately, sanctions of this parliament for disorderly behaviour. In the end, the real arbiter is the people, and that is also consistent with the principle on parliamentary privilege.

Often, parliamentary privilege is floated in the general public as something that is the right of protection of individual members of parliament; nothing could be further from the truth. It is not something that is used as some barricade or defence against the defamation action, it is a privilege of the people of South Australia to ensure that their member will come into this house and, without fear or favour, can speak on their behalf and represent them. That is the privilege: to make sure that the people of South Australia have a voice in here and that they are protected against the barriers of suffocation which would apply if their member of parliament were not able to come here and speak freely. It is a privilege of the people that must be protected.

Similarly, the government, inconsistent with doing nothing about this aspect, said it was important that we have a code of conduct for people who become lobbyists after they leave the parliament. Similar to this question of any potential conflict of interest, the rules that apply to members of parliament who leave this house, especially if they have been a minister, state that they have to do a number of things if they want to become a lobbyist. They have to register in the Premier's office (I think that is still the case) if they are to become a lobbyist.

We read in the paper that the Hon. Kevin Foley, former treasurer of this state, has recently become a lobbyist. Good luck to him. Poor chap probably cannot get a job, but anyway, good luck to him in his new capacity. He is going to operate his position. He is self-employed. I think it is a private proprietary limited company that he has established, and good luck to him. He has listed a number of clients. The code of conduct for lobbyists states that they are not allowed to represent or act as a lobbyist for someone who they have had dealings with during the time of their administration as a minister.

Mr Foley has been the minister for defence and the treasurer less than two years within the time frame that is required by that code of conduct. So it is important that, when we have this situation and we have a code of conduct, it is enforced. The member for Fisher did not refer to this and I will just say again that, in that instance, the former treasurer had been a minister yet he has listed on his lobbyists register of interests and peak parties he is representing the Australian Submarine Corporation. So it is important that we comply with these codes of conduct if they come in.

The behaviour of members of parliament, largely, under these statements of principle relates to conflicts of interest that are specified here, and they are important to be considered. We have a Members of Parliament (Register of Interests) Act 1983 in this state, and I think most parliaments around the country recognise the importance of having disclosure. When that came in, members might recall, there was quite a bit of controversy about whether partners, lovers, wives, de factos, boyfriends or girlfriends, or members of family should be involved in the obligation to disclose, but I think it is fair to say that the public insists on a level of disclosure to ensure that it is well known before votes and debates take place in this house.

So it is the minimalist model. There is no disciplinary action that flows from it. It has been sitting around for years. I applaud the member for Fisher for introducing it. I am stunned that the former Labor administration under Mike Rann did not act on it for all those years, and I am more particularly concerned that the new Weatherill regime also has not taken this up. I cannot understand why he or his representative is not here in the parliament saying, 'Thank you, member for Fisher, for bringing this forward, because I am now overseeing a new era. The Weatherill era is going to be transparent and accountable and responsive and listen to the people of South Australia and recognise the importance of full and frank disclosure to them.'

We have heard all the speeches about there being a new paradigm, yet the one group that is offering to be bound by a set of standards is not taking it up. I just find the whole thing so inconsistent, almost hypocritical, when statements are made on the one hand and here is an opportunity to embrace something that is completely consistent with that, yet we have silence from both the former government and the new government regime on this issue.

I think I recall the Hon. Rob Lawson talking about these principles in terms of their being like the Ten Commandments. There are lots of other laws that sit behind the Ten Commandments

in the Christian world that actually enforce those commandments. Of course, in our legal system, 'Thou shalt not kill' sits behind myriad pieces of legislation relating to the homicide, manslaughter, murder or unlawful killing of a fellow human being. That point needs to be taken into account.

Debate adjourned on motion of Mrs Geraghty.

LOCAL GOVERNMENT REFORM

The Hon. R.B. SUCH (Fisher) (11:55): I move:

That this house calls on the state and federal governments to request the Productivity Commission to undertake a review of the local councils in metropolitan Adelaide, as well as the Mount Barker council, with a view to outlining possible reforms.

Members know that I have been on this bandwagon for quite a while. I acknowledge local government is a very important sector, that is why I want to see us have the best possible and most efficient, most effective and most responsive sector of local government. I am not anti-local government; I was involved in local government for a short time. I have a lot of respect for the people, particularly those who are volunteers on councils, who put in a lot of time for often a small pittance in terms of remunerating their expenses. So, this is not about attacking local government.

Some people have said, I think it was the member for Kavel: 'What about state and federal government?' I would like to see them perform, too. There are a lot of anomalies and areas in which state and federal government could be reformed. All I am asking for, through this motion, is a review, and the Productivity Commission are the people who have the resources, the economists, the computers and the wherewithal to conduct an independent review of the councils in metropolitan Adelaide—and I include Mount Barker in that review—with a view to outlining possible reforms.

It does not commit to do anything other than to have a look at the situation. If I had the money I would pay KPMG or a firm like that to do it, but I do not have the resources to do that. I cannot understand why anyone would be opposed to a review. If someone is opposed to the review, what are you trying to hide? Why would anyone want to oppose having a look in a proper, scientific and objective way at how the councils are operating?

Last night I received, coincidentally, communication from my local council indicating that they are facing a very serious situation and they are unable to cover their costs basically in terms of the current rate structure and it is likely they will have to put up the rates. They are also facing the prospect of a significant deficit and a backlog, they said, of \$50 million (this is Mitcham) just in relation to footpaths and some maintenance issues. If you look at the tables—and Bruce Pennington who is a retired accountant has done a lot of work on this—of metropolitan councils (and, as I said, I include Mount Barker) I think at the time he did this, which was earlier this year, something like 13 metropolitan councils were running deficits, some of them quite significant amounts in the order of \$3 million and \$3 million plus, and so it goes on.

Anyone who has dealings with local government would know that they are under the pump in terms of being able to carry out the tasks that come under their aegis. Mitcham in their paperwork that they sent to residents have suggested that as a result of state government requirements they are now facing an additional bill of half a million dollars because they have to employ someone to go around checking roof trusses, and that is as a result of the inquiry and legislation following the collapse of the roof at West Lakes. I do not know why every council now has to have a truss officer. We can make a few jokes about trusses—'truss' me! Mitcham says that and a couple of other things are going to cost them about \$500,000. It is not just that issue, but they now have to take on someone who is going to be a truss officer to go around, trust me, looking at roofs of all houses that are being built in their council area. That will apply to other councils.

How inefficient and inappropriate is it if all the metropolitan area councils have to have a similar officer going around looking at new building sites. That highlights some of the problems that we have. We have incredible duplication. I think it was Charles Sturt council sometime back which bought a computer system costing \$5 million, not shared with anyone.

One council in the metropolitan area could do all the payrolls and rate notices. Someone suggested to me that Services SA—now that it is being reformed by the minister—could handle a lot of these payments. They would probably need to improve their performance to do it. Councils keep saying, 'We're going to share services; we're going to work together.' When are we going to see evidence of that? When are we going to see joint tendering by all the metropolitan councils for

trucks and other equipment? When are we going to see one waste collection contract rather than several? We keep hearing noises but we do not see much action.

As the rate notices are issued now—and many of the councils in the metropolitan area would be issuing notices in the order of 6 per cent or more—they still will not address the backlog of work that they have to do. I have always argued that they should get a share of growth taxes—GST or income tax or something similar—otherwise they are going to keep relying on property taxes and little old ladies who get caught parking for too long where they should not.

That is the sort of thing that the Productivity Commission can look at. If you look at South Australia and the total number of councils, according to these figures from the ABS we have 68 councils with a population of 1.6 million (I have rounded that off). Victoria, which has a population of 5.5 million (rounded) has 79 councils, so that is 11 more councils for 3½ times the population. That in itself does not prove a lot because it is not simply about making councils bigger; it is about making them more effective.

I have often argued that I do not know how many councils we should have in metropolitan Adelaide. You need to crunch the numbers and you need to look at being responsive to ratepayers and issues like that. Just those crude statistics from the ABS suggest that South Australia has a lot of councils for a fairly small population. That may be appropriate, but I do not know whether it is. My focus is in respect of the metropolitan area.

Bruce Pennington has drawn up a list of a whole lot of measures and calculated per council what it costs per elector for the wages bill of that council. In Holdfast Bay council, each elector is paying \$434 for the wages bill of the administration; \$451 in Norwood Payneham; \$440 at Marion; \$440 at West Torrens; \$434 at Unley; and \$529 at Adelaide Hills Council. The question is: what do you get for that? That is also what you need to look at. It is one thing to say, 'We pay so much in rates,' or, 'We pay so much per head to support admin,' but you have to look at both sides of the equation: what do you get for it?

Mitcham, where I live, traditionally had a very low rate, but that was because they spent little on infrastructure and services. Now it is catching up with them because administrations and councils in the past kept a low budget and also kept services and infrastructure at a low level. Just highlighting that council, I believe they have gone from two-thirds of their staff being outdoor workers to two-thirds inside and one-third outside, so the ratio is now reversed.

Across the metropolitan area of Adelaide (and this is where the Productivity Commission could, I am sure, make some sound judgements) there is the potential, I believe, for enormous savings in terms of not having 19 works depots. I have said before that I do not believe Walkerville has one but that the others have. You can just about throw a shovel from Unley to Mitcham. Why do each of those councils need to have a works depot? They each have council chambers, and they each have a mayor with a personal assistant; is that really necessary?

I think you will find that, in the lead-up to the next election, people are going to start screaming about the cost of living. In fact, last night, an elderly guy of Greek origin who lives near my brother said to me, 'Bob, a lot of the elderly people in the community from a Greek background are hurting with costs of living increases, electricity, water, council rates and so on.' The message for the major parties, leading up to the next election, is going to be, 'You will want to be able to do something about the cost of living or else you're going to get a big kick up the backside,' and council rates is part of that equation. In the City of Onkaparinga, where my electorate is, I know that their rates are going up 6.3 per cent and, on a house valued at \$400,000, I think they are going to be paying something like an additional \$76.

Quite frankly, I do not know how some of these people on a low fixed income are surviving at the moment. With their electricity and water bills, council rates and all these taxes and charges, I am sure that there are a lot of people who cannot afford to heat their home at the moment. They would be going to bed because it is the only way they can keep warm. With the squeeze, which is coming also from council rates, I think that in the very near future you are going to have a lot of very angry people—they are already starting to get angry. If you do not reform the council system so that people get better value for their rate dollar, I think that will add to the pain and anger in the community.

As I have said, with this motion, I am not passing judgement on how many councils there should be. It could well be that the Productivity Commission suggests that councils should be required to cooperate more and share resources. Councils keep saying that they are going to do it, but I do not see much evidence of it. I think there are eight councils in the metropolitan area, and

they do a bit of joint tendering for fuel and vehicles and so on. But all councils should be doing it. They should all be working together. They should be sharing payroll—as I have said, one council with a big computer system could easily do the payroll for all council employees—and one could do the sick leave, personnel management and all that sort of stuff.

Maybe the Productivity Commission will recommend resource sharing and greater interaction, rather than people duplicating expenditure. I know that some councils cannot afford to have a ranger out of hours, but some of the bigger ones can. If you look at Onkaparinga, it has a service out of hours, and it is also able, because of its size, to provide fantastic community centres. Smaller councils cannot provide those sort of things. Some have a proper library service; some do not.

The Productivity Commission, I think, is the body to have a look at these issues—to look at the facts without bias. I put forward previously, as members would know, for a retired judge to look at it, but I think the Productivity Commission is a good avenue to go down. It is not subjective, it has highly-qualified people and it can crunch the numbers and, at the end of the day, it is then up to the government and the parliament whether they do anything about the recommendations.

I am not passing judgement on what the Productivity Commission will find. It might come to the conclusion that the current arrangement is the best one, and that is fine. All I am asking is that we have a look at it. It could well be that the Productivity Commission says that you will not get a better arrangement than what currently exists and, if that is the case, I am happy to live with that.

I commend this motion to the house, and I ask members to give it, as they normally do, detailed consideration and thought and not dismiss it lightly on the false pretence that this is somehow an attack on councils. It is not; councils are a very important tier of government. However, the effort to bring about the most efficient and effective council structure and operations is not likely to emerge from the current arrangement. It is not going to be self-generating.

The LGA has a committee, which is going to report at the end of 2013; that in itself tells you something. By its very nature, there is an inertia for reform in the local government sector, and it would be better if a completely independent body has a look at the issues and comes back with proposals which the government and the parliament can look at and either accept or reject, and they should be put to the community as well.

Mr SIBBONS (Mitchell) (12:09): The member for Fisher has called for the state and federal governments to request the Productivity Commission to undertake a review of the local councils in metropolitan Adelaide, including Mount Barker council, with a view to outlining possible reforms.

I commend the honourable member for his dedication in pursuing this topic over a number of years. This is not the first time that the honourable member has called for reform of councils in metropolitan Adelaide. In 2009, he called for the establishment of a commission of inquiry, to be known as the 'metropolitan councils boundaries reform commission'. The honourable member wanted the commission to inquire into a report on the appropriate number and configuration of metropolitan councils in South Australia, with the powers of a royal commission.

The honourable member has previously put similar motions in May 2007 and October 2008. I acknowledge his efforts in continuing 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 motion. The government considers that there are more important things for state and local governments to focus on at present.

On 17 May 2012, the Premier and the President of the Local Government Association signed the State/Local Government Relations Agreement, which includes a schedule of priorities for 2012-13. The state government has identified seven priority areas of focus for the state, and the schedule of priorities appended to the State/Local Government Relations Agreement gives particular focus to those seven priority areas because of their encompassing nature. State and local government already work together to bring significant benefits to the state, as do local councils both in the metropolitan area and in our regions.

The Productivity Commission is an advisory body that is an agency of the Australian government. The core function of the commission, according to its website, is to conduct public inquiries on key policy and regulatory issues bearing on Australia's economic performance and

community wellbeing. In fact, the Productivity Commission is currently undertaking a benchmarking study into the role of local government as a regulator.

In undertaking this study, the Productivity Commission has been requested to benchmark the extent to which particular approaches to the exercise of regulatory responsibilities by local government authorities affects costs incurred by business. One can see that this study will have relevance to the local government sector across Australia. However, I fail to see the relevance for the Productivity Commission in investigating our metropolitan councils in Adelaide (and let us not forget Mount Barker) and coming up with a reform proposal.

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. Therefore, the government does not support this motion.

Debate adjourned on motion of Mr Griffiths.

KING GEORGE TUPOU V

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) (12:15): I move:

That this house notes the passing of His Majesty King George Tupou V and expresses its sincere condolences to the people of Tonga and the Tongan community of South Australia, and pays tribute to the late monarch for his commitment to implementing democracy in his nation.

The Pacific island nation of Tonga and the small but energetic Tongan community of South Australia recently experienced a period of mourning. They observed a period of mourning for a man of exceptional courage and vision, His Majesty King George Tupou V. The King passed away aged just 63 in a Hong Kong hospital on 18 March this year. He was loved, respected and admired by most of the Tongan population of 104,000 people. As I saw for myself, he was held in high esteem by Tongans and other Pacific islanders living in our state.

His Excellency was a remarkable figure and his reign will be remembered as a period of political change and rapid reform. To some onlookers, the King seemed slightly eccentric. He maintained a certain aloofness from his people, a style synonymous with Tongan monarchs going back many generations. He often wore elaborate uniforms, and he was fond of being chauffeured around the capital of Tonga in an old-fashioned London cab that he had imported.

As a boy, he attended private schools in New Zealand and Switzerland. This was followed by stints at Britain's Royal Military Academy at Sandhurst and at a foreign service course at Oxford University. The King read music, played piano and double bass, conversed in German and French, and was still able to write the Latin he learnt at school. In later life, he served as Tonga's minister for foreign affairs and defence.

When he assumed the throne in September 2006, he did so in the middle of a period of political unrest. A process of reform had started in 2005 in response to protests and strikes. Not long after King Tupou V's accession, Tonga's capital was wracked by riots that left eight citizens dead. The decision to allow the appointment of MPs to cabinet, rather than outsiders hand-picked by the royal family, did not fully satisfy Tongans.

The King was alert and sensitive to the underlying cause of the turmoil, so when he was officially crowned in August 2008 he announced fundamental political reforms. His stated aim was to meet the democratic aspirations of the Tongan people by ushering in a more representative and open form of government. He said at the time that Tonga's political system had not evolved quickly enough. It had not kept pace with the economic changes that were occurring in Tonga and that were helping to bring the nation into the 21st century. He also felt that the monarchy was an instrument of change, not an obstacle to it.

When the body of King Tupou arrived in Tonga from Hong Kong, thousands of Tongans lined the route from the airport to the royal palace. When he was buried in catacombs on 27 March, traditional Polynesian rituals and Christian hymn-singing were blended. One thousand pallbearers took it in turns to carry the King's casket from the palace to the burial ground. A 21-gun salute boomed across the capital; mourners wore black and purple, and two pieces of music by Richard Wagner were played. The official mourning period ended on 31 March.

The King has been succeeded by his younger brother, Crown Prince Tupouto'a Lavaka. His Majesty Tupouto'a Lavaka is Tonga's former high commissioner to Australia, and he visited Adelaide in May 2009. I understand that as part of that trip he met with South Australia's Lieutenant-Governor, Mr Hieu Van Le, and the member for West Torrens and minister for corrections at that time. They discussed the potential to improve the quality of the South Australia-Tonga relationship.

South Australia is home to a small yet very active Tongan community, one that our Speaker, I understand, has had positive dealings with over the years. As the Minister for Multicultural Affairs, I am well aware of that community's desire to not just practice the traditions of its homeland but generously share them with us all. The community regularly takes part in major public events across the city, such as the Australia Day parade and the dawn service on ANZAC Day. It also broadcasts long-running radio programs on Friday afternoons on 5EBI-FM.

Just on ANZAC Day, it is worth noting that Tongans fought alongside New Zealanders in both world wars. Also, Tonga is one of the very few nations in the world, besides Australia and New Zealand, that observes ANZAC Day with a public holiday.

In light of the standing that the Tongan community enjoys in our state, I recently acknowledged the death of King George and commiserated with local Tongans at a memorial service at the Payneham Uniting Church. My letters of condolence, along with those of the Lieutenant-Governor and our Speaker, were read out at the function.

It has been a sad duty but a rewarding one nevertheless to lead this house in formally marking the passing of His Majesty King George Tupou V. He was the progeny of a very long-established royal family, but he will forever be associated with change, reform and with seeking to expand the day-to-day rights and freedoms enjoyed by Tongans. I wish the people and the nation of Tonga all the best for the future and look forward to seeing and working with members of our state's Tongan community for many more years to come.

Mrs REDMOND (Heysen—Leader of the Opposition) (12:21): It is my pleasure to rise both as the Leader of the Opposition and as the shadow minister for multicultural affairs to support the condolence motion moved by the minister on the passing of His Majesty King George Tupou V and express the sincere condolences of the Liberal Party to the people of Tonga and the Tongan community of South Australia. I am sorry that I was not able to attend the recent memorial service that was held at Payneham.

Of the many leaders who have graced the world stage, I struggle to think of any as colourful and as eccentric as the late King George Tupou. He was a man who had a foot firmly planted in both the past and the future. On the one hand, His Majesty revelled in the bygone era of colonial rule, his favourite attire a full colonial uniform complete with pith helmet and shiny brass and his favoured mode of transport a personalised London cab. Yet, on the other hand, he was a man who will be remembered as a great reformer who understood that the establishment of democracy was the only way to secure a strong future for his people.

Before I reflect on the great political legacy King George Tupou has left Tonga, I would like to touch upon some of the many stories that abound of his quirks and eccentricities, his unique style and his love of the weird and the wonderful. At the tender age of five, a young George Tupou enjoyed his first alcoholic drink while attending a garden party held in his family's palace grounds to welcome Queen Elizabeth. By all reports, he enjoyed his first tippie so much that it marked the beginning of a lifetime of indulgence and unfortunately, in his later years, a nasty case of gout.

After completing his secondary education in Auckland, George headed to England, attending Leys School at Cambridge and a brief stint at Sandhurst, which he said taught him not to take life too seriously, which seems an odd thing to have learnt at Sandhurst. His time in the UK left the young Crown Prince with an immense fondness for Britain, which never waned.

Indeed, in another nod to his unusual wardrobe, he preferred to wear suits fitted for him by the tailors of Savile Row rather than the relaxed, loose clothing worn by most Tongans to cope with the nation's tropical weather. He brushed aside criticism of the purchase of the London cab by claiming:

An English taxi is extremely easy to get in and out of wearing a sword, a spiked helmet or spurs. I realise these are not primary considerations for buying a car for most people but they are for me.

Other interesting habits and hobbies he brought back to the South Seas island chain included sailing model boats in the palace swimming pool and the hosting and staging of lavish Agatha

Christie murder-mystery nights, attended regularly by the Tongan elite and overseas guests. I do not know whether anyone has ever done these murder-mystery nights, but they are rather fun.

Clearly, he was a man larger than life. He was a great contributor to his nation's government, playing a prominent role in Tongan politics from the 1970s until his coronation on the death of his father in 2006. He was also deeply in tune with the mood of his people. Sensing a groundswell of discontent and a subsequent push for change, just two months after becoming King he had to deal with angry mobs rioting in the streets, raucous resentful and demanding reform. In the face of such national turbulence it would perhaps have been easier and politically more expedient to shut down the protest with an iron fist, but it was a desire to honour the wishes of his people that lead King George Tupou V to his defining moment. He immediately began work on significant democratic reform—his sweeping changes resulting in a major transfer of power to a largely democratically-elected parliament.

Under the new constitution of Tonga voters for the first time were able to choose representatives for the 17 seats with nine to be reserved for nobles. That sounds like a good system. On the eve of his nation's first democratic vote, His Majesty claimed, 'In the future the sovereign shall act only on the advice of his Prime Minister'. Now, let us go back to 1975 in Australia and put that in context, shall we?

It was indeed a watershed moment for a democracy in the South Pacific—a constitutional monarchy replacing a 165-year-old kingdom ruled by a few. It was a brave and courageous move and earned King George well-deserved accolades from around the world and the respect and admiration of the residents of Tonga. A ruler, a reformer, at times a radical, His Majesty will go down in history as a great leader who put the welfare of his people before his own.

With these words, I endorse the motion and pass on the opposition's condolences to his family and the Tongan community, particularly that in South Australia, at this sad time.

Mrs VLAHOS (Taylor) (12:26): I am pleased to join my parliamentary colleagues today, including the Hon. Jennifer Rankine MP, the Minister for Multicultural Affairs, in noting the passing of the King of Tonga, His Majesty King George Tupou V. As minister Rankine highlighted, the relationship between Australia and Tonga is a very special and respectful one, and this very much extends here to all of us in South Australia.

A wonderful example of this is the 10-year initiative that has been running between the South Australian Metropolitan Fire Service and the Kingdom of Tonga. The Sustainable Development Program is part of the commitment by the Australian states and New Zealand through the Australasian Fire and Emergency Services Authority Council to support the South Pacific island nations.

The program was initiated through a memorandum of understanding developed by the MFS Chief Officer Grant Lupton and the Tongan Fire Service Chief Fire Officer, Mr Poutele Tu'ihalamaka. With the support of the South Australian government, the MFS has donated used fire and rescue equipment, as well as 13 used fire appliances surplus to needs to the Kingdom of Tonga. A further four are due to be handed over later this year. The cost of shipping the donated fire appliances and equipment from South Australia to Tonga has been covered by the Tongan government. This serves as a true partnership and ensures that both parties have a true commitment to the program.

Another key commitment and component of the MFS Sustainable Development Program with the Tongan Fire Service is the ongoing exchange of knowledge and fire officer training programs. The training ensures ongoing efficiency and assists in prolonging the life of donated equipment. Assistance has also been provided through live fire training, delivery of road crash rescue equipment for each of the six Tongan fire stations and 60 breathing apparatus sets. Surplus computers from the South Australian Fire and Emergency Services Commission are also supplied to establish a computer-training facility for the Tongan police and fire service compounds in Nuku'alofa.

In 2006 at a time of civil unrest two MFS officers were quickly sent to Tonga to assist in victim recovery of the nine people who tragically died and assisted the Tongan service with the clean-up. As the program has developed over the last 10 years, 12 senior officers from the Tongan Fire Service have travelled to South Australia to receive training on seven separate occasions, ranging from two weeks to two months. Most recently, in November 2011, two fire officers from the Tongan Fire Service visited Adelaide for three weeks, and in that time they had access to workplace training programs, as well as curriculum development for staff to adapt to their training

needs locally. In a show of support the local Tongan community have billeted the officers when they have visited South Australia.

There is no question of the special friendship shared by our state and the Kingdom of Tonga; and, as we do with all our good friends, we share their sadness in this time of loss. As minister Rankine said, His Majesty King George Tupou V made a very positive difference to the lives of so many Tongans by paving the way for a more democratic, transparent and fair country for his people both currently and for many future generations. Long live these elements of his legacy.

Ms BETTISON (Ramsay) (12:30): I note the passing of His Majesty King George Tupou V and extend my condolences to the people of Tonga and also to the South Australian Tongan community. I join the house and the Minister for Multicultural Affairs in commending His Majesty for his commitment during his lifetime to implementing democracy in Tonga. His Majesty's commitment to democratic reform was so strong that in 2010, after 165 years, feudal rule was ended, as Tonga held its first vote for a popularly elected parliament.

I had the opportunity to visit Tonga in 2007. I was invited to stay with a local family. The family were neighbours of my cousin, who spent two years in Tonga as an Australian volunteer teaching business and computer applications to young Tongan women. We were warmly welcomed by the family and embraced as extended family members.

I experienced firsthand that family, food and worship are at the forefront of Tongan life. I also learnt that family separation is common to Tongans, as Tongans seek work abroad in the United States, Australia, New Zealand or other Pacific islands. This was certainly the situation for the family I stayed with. The grandmother was the matriarch of the family, and she raised four children on her own as her husband spent more than 20 years working in Australia sending money back for his family.

Tonga is a small nation with a population of just over 100,000 people. Its economy depends on remittances, foreign aid and exporting primary produce. There are many challenges for the Tongan community, the most significant being poverty, which is caused mainly by limited work opportunities. Often, several members of each extended family work on their bush plot to provide root crops, fruit and vegetables for the extended family. The few who have paid employment must provide telephone, electricity, transport, clothing and church commitments for all in the extended family.

As I have said, many Tongans work overseas and send a significant part of their income home with remittances. They also have challenges in the changes to their ecosystem, which will happen as a result of global warming and rising sea levels. They have a limited economy, and many attempts, including by the King, have been made to find new products and new markets. Japanese squash was a major crop in the mid-nineties, taking the opportunity of a niche market in Japan. However, this wealth was foiled when Mexico realised the opportunity. Copra, soap and oil are all produced from the coconut palm, but all on such a small scale that they struggle to be economically viable.

As there are only three post secondary trade schools in Tonga, education opportunities are rather limited. Two universities are represented, however, including the University of the South Pacific with a base on the mainland. So there are limited opportunities to achieve skills required to improve the economy. The scheme which allows Tongan workers to obtain visas for seasonal work, such as in Robinvale in Victoria, may help to overcome skill shortages in the production of food. Roughly 100 islanders are settled and farm in Tonga, so transport costs have an effect on sale of produce.

There are many Christian denominations represented in Tonga, and religion plays a very strong part in the community. The Wesley Uniting Church, Catholic and Mormons are the most popular churches, but there are many other Pentecostal and charismatic churches. Most denominations also provide schooling.

On a more positive note, education is highly valued, with numeracy and literacy for Tongans recorded at more than 98 per cent. It is also stated that Tonga has the highest rate of PhDs per head of population than any other nation. Tourism is a potentially great industry for Tonga but it is less developed than its neighbours, Fiji, Samoa and Vanuatu. It will require significant investment and mentoring to fulfil this opportunity. Tonga requires that any tourism venture must have a Tongan partner.

In South Australia we have a small but proud Tongan community of 200 people. The most prominent community member is Dr Tangi Steen, an Associate Professor at the University of South Australia. Dr Steen is the head of Tongan Community Radio, and he recently became the President of the National Ethnic and Multicultural Broadcasters Council.

My memories of my time in Tonga included the amazing feasts I was served, the traditional dancing and singing. On our last night with the family we were treated to an umu (a ground oven), with roast suckling pig, which had happily been running around the house just the day before, and lu sipi, a wonderful traditional dish of onion, coconut cream and mutton, wrapped in taro leaves and banana leaves and cooked in the umu. That was one of my favourites.

Long speeches with lots of tears were made to us. Tongans are a nation of orators and love their speeches. Most importantly I remember the warmth of the people. They have limited material possessions, yet are a very happy people and are prepared to share with you whatever they possess. My thoughts are with the Tongan community at this sad time.

Mr GARDNER (Morialta) (12:36): I will not hold the attention of the house for too long, but I wish to share with the minister, the Leader of the Opposition and other members who have spoken on this motion, and pass on my condolences to the Tongan community in South Australia, recognising that the loss of His Majesty King George Tupou V was significant. I have never had the experience that other members have had of visiting Tonga, but recently it was brought to my attention what a loss this has been in my life as one of my staff members took two weeks off recently to go to Tonga with the UN development program and some of their partners to do some work in Nuku'alofa. Priya Pavri reported back to us in fact that the bungalows and shops of Nuku'alofa are covered in purple and black at the moment in mourning for the loss of King George Tupou, and it is a significant loss to that community.

Working with the UN Youth Association and the development program, I know there is a lot more work to do in Tonga to ensure that the work the late king, who was instrumental in developing democracy, is continued so that true democratic values and not just the rhetoric is a lived experience of the Tongan community in Tonga. There is certainly a will there at the moment. Priya was working a lot particularly with young women, and their life experience is very different from that experienced by those in our community.

I know that Priya learnt a lot and I hope the young women she acquainted herself with over there benefited from the experience of a young woman growing up in a democratic society such as ours with the culture of democracy that is ingrained in our education system and is understood by all of those who grow up in our schools, that everybody grows up with equal opportunities and equal rights, whether they are born man or woman, and in whatever strata of society they grow up. With those words, I also express my condolences to this country for the loss of its monarch and share my condolences with the Tongan community in South Australia.

Mr PENGILLY (Finniss) (12:39): I also support this motion; it is a good motion. The deceased monarch was a colourful character; indeed, the Tongan nation has a long history of royalty being very much leaders of that community. I am unsure how many members of the chamber or the parliament have actually visited Tonga. I visited Tonga in 1969 on a cruise ship, and we came ashore—

Members interjecting:

Mr PENGILLY: No, it wasn't my honeymoon, no. It went ashore there to Nuku'alofa, to the wharf. The wharf had just been completed because they had actually had a royal visit from the royal family from Britain. When I went to New Caledonia we had to go ashore on the ship's boats, but Nuku'alofa and the Tongans particularly were incredibly proud of this new wharf for the cruise liner—it was the *Himalaya*, as I recall; it was a long time ago. They were incredibly proud of this facility.

We had a day ashore, from memory, and we did a bus tour and went to some of the coastlines. The people were fantastic. There were pictures of Queen Salote, I think, although I just cannot remember now as it is so long ago. The royal family there was held in extremely high esteem. They were wonderfully friendly people. Clearly, numbers of Tongans, Samoans and Pacific islanders have now come to Australia. Indeed, they were coming to Australia a long time ago when they worked in the sugarcane fields, but that is another story.

I think it is most appropriate that this house supports this motion. I have listened with interest to what other members have had to say this morning. It is very much a bipartisan approach. I have great pleasure in supporting the motion.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (12:41): I would like to join in support of this motion. I am moved to speak about this for a number of reasons, not the least of which is that I would much rather be speaking about this than other matters. More particularly, I have been spared by the member for Finnis, whose contribution was provoked by a visit to Nuku'alofa in 1969 on the *Himalaya*. I have to tell honourable members that I was not on the *Himalaya* in 1969, but I was on another vessel in 1971, when as an infant, really, I went there. I have recollections of the—

The Hon. A. Koutsantonis: Fond memories?

The Hon. J.R. RAU: —fond memories indeed—marvellous hospitality of the people of Tonga and the great reverence with which they held their King. He was a very colourful character, as I am sure you have heard many times, but the main thing I wish to share with the house is that I was at a function some years ago when the former prime minister of New Zealand, the Hon. David Lange, was present. David Lange was something of an after dinner speaker, and for those who did not have the privilege of hearing him, he was extremely witty.

Mr Lange explained to us at this gathering that he had had many enjoyable moments as prime minister of New Zealand and that one of the more enjoyable moments was attending one of these Pacific Forum meetings where everybody dresses up in a batik shirt and sits around and talks about Pacific issues. He said they were at a particularly dull function in the context of one of these things and that people were given coconuts to drink from, green coconuts. Each person in their batik shirt was given a coconut with a straw and whatnot.

The function went on for a period of time and he said that the King of Tonga appeared to be enjoying the function a lot more than anybody else. He asked the King, 'Your Majesty appears to be having a great time. Why is it you are enjoying this function so much?' Apparently, His Majesty replied that he had brought his own coconut. There you are—a colourful man.

Motion carried.

METROPOLITAN FIRE SERVICE SESQUICENTENARY

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) (12:45): I move:

That this house expresses its appreciation to the brave men and women of the South Australian Metropolitan Fire Service in recognition of its 150th anniversary.

The Metropolitan Fire Service's sesquicentenary is a very special milestone for all South Australians, and I am delighted that members of parliament join me today to offer our thanks and best wishes. I am thrilled that over the next months there is a broad calendar of events so many people can share in the celebrations and say thank you to the thousands of brave men and women who have served in the MFS over the past 150 years.

Originally known as the South Australian Fire Brigade, documents show that the MFS was formed on 5 November 1862. This, I have been told, makes the MFS one of the oldest legislated fire services in the world. For most of the two decades following settlement in South Australia, the responsibility for emergency service response rested with the police and the community. Early in the 1840s, the government purchased a fire-engine to help with firefighting. The 'engine'—a cart with leather buckets and a few ladders on board—was stored at the Mounted Police barracks.

Around 1855, a more entrepreneurial approach emerged between several insurance companies and licensed water carriers. At the time, building insurance in the colony was extremely expensive and, in a bid to gain more policies, insurance companies dropped their premiums. To counter the risk, they started to recruit their own firemen to respond to emergencies.

Buildings and businesses in and around Adelaide featured plaques adjacent to their front doors stating their nominated insurance company. When fire broke out, the newly recruited firemen, along with the water carriers who filled their carts from the River Torrens, attended the scene and were paid by insurance companies for their service. This arrangement led to all sorts of

chaos and, by some accounts, conspiracy. Soon, the government intervened with legislation for a public fire service.

The brigade, headed by Superintendent of Fire Brigades A.J. Baker (previously superintendent of the insurance companies' fire brigade), provided a less expensive, quicker and more reliable solution for insurance companies, businesses and the community. Perhaps the only ones to lose out by placing the service in public hands were the water carriers, who had quite the burgeoning business before the government intervened!

One thing that did not change for some time, however, was the need to still fill barrels from the River Torrens and deliver them by horse and cart to each emergency. Human power and hand-operated pumps were all that stood between the MFS and the flames.

A number of stories from those earlier days are being pulled together by the MFS for a newsletter, *The Ratters Tale*, to mark the sesquicentenary celebrations. A 'ratter' was a generic term for dogs that lived at stations in those early days and, as the name suggests, they had a significant purpose beyond the obvious when responding and deployed at incidents. When responding, they would run with the horses and bark which helped alert the public of the fire brigade's approach. At the incident, once the horses were unbridled and led away, the ratters would ensure they did not stray or were harassed. Ratters guarded their horses with pride and enthusiasm.

At the Adelaide station, when a ratter died, they were buried in the firemen's memorial gardens alongside the horses' hearts. Some of the longest serving members will remember the last ratter called Deefa who strayed into the Port Adelaide station and stayed. Virtually nothing happened at a station without the ratter's knowledge so, in keeping with their tradition, *The Ratter's Tale* newsletter will spread the word about the sesquicentenary celebrations over the coming months.

Speaking of events, it was a fire appliance that featured front and centre at the Adelaide Jubilee Exhibition in 1877. As part of the exhibition, a Shand Mason steam powered fire pump made its debut in our city. However, it was only on loan. It was not until 1888 that the state provided a grant for the brigade to purchase its own steam powered pump, the Shand Mason, the shiny red beauty that sits proudly in the entrance of the MFS headquarters today was bought in 1896 and is one of a limited number that still exists today.

I am told that soon after the appliance was delivered, it was paraded down King William Street. At Victoria Square it stopped and, using a portable dam, water was squirted in the air, reportedly reaching the town hall clock. This resulted in rousing cheers from hundreds of city workers and South Australians, some who had made a day trip to the city for the occasion, standing below.

There is no denying the high esteem in which South Australians held our Metropolitan Fire Service both then and now, and it is no wonder: after all, the organisation has never let the community down. Across three centuries it has changed to meet the needs of South Australians in more ways than most would know.

Some of the major incidents the MFS has been involved in during the 150 years include: the *City of Singapore* ship fire at Port Adelaide where three firemen died in April 1924; the Wangary fire, Lower Eyre Peninsula in January 2005; People's Palace, the Salvation Army men's hostel fire, where 10 occupants died in April 1975; bushfires in Victoria and New South Wales in 2009; urban search and rescue response to the floods in Queensland in January 2011; USAR response to Christchurch New Zealand, in March 2011; and a large fire at the News Building, North Terrace in October 1968, where some firemen were trapped below machinery.

In celebrating all that is great about the MFS, today I also take the opportunity to tell the house about some of the less obvious ways the MFS serves South Australia—initiatives that do not always grab the headlines but make a great difference in our community. The road awareness program is a fantastic example of this. The program involves MFS officers visiting schools to share their experiences attending road crashes. This program has been very helpful in honing the road safety message to students, which is why our government was very proud to commit an extra \$185,000 a year to the program at the last election. Over the next two terms, the RAP, as it is widely known, will be delivered to around 80 schools, reaching thousands of South Australian teenagers.

As both emergency services minister and multicultural affairs minister, I am also delighted by the work done by the MFS to connect with new and emerging communities. This includes efforts to translate safety information so it is available in many different languages. For many people fleeing war-torn countries, men and woman in uniform have been a threat rather than a source of protection. I also acknowledge the lengths MFS staff and officers have gone to to build the trust of newly-arrived members of our community.

Beyond prevention, there is also the selfless work of our fire officers through the Australian Professional Firefighters Foundation, a charity which I have the great privilege and honour of now being patron of. While our firefighters do not make a big thing of their involvement, I think it is something which they should all be very proud of. For members not aware, with each pay, our firefighters nominate a portion of their salary to go to a fund to help fire victims. For instance, money goes towards families recovering from property loss and to support burns victims.

Emergency response still remains at the heart of the Metropolitan Fire Service. While the diversity and demands officers face have increased over the years, our fireys' knowledge and expertise is now as sophisticated as ever.

Officers also now have technology and tools that would have seemed like magic to some of their former members—equipment that is a far cry from the horse-drawn carts and hand pumps I spoke about earlier. In the last 10 years alone, the use of thermal imaging cameras has increased so that firefighters can more easily identify hot spots. We have adopted telemetry to track firefighters and monitor their safety in hazardous areas.

Over the years, there have been changes to the MFS name, its branding and enabling legislation, however the organisation's commitment to a safer South Australia has stayed the same. Firefighting is one of the few occupations where going to work means putting your life on the line on a daily basis. I can only imagine the courage this takes from both our fire officers and those who love them.

While the sesquicentenary is a fantastic opportunity to celebrate, it is also a time to remember the 10 firefighters who lost their lives in the line of duty. Today, there are around 1,100 South Australian Metropolitan Fire Service officers, each of whom hold a special place in our hearts.

The 150th anniversary celebrations give South Australians the chance to learn more about these officers and our Metropolitan Fire Service. Most importantly, it gives us the opportunity to thank our MFS officers, both past and present, for their contribution and to wish them well for the next 150 years.

Debate adjourned on motion of Dr McFetridge.

SCHOOL AMALGAMATIONS

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

That this house calls upon the Minister for Education and Child Development to review the decision to amalgamate junior primary and primary schools involving the loss of leadership positions and the consequential negative impact on student learning and behavioural outcomes.

(Continued from 1 March 2012.)

Mr BROCK (Frome) (12:57): I take this opportunity to talk on the motion of the Hon. Bob Such that this house calls upon the Minister for Education and Child Development to review the decision to amalgamate junior primary and primary schools involving the loss of leadership positions and the consequential negative impact on student learning and behavioural outcomes.

I know that I only have a couple of minutes at this stage, but certainly, when the minister made her recent comments, she said that the schools that were involved were in the metropolitan area of Adelaide. The minister went out for some consultation to the school communities and, out of those school communities, I do not have the exact number but, well and truly, the majority voted not to amalgamate those particular schools.

I understand that you are not always going to please everybody but, certainly, with the majority of people not in favour, I would have thought that progressing with the amalgamations of those schools may have been deferred or taken into further consideration. My issue is that I know this is going to be a saving to the government of the day and I consider that to be a very minimal saving in the long run.

This will assist, I understand, with balancing out the budget, no matter who the government of the day is, but what will be the cost of the quality of education for future generations of our students? I still am not convinced about amalgamating schools, unless it is the very, very clear desire, after lots of consideration, of the school communities to go forward with it.

Let me say that, when I first came into this place during the government's previous term, the minister at the time, Jane Lomax-Smith, was going to amalgamate schools in Port Pirie, but, to her credit, she reviewed that decision and went back to the school communities. The minister then deferred the decision to have further and in-depth discussions with the school communities. That has not happened and I will be fighting very strongly to ensure that, if any amalgamations go forward, they will be at the request of the school communities and the parents.

The federal minister for education, the Hon. Peter Garrett, was on TV just recently, responding to an internet survey by 25,000 recipients about how accurate people are at spelling. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

VISITORS

The SPEAKER: I advise members of the presence in the gallery today of students from Tatachilla Lutheran College, who are guests of the member for Mawson. It is lovely to see you here, in your nice, bright uniforms. I hope you enjoy your time here today.

We also have a group here from the TAFE SA Port Adelaide Women and Leadership class. It is good to see you too.

ANSWERS TO QUESTIONS

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

THINKERS IN RESIDENCE

240 Mrs REDMOND (Heysen—Leader of the Opposition) (6 July 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 3, p136, Sub-program 3.4—

1. Who sponsors the 'Thinkers in Residence' program, how much is each sponsorship, what contribution do other government Departments make and how much private funding is contributed?

2. Why did this program exceed the budgeted amount in 2010-11 and why was there a significant increase in expenses from the 2009-10 Actual Result to the 2011-12 Estimated Result?

3. What salary is paid to each Thinker in Residence and what other expenses or allowances are paid for?

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

1. Each residency has a number of partners who are also investors in the residency (cash and/or in kind). Partners are government and private sector. The amount of sponsorship varies from residency to residency. The percentage of public/private sector investment also varies depending upon the issue/topic. Private sector investment in the Carla Rinaldi residency is over 60 per cent of the total budget, but has been nil in some past residencies.

2. The budgets of each residency vary from project to project, depending upon the scope of the residency and the number of partners who invest in the residencies, and usually extend over 3 years. Greater buy-in from partners enabled the scope of some residencies to be extended.

3. Each resident Thinker is paid a negotiated fee for the residency, which is paid in agreed instalments determined by a number of factors, including the global status and reputation of the Thinker, the length and nature of the residency, the number of visits, and the agreed reporting mechanism. The total fee usually includes accommodation and travel allowances.

PAPERS

The following papers were laid on the table:

By the Premier (Hon J.W. Weatherill)—

Remuneration Tribunal—Members of Parliament Travel Entitlement and Rules—
Supplementary Provisions Determination

By the Treasurer (Hon J.J. Snelling)—

Electricity Industry Superannuation Scheme—Actuarial Investigation 30 June 2011

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

Closing the Gaps—Enhancing South Australia's Response to the Abuse of Vulnerable
Older People

Health Advisory Council—

Berri Barmera

Gawler District

Lyell McEwin Hospital—Investigation of Alleged Emergency Department Incidents

SKILLS FOR ALL

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)
(14:06): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: South Australia is poised on the cusp of a most dramatic and exciting new phase in its history, and the state's economy is undergoing a major transformation. The state government is determined to do everything we can to secure our strong economic future. A highly skilled workforce ensures South Australian businesses—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —are resilient, innovative and competitive in a global economy. For individuals, achieving recognised qualifications is one of the most effective ways to secure a job and earn an income. So, it is important that we aim to build a more highly skilled workforce that will help South Australian workers get ahead and help South Australian businesses adapt and innovate in this new economy.

This morning, I had the great privilege to launch the Skills for All campaign at Smart Fabrication, a metal fabrication workshop located in the heart of Port Adelaide. As members would be aware, starting from the beginning of July, hundreds of courses will become free, hundreds will be subsidised, and there will be more choices of courses. This campaign is encouraging young people and older South Australians to take advantage of the opportunities to get a start in the workforce, improve their skills, or change careers.

The three people featured in the TV ads tell their own stories about how training has transformed their lives and got them into work. I had the pleasure of meeting first-year apprentice boilermaker Aaron, who features in one of the ads. He told me how he had left school early and decided to do a pre-vocational course before gaining an apprenticeship. Today, I was able to see him in action where he works.

Jenny, who also features in one of the ads, told me how she had always been a stay-at-home mum and never thought that she would get a job. She made the decision to undertake training, which not only gave her new skills but also increased her confidence. She is now working in a restaurant, earning her own pay and able to save for the first time.

These stories are important because they show the impact training can have not only on individuals but also on their families and the broader community. That is why this government has placed such an emphasis on skills and training. That is why our Skills for All initiative is so important to the future of this state. We know we have skills shortages in areas such as engineering, construction, and electro-technology. If we are to share our prosperity, we need to ensure South Australians have the skills for these jobs.

From July, under the Skills for All initiative, many courses will be free in priority areas where there are skills shortages. Overall, about 400 training courses will be free, including certificate I and certificate II courses, accredited reading, writing, numeracy and computing courses, and the priority courses. About 700 certificate III and IV courses and 400 diploma and advanced diploma courses will be subsidised, including 600 courses not previously funded. Students at diploma level and above will also be eligible to defer their course fee payments until they get a job and start earning, under the VET Fee Help Scheme.

My message to people is this: if you are just starting out, or if you are thinking about improving your skills or changing careers, there are opportunities for you. Our economy is rapidly transforming with the demand for low-skilled jobs decreasing, while demand for highly skilled jobs is increasing, in line with future growth in existing, new and emerging industries. Skills for All will help South Australians get the training they need to get a job, change careers, or boost their chance of getting a better-paying job.

Members interjecting:

The SPEAKER: Order!

LYELL MCEWIN HOSPITAL

The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:10): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Today I table an investigation by the Chief Public Health Officer, Dr Stephen Christley, into statements in the media that patients were treated on the floor of the Lyell McEwin Hospital Emergency Department and that the hospital had run out of oxygen on the evening of Tuesday 15 May 2012. On Friday 18 May 2012, the President of the South Australian Salaried Medical Officers Association, Dr David Pope, said on ABC radio:

On Tuesday evening, the Lyell McEwin [Hospital] ran out of all hospital beds and barouches and senior doctors were asked to see and assess patients on the floor because there didn't seem to be any other option available.

He further stated on Channel 10 news that:

...having patients being put on the floor to be cared for in an emergency facility in Adelaide hospitals is unbelievable—

and that:

Running out of oxygen, not having adequate nursing assessments and monitoring going on, not being able to be properly medically assessed because patients can't be undressed, their dignity is compromised, their privacy is compromised.

On Wednesday 23 May 2012, Dr Pope stated on ABC radio:

What happened was that the hospital and the Emergency Department ran out of beds and barouches. There were patients who needed to lie down to be assessed for their conditions and there was no option but for the people to use the floor. So medical staff were seriously asked if they would see and examine and treat people on the floor...nobody was on the floor for any length of time but that was the situation that was faced by medical staff at that time.

There is no doubt that the Lyell McEwin Hospital was particularly busy on the evening of Tuesday 15 May. One manager described it as one of the busiest days of the year. However, the claim that patients were treated on the floor was taken very seriously and, in the absence of any evidence, the Chief Executive of the Northern Adelaide Local Health Network commissioned an investigation. Last night, I received the findings of the investigation into these statements. In summary, the investigation states:

From available evidence, no patients were treated on the floor in the Lyell McEwin Hospital Emergency Department on 15 May 2012 as was alleged. The hospital did not run out of oxygen. While beds and barouches were fully utilised, resulting in examination of one identified patient and possibly others being delayed, and some patients being accommodated on chairs rather than beds, no evidence was found of any adverse clinical outcome as a result of a lack of a bed or barouche.

The investigation findings state that Dr Pope, who works in the hospital's emergency department, was asked to document the cases he had raised so that they could be investigated.

Dr Pope did not identify any incidents where patients had been treated on the floor. Dr Pope recounted a comment from an unidentified nurse to a senior doctor that if he needed to examine a patient he would need to do so on the floor because no beds or barouches were available. The doctor did not examine the patient on the floor. On interview, the senior doctor said he did not know whether the nurse was serious or joking. The investigation did not find any cases that matched the statements made by Dr Pope or media commentary that patients were treated on the floor.

The investigation makes a number of recommendations to improve the functional capacity of the hospital, and hospital management have accepted these recommendations in full. I have been advised this morning that many of the recommendations are already in progress and others will be implemented in discussion with staff. This includes managing the Lyell McEwin Hospital and Modbury Hospital as one service across two sites and improving hospital discharge processes and timeliness.

ECONOMIC AND FINANCE COMMITTEE

The Hon. M.J. WRIGHT (Lee) (14:14): I bring up the 77th report of the committee, entitled Emergency Services Levy 2012-13.

Report received and ordered to be published.

QUESTION TIME

PRISON CONDITIONS

Mrs REDMOND (Heysen—Leader of the Opposition) (14:14): My question is to the Minister for Health and Ageing. Does he stand by his statements to the house yesterday that the prisoner known as Jacqui at Yatala Labour Prison, who was chained to a bed for up to 20 hours a day over a nine-month period, did not have mental health problems; and, if he does not stand by his statement, will he now withdraw the remarks?

Yesterday in regard to an assertion that Jacqui had mental health problems, the minister told the house, 'That is I am told arguable,' and later he said:

What she has is borderline personality disorder which...is not generally considered to be a mental illness...

However, the diagnostic and statistical manual (known as DSM-IV, that is, the fourth edition) clearly shows that borderline personality disorder is a particular recognised mental illness.

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:15): I thank the member for her question. The point I was making yesterday was that the clinicians who make decisions about whether or not the person should be in James Nash House, that is, a forensic mental health facility, have come to the conclusion that, whatever it is, her condition is not sufficient to warrant her being in a mental health bed in—

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —James Nash House.

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Look, the member can try to put words into my mouth. I know exactly what I said—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —and what I intended to say. What I was trying to explain to the house was that there is a dispute amongst the experts about whether the personality disorder is in fact a mental condition or not. I concede—

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I concede that there is a dispute amongst experts about that, but the advice—

Mrs Redmond interjecting:

The SPEAKER: Order! Leader of the Opposition, you have asked the question.

The Hon. J.D. HILL: The advice to me is that the borderline personality disorder is not such that it would cause her to be in a mental health institution, whether she was in a prison or she was in the broader community. She certainly is given and receives regular health attention, including from psychiatrists and, I guess, a psychologist as well.

On one occasion she was admitted to the James Nash House on the basis that there was an acute spike in her mental condition. So, it is not to say that she may not have mental illnesses, and if the member got that impression from what I said that is not what I intended. What I was trying—

Mrs Redmond interjecting:

The Hon. J.D. HILL: I am just saying that if you got that impression from what I said it was not my intention. What I was merely saying to you was that the circumstances of that particular person, as difficult and as tragic and as awful as they may appear to all of us, were not such that the clinicians in the health service considered her to be an appropriate patient for a mental health bed. That is the advice to me. I cannot substitute myself for clinicians. Whether or not—

Mrs Redmond interjecting:

The Hon. J.D. HILL: You might want to have a debate about whether borderline personality disorder is a mental condition or something else.

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: There are views—

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The member just wants to argue with me. I am saying that I agree that there are different points of view about this, but I am telling her what my understanding of those points of view were.

Mrs Redmond interjecting:

The SPEAKER: Order! The member for Taylor.

STEM SKILLS

Mrs VLAHOS (Taylor) (14:18): My question is to the Minister for Science and Information Economy. What is the government doing to promote studies and courses that support the development of science, technology, engineering and mathematics in our state?

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (14:18): I thank the member for Taylor for her question. In August 2011 the state government launched the Science, Technology, Engineering and Mathematics (STEM) Skills Strategy in response to the growing need for STEM-related skills, particularly in the defence, mining, bioscience, clean-tech and food production industries.

Given its potential to impact on South Australia's economic development, the state government is determined to raise the profile of STEM skills by focusing on the importance of training and reskilling and finding ways of supporting more South Australians towards STEM-related career choices. Now, under the Skills for All reforms of the vocational education and training sector, I am pleased to advise the house that 26 science, technology, engineering or maths-related courses from certificate I to advanced diplomas will be fee free for the first time as of 1 July this year.

Courses specifically in the areas of electrical engineering, telecommunications, building and construction, and those in the electrical supply industry have been targeted as fee-free courses

in order to assist in reducing the under-supply of South Australians trained in STEM-related qualifications. The courses include Certificate III in Telecommunications Cabling, vital to ensure successful rollout of the national broadband network, and the Advanced Diploma of Computer Systems Technology, critical for jobs and our growing defence industry. Other priority STEM-related courses that will now be free include the Diploma of Electrical Engineering, Certificate III in Data and Voice Communications, and Certificate III in Electro-technology Electrician.

Through the Skills for All reforms, over 400 certificate I and II courses have been identified as a fee-free courses. Many of the students will not pay course fees, although there may, of course, be some incidental costs relating to books and materials. There is no doubt that science, technology, engineering and maths are becoming increasingly important to the future of South Australia.

High value, high tech advanced manufacturing needs highly skilled workers, and that is why the state government has made substantial investments towards skills attainment. This is a significant contribution to ensuring that we provide a plan for a highly skilled workforce capable of meeting the needs of industry now and into the future.

PRISON CONDITIONS

Mrs REDMOND (Heysen—Leader of the Opposition) (14:21): My question is to the Minister for Correctional Services. Who is right in relation to the prisoner known as Jacqui? Is the Minister for Health right, when he said, and I quote, 'She has borderline personality disorder which is not generally considered to be a mental illness,' or was the Minister for Correctional Services right when she said that Jacqui was, and I quote, 'a very complex psychiatric patient'? The Public Advocate, Dr John Brayley, has stated:

Jacqui needs to be in a clinical environment. The psychiatrist in Victoria who reviewed her told me that she would be in a forensic mental health environment if she was in that state.

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) (14:21): I thank the leader for her question. Can I say, firstly, that was not my quote: it was me quoting from a report that we received, so that was not my quote. I am not in a position to be able to diagnose anyone in the prison system. There has been great concern about this woman because of her violent behaviour, her violent behaviour towards herself and, significantly, her violent behaviour towards the staff. The minister for—

Ms Chapman interjecting:

The Hon. J.M. RANKINE: Punishment because she has been convicted—

Ms Chapman interjecting:

The SPEAKER: Order! The member for Bragg will stop interjecting!

The Hon. J.M. RANKINE: —because she smashed someone's head on a concrete floor.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. J.M. RANKINE: The psychiatric diagnosis that we have received is that she doesn't warrant admission to James Nash House. This is being reviewed on a consistent basis and, in fact, I understand she was assessed only last week and is likely to be again assessed in the very near future.

VOCATIONAL EDUCATION AND TRAINING

Mrs GERAGHTY (Torrens) (14:23): My question is to the Minister for Education and Child Development. Can the minister inform the house about how the state government is assisting young people to access vocational education and training while still at school?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:23): I thank the member for Torrens for this very important question. The state government has a longstanding commitment to supporting young people in gaining the skills that they need to set them up for the future. I have seen how our schools tailor studies, especially in the senior secondary years, to offer students more flexible choices about their studies that reflect their ambitions and the career choices they may seek to make in preparation for leaving school.

For example, we have our network of Trade Schools for the Future and a wide range of industry pathway programs. These are helping students acquire skills in areas such as plumbing, the automotive industry, health, or engineering, while also completing their SACE. In fact, students can gain credits for their VET courses towards their SACE.

Vocational education and training courses are especially ideal, especially important for students who may not want to go to university on first leaving school. These students do want and do need and are entitled, in fact, to the higher level skills that are demanded in today's workforce. I am pleased that government-funded training places will now be available for most South Australians aged 16 or over for the first time. Eligible students can access fee-free courses at certificate I and II level. This means that young people, who often have limited income, will be able to start training without having to worry about course fees.

In order to support young people to go from school into further education and a rewarding career that is right for them, the state government's Skills for All initiative has introduced the training guarantee for SACE students. This gives students who have started a certificate III qualification pathway at school a guaranteed funded training place at TAFE SA or any other approved Skills for All training provider. That means that they can complete their qualifications with real practical support after they leave school.

The training guarantee also means there are no course fees for students for a certificate II qualification and only some fees for a certificate III, and the government pays for the remainder of the cost of the course. I encourage all young South Australians thinking about their future training needs to visit the Skills for All website, where they can find out more information about this really important initiative.

PRISON CONDITIONS

Mr HAMILTON-SMITH (Waite) (14:25): My question is to the Minister for Health and Ageing. In his statements to the house yesterday, why did he characterise the prisoner known as Jacqui at Yatala as a classroom kid who had 'behaved poorly' and will he withdraw the remark?

The Minister for Correctional Services yesterday described Jacqui as suicidal and subject to 'psychogenic seizures,' and the clinical director and consultant physician from the Victorian-based personality disorder experts Spectrum has diagnosed this prisoner as 'a very complex psychiatric patient,' but in his answer to my question about Jacqui yesterday, the Minister for Health discussed her predicament in these terms:

...I used to have a classroom of kids, some of whom behaved beautifully and some of whom behaved poorly. We did not lock up the ones who behaved poorly in mental health facilities. We sometimes punished them, but we did not put them in a mental health facility.

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:26): I am not sure what the point is that the member is making. I did not actually describe the woman as a schoolkid as he—

Mr Hamilton-Smith: Yes, you did.

The SPEAKER: Order!

The Hon. J.D. HILL: The question is asked. It is a provocative question. It put words into my mouth.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: There was an allegation in the question that I described her in those terms. I did not do that. What I said—

An honourable member interjecting:

The Hon. J.D. HILL: You make these claims, then when I get on my feet to try to explain my intentions, you interrupt me.

Mrs Redmond interjecting:

The Hon. J.D. HILL: That is just par for the course. Let me explain. What I was trying to draw to the attention of the house was that while this woman—and as I said in my statement yesterday, whatever mental illness she may have, the clinicians tell me it is not appropriate for her

to be in a mental health bed. I am not saying—just following up the verballing from the leader—that she does not have mental issues at all. I was trying to draw a distinction between somebody, for example, who is psychotic, who is drawn to do things because they have no control over themselves (they hear voices which compel them to do things) and—

Mrs Redmond interjecting:

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

The Hon. J.D. HILL: —somebody who behaves in bad way. As I said, I was a teacher and I had experience of that. We all know what that is about. I was just giving an example for the benefit of the house. The advice I had—

Mr Pisoni: Very inappropriate.

The Hon. J.D. HILL: I was trying to explain the difference, if you did not understand it, between behaviour and a mental condition which compels people to act in a particular way. There is a difference between the two. That is all I was trying to do, was to explain to the house. In relation—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Look at the judge sitting there with his arms folded. He should have a little black hat on as well, Madam Speaker.

Members interjecting:

The SPEAKER: Order!

Mr Hamilton-Smith: It was a silly analogy.

The Hon. J.D. HILL: He does not understand the word 'analogy'. I was not making an analogy between that patient and the classroom.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: What I was doing was explaining the difference between a psychotic condition—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —and another condition. The advice I have—

The SPEAKER: Order! Minister, could you please take your seat for a minute. This is the third question relating to this. I am sure you want to hear the answer, but I cannot hear it, so you can't either. Minister.

The Hon. J.D. HILL: The advice I have is in relation to the specific prisoner. Every avenue has been explored by the department to appropriately manage her complex needs in light of the fact that at this stage clinical advice remains that she does not warrant admission to a mental health facility. The advice from the Chief Psychiatrist is that she has a primary diagnosis of borderline personality disorder and her aberrant behaviour is, to a degree, deliberate, and is not primarily mental health illness.

That is what the Chief Psychiatrist tells me and, if I was clumsy in my expression of that so that the house could understand it, well so be it. I thought I was being very clear to the house, using language which I thought they might understand. There is a difference between psychotic behaviour which is involuntary and borderline personality disorder behaviour which is, to a large extent, controllable, and that is the point I was trying to make.

SKILLS FOR ALL

Mr BIGNELL (Mawson) (14:30): My question is to the Minister for Employment, Higher Education and Skills. Can the minister inform the house about state government initiatives to encourage more people to take up jobs in the building and construction industry?

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 thank the member for Mawson for his question. I note that he is the Chair of the Southern Expressway Employment Taskforce which is getting jobs for young people in construction and civil industry in the southern suburbs around the Southern Expressway.

The building and construction industry continues to be a significant employer in South Australia, with more than 6 per cent of the state's workforce. Over the next five years, we expect that around 13,500 jobs will open up due to industry growth and replacement of people who will retire. The state government's Skills for All reforms will provide subsidised training for approximately 110 construction-related qualifications. About 20 per cent of these construction-related qualifications will be entirely fee free. That means there will no longer be a cost barrier for students who wish to train in these areas.

I am also pleased to be able to tell the house that 30 courses will be available through the Training Guarantee for SACE students. Under the Training Guarantee, school students are able to commence one of the many building and construction courses available, whilst still at school, with the assurance that they can continue it once they finish school. The Skills for All reforms will provide subsidised training for more than 1,400 courses including the vast majority of apprenticeships and traineeships. Many of these courses are directly linked with the building and construction industry. The Skills in the Workplace program will also provide up to 90 per cent of the cost of training of eligible South Australian employers to improve the overall skills level of existing employees in industry-critical skills and specialised occupations. Infrastructure, both public and private, is listed as a priority sector that will receive support from the Skills in the Workplace program.

As members may be aware, the Sustainable Industries Education Centre is currently under construction at Tonsley Park. The \$125 million building and construction industry training hub is expected to open in January 2014. The centre will specialise in training more than 8,000 students a year in new green technologies associated with the state's \$4.5 billion building and construction industry and will be a central focus of the new Tonsley Park precinct. TAFE SA is the anchor tenant of the site with other industry and training organisations expected to take up the opportunity to co-locate at this state-of-the-art facility. When built, the new education centre will provide 40,000 square metres of world class, energy efficient trade training infrastructure. It will transform training in the building, construction and water industries and open the way to incorporating cleaner, green technology into future building projects.

The state government's Skills for All initiatives will assist business, industry and individuals with the skills needed for the building and construction industry, now and in the future.

PRISON CONDITIONS

Mr HAMILTON-SMITH (Waite) (14:33): My question is to the Minister for Correctional Services. Will she rule out the transfer of the prisoner known as Jacqui from the SA corrections system to mental health facilities in Victoria, and would such a move signal a failure of the SA corrections and mental health systems under this government?

Corrections have previously engaged Victorian-based mental health experts to deal with this patient. Public Advocate, Dr John Brayley, and others, have raised the prospect of such a transfer if SA Health will not accept and deal with her condition at James Nash House, as we have heard. Neither the Minister for Correctional Services nor the Minister for Health has ruled out removal of the patient to Victoria.

The Hon. J.D. Hill interjecting:

The SPEAKER: Order! Minister for corrections.

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) (14:34): I would be happy to come back to the house and correct myself if I am wrong here, but my recollection is that not one application for transfer to another state from a prisoner that has come across my desk have I rejected. What the member for Waite needs to understand is it is up to the receiving jurisdiction to make a—

Ms Chapman: Would you let her know?

The Hon. J.M. RANKINE: Do you never listen?

The SPEAKER: Member for Bragg, order!

The Hon. J.M. RANKINE: Do you never listen?

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: You have to listen!

The SPEAKER: Order!

Ms CHAPMAN: Point of order, Madam Speaker.

Members interjecting:

The SPEAKER: Order! The member for Bragg will sit down. Order!

Members interjecting:

The SPEAKER: Order! We will not have people shrieking at each other across the floor.

Members interjecting:

The SPEAKER: Order! Member for Bragg, you have a point of order.

Ms CHAPMAN: I do, Madam Speaker. In your defence, the shrieking at you about you being quiet should be withdrawn by the minister.

The SPEAKER: Thank you, member for Bragg, for coming to my defence. Minister, could you return back to the substance of the question, thank you.

The Hon. J.M. RANKINE: Thank you, Madam Speaker. The whole house knows it wasn't you that was doing the shrieking.

Mr Pederick: You shouldn't have gone away for two days, Jay; it goes out of control.

The SPEAKER: Order!

The Hon. J.M. RANKINE: Never mind. As I said, and I will repeat this for the benefit of the member for Bragg, if she can listen for half a minute.

Mr Pisoni: Or come back tomorrow and correct it.

The SPEAKER: Order!

The Hon. J.M. RANKINE: To the best of my recollection, not one application to transfer to an interstate prison which has come across my desk have I rejected—not one. Should I receive an application from this prisoner, I am happy to look at it, I am happy to give it due consideration and, more than likely, I would approve it. It is up to, however, the receiving jurisdiction whether they would accept that prisoner but, more importantly, the prisoner themselves needs to make that request and, as far as I am aware, that hasn't happened.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

Ms Chapman interjecting:

The SPEAKER: Order, member for Bragg! The member for Bragg will leave the chamber for 10 minutes.

The honourable member for Bragg having withdrawn from the chamber:

Mr Whetstone: What about the minister? She's worse.

The SPEAKER: The member for Chaffey will also leave the chamber for 10 minutes for shouting at the Speaker.

The honourable member for Chaffey having withdrawn from the chamber:

The SPEAKER: We will have some order. The member for Reynell.

ELDER ABUSE

Ms THOMPSON (Reynell) (14:37): Thank you ma'am. My question is to the Minister for Health and Ageing. Can the minister inform the house about actions to address the issue of elder abuse?

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. Conlon: You're such a wit. The member for Unley is such a wit.

The SPEAKER: The Minister for Transport, order!

The Hon. J.D. HILL (Kurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:38): I think we would have to pay that one, Madam Speaker. I do thank the member for her question. This morning, on the eve of World Elder Abuse Prevention Day, I was very pleased to open the World Elder Abuse Prevention Conference, called 'There's no excuse for abuse: addressing the future', hosted by the Aged Rights Advocacy Service and featuring local, interstate and overseas speakers.

Simultaneously, I released the report, 'Closing the gaps: enhancing South Australia's response to the abuse of vulnerable older people', and I am happy to table a copy of that report here today. This state government commissioned report is an outcome of \$100,000 funding provided to the Office for the Public Advocate by the Office for the Ageing for a vulnerable adults project. I would like to thank the Public Advocate, Dr John Brayley, and his team for their work on this important and comprehensive report which sets out ways to tackle the growing concerns about elder abuse.

Closing the Gaps recommends a legislated rights-based approach and the development of a mandatory responding policy framework. There is an international groundswell supporting similar protection models around the world. I have forwarded the Closing the Gaps report to the government strategic priority group, Safe Communities and Healthy Neighbourhoods Cabinet Task Force Senior Officers Group, and I have also asked the Office for the Ageing to review and refresh the 'Our actions to prevent the abuse of older South Australians' strategy of 2007, taking into consideration the Closing the Gaps report. This strategy was developed under 'Improving with age: our ageing plan for South Australia', and provided a meaningful framework for action. It is now time to revisit that work.

As Minister for Health and Ageing, I have a strong personal commitment to upholding the safety and the wellbeing of older South Australians, wherever they may live. The welfare of all of our vulnerable citizens, especially older citizens, is a shared concern. We would all agree that people cannot maintain health, wellbeing and community connection if they are not safe in their homes—it is fundamental.

Elder abuse occurs when a relationship of trust is abused and results in harm to the older citizen. We know that the most common form of reported or suspected abuse of other adults is financial abuse, followed by psychological and physical abuse. My actions today have been informed by recent discussions with my cabinet colleague, the Hon. Ian Hunter, Minister for Communities and Social Inclusion, the Hon. Mark Butler MP, federal Minister for Mental Health and Ageing, and Dr Alexandre Kalache, Adelaide Thinker in Residence on ageing.

As the state with the oldest population in Australia, alongside Tasmania, we have great impetus to act on elder abuse. As at 30 June 2010, 15.6 per cent of our population was 65 years and older. By 2025, it is projected that more than a fifth of our population will be over 65 and by 2056 more than a quarter. The over 85 population is the most rapidly increasing, it is expected to increase by 77 per cent by 2025—extraordinary figures—and a huge 580 per cent by 2056.

We need a multilayered approach to protecting the rights of our vulnerable adults, increasing numbers of whom will be seniors. As Minister for Health and Ageing, I am working to both improve the lives of older people now and to plan for the future. Therefore, I commend this report to the house and, once again, I thank John Brayley and his team for the admirable work they did on this report.

PRISON CONDITIONS

Dr McFETRIDGE (Morphett) (14:41): My question is to the Minister for Correctional Services. When did the government, including the former corrections minister, first become aware

of the circumstances facing Jacqui, a female prisoner left handcuffed to a bed for 20 hours a day between July 2011 and April 2012? The Minister for Correctional Services advised that she became aware of this issue in October of last year just after taking over the portfolio from former minister Koutsantonis.

The SPEAKER: It seems you have answered the question yourself, member for Morphett. Minister.

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) (14:42): I am happy to take that question on notice and bring an answer back to the house, because I have not delved into past files. Let me be really clear about what I told the house yesterday. In October, I became aware that a female prisoner was separated. So, if you are talking about the circumstances of the regime of keeping her safe when she was in the health unit, that was not in October of last year. In October of last year, a notification of separation came to me as a result of her causing herself considerable harm.

SKILLS FOR ALL

Mr SIBBONS (Mitchell) (14:43): My question is to the Minister for Manufacturing, Innovation and Trade. Can the minister inform of the house about state government programs to improve the skills level for business, industry and individuals involved in the advanced manufacturing and mining sectors in South Australia?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (14:43): I thank the member for his question and his keen interest in manufacturing, given his background. The continue economic success of South Australia is linked with the future growth of the advanced manufacturing and mining sectors. That is why both the advanced manufacturing and mining sectors are recognised as part of the seven strategic priorities pursued by the state government. South Australia already has many advanced manufacturing firms supporting the development of high-value products and services, but it is important that those firms continue to transform.

The state government's Skills for All initiatives provide a range of opportunities to assist the transformation of advanced manufacturing. Under the Skills for All reforms, subsidised training will be offered in approximately 80 advanced manufacturing-related qualifications. Of those, more than 20 per cent will be fee free, and that means exactly that: students will not be required to pay course fees. Fee-free courses will include science, technology, engineering and mathematics qualifications that have been recognised as being particularly important to the advanced manufacturing industry.

The state government will also, in partnership with industry, help raise industry skills levels through the Skills in the Workplace program. This program will provide between 50 per cent and 90 per cent of the training costs of eligible employers to raise the skills of existing employees in industry-critical skills and specialised occupations. Realising the benefits of the mining boom for all South Australians is a key priority of this government.

Mineral exports have already reached about \$4.2 billion—four times more than when Labor first came to office—and the industry is poised for very significant growth. It is vitally important that South Australians are appropriately qualified and skilled to take advantage of the job opportunities that are available as a result of this dramatic expansion of the resource sector. That is why the state government Skills for All initiative will provide the opportunity for more South Australians to share in the benefits of the mining boom.

Skills for All will offer subsidised training for approximately 90 mining-related qualifications, and one quarter of these will be fee free—that means, of course, that students will not be required to pay for courses. The Skills in the Workplace program will also assist in training the mining sector, providing between 50 per cent and 90 per cent of training costs in industry critical skills and specialised occupations. I also remind the house of the recently announced \$38.3 million mining and engineering centre at Regency TAFE, which will provide South Australia with a centre for training excellence in the mining, engineering, advanced manufacturing, defence and transport industries.

The state government's Skills for All initiative provides opportunities for all South Australians to undertake training in advanced manufacturing and mining sectors in our state. These training opportunities will continue to raise the skills levels of advanced manufacturing and mining

sectors, and will assist businesses, industries, individuals and of course all South Australians. I commend this program to the house.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:46): My question is to the Minister for Water and the River Murray. What changed with regard to the desalination plant contract between December last year and last week? On 2 December last year the Chief Executive of SA Water stated:

The contract between SA Water and AdelaideAqua includes provision for specific financial consequences flowing from delayed completion of the First Water milestone.

It went on to say:

SA Water is enforcing those financial consequences in its administration of the contract payment process.

Yet last week SA Water issued a statement saying that it now agreed to release those withheld payments.

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): I thank the honourable member for his question. Clearly he answered the question himself. What has changed? They have settled, and settlement of any dispute is a good thing.

Members interjecting:

The SPEAKER: Order!

SKILLS FOR ALL

Ms THOMPSON (Reynell) (14:47): My question is to the Minister for Employment, Higher Education and Skills. Can the minister inform the house how the state government Skills for All reforms will help young people get the training they want through the VET system?

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (14:47): Thank you; I can. I should also note the member for Reynell's strong interest in training, especially the adult community education sector and getting people into training again after a very long time of not being involved, if ever.

The state government's focus is on keeping teenagers in education and training to give them the best chance of winning a sustainable job. Most South Australian teenagers are still in full-time study and we are glad they are, because employers need staff with the education and skills needed in the workforce.

Through the Skills for All reforms the state government is focusing on providing young people with opportunities and pathways into further education, training and employment. The Skills for All website—which is www.skills.sa.gov.au—and the 1800 506 266 information line provide extensive information about career options, training courses and training providers to help young people understand what jobs are out there and what they need in terms of formal qualifications to get those jobs. There is a variety of publicly available tools and other resources so that young people can make informed choices about training options and how to make the best use of their government-funded training place.

Vocational education and training courses are ideal for students who are not interested in university, and government-funded training places will be available for most South Australians aged 16 years or over. For the first time eligible students can access fee-free courses at certificate I and II levels, and this will mean that young people who have often had a limited income can begin their training pathway without having to worry about course fees.

In order to support young people transition from school into further education and a rewarding career that is right for them, Skills for All introduces the training guarantee for SACE students. The scheme gives students who have started a certificate III qualification pathway at school a guaranteed funded training place at TAFE SA or an approved Skills for All training provider so that they can complete their qualifications after school. The training guarantee means that there are no course fees for students for a certificate II qualification and only some fees for a certificate III, and the government will pay for the remainder of the costs of the course.

I encourage all young people thinking about what training they might want to visit the Skills for All website and use the hotline to find out more about the government's reform of the VET system.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:50): Can the Minister for Water explain to the house how SA Water's management of the desalination plant contract exposed SA Water to financial claims from AdelaideAqua, costing taxpayers millions of dollars, as stated by an SA Water spokesman last week?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:50): I am not aware of what the SA Water spokesman said last week, but getting back to the point—

Mr Williams: It was in *The Advertiser*.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: I should have realised that that is their level of research in regard to the questions that they ask, so I will make a habit of, before every question time, reading *The Advertiser* of the day, but—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: What occurred was, as a result of the delay in first water, SA Water, as I understand it and, of course, as the opposition spokesperson understands, withheld payments. Since that time, SA Water has entered into negotiations with AdelaideAqua, they have settled, and certainly, I think that is a good thing. What I can say, though, is what I said the other day, that the desalination plant will be completed in December—as I am advised—2012, that it will come in on or slightly under the budget that is planned, and that it will, in the future, provide water security to this and future generations, a water supply climatically independent of traditional sources, and that is something that—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: —South Australians, in the future, will be very, very pleased about.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:52): Supplementary, Madam Speaker. Minister, was the Chief Executive of SA Water (John Ringham) correct when he said, on 2 December last year:

The contract between SA Water and AdelaideAqua includes provisions for specific financial consequences flowing from the delayed completion of the first water milestone.

Was he correct, and if he was, why weren't those financial consequences implemented?

The SPEAKER: I consider that a question, not a supplementary. 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) (14:52): Madam Speaker, I am not sure if that was in *The Advertiser* this morning, but—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Well, in last December's *Advertiser*, but it is quite a simple equation: a dispute existed on the basis of what were the agreed positions on the delivery of first water. That dispute has been resolved, it has been settled, and we are on track—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: Well, as I said, funding was withheld, so it was not—

Mr Williams: Why was funding withheld?

The SPEAKER: Order! The deputy leader will be quiet or leave the chamber.

The Hon. P. CAICA: That would make us all happy, Madam Speaker, either option. The dispute has been settled; that is a good thing, and—

Members interjecting:

The Hon. P. CAICA: Well, the terms of the settlement are an agreed position between SA Water and AdelaideAqua. It is a pretty simple equation, Madam Speaker.

Members interjecting:

The SPEAKER: Order! The member for Port Adelaide.

POLICE NUMBERS

Dr CLOSE (Port Adelaide) (14:54): Can the Minister for Police inform the house about the increase in police numbers and specialist equipment to support community safety?

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) (14:54): I thank the member for Port Adelaide for this question. On 23 May I had the pleasure of attending yet another graduation at our new \$53.4 million purpose-built police academy. Twenty-nine officers who previously served in the UK and New Zealand became members of the South Australian police force, and I welcome them and wish them well in their new home. Even though they are new to policing in South Australia, I understand these officers bring with them more than 200 years of collective police experience, including working in criminal investigation, royal protection, dealing with gangs and community policing.

Our world has changed so much compared to the days when a journey between the UK and Australia took six months on a boat, but the choice to move thousands of miles from your home, family and friends to start a new life is no less daunting today. As Minister for Multicultural Affairs, I take a great interest in what draws people from around the world to South Australia to live, work and study. These new officers spoke of opportunities for themselves and their families—opportunities for a better job, open spaces and fresh air, high quality education and a sense of community and, for those posted to the Eyre and Western Regional Local Service Area, there will be no shortage of open spaces. This LSA is larger than the whole United Kingdom (including Northern Ireland) and the Far North LSA is twice as big again.

Young Australians used to go to the US or UK in droves to earn money and gain experience in the wider world. Now, the tide has turned and the wider world is bringing experience and skills to South Australia. By 30 June, another three courses of international, interstate and local recruits are expected to graduate from the academy. These officers are part of our government's commitment to add an extra 313 sworn officers by 2015-16, with 129 of them scheduled to start work this financial year. These officers are on top of the 170 to 180 we recruit every year to maintain our existing strength and come on top of the 1,000 extra staff who have joined SAPOL in the first 10 years of this Labor government.

We are also ensuring our police have the tools they need to protect and keep our community safe. On Friday 1 June, I was joined by the member for Port Adelaide, senior police, members of the SAPOL Water Operations Unit and members of our volunteer marine rescue squadrons to launch the *Investigator II*—a 20 metre, \$2.5 million new flagship for SAPOL Water Operations Unit. This vessel delivers new and expanded capabilities, with a range of 700 nautical miles, space for six crew to sleep and advanced electronics to support on-board safety and search and rescue missions. Just like our new police academy, the *Investigator II* is purpose-built and will serve our police and our community well into the future. This is compared to one-way expressways and second-hand equipment that had been delivered under previous governments.

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans interjecting:

The SPEAKER: Order! Member for Davenport, order!

Mr Pisoni interjecting:

The SPEAKER: Order! Member for Unley, order! The member for MacKillop.

DESALINATION PLANT

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:58): My question again is to the Minister for Water. How much was paid under the desalination plant operation and maintenance contract from the start of those payments on 8 July 2009 until November 2011 when first water was eventually achieved; and what was being operated and what was being maintained while the plant was still under construction?

The latest SA Water annual report notes that SA Water has entered into a contract to operate and maintain the desalination plant from project handover of the 50 gigalitre per annum capacity component of the plant, which I understand will occur in August this year.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:59): Madam Speaker, quite simply, I do not have those details in front of me.

Mr Williams interjecting:

The SPEAKER: Order! Member for MacKillop, order!

The Hon. J.M. Rankine: You can read it in *The Advertiser*.

The Hon. P. CAICA: Yes, I'll educate myself by reading the papers. I just want to say to my friends up there that I am not having a go at *The Advertiser*, just their levels of research.

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

The Hon. P. CAICA: Yes, Madam Speaker, I will, and I apologise for being so unruly—

The SPEAKER: Yes, you are.

The Hon. P. CAICA: —in responding to their rudeness. Look, I have not got those details in front of me. I will get back to the house on those specific details.

Mr Williams interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Member for MacKillop, leave the chamber for the rest of question time.

The honourable member for MacKillop having withdrawn from the chamber:

Mr GARDNER: Madam Speaker.

The SPEAKER: Member for Morialta.

Mr GARDNER: I seek a clarification. The minister was just engaged in some very obvious physical gestures to the opposition. Is that sort of behaviour parliamentary?

The SPEAKER: Thank you, member for Morialta. I did not quite hear what you said, but I gather you said 'some very obvious physical gestures'. I did not see them but, if he did do them, then I think he should apologise.

The Hon. P. CAICA: Madam Speaker, if it was construed as a physical gesture, I apologise. I did scratch my head with my finger like this—

Members interjecting:

The SPEAKER: Thank you.

The Hon. P. CAICA: —and if that was construed, I apologise.

The SPEAKER: Thank you, minister.

Members interjecting:

The SPEAKER: Order!

Mr Pisoni interjecting:

The SPEAKER: Member for Unley, order!

Mr Marshall interjecting:

The SPEAKER: Order, member for Norwood! He has apologised.

Mr Marshall: And he repeated it.

The SPEAKER: Order! It was a demonstration. Member for Bragg, would you like to ask a question and shut this conversation up?

BUS PASSENGER NUMBERS

Ms CHAPMAN (Bragg) (15:00): Excellent. Thank you, Madam Speaker. My question is to the Minister for Transport Services. Will the minister justify her position in cabinet and the spend of \$1.5 million for her ministerial office considering that there are now fewer bus boardings this year than six years ago? The government figures show that an estimated 63.7 million bus trips were taken in 2011-12. This is 2.2 million less than last year and is—

The Hon. C.C. Fox: Fewer.

Ms CHAPMAN: Fewer?

The Hon. C.C. Fox interjecting:

Ms CHAPMAN: I know, 'fewer'.

The SPEAKER: Order!

Ms CHAPMAN: It can be 'less'.

The SPEAKER: Order! Member for Bragg, you will your finish your question.

Ms CHAPMAN: But it is 2.2 million fewer trips than last year and is even lower than 2005-06.

The SPEAKER: Member for Bragg, I am not sure why the minister would be asked to justify her position in cabinet. I do not think that is an appropriate question, but she may choose to answer the question considering it has been asked.

The Hon. C.C. FOX (Bright—Minister for Transport Services) (15:02): In answer to the first part of that question, obviously I do not comment on anything that occurs in cabinet as she would well know. Secondly, in relation to people taking public transport, recently, in the past 18 months, you would be aware that there has been a lot of infrastructure development occurring around rail, and certainly around railways, and I particularly refer to the Adelaide Convention Centre.

Now, because of the extraordinary works that are carrying on all over this city the city is changing and it is true that for some people it has been more convenient to use their vehicles instead of using the services they would normally use. We would be expecting those numbers to rise again in the very near future.

BUS CONTRACTS

Ms CHAPMAN (Bragg) (15:03): My question, again, is to the Minister for Transport Services. Will the minister identify what increased payment will be made to private bus operators under the new bus timetables and what in particular will be the cost of leasing 12 buses from the private operators?

The Hon. C.C. FOX (Bright—Minister for Transport Services) (15:03): You know, I thank the member for Bragg for this question but it is a bit odd, because it is in writing. I actually have a copy of the letter, and I believe that you have had a number of briefings—about a half a dozen—from a number of public servants which have given the member for Bragg the answer to these questions. Now, if the member for Bragg fails to understand a letter or what people have actually said out loud, I am not quite sure what I have to do. I mean, do I actually—

Mr PENGILLY: Point of order; the minister is debating the matter.

The SPEAKER: The minister was asked a question. She can answer it how she chooses, and I do not see debate in it. Minister, make sure you stick to the substance of the question.

The Hon. C.C. FOX: Well, I am. And thank you, member for Finnis, for your forensic examination of my answer. This is actually quite an important part of the answer to the question. I guess what I am telling the house is that the member for Bragg has been told the answer to these questions before, but I am very happy to give the answer again, and again, and again. I can give you the answer in English, French, Italian, Greek, Romanian, whatever you like.

Ms Chapman: English will do.

The Hon. C.C. FOX: English will do for you? Super. The answer to your question is \$400,000. You asked about the lease of the buses. The member for Bragg asked about the cost of leasing buses. Am I correct?

Ms Chapman: Yes.

The Hon. C.C. FOX: The entire cost around changing timetables is \$3 million, not, I believe, the figure that you may have been touting, member for Bragg; it is \$3 million.

Ms Chapman: And that's for the change in timetables?

The Hon. C.C. FOX: The change in timetables, member for Bragg, involves more drivers, more kilometres and more buses. The member for Bragg asked about the cost of leasing these buses for these purposes, and that cost is approximately \$400,000, let's say half a million dollars.

BUS CONTRACTS

Ms CHAPMAN (Bragg) (15:06): Supplementary question: what is the payment to the private operators for the changed timetables?

The Hon. C.C. FOX (Bright—Minister for Transport Services) (15:06): I am happy to reiterate this. We have a \$3 million cost, so—

Members interjecting:

The SPEAKER: Order!

Ms Chapman: You weren't there this morning.

The SPEAKER: Order!

The Hon. C.C. FOX: Well, surprisingly enough, member for Bragg, I was actually informed about timetable changes before this morning. Had I not been, I suspect you would have been quite upset. The entire cost is \$3 million. If we take away \$400,000 from the \$3 million, there is approximately \$2.6 million. Now, we have to obviously lease the buses—we have spoken about that—and we have to print the timetables.

The cost of changing any particular one timetable is around \$10,000. However, most importantly, what we are doing here is increasing the reliability. To do that we have extra services, we have extra kilometres, we have extra drivers and, of course, there is a cost associated with that. I do not walk away from that investment in public transport. I think that is actually a good thing to have done.

SOUTH AUSTRALIAN BRAND

Mrs REDMOND (Heysen—Leader of the Opposition) (15:07): My question is to the Treasurer. After 10 years of Labor, is the best the government can do to improve the state's economic and budgetary situation to develop a new brand for South Australia? The government's tenders website lists a tender for the development of a new brand for South Australia. However, after 10 years of Labor the state budget is facing six deficits in seven years, the state debt is approaching \$13 billion, and the state has lost its AAA credit rating.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:08): We actually did mention this a little while ago. Maybe it has just occurred to those opposite that we have called for an exercise to understand the best way of promoting our state both interstate and overseas. What we understand about our beautiful state is that, if we are going to get the people, the ideas, the investments that are going to realise this incredibly bright future that we know is ahead of us, we have to first create awareness. There might be some people around here who think that we are well known around the place, but the truth is we are not. That is the simple truth, and if we do want to make our mark in the world we are going to have to find a way of projecting ourselves, and that is why we are embarking on this exercise.

I might say to those opposite that, after 11 years of sitting around on that side of the chamber, could you at least come up with one discernible idea which does not emerge from reading the paper and then coming in here and telling us all what it means, or reading something that Tony Abbott has said and then coming in here and just repeating it?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Could you at least come up with one—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —discernible, audible idea which reflects some contribution to the betterment of public life?

The Hon. P.F. Conlon: What about the French villages?

The Hon. J.W. WEATHERILL: Sorry, I stand corrected. I do not want to mislead the house but there were the French villages. Who could forget those?

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: You could imagine them sitting around—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. J.W. WEATHERILL: —in the Adelaide Hills having an Adelaide Hills sauvignon blanc up there, all sitting around amongst themselves saying, 'Wouldn't it be nice if there were only French villages?'

Members interjecting:

The Hon. J.W. WEATHERILL: That's right. This has been the contribution. It is pathetic.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

MINING INDUSTRY

Mrs REDMOND (Heysen—Leader of the Opposition) (15:09): My question is to the Minister for Mineral Resources and Energy. Has the state government sought or received any assurances from their federal counterparts that copper, gold and uranium will remain excluded from the mineral resource rent tax beyond the next election?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (15:10): This is one of the sillier questions and actually just confirms precisely what I have just said.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: They are joined at the hip with Tony Abbott. Any stupid idea—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Any stupid idea that he floats around, they are prepared to join in.

Members interjecting:

The SPEAKER: Order! The member for Stuart.

Mr VAN HOLST PELLEKAAN: Point of order. The Premier is debating the question. It was very clear: have they sought or received assurances?

The SPEAKER: Order! The question was related to our federal colleagues and the Premier is answering accordingly. No point of order.

The Hon. J.W. WEATHERILL: There is only one person suggesting that the mineral resource rent tax could apply to Olympic Dam and that is Tony Abbott. It has not even been suggested by any other commentator.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: More importantly, Madam Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —we are in regular contact with BHP. They have never once raised this as a concern that we should make representations on their behalf—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —in respect of the federal government. What they have asked us to approach the federal government about—

Mr Marshall: Carbon tax.

The Hon. J.W. WEATHERILL: —is not carbon tax. It is not carbon tax at all. It is two particular taxes they thought were on the federal government's agenda—that was the overburden removal tax, or the tax concession for overburden removal, and, of course, the diesel fuel rebate tax. They asked us to make representation of those two matters. We made those representations, and they did not find their expression in the federal budget.

They are just going to have to get some ideas of their own. They have seen Tony Abbott in the polls, they have looked at his numbers—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —and they have decided to adopt his pathetic negative tactics. That is the only approach that they understand. That is what they are bringing into this chamber. You can attach yourself to this man, and we will make you pay for it.

Mrs REDMOND: Can I make an apology to the house for asking such a silly question, because I now realise that any assurance from Julia Gillard would not be worth anything in any event.

Members interjecting:

The SPEAKER: Order! The member for Davenport.

BLACKWOOD RAIL OVERPASS

The Hon. I.F. EVANS (Davenport) (15:12): My question is to the Minister for Transport. Why did the government only consult the local community about a new pedestrian overpass at the Blackwood railway station after they had built the overpass and had it stored in a shed ready to install at a cost of \$1 million?

The government had a meeting in Blackwood last night to consult the community about a pedestrian overpass at a cost of \$1 million, and the community meeting was told that it had already been constructed and was in a shed waiting to be installed.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:13): Absolutely delighted to have this question—absolutely delighted because we did make the mistake in our consultation on this project in believing that the local council and the local member were connected to their community. We consulted the local member some time ago. We consulted seven out of 10 of the councillors. We consulted them. We made the mistake of thinking he knew something about his local community!

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Because—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I return to the point. The simple process is this—

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: He doesn't want to hear it. He was very keen on the question until he started getting an answer. He doesn't want to hear it. The truth is—

Mr Marshall: That was an answer?

The Hon. P.F. CONLON: The member for Norwood—

Mr Marshall: That was a heart attack!

The Hon. P.F. CONLON: You wish. The member for Norwood wishes. How quickly the member for Norwood became yet another next big thing, another former next big thing.

Mr Marshall: You're a has-been.

The SPEAKER: Order!

The Hon. P.F. CONLON: I am a has-been and you never were, and never will be. Never were and never will be, my son.

Mr Marshall interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: The height of your aspirations now is to become the candidate for Dunstan.

The SPEAKER: Order!

Ms CHAPMAN: Point of order.

The Hon. P.F. CONLON: I am sorry you respond to interjections but let me tell you—

The SPEAKER: Order! Minister, there is a point of order and I presume it is about debate.

Ms CHAPMAN: Before we have to have a by-election in Elder, can we get an answer?

The SPEAKER: Order! Minister, can you conclude your answer?

The Hon. P.F. CONLON: Can I inform the house that I have a resting heart rate of 50 and if the member for Bragg wants a little walk up Mount Lofty one morning, I will meet her there at six.

An honourable member interjecting:

The SPEAKER: Order! Minister, can you please finish your answer.

The Hon. P.F. CONLON: Let me come back to the answer for this whited sepulchre. Some time ago, on the project at Blackwood, it was drawn to our attention that line of sight issues, because of the shared rail between our rail services and ARTC, required some safety adjustments for those people we look after, that is, the people catching the trains. We went out—

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: He does not want to hear it.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

The Hon. I.F. Evans: Tell the whole story, Pat.

The SPEAKER: Order! That is enough. Okay, you have had your fun, now listen to the answer and we can all go away quietly.

The Hon. P.F. CONLON: We went out with a proposal for our passengers—because that is who we look after, the passengers on the trains—to build this piece of infrastructure that he is

talking about to make it safer. We consulted the local member and he made no complaint about the proposal. As far as we were concerned, he agreed with it. I am advised that we consulted seven out of 10 local councillors—I will correct it if it is wrong.

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: He does not like the answer.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I am waiting for you to finish. Subsequent to that time, we assumed, forgive us, that the local member and the councillors were somehow connected with their local community, that would know their views. What we found is that, in the local community, apparently there are people who use that place without using the rail, and they wanted to go through there, and they did not want to go over the thing we were building for rail safety. Now, we take safety very seriously and that is why we built it.

It is not my fault that the member for Davenport and his seven councillors were asleep at the wheel. It is not my fault. We are responsible for safety on our rail. We built infrastructure, we consulted the local council, we consulted the local member. You will forgive us if we are not intimately aware of how the local community travels. I would have thought the people who would know that are the local council. In short, we did the right thing. The member for Davenport and his councillors—utterly asleep at the wheel.

BLACKWOOD RAIL OVERPASS

The Hon. I.F. EVANS (Davenport) (15:18): I seek leave to make a personal explanation.

Leave granted.

The Hon. I.F. EVANS: The minister in that answer suggested that the member for Davenport was the local member asleep at the wheel. I just wish to clarify for the house that I did receive a briefing. My staff advise me that in that briefing we were told that the government was going to run a public consultation process so that the issues that were raised at last night's meeting could be raised at the time, then for some reason the government decided not to run a public consultation process and, when they announced the project, they got a swag of complaints as a result, so I think it is unfair of the minister to characterise as he did my approach to the project.

The SPEAKER: There is nothing like a good stoush at the end of a busy week.

VOLUNTARY EUTHANASIA BILL

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (15:19): I seek leave to make a personal explanation.

Leave granted.

Members interjecting:

The SPEAKER: Order! I cannot hear the minister. Please leave the chamber or listen.

The Hon. T.R. KENYON: Earlier today there was a vote on euthanasia. I did not vote on that bill. I had a pair until 12.30 and was not aware that there was a conscience vote taking place. Had I been aware I would have voted and I would have voted against the bill.

The SPEAKER: Thank you, minister.

OCCUPATIONAL LICENCES

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (15:19): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.R. RAU: I received a number of complaints at the end of February 2012 regarding the delays in the issuing of trades licences by Consumer and Business Services. This was of great concern to me and I requested an immediate review to identify ways to

reduce the backlog. Dr Dale Cooper of Broadleaf Capital International was engaged to report on the issues.

Dr Cooper's report identified a number of concerning problems, including issues affecting the staffing of the occupational licensing function in CBS. In particular, some of the staff felt the legislation was difficult to interpret and they were not confident about having to interpret it, probably because staff are relatively junior. Other problems identified were workloads were high, staff turnover was high, forward planning could be better and the computer systems needed to be updated.

Not surprisingly, the report also found that morale in this area could also be better, given the pressures they are clearly under. Some changes have already occurred to address these and other concerns raised in the report, but more work is clearly needed to ensure long-lasting, positive change to this important function of government.

Almost 50 recommendations for change have been identified as a result of the report and discussions with industry. A number have already been implemented and the remainder are being worked on. These range from simple process changes to internal policy changes, better staff recruitment and retention strategies, minor and major IT enhancements and options for legislative reform. In addition, CBS has created a process improvement project team in occupational licensing to identify further improvements and to implement initiatives identified in the report.

On 2 April this year, I chaired a roundtable meeting with industry groups and, following that session, they were invited to provide submissions with suggestions for improvement. This was well received and proved a useful forum for me to hear the perspectives of the affected industries.

In the financial year 2010-11, the Licensing and Registration section of CBS received and processed 7,559 new licence applications and 49,844 renewals. Since early March 2012, CBS has worked hard to clear the backlog of applications. Processing times have been reduced, along with red tape.

I am advised that, from 20 February to 1 June, a total of 2,138 applications were finalised by CBS and the number of applications on hand at any one time has been reduced from more than 1,200 to just over 400. I am advised that these improvements have led to a reduction in complaints and better staff morale. Some of the initiatives implemented so far include:

- increasing delegations to ensure staff are able to approve applications;
- granting licences under mutual recognition on the basis that CBS is satisfied that the applicant is appropriately licensed interstate;
- development of a simplified renewal document;
- simplified reporting of qualifications from TAFE;
- an online system for licence renewals developed in-house; and
- an online application process to allow applicants to complete forms at home.

Initiatives being worked on to assist the staff in processing applications include:

- working with the Department of Further Education, Employment, Science and Technology to identify opportunities for information sharing about apprentices between DFEEST and CBS;
- development of an application guide to assist applicants through the process, including encouraging greater understanding of licence requirements;
- IT changes to allow applications to be approved at the counter;
- ongoing process reviews for each licence type;
- restructure of the licensing area of CBS to assist with staff retention and development; and
- a suite of legislative reforms to improve processes and reduce red tape, including granting greater discretion to the commissioner.

The safety of tradespeople and the public is paramount and the consequences of licensing an unqualified person could be disastrous, particularly in the building, plumbing, gasfitting and

electrical trades. However, it is very clear to me that we need to ensure the system is working efficiently so that backlogs and delays do not occur in the future.

Dr Cooper's report shows that achieving this will require significant internal process and management changes outlined in this statement. In the coming months, I will be reconvening the industry round table to report back on these issues and finalise a discussion paper on the way ahead. This discussion paper will include proposals for legislative change.

VOLUNTARY EUTHANASIA BILL

Mr HAMILTON-SMITH (Waite) (15:24): I seek leave to make a personal explanation.

Leave granted.

Mr HAMILTON-SMITH: I would like to indicate that, when there was a vote earlier today on the euthanasia bill, I was in my office engaged in a media interview on FIVEaa and had sought a leave of absence. Had I been present for the vote I would have voted against the measure.

The SPEAKER: Can I point out to members that personal explanations are just that, they are not an opportunity to make a statement. I do not want everybody in the house who was not here for the vote to get up and talk about why they did not make a statement. I will accept it at this stage, but a personal explanation is not an opportunity to make a statement, it is to explain something that has been said. I was going to say that before you got up and spoke, Mr Hamilton-Smith. There was a previous explanation that was similar.

Mr HAMILTON-SMITH: Could I seek clarification on that, Madam Speaker? I am seeking further elaboration of your logic in that regard, because I think in such a circumstance a member does find himself or herself in a position where they need to explain why they may have been misrepresented through not being here. While I note your guidance, I wonder if in that instance it would fall within the ambit of a personal explanation? How else would a member seek to clarify the position, other than to have to wait until a moment occurred for a grievance debate or some similar event, which might be some days after? Could you clarify that for me?

The SPEAKER: It is not the practice of the house that every time we have a conscience vote people get up and explain why they were not here or why they voted in a particular way. I think that would be a dangerous practice to allow. I understand you have a grievance coming up, so you probably could have prefaced it with that. I do not particularly want to single you out because it has also been done by the Minister for Employment, Higher Education and Skills. I ask members in the future to be very careful with their personal explanations and keep them as personal explanations.

GRIEVANCE DEBATE

HEALTH SYSTEM

Mr HAMILTON-SMITH (Waite) (15:26): I want to speak about the crisis that is becoming more and more evident within our health system and address two issues: the mental health crisis involving both Yatala and James Nash House and the overcrowding of the Lyell McEwin Hospital and the report that was tabled today by the minister. Let me start with the Lyell McEwin Hospital. The report is a very interesting read, and I will examine it in detail, but I will say at the outset that, in my view, the minister has, to a degree, if not misrepresented the report, certainly coloured it in the political direction he wants it to take.

I observe that SASMOA's Dr Pope stated from the outset that he understood doctors had been asked to assess patients on the floor, not that they had been made to do so. The report bears that out, with a finding that a doctor recorded a comment regarding the treatment of a patient on the floor but did not treat that patient on the floor and was unsure about the comments, or the direction, that was given to him. So, it would appear that a doctor was asked to treat a patient on the floor.

Secondly, I note the findings are that on that evening it was not possible to fill all nursing shifts in the ED. The ED was understaffed, which is exactly what SASMOA stated. I also note that the report observes that the department did run out of barouches, there were no beds and that patients were seen on a chair on the floor. What the minister is doing is using semantics: because they were not laid out on the floor, he is saying they were not seen on the floor. I am not sure if that was SASMOA's intention. If they were seen in a chair on the floor then, arguably, they were seen on the floor. If there were not enough barouches for them, they could not be laid out, as SASMOA stated, creating all the sorts of issues that SASMOA pointed out to the public on 18 and 23 May.

There were a number of other very concerning issues raised in the report. To say that this report in any way exonerates or somehow wipes away the problems of that night, which was described in the report as the busiest night of the year at the Lyell McEwin Hospital, when the emergency department was simply overwhelmed, are just wrong statements from the minister. So, I think this is a report that has been carefully crafted and presented today to try to make things look as though they are quite different to what they were.

I congratulate SASMOA and various other colleges of doctors who have spoken out about their professional concerns in recent months. There is bullying and pressure being applied to doctors by the administration in an effort to silence them, and I commend them for their courage in standing up and being counted. That sort of coercion, that sort of bullying, that sort of pressure—and I think this is another attempt at it, in a sense—is unwelcome, and doctors should be free, where they fear for a patient's safety, to speak up. I commend them for doing so.

I want to move to the issue of mental health and just say, 'What a mess. What a mess we have heard today.' For the health minister to have compared the circumstances surrounding the prisoner, Jacqui, with the behaviour of naughty children in a school class—and I read his remarks into *Hansard* today—is simply disgraceful. He tried to wriggle out of it today, but his own words demonstrated his disregard for the patient, for those who are mentally ill, and for the clinical staff who treat them. Frankly, he should be ashamed of those remarks; they should never have been made in the first place.

Clearly, there is a complete argument between the Minister for Correctional Services and the Minister for Health about this patient. The Minister for Correctional Services says that she is mentally ill and the Minister for Health says she is not. It looks as though, with this patient, it is all in the just too-hard basket. It appears as though the Minister for Correctional Services and the Minister for Health are going to send this patient off to Melbourne. If that happens, if they have to send this patient off to Melbourne to be cared for, both of them should resign. They will have basically put up the white flag and said, 'We can't cope, we're not managing, we can't care for this mentally ill patient either in our prison system or in James Nash House. We have just given up.'

If the Liberal government in Victoria has to rescue them, they both really should just go because frankly, on this issue, they have been exposed as having delivered ruin. They have each had to give three or four different versions about what they knew when, they have both had to run back into the house and correct their remarks and clarify when they first knew of things. Of course, as it has turned out it did not really matter because they did absolutely nothing. They are both a disgrace.

VISITORS

The ACTING SPEAKER (Hon. M.J. Wright): I would like to acknowledge the presence of the former premier of South Australia, Lynn Arnold. You are very welcome here, Lynn, and it is great to see you.

GRIEVANCE DEBATE

BEDFORD INDUSTRIES

Ms BETTISON (Ramsay) (15:32): On Monday 4 June, I had the pleasure of attending the graduation ceremony for students who participated in the Bedford Abilities for All program from July 2010 to August 2011. I would like to note that several of my colleagues were also there, including the members for Taylor, Waite, Morialta and Unley. The ceremony, which took place at the Adelaide Convention Centre, celebrated not only the completion of the Abilities for All accredited training program but also the huge personal development of more than 200 South Australians. His Excellency Rear Admiral Kevin Scarce presented the awards to the well-deserving participants.

Bedford delivers this vocational education initiative thanks to funding from the Department of Further Education, Employment, Science and Technology through the South Australia Works initiative and in collaboration with partner organisations, such as Community Centres SA. The program provides learning pathways for South Australian jobseekers with disability or disadvantage who face significant barriers to learning, training and work.

A key strength the program is that individual needs are addressed through customised employment and training plans. Life skills, coupled with language, literacy and numeracy, are delivered in a supportive environment in community centres so that people with disability or

disadvantage can realise their full potential. In the past year, the program has been taken into open community centres and boasts a minimum 90 per cent completion rate across three accredited certificate II courses in either business or community services. Employment assistance is also offered to provide participants with opportunities to enter the workforce or go on to further study.

Each student has overcome huge barriers to take part in Abilities for All, and in fact 75 of the 203 people who completed their training have already found jobs. The graduation ceremony symbolised that the students involved have taken an important step towards further training, work experience or employment. Every one of the program participants graduated with not only a nationally recognised qualification but transformed their confidence, skills and knowledge.

Abilities for All supports South Australia's Strategic Plan target to increase by 10 per cent the number of people with a disability employed by 2020. The state government is dedicated to improving the lives of South Australians with a disability, and the 2012-13 state budget has delivered record spending on disability services. This injection of funds is indicative of the state government's support of a fundamental change towards community engagement, individualised funding, and a more rights-based system. The demand for disability services is increasing, and the state government is reforming the way support is provided. The latest report on government services shows that the South Australian government provided more services per capita for people with a disability than any other state or territory government in Australia.

The 2012-13 state budget builds on what the government has already done in the 2011-12 state budget to assist people requiring a range of accommodation support, community support and community access, as well as respite services for carers. The \$212.5 million funding boost to the disability sector will contribute to a 33 per cent increase in spending on disability services from 2011-12 to 2015-16.

The Bedford Abilities for All program exemplifies the ethos of the state government by empowering and simultaneously supporting South Australians with a disability or disadvantage. The graduation ceremony was a wonderful culmination of the hard work and dedication of all those involved, who can now look forward to a bright and fulfilling future, where choice and control are theirs.

BUS TIMETABLES

Ms CHAPMAN (Bragg) (15:36): This morning, I, together with other members of parliament, attended a briefing provided by representatives from the department of transport. I thank them for providing that briefing, the purpose of which was to brief members on the new timetabling for bus services in South Australia that are to take place from 1 July 2012. Other matters were also raised, but I will address the former.

The briefing provided information on the major retimetabling of a significant number of bus services and routes across the metropolitan area. This will involve: advertising and radio programs; 600,000 pamphlets are to be sent across to residents; the reprinting of programs; the preparation and installation of notices to go out, not only as regional flyers but also on websites, press advertising, etc. This a significant program.

During that briefing—which, I note, the Minister for Transport Services did not attend; perhaps she should have, given her answers today in question time—I specifically asked what the cost would be for the retimetabling and the subsequent reprinting, advertising, and the like, given that Mr Rod Hook had previously advised that one of the reasons why they had not progressed with the retimetabling arrangements, notwithstanding the pain out in the community, was that it was very expensive to do so, and would cost \$2 million to \$3 million. Their answer was \$3 million; fine.

I also asked what would be the recurrent cost that had to be paid to the bus contractors for the purposes of providing the extra time and services under the new retimetabling arrangement. The answer was \$2.6 million. We were also all advised that there would be a number of extra buses, and when asked about how many buses would be leased from the bus contractors, we were advised there were some 12. The advisers this morning could not tell us how much it would cost to pay the contractors to actually lease their buses in order to operate their services.

What the minister has done today is come in and say, 'This whole exercise is going to cost \$3 million. \$2.6 million is for the bus operators and the difference is what we are paying on leases.' Hello, minister: the reality is there is another massive cost that has been disclosed to us this morning of \$3 million to redo this whole exercise and clean up the mess. They also advised us—so

the minister is aware—that they are going to do a quarterly review of this, and I am pleased to hear that. I hope that remedies the situation.

When they are reprinting the pamphlets, paraphernalia and propaganda that they perpetuate, let me ask them to do one other thing. My grandmother used to tell me how she wrote in a little book the little proverbs and gems of wisdom that would be printed on the back of bus tickets and she would keep them, because this was an important little service that was provided. So, after decades, we now have a new regime and we find that, on the new bus tickets that are issued, instead of the little signs which say things like, 'Do good and fear nobody: do ill and fear everyone' and 'Every ending is a new beginning', we have some new material. What gets printed on the back of bus tickets now are things like, 'New trains, trams and buses are coming faster, more frequent, greener' and 'An extra 100 brand new buses have entered service since 2008.' So we have all the government's propaganda now on the back of the tickets.

But here is an absolute pearler. As it turns out, the ticket I purchased to go on a bus trip recently says, 'Electric trains are coming on track in 2013.' Well, Mr Deputy Speaker, not in Gawler. So, when the department tells me this morning that they are going to be reprinting a number of programs for the timetabling, I certainly hope they are going to attend to this with the new ticketing system that we are going to have and that we get rid of this nonsense, which is clearly no longer applicable, given that the budget disposes of that poor program and it is relegated to some distant future, if we ever see it at all. So, in relation to the electric trains, bad luck for the people of Gawler.

INTERNATIONAL MEN'S HEALTH WEEK

Mr PICCOLO (Light) (15:42): Today I would like to talk about International Men's Health Week. This week is International Men's Health Week, which is a time to reflect on the health of our fathers, sons, brothers, partners and friends in our community. I am happy to say that, leading up to this week, and also this week, my office has joined a number of people in the local community promoting men's health week, which is an opportunity to put the spotlight on men's health and encourage men to think more about their own health and wellbeing.

Men's health is a vitally important issue which often is not considered when we talk about health generally. The reality is that when we have men who are emotionally and physically healthy we have emotionally and physically healthy families because, in my view (and, I think, that of most people), men are an integral part of our families.

During this week there will be promotions about healthy living, healthy eating and healthy lifestyle activities, and we will be encouraging men to talk to their health practitioners if they have any concerns. It is important that we get rid of the stigma surrounding men's health and break down the barriers to men from living healthy lives and also dealing with any health issues. As I said, men are brothers, fathers, partners and sons, so when they are not well it impacts on the people around them and, most importantly, their families.

Men's health is part of the core services provided to all South Australians by the state government. As the minister mentioned in answer to a question yesterday, there is an additional \$230,000 per annum specifically committed for research projects pertaining to men's health. Also, at this point I acknowledge the contribution made by the Freemasons in this state to the Centre for Men's Health at the University of Adelaide. The Freemasons have put in a lot of money to support research into men's health across the state.

I would like to also draw the attention of the house to some people who have been supporting the men's health promotion in my electorate, particularly in the Town of Gawler. We have the Willo's Men's Shed. It is based at Willaston, therefore, it is called the Willo's Men's Shed, and they provide a whole range of programs for men to socialise and do other things but, also, to talk about men's things.

I also thank Carol Dowden from the Fitness Studio, the STARplex Fitness Studio, Fit Fix, Dr Hyde and Partners, Coles supermarkets, the local Drakes Foodland Supermarket, the local Freemasons and also the Herbal Apothecary Healthshop, all of whom have made a contribution to promoting men's health in the community. In particular, I would like to acknowledge that Dr Hyde and Partners have provided free men's health checks this week as part of its service in encouraging men to do the right thing. I can also announce that Dr Hyde and Partners are also going to extend that program around Father's Day to encourage families to encourage their fathers to do the right thing and to get their health checked. I should also indicate for the record that Hyde and Partners is the practice that I go to for my own health care.

The other thing I would like also to mention very briefly in the time that I have available is some research which was undertaken by the Inspire Foundation and Ernst & Young and which was published recently. It is a study of the impact of young men's mental health on the Australian economy. In addition to the huge personal tragedy to families when things go wrong, there is also a huge cost to the community from poor mental health amongst our young men.

In fact, the study actually showed that mental illness in young men aged between 12 and 25 cost the Australian economy approximately \$3.27 billion per annum in terms of lost productivity. Not only is it a huge personal cost to families and the individuals involved but it is also a huge cost to our society. The other study I would like to mention (which is actually published in the *New Male Studies Journal* by the Australian Institute of Male Health and Studies) particularly looks at the health of men in rural areas and particularly farm workers.

One interesting thing about this study was that, while they found a lot of the indicators for men's health were poorer in rural areas, they also found that, with interventions, they were actually getting improvements in all indicators. What one needs to conclude from this study is that, with appropriate—

Members interjecting:

The ACTING SPEAKER (Hon. M.J. Wright): Order!

Mr PICCOLO: —interventions we can get men, particularly in rural areas, to improve their health outcomes.

VOCATIONAL EDUCATION AND TRAINING

Mr PISONI (Unley) (15:47): I would like to use this time to point out to the house—and perhaps even celebrate the fact—that this government has woken up to its responsibilities in training following 10 appalling years of vocational education funding here in South Australia. If we look at the data that is released from the NCVET and analyse that over the last 10 years we find that we have seen increases in VET funding across the country on average of 11.5 per cent.

We have seen Victoria with a 29.2 per cent increase; Queensland, an 18.8 per cent increase; and Western Australia, a 28 per cent increase in VET funding. Then, if we relate that back, here in South Australia there has been a paltry 3.4 per cent increase in funding. That is all we have seen in VET funding in that time. If we relate that back down to the amount of money spent per person between the ages of 16 and 64, in South Australia it is the lowest figure of all the states and territories.

As a matter of fact, in real dollar terms it is \$21.10 lower than it was 10 years ago. We are seeing increases—again per person—in Victoria of 10 per cent and in Western Australia of 4.6 per cent but a decrease of 6.5 per cent in real dollar terms per person for training for state government VET training funding here in South Australia. Today we see the government's announcements on Skills for All. This is obviously its media strategy for the day. We had three questions to the Minister for Employment, Higher Education and Skills and we had a question to the Minister for Education. This was their whole focus in the media today.

They want us to look at the future of training in South Australia. They do not want us to look at the past. Even if we go back five years and compare South Australia with other states, we can see that the national growth in commencements of apprenticeships is 19.52 per cent. We have seen figures in Victoria of 28.84 per cent and in Western Australia of 24.5 per cent, but here in South Australia it is below the national average at 18.23 per cent. Completion rates are way below the national average, with a growth of only 16.5 per cent in completion rates compared with the national average of 26.67 per cent. Completion rates in Western Australia are at 40 per cent and in Queensland they are at 33.9 per cent, but here in South Australia it is a full 10 percentage points below the national average.

We have the lowest growth in the number of apprentices in training in the last five years in mainland Australia. In the number of cancellations and withdrawals from apprentices there has been no growth, no reduction in that whole time. We have seen a better result of a 9.48 per cent reduction in cancellations and withdrawals across the nation. These are very dire figures for South Australians and very dire figures for our youth in South Australia.

The latest ABS figures show youth unemployment at 32.6 per cent; that is, one in every three of our young people who are looking for a job simply cannot get a job; there is not a job for them. This government made a fanfare of announcements today with the Skills for All, but we also

remember the fanfare they made when announcing concessions for payroll tax for apprentices in the lead-up to the last election. What was ironic about that is that the announcement was made in a bakery, yet, since the government for budgetary reasons pulled that concession away from employers, it has made it even harder now for employers to take on apprentices and trainees.

The Treasurer said, 'We're not interested in training bakers and butchers: we want to train people in the mining industry.' Yet that is where they launched it—in a bakery. It just shows the hypocrisy of this government. Do not think this money will be there for the long term. This is another get out of gaol free card for the government. They will milk this all the way to the election. There are no guarantees. Look at their past record of promises they have made and their inability to deliver.

ZONTA CLUBS

Mr BROCK (Frome) (15:52): Today I would like to talk about the recent celebrations of the 10th anniversary of the Zonta Club of Clare & Districts. This was held at Artisans Table at Clare just recently. The event acknowledged the hard work of establishing this club, which was started 13 years ago after a decision of the Zonta Club of Adelaide Torrens to birth another club at Clare. A task force was established and a guest speaker was chosen to speak to the group at Clare at the time. This was facilitated by Mrs Barbara Worley OAM, who visited Clare once a month for nearly three years to help the local ladies spread the word of Zonta and to encourage the development of a membership base for a local club in the region.

It took the local Clare ladies such a long time to get the required 20 members for a club formation. Along the way there were a few who may have lost interest and, in actual fact, did lose interest; however, the rest of the ladies kept regrouping. Eventually, on 2 May 2002, the women still involved signed up and the newly chartered Zonta Club of Clare & Districts was inducted, and this club became the youngest club in the district. This has since been eclipsed by the formation in 2011 of a new club in Hobart.

Over this decade, members have worked diligently in the community to deliver a number of very important projects. Some of those projects include bursaries to four regional high schools to help young women achieve positive educational and social outcomes; pamper packs containing lovely and useful toiletry items wrapped in gorgeous, fluffy towels and distributed through UnitingCare to local women in need in Clare; and the maintenance of a care cupboard at the Clare Hospital, which contains toiletries and a change of clothing for women hospitalised in an emergency. In this project the local Zonta club collaborated with the local Freemasons club of Clare to provide items for men hospitalised in an emergency.

The hospital care cupboard got a mention in state parliament when it was launched 10 years ago, and in 2010 the club was the runner-up in the Premier's awards for their school bursary initiative. Locally, the club regularly celebrates International Women's Day with a breakfast and has held White Ribbon Day events. The club also celebrates the strength, fortitude, vision and commitment of special women in the Clare community through its women's honour roll at the Zonta Garden at Clare's northern entrance. This garden was a gift to the club from the Clare and Gilbert Valleys some years ago and was dedicated to the local club by former mayor, Patricia Jacka OAM.

The club also holds an annual birthing kit assembly day and its other international support comes from contributions made through its fundraising efforts, with moneys sent to Zonta International towards programs such as prevention of mother-to-child transmission of HIV and gender-based violence in Rwanda, Safe Cities for Women project in Guatemala City and El Salvador, and the elimination of obstetric fistula and the reduction of maternal and newborn mortality and morbidity in Libya.

This club has completed many worthwhile and challenging projects during the last ten years. However, I would also particularly acknowledge the three charter members who have ten years of unbroken service to this club: Debra MacKenzie, Bev Gum and Jillian Mill. The current president, Nan Berrett, although she was a foundation member, left for a small period, but has since rejoined and has now volunteered for a second term as president.

I feel privileged to have been part of this club's 10th birthday celebration and also the other events that I have been invited to by this club and attended. This club has continued to survive despite some challenging times, almost facing closure due to low member numbers, but is now vibrant and active, with a wonderful group of women who will continue to make a positive impact on our communities both locally and further afield. This club is to be commended for its courage and its dedication.

AQUACULTURE (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 May 2012.)

Mr PEDERICK (Hammond) (15:58): I am lead speaker on the aquaculture bill today, and I indicate that the Liberal Party will be supporting it. We do have some other speakers and we will be seeking some clarification during the committee process on some points. This bill comes after just over a decade of leadership that was shown by the then Liberal government back in 2000 and 2001 in the instigation of the first act. I think it is still the only act in the world to manage aquaculture as it does. I will always say that I think our fisheries are very well managed under the Fisheries Management Act and the Aquaculture Act. Those acts, especially the Fisheries Management Act, also deal with the management of sea growth such as seaweed on the sea floor.

That is what disturbs me about the whole debate about marine parks, where we see the Department of Environment and Natural Resources taking over, or attempting to take over, from the excellent management that Primary Industries and Regions, formerly Primary Industries and Resources, has done through various governments in managing fish and fish stocks. These are very well managed with, if need be, quota restrictions and time restrictions on fishermen in regard to the taking of fish, especially in the commercial sector. I think it is very well managed—extremely well managed.

We see today, at the federal level, the announcement by minister Burke about marine parks, when once again Australia steps out into the great green unknown and we see Labor governments bending over to their green taskmasters and not seeing the folly of their ways. At least I suppose at the federal level the Prime Minister and minister Burke are saying that there will probably be \$100 million of compensation in place, but in the bigger picture it will mean that more fish will need to be imported to feed the ever-growing population of this country.

It will mean that there will be less fish that will be able to be exported from Australia, and there will be a forever growing cost burden on the commercial fishers, especially those left in the industry, and these are costs that will be born by industry. There is also the heavy cost wherever we land with this marine park process, whether it is at a federal or state level, that will be borne by local communities and the flow-on effects to the corner stores, to the local grocery store, to the fishing tackle shop, or to the caravan park. There will be a whole range of impacts that I am sure that governments at the state and federal level have not fully analysed, but I digress.

I want to talk about some of the excellent work that was done around the time the aquaculture act was introduced by the Liberal government back in 2001. I believe Rob Kerin was the lead at the time of its introduction and, as I said, it is world-class legislation. In January 2001, Aquafin, a major new national research centre in South Australia with a focus on aquaculture, was announced.

In February 2001, following a successful captive breeding program at the South Australian Research and Development Institute, the government proposed to introduce mulloway into the South Australian aquaculture sector. We saw in March 2001, the government proposal to develop a marine plan for Spencer Gulf, namely the Spencer Gulf Pilot Marine Plan. In May 2001, the government committed \$2 million to the farm seafood industry in the 2001-02 state budget.

In August 2001, the government introduced a \$3 million program to improve compliance services to fisheries around South Australia; essentially, more fisheries compliance officers were to be employed. In December 2001, the government proposed to set up an aquaculture park on Eyre Peninsula to store, process and package oysters. This project was funded by a partnership between the District Council of Ceduna and the state government through a regional development infrastructure grant.

There was so much more done by the Liberal government of the day to promote aquaculture in our state. As to that last issue about the aquaculture park, I am sure the member for Flinders will be well aware of the progress of aquaculture in the last decade in his area of the state. It was pleasing that around the end of January, early February, I went over to Eyre Peninsula, along with the member for Flinders and the Hon. John Dawkins from the other place, and for some of the meetings over there Rowan Ramsey, the federal member for Grey, was on board. We met and consulted with many people on the impacts of the change in the legislation and some of those people included Samara Miller from the abalone association, people from Kinkawooka mussels,

Trent Gregory from the Northern Zone Rock Lobster Association and Simon Clark from the Prawn Association.

We were talking to people who were not just involved in aquaculture but, obviously, wild catch as well. David Ellis is involved with the tuna industry. Paul Watson is in charge of pilchards or sardines. We also went out to the pristine oyster farm at Coffin Bay and Brendan Guidera is a leading light in the production of oysters. We also talked to Bruce Zippel at the aquaculture park at Streaky Bay. Bruce has an excellent operation there as well. We met with mayor Allan Suter from the Ceduna council and also ran some open forums at Streaky Bay and Ceduna. It was a very worthwhile trip. I always find it invigorating to get over to the wide open spaces of Eyre Peninsula. There are some very good people who are involved in not just the aquaculture industry but agriculture as well.

In relation to the Aquaculture (Miscellaneous) Amendment Bill, I just want to reiterate that we have a world-class reputation for our aquaculture in this state. Of the total seafood production in South Australia, 30 per cent originated from aquaculture in 2009-10, which represented 49 per cent of the total seafood value of production. This generated direct employment for approximately 1,800 people, with 1,700 jobs flowing on, which is a total of 3,500 jobs in this state. Of these jobs, 71 per cent are in the regional areas.

As I indicated earlier, the 2001 act is a unique piece of legislation and the first of its kind in Australia. This Aquaculture (Miscellaneous) Amendment Bill builds upon the excellent work that was done over a decade ago and aims to actually improve and streamline processes and reduce red tape. As I indicated earlier, this legislation will bring the ever maturing industry up to date and coincide with the rapid development of industry practice and aquaculture management practice. I think an excellent part of the bill is the introduction of third-party registrations on leases, which is similar to mortgage arrangements on a property, so third parties can be part owners in the operation.

The objects of the act remain unchanged and the bill will assist with this, especially when it is enacted. It will ensure ecologically sustainable development of marine and land-based aquaculture and maximise benefits to the community. It will also give, as it has done over the past decade, efficient and effective regulation of the aquaculture industry under the regulation-making powers of the act, and it will regulate infrastructure, including site markers, anchors and feed barges used on licensed sites. Holding sites and the maintenance of infrastructure will be managed and in this bill there will also be the capacity to license the towing of live aquaculture stock, which obviously happens all the time with regard to the tuna ranching operations, mainly on Eyre Peninsula.

The bill appears to give greater clarity and transparency in the determination of a suitable person who may be granted an aquaculture licence, which will involve clarifying the person's financial capacity to comply and whether the person has committed any offences or has had any statutory authorisation relating to aquaculture, fishing or environmental protection cancelled or suspended.

It is indicated that there will be no confusion as to the application of standard conditions of aquaculture policies. A 28-day time frame will be set for the consideration of aquaculture policies by the Environment Resources and Development Committee, which will not be eroded by the Christmas holiday period or in periods near general elections. As I have indicated, those periods will be disregarded in the 28-day time frame.

The concurrence of the minister responsible for the administration of the Harbors and Navigation Act 1993 to the grant of an aquaculture lease has been clarified in the bill, with the effect that concurrence is not required where a lease is subdivided or two leases are amalgamated. This section also establishes that concurrence is not required for an emergency lease unless it is to be granted within the boundary of a port of harbor. Another good part of this bill is where we see the ability for leases to be amalgamated, especially with the ever-rising costs of compliance.

The bill removes a mandatory requirement for the lease to specify a class of aquaculture. The bill also provides that the lease may specify performance criteria to be met by the lessee. This is with regard to the fact that in the past some leases have been left undeveloped by speculators, so the government wants—and I agree with this practice—aquaculture leases to actually be used for a purpose, which will maximise benefits for industry. The bill will give the minister of the day the power to cancel an aquaculture lease where no aquaculture is being conducted and where

performance criteria have not been met. This can happen when fees have not been paid. As indicated in the bill, the minister needs to follow procedural fairness steps.

Through this bill it is indicated that there will be the removal of development leases, which will reduce red tape. Development leases can be managed in the same way through a production lease, and there are obviously transitional provisions as part of the bill. All development leases will automatically become production leases, with the same terms and conditions as those that applied to the existing development lease. The minister would have to give consent to the transfer of production leases in the same way consent was required for the transfer of development leases.

Provision for the allocation of pilot leases in prospective zones has been removed, together with the provision for prospective zones altogether. The maximum aggregate term of a pilot lease has been increased to not more than five years, and this is an increase from three years. The lease may be converted after three years if the minister is satisfied with the performance of the activity on the site. This will enhance the new scheme for the grant of leases within aquaculture zones that are more flexible and more transparent.

There are two methods—which we will investigate more during the committee stage—that have been identified in the bill by which to release tenure or access rights to areas of state waters. There is a system of public call, and the second and new form of tenure release is an on application regime where no public call will be required. Applications received will be assessed by the Aquaculture Tenure Allocation Board. It is the aim of the bill to encourage investment whenever possible. All applications will be assessed by the Aquaculture Tenure Allocation Board against set criteria.

It is indicated in the bill that there will be a greater level of transparency to the assessment process for the applicant. The draft bill proposes that the ministerial guidelines be gazetted and available on the internet. A research lease has been included in the bill to enable certain waters to be dedicated to research activities, and the term of research leases will be five years or less. Research leases will be renewable, but are not to extend beyond the term of the appropriate research project.

There has been a new regime on the granting of emergency leases introduced in this bill. If the minister considers that an emergency circumstance exists that warrants such action, an emergency lease can be granted. The concurrence of the minister responsible for administering the Harbors and Navigation Act 1993 will be required only if it is necessary to grant an emergency lease within a port or harbour.

The current power for the minister to require or carry out work on a licence has been extended to require or carry out work on a lease. The minister may now direct the lessee or former lessee to take action or remove equipment in certain circumstances. As indicated in the bill, failure to comply with the minister's direction may result in a penalty, and the minister will be able to organise the work to be done and recover the associated costs from the lessee or former lessee. As part of the bill, abandoned sites must be secured and clearly marked until any existing infrastructure is removed.

I note that the bill modifies and expands the provisions dealing with licence conditions and variation of licence conditions. It also introduces an offence of contravening a condition of licence, with the maximum penalty being \$10,000 or an expiation fee of \$1,000. It is hoped that through this enhancement of the act there will be greater business certainty and obviously, with third-party investment, attractiveness of investment, as indicated, with the ability to register the interest of a third party (for example, a mortgagee) on an aquaculture lease or licence. Once registered the third party is required to consent to the transfer and variation of a lease or licence.

With regard to third parties, the minister must also give a registered third party written notice of any proceedings for an offence of any notice proposing to cancel or not renew a lease. Having a registered third party has been supported by the Australian Bankers Association. In addition, the bill clarifies the fee structure for lessees and licensees and elevates provisions dealing with annual fees for licensees to the level of the act.

I note that the membership of the Aquaculture Advisory Committee will be expanded from 10 to 11 members, with the additional member being a person engaged in the administration of the Harbors and Navigation Act 1993. The Aquaculture Resource Management Fund will be known as the Aquaculture Fund, and that fund will be applied to two additional purposes: research and development relating to the aquaculture industry, and the removal and recovery of aquaculture equipment, stock or lease markers should that action be required to be taken under the act. We will

also see a further enhancement of environmental management of aquaculture activities in South Australia.

The bill deems the minister to be an administering agency for the purposes of the Environment Protection Act 1993. It will also enable the minister to appoint fisheries officers as authorised officers under the Environment Protection Act 1993. The bill clarifies succession arrangements, providing certain persons with powers to carry on aquaculture should a lessee or licensee die, become bankrupt or insolvent or, in the case of a body corporate, be wound up or put under administration, receivership or official management.

A constituent came to me who had a licence leased out that caused a world of pain because, sadly, the lessee died. Hopefully this part of the bill will clean up such circumstances so that people can sort out their business arrangements quickly regarding who has to pay the bill, basically. Hopefully we can get that sorted out to everyone's benefit. There is a confidentiality provision included which makes it an offence for persons engaged in the administration of the act to divulge trade processes or financial information gathered in the course of official duties unless it falls within the limited exceptions of the provision.

Enhancement will assist in ensuring the continued sustainability of the aquaculture industry in South Australia into the future. I certainly believe that aquaculture does have a bright future. As time goes on, the percentage of fish that are farmed and the wealth will slowly enhance the productivity of all our fisheries income and become a major part of our fisheries income for decades to come.

I just want to briefly reflect upon a question asked by the Hon. John Dawkins in the other place to do with the increases that have been charged to leaseholders in regard to fees. The Hon. John Dawkins made the following comments:

They include one whose fees went up from \$5,000 to \$74,000 and another example where one [fisherman's fees] went from \$2,700 to \$30,900 over a 12-month period.

The Hon. John Dawkins asked:

If the minister could bring back some explanation of the rationale and way in which those fees were determined...

There is a fund within some of the aquaculture sector, certainly within the oyster industry, that has been established to enable those disused and abandoned aquaculture sites to be dismantled by people who know what they are doing.

I have also been advised that in recent times PIRSA Fisheries has been establishing its own fund to do this. It charges fees to the participants to facilitate this fund. My query to the minister (and I would be grateful if she brings this back at the commencement of the committee stage or in her second reading summary) is why, when there is a fund established by the industry and at their own volition—and there is a track record of those participants doing the work, going out and cleaning up a site that has been disused—there would be a duplicate established by the department when that is already working very well.

That is something else that we will be investigating during the discussion at the committee stage of the bill because there are some sectors that do have their own fund for cleaning up disused sites. I will read in the minister's response to the Hon. John Dawkins in the other place. I found it quite interesting because, in a lot of words, it really did not say a lot at all:

Dear Mr John Dawkins,

In further response to your questions raised in the committee stage of the reading of the Aquaculture (Miscellaneous) Amendment Bill 2012 on 15 March 2012 and recorded in Hansard on pages 982 to 988, I provide the following answer to your question on aquaculture fees.

Aquaculture Fees

A system for determining cost recovery for PIRSA Aquaculture and Fisheries, Aquaculture division management activities has been in place since the Act was introduced in 2002. Aquaculture leases and licences are currently the primary means of regulating the activities of aquaculture operations in South Australia. The Act provides for the charging of fees in relation to the administration of leases and licences.

PIRSA Aquaculture reviewed its cost recovery methodology in 2010 and has adopted an activity based approach where the effort is quantified for every activity, including overheads and non-cash items for identified programs. A process has been developed to provide a basis for determining resources required to deliver [a] particular activity—

I do not think this printed very well, but anyway—

PIRSA Aquaculture is now able to provide a more accurate reflection of real cost. This approach is in line with the PIRSA Cost Recovery Policy 2010 which has been developed using the commonwealth Department of Finance and

Administration's 'Australian Government Cost Recovery Guidelines' report (2005), in addition to the Productivity Commission's 'Cost recovery government agencies: inquiry report' (2001), to ensure consistency with National Guidelines.

A time recording process has also been implemented by PIRSA Aquaculture staff to accurately report effort against each activity program and aquaculture industry sector to inform the cost recovery process for the 2011-12 financial year and beyond.

Due to this new activity based approach to setting fees and a reduction in appropriated funds for services provided to the aquaculture industry, there have been increases in licence fees across all sectors of the industry. The increases are directly attributable to the level of resourcing required to conduct each of these services for the aquaculture industry sectors and a significant reduction of government subsidisation through state funding. All industry sectors are consulted on their fees and PIRSA Fisheries and Aquaculture undertake a thorough process before setting any new fees.

Yours sincerely, Hon. Gail Gago MLC.

That was quite a long explanation which, really, did not say much at all. It did not explain exactly how the fees were arrived at. I was horrified several years ago, in one sector, trying to work out the fees, where the minister of the time (Hon. Rory McEwen) said, 'We will only double the fees but they are effectively quadrupled,' and that, obviously, caused a lot of angst, especially on Eyre Peninsula.

I think, certainly from the industry's point of view, they have not been happy with the way a lot of the fees have been set in the past and I just hope that things are being sorted out into the future so that people do not feel like they are essentially being ripped off. Aquaculture is a vital industry for our state and it is a real cash-hungry industry, and we do not want to see these people who put their money where their mouth is taxed out of existence. The input costs of aquaculture are massive. These people put millions and millions of dollars into this state through setting up and managing their aquaculture farms and employing people. They put many millions of dollars into the economy of the state.

As I indicated earlier, we will be asking for some clarification during the committee stage of the bill and, from my perspective, I commend the bill. We will certainly be looking for some more information as we go through the bill. I note there are a couple of other speakers.

Ms CHAPMAN (Bragg) (16:27): This is a bill to amend the Aquaculture Act 2001. That act was passed by the previous Brown-Olsen Liberal government and, essentially, was established to regulate both marine and inland aquaculture. I think it is important that, 10 years after that act was passed, there be a review (and there has been) as to the effectiveness of this regulatory structure and the legislative program.

That has occurred and, on the briefings we have received from members in the department, I think that has been comprehensively undertaken. There are significant areas of reform that have been outlined by our lead speaker and I would like to commend both the process of review and consultation and the excellent briefing to members of the parliament by the department and the professional scientists from SARDI. If each of the legislative review processes that were undertaken in this place had followed this program and ensured that they attained the standards of consultation with stakeholders, I would be very pleased. It is a threshold to which others should aspire.

I want to point out that the significance of the Aquaculture Act is that it works on the system that aquaculture (as we all know) is a process that provides for the farming of aquatic organisms for the purpose of trade or business or research and is developed on applications for development leases. What is important in the principal act, which has been retained notwithstanding these amendments, is that, essentially, to have approval the aquaculture project must be ecologically sustainable. Under the principal act, the development is ecologically sustainable:

...if it is managed to ensure that communities provide for their economic, social and physical well-being while—

- (a) natural and physical resources are maintained to meet the reasonably foreseeable needs of future generations; and
- (b) biological diversity and ecological processes and systems are protected; and
- (c) adverse effects on the environment are avoided, remedied or mitigated.

Section 4 of the act sets out the requirements that need to be considered when decisions are made on the development consistent with the ecologically sustainable obligation. To me that is very important, and government needs to be reminded that, when it is considering these applications

(within the framework that we have for the development of this very important industry to South Australia), the opportunity for us to develop this industry responsibly is probably greater than any other in the fishing industry generally.

Let me just say that we received a presentation yesterday from the Friends of SA Parliament Research Library. I am a member of the Friends of SA Parliament Research Library, and I am proud to say that we hosted a sustainable aquaculture and seafood security event here, and Madam Speaker was the official host in her dining room. Professor Rob Lewis and Dr Steve Clarke, supported by Dr Mehdi Doroudi, provided presentations to give us an update. I thank them for that, and I hope that members were not only appreciative but also understood the benefit of what we were being provided.

What was, I thought, a very good updated and encouraging statistic was that South Australian fisheries production value now for 2010-11 is \$196 million in value and that the aquaculture production value in 2009-10 was \$194 million. They are two different areas but it indicated to us that seafood production is now about equal between wild fishery stock and aquaculture production.

As the government has decided to progress an exclusion zone program within marine national parks in South Australia, and as we have heard that federally the Australian government is introducing a regime of national marine parks, within which there will be certain activity that is prohibited, including commercial fishing, it is not difficult to appreciate that gross wild seafood consumption from the wild stock has been, according to the information provided yesterday, somewhat static. That is, it raises this question of being able to ensure that we remain within the caps to protect various species that it can reduce. As the local, national and international demand increases, there will be an ever-widening gap between what is caught from wild stock, what is produced from the aquaculture programs currently underway, and what the world requires.

Obviously, unless there was inappropriate destruction of the wild fishery, the only way to fill this gap is to develop the aquaculture industry further; so I applaud it. I hope that the speakers were right in presuming that there was significant bipartisan support of the major parties for the development of aquaculture. Not only is this an industry that was born under a Liberal regime but our lead speaker has spoken many times to indicate his support. However, I hope he is right and I hope the speakers were right yesterday in presuming that there would be similar confidence in the Labor Party when they are in government.

The reason I say that is because it does seem that, as we go through this rather ugly period of having to negotiate the commercial fishers' compensation packages as a result of marine parks, we are going to have a reduced available catch that can be marketed and we are going to increase the demand on aquaculture. We will need a sympathetic and supportive state government to progress that. Whether that means more land development leases to be granted or whether it means an assurance that they will not be overly restrictive in allowing marine developments, we need to have a commitment from the state government that they are going to do it; otherwise, we will continue to have an ever-widening gap and we will not be able to provide for ourselves.

I am told (and I can only accept this as accurate) that we currently consume a lot of fish in South Australia but that 75 per cent of what we consume is from overseas—we import it. I am not saying that is necessarily a bad thing. Obviously, we can be proud of the high quality of what we export in value and in the standard of the product on the international market. It may be that our best crayfish gets eaten by foreigners.

We have an appetite for seafood. It is obviously a healthy product, and fishing, whether professional or recreational, is a healthy activity and something we need to support, and we need to have an assurance from the government that they will do so. Today we are really approving the legislative review of some reforms which, hopefully, will provide greater opportunities.

However, be under no illusion: this structure, even in its improved form, will be of no further benefit to the aquaculture industry unless the state government gets behind it and understands the seriousness of what we are facing, given their decision on the wild catch restrictions. We are going to have some very positive support and movement to embrace and develop this industry if we are not going to starve.

Mr VAN HOLST PELLEKAAN (Stuart) (16:38): I rise to speak on the Aquaculture (Miscellaneous) Amendment Bill. It will not surprise my colleagues in this house that I am far more familiar with pastoral leases than aquaculture leases; however, this is a very important aspect of our South Australian economy. The member for Hammond, the shadow minister for fisheries, tells

me that this world-class industry contributes roughly 30 per cent of seafood production at the moment and nearly 50 per cent of the value of seafood production. I think that speaks volumes for the aquaculture industry.

Very importantly, 70 per cent of jobs in aquaculture in South Australia are in regional areas. I think this is one of the many areas in which we could support the growth of jobs in regional South Australia, and I hope the government will join with the opposition in doing everything they can to make that happen. I would like to just briefly pay tribute to the Hon. Rob Kerin, who was the initiator of the Aquaculture Act in South Australia. Thank you to him for that.

This really is about streamlining the aquaculture industry, giving some additional powers to the minister and trying to make things more accessible and more sensible and, very importantly, to remove speculation, to try to get people to get on, get involved in this industry and to use the rights they have sensibly to grow and create seafood and grow this industry. I think that is a very important thing that we have here.

I welcome the introduction of the opportunity for third-party interests of leases too, because I think that will also allow the industry to grow and to flourish. I am mindful of the concerns that I have and have raised with the house about the exorbitant increase in pastoral lease rents that are taking place at the moment. I hope that is not copied in the aquaculture industry in years to come. I certainly support the fact that this is a very important industry. The truth is that for decades now people have actually been highlighting how important aquaculture will be throughout the world with regard to feeding people and providing food, and I am glad that we can consider ourselves to be very actively involved and potentially world leaders in this area in South Australia.

I would also like to just touch on the very important interaction between aquaculture leases and leases, or potentially licences, to adjoining or nearby land. I understand very well some of the issues associated with access and occupation of crown land, but I would like to raise an issue that came to me a few months ago from one of my constituents in Port Augusta who has an aquaculture oyster lease on the western side of the Upper Spencer Gulf. He is a good person, responsible person, who puts a lot of good hard work into what he is trying to develop, but of course, if you do not have pretty practical, immediate access to where you are trying to work, it can make life pretty tough for you.

What Mr Colin Struck has asked of the government is whether he could take a licence, or a lease, whatever the government preferred, over some crown land very near to his oyster lease. He is more than happy for the land lease agreement or licence to be integrally locked into his oyster lease. He is not trying to access some land so he can put a shack on it or hold on to that land after his involvement with the oyster operation. He has been knocked back, and I have had productive talks with local government officials who deal with these things in Port Augusta and I understand their concerns with regard to the fact that there is a native title claim over that land and so it is exceptionally difficult for the government to provide any other right of occupation over that land while there is a native claim that has not been settled.

I would like to use that example to highlight the fact that I am sure that in many places in South Australia it would be important for people to have access to some land near where they have an aquaculture lease, so that they can more productively do their aquaculture work. This amendment bill is about removing red tape, it is about streamlining the industry, and it is about trying to create efficiency, and I think every member here would understand how hard it would be to do this work if you did not have a land base nearby.

As I mentioned before, one of the aspects of this bill is trying to stop speculation, trying to make sure that people who do have the right to work in aquaculture operations actually get on and do it. I think trying to find a way to give them access to some public crown land, if they do not already have it, will go a long way to making these operations more efficient. With those few comments, I will wind up.

Mr TRELOAR (Flinders) (16:44): I rise also, along with my colleagues, to support the bill. As we have already heard, this will be a significant revision of the legislation in an attempt to streamline the function of the legislation and how it applies to what is a growing industry around the state. With reference to my own seat, my own electorate of Flinders, of course we have an extensive coastline around Eyre Peninsula, and we have aquaculture situated virtually the whole way round that coastline, from up near Whyalla right down the Spencer Gulf coast, around the bottom, up the West Coast, particularly with the oysters up the West Coast, all the way west of Ceduna.

Tuna is the one that everybody knows and talks about. The tuna ranching industry as it is known—rather than farming, the preference is for it to be known as ranching—is based in Port Lincoln. Kingfish is the other important finfish that is farmed in Spencer Gulf, and everybody is aware of the oyster industry on Eyre Peninsula. People are very parochial about their oysters so I dare not name any one particular bay, and I know many of the growers have leases in a number of bays from Cowell right around through Coffin Bay, Streaky Bay, Denial Bay, Smoky Bay—all the way around.

Interestingly, the oyster industry began in Coffin Bay way back in the late 19th century when the local native oyster, the angasi, was dredged from the bottom of the estuaries and bays in and around Coffins, and it was not long—well, a few short decades, I guess—before that industry was completely fished out. Back in the seventies, I think the first attempts were made to farm the Pacific oyster on racks within Coffin Bay. It was successful but limited demand and limited interest, I guess, meant that it was probably another 20 years before it really began to take off in Coffin Bay and those other bays around the place.

Mussels are now being grown using various means in the waters near Port Lincoln. Even abalone, which is a wild catch fishery traditionally, is getting to a point now where spat is being produced and it is farmed, once again, around the West Coast. Marron and yabbies in other areas of the state, not so much on Eyre Peninsula, are also a part of the aquaculture effort across this state.

Generally, the seafood industry is worth about \$200 million to this state so it is a significant industry. I understand 70 per cent of that contribution comes from the Eyre Peninsula. I attended the same briefing from the department that the member for Bragg discussed earlier in her contribution and, of that \$200 million in value as an industry, about half is made up of wild catch fishing and about half is made up of aquaculture. They are interesting figures to me. I had not realised that aquaculture was so significant and such a proportion of the total value but it is around 50 per cent, and around \$100 million. I think there is probably opportunity to grow both the wild catch sector and the aquaculture sector, and it could almost be suggested that it is imperative that we do. It is an opportunity for the state, and there is no doubt that there will be an increased demand for seafood, not just here in this state, right across Australia and around the world.

The increase in demand is coming for a couple of reasons. Obviously there is an increase in population, all demanding some seafood in their diet, but seafood as a percentage of the modern western diet is increasing. So, the increase in demand is twofold, one from the increase in population and one as a result of the increased percentage of that seafood in the modern diet.

I think this amendment bill gives us the opportunity to cement our place as the leader. I understand that we were the first state in Australia to implement an aquaculture bill, probably one of the first places in the world to have a bill that regulated, controlled and allowed management of an aquaculture industry. It is a great provider of jobs. I understand about 3,500 jobs across the state are provided by the aquaculture industry and, of course, there is a multiplier effect and each and every one of those jobs—most of them are regional—gives the opportunity for a family to live, work and play within the regions of South Australia. So, it is a really important employer of the regional workforce. As this industry grows, there will be challenges, I suspect, to continue to source enough of a workforce. Obviously, we are expecting mining to compete with aquaculture, fishing and agriculture, indeed, for workers.

There is probably the opportunity for automation, particularly with regard to feeding tuna and kingfish. Although automation is expensive, the technology is there to allow it and, as wages become more costly and the task of filling those positions becomes more difficult, then I suspect that automation will take the place of some of those jobs.

The other challenge, particularly for the tuna industry and also the kingfish industry, is to be able to provide enough of a food source in the ranching situation. For those who are not aware, the tuna are caught out in the bight in the west and towed back to the rings or the cages that are in the waters adjacent to Port Lincoln, and they are provided with pilchards—mostly locally caught pilchards but some imported pilchards—as the fish are fattened. That, in itself, can be a limiting factor because there is a finite supply of even the pilchard resource. I know it is another fishery that is being fished sustainably but, ultimately, if aquaculture is to grow, other food sources need to be found.

There may well be an opportunity for a land-based protein source to be provided. I know there has been a lot of work done, both by SARDI and locally on Eyre Peninsula, in an effort to

provide some of the protein requirement in the fish farming enterprises from a land-based product. In our part of the world particularly, if we can meld both land and sea into one agriculture/aquaculture region, it would go a long way towards becoming very competitive for a long time to come.

This bill will also encourage continued investment, which is imperative for any industry to continue to grow. Investment is required into research so that the latest technologies are available. New products can be researched and established, and in the future there may well be fish species that are not yet farmed but have the possibility of being farmed, once again, into foodstuffs.

Research is vital, and that innovation into research also drives the innovation and development of the fishery itself. Should that investment into research continue, that encourages the investment into a successful industry from entrepreneurs and businesses which are either already in the industry or outside and looking to get into it. It is about confidence. This bill provides the foundation for confident investment into this industry.

Last night, I had the pleasure of attending a dinner in Port Lincoln to launch the Australia's Seafood Frontier brand into the tourism sector on Eyre Peninsula. The Australia's Seafood Frontier brand was developed by the Eyre Regional Development Board after much consultation and input from locals and local industry. They have come up with a branding that they feel will work and will advertise and promote our part of the world for what it is—the seafood frontier. They are concentrating on the pristine environment, the clean and green product and actually extending that now into not just the food marketing sector but also the tourism sector.

It was a great dinner and well attended by people from all over Eyre Peninsula. There were a number of guest speakers; one in particular I enjoyed was a chef by the name of Simon Bryant. Simon Bryant will be known to some of you as the co-host with Maggie Beer on one of the cooking shows on television. He was there last night giving his opinion on how we on the Eyre Peninsula can best use our natural attributes and the seafood that we produce. So, it is about building on a region's reputation and the clean, green and pristine environment and production is critical to that, and it was talked about a lot last night.

As has been mentioned by the member for Hammond, there was extensive consultation on the part of the opposition in preparation for this debate. In January, the member for Hammond, myself and the Hon. John Dawkins from the other place toured up and down the Eyre Peninsula. I appreciated their spending time in my part of the world. A lot of time was spent consulting and speaking with the locals, both those involved in aquaculture (all sectors of the aquaculture industry) and recreational fishers, because some of this regulation and administration does impact a little on the recreational fisher.

What we found was that people were generally supportive of the amendments being proposed. We certainly got that sense. There were some suggestions and there were also some concerns from the recreational fishers. Their main concern was about the impact that aquaculture may have on the environment. Obviously, when you have intensive aquaculture, or agriculture, of any kind, the environmental impact has to be managed very carefully, and the recreational fishers wanted to be sure that appropriate regulations and policy were in place to manage any of that impact. Recreational fishers were also talking about the access they have enjoyed to their favourite fishing spots. They wanted to be assured that that access would not be removed or compromised in any way.

From the aquaculture industry itself, and also the wild catch industry, the issue of compliance was raised with us: first and foremost, the cost of compliance, the ever-increasing cost of compliance. People are paying extraordinary rates for their leases now. Some of the wild catch fisheries, such as abalone, have also seen significant increases in their fees and charges. The question has to be asked: what do they actually get for their compliance costs? It is beholden on PIRSA to ensure that regulations are upheld. PIRSA needs to provide a presence within the aquaculture industry, so the aquaculture industry is comfortable that the legislation is being regulated and carried out as it should be. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

BLACKWOOD RAIL OVERPASS

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (16:58): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.F. CONLON: I need to correct something I said in question time today in response to a question from the member for Davenport. I have nothing to correct regarding what I said about the member for Davenport, but I did say something about the councils in the area to which he referred. I said, because I was advised that way, that seven councillors had been briefed when it was up to seven council officers over the past 12 months who had been briefed. I can indicate that the full council had been offered briefings on two occasions, but declined. I can also indicate on the matter that the council had even made formal comments on the DAC application of the infrastructure in question. No major issues were raised by the council, only subtle design changes, which were requested and, in fact, accommodated by the council. So, while I need to correct that it was not councillors it was in fact council officers, I do not think there is any change to the substance of what I had to say.

AQUACULTURE (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Mr TRELOAR (Flinders) (17:00): Probably the last of the significant concerns that were raised with us was to do with the flotsam and jetsam, the rubbish that is washed up on coastal beaches as a result of the aquaculture industry. There is no doubt that rubbish is floating up and being washed up onto the beaches as a result of the aquaculture industry, and there is also no doubt that regulations are in place to prevent that from happening. I think it is about enforcement and about responsible action from all of those involved, and I think those coastal landowners, in particular, have raised a very valid point.

We have raised this with the aquaculture industry on a number of occasions and it has undertaken to do what it is doing better, and the NRM board has also been active in the Adopt a Beach program. My expectation is that this will reduce as an issue, that there will not be as much rubbish washed up, and that everybody will take a much more responsible approach to the management of their materials.

The other thing (and I think the member for Hammond talked about this) is the need to rehabilitate those sites which are no longer used. There are just a few, a handful or so, particularly previously used oyster lease sites, that have become disused and have been walked away from, for whatever reason. They sometimes remain unrehabilitated for quite some time. It is important that PIRSA has a process in place to ensure that rehabilitation is done.

I will not keep the house much longer; in fact, I have only another few minutes. I know that the member for Finnis also wants to speak.

Mr Pengilly interjecting:

Mr TRELOAR: That was a very loud yawn—

An honourable member: And that's your side.

Mr TRELOAR: That's right!

Members interjecting:

Mr TRELOAR: Late on a Thursday. It is all in jest, I am sure. There will be a few challenges in the management of pests and diseases. We cannot foresee what might come our way with regard to that in the future. I think another challenge will be about finding appropriate stocking rates in all these aquaculture industries. However, I am sure this amendment bill provides the opportunity for effective management to take place, that stocking rates can be found by those involved in the industry to really make best use of our very productive landscape. We have good, clean, productive and temperate waters right around this beautiful coastline of South Australia, and the onus is on us to use that effectively and productively. I think we are beholden to do that and it is imperative that we do, that we make most of our attributes, our environment and our landscape in a productive manner.

In closing, I congratulate the members of the Aquaculture Advisory Committee, who are playing an active role in advising the minister on these very important issues. I know that a number

of those committee members come from Eyre Peninsula and the West Coast. I would particularly like to mention a quite recent addition to the committee, one Rachel Lawrie, from Eyre Peninsula. Congratulations to her and to all the members of the committee. With those few words, I commend the amendment bill.

Mr PENGILLY (Finniss) (17:04): I would like to make some brief comments. Along with my side of the house, I am supportive of the bill. Anything that can actually expedite and speed up the process required to get aquaculture projects up and running in South Australia is good. I sincerely hope it works that way.

I guess I have what you would call embryonic aquaculture projects in my electorate to some extent; however, I do point out that I have a very large land-based abalone farm on the north coast of Kangaroo Island. There was another one, but unfortunately it closed down, went broke. That is another story. I also have oyster leases offshore, and we did have mussel leases, but that fell apart, literally, and I might add that our mussels are here, there and everywhere. I also have land-based marron on both sides of the water.

It is an important and ongoing industry for the future. I guess it is becoming even more important with the demand for seafood and products from the aquaculture industry across the nation and into Asia. Indeed, I think nearly all the abalone from the abalone farm at Smith Bay goes into Asia, to Hong Kong. I am very cognisant of how important the tuna fishing industry is off Port Lincoln for the member for Flinders, and I know other members have elaborated at length on the importance of aquaculture and, indeed, agriculture.

It is going to be of ongoing importance, and it can grow. The figures that have been quoted in this place have been most interesting. I hope that the government seeks to put all of these things in place after the bill has been through the house to speed up the process. It is the way of the future in many respects. Seeing as this government wants to shut down a lot of fisheries through sanctuary zones, we will have more and more aquaculture. With those few remarks, I support the bill.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (17:06): Thank you very much; I will be very brief. I thank opposition members for their contribution, and I thank them for their indication of support for this important bill. As they are aware, and as I am acutely aware, the aquaculture industry is keenly awaiting the key amendments to the act. I commend the bill to the house, and again thank the opposition.

Bill read a second time.

In committee.

Clause 1.

Mr PEDERICK: I am just seeking clarity on a few amendments. In regard to the Aquaculture (Miscellaneous) Amendment Bill 2012, what access to research facilities and what access to the product of that research will the industry have once these facilities, I believe, will be transferred to the management and ownership of Adelaide University?

The Hon. P. CAICA: I am not equipped to answer that question. That does not have a great deal of relevance to the bill that is before us today. This is an amendment to the Aquaculture Act. My limited understanding is that ongoing dialogue is still occurring between SARDI and Adelaide University. I do not believe that arrangements have been agreed to at this point in time, certainly not to my knowledge. Without being disrespectful, that would not be an appropriate question for me to answer in the context of this bill, but it is for the honourable member to ask the relevant minister from another place as to how those discussions are proceeding.

Mr PEDERICK: Is the minister aware of what current applications are before the fisheries department in regards to aquaculture licences and leases?

The Hon. P. CAICA: Could the honourable member clarify what he means by 'applications', and its relationship with fisheries?

Mr PEDERICK: I guess, in regard to aquaculture, whether there are any applications for new operations and, on top of that, are there any proposed new industries in the aquaculture sector?

The Hon. P. CAICA: I remind the honourable member and the committee that this amendment bill is an enabler and, of course, it is particularly focused, amongst other things, on the reduction of red tape. The matter of pending applications at this point in time is an operational matter that, first, has precious little to do with this particular bill but, also, is information of which I am not aware.

Mr PEDERICK: I am just seeking some clarity. Obviously, research is important and what applications are in place and whether there are any new industries looking to get involved in the aquaculture sector. Along this same line of questioning—

The CHAIR: If it is the same line of questioning, I suggest we go to clause 25, which deals with research and licensing.

Mr PEDERICK: No, I do not want to do that. It is a general question about aquaculture, and it will be my last one on this clause. Is there any likely impact on the aquaculture licences and leases with the proposed marine parks?

The Hon. P. CAICA: I am advised that applications are on the public register, so the honourable member could look at aquaculture applications that are pending on the public register. Also, the public register includes the site applicable to that particular application.

With respect to the most recent question, commitments were made by the government with respect to marine parks, and marine parks are not an activity that would have a major impact or, indeed, a significant impact: they would have a minor impact on aspects that relate to aquaculture. That was one of the commitments that was made by the government to the aquaculture industry.

Of course, as a former minister for agriculture, food and fisheries, I feel very privileged to be standing here representing the minister in another place on this amendment bill because this is, in fact, an enabling bill that will ensure that, amongst other things, our aquaculture industry continues to thrive and grow in this state. So the answer is: it will have minimal impact on aquaculture; hence, it reflects the commitments that were made to the aquaculture industry. The government made numerous commitments to various sectors of the fishing and aquaculture industry about marine parks.

Mr PEDERICK: Thank you, minister, but when you say 'minimal impact', can you give us an understanding of how many leases will be affected and what compensation will be payable, in effect, in the enabling of the marine parks?

The Hon. P. CAICA: Quite simply, whilst there has been a significant amount of information promulgated by a lot of people about the impacts that marine parks were perceived to have on existing activity, the commitment that was made by the state was that the zoning of both the marine parks and, importantly, any future sanctuary zones would not impact on aquaculture. So, as a consequence of that, there will not be any displacement of existing activities and there will be no need whatsoever to pay for that displacement because that displacement will not exist.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mr PEDERICK: This clause relates to the amendment of section 3—Interpretation, and the definition of 'aquaculture emergency zone'; and it has the new definition around 'aquaculture equipment'. Under the management of emergency zones, and I am just seeking this for clarity, what powers will the minister have to enforce compliance with removal and relocation of equipment?

The Hon. P. CAICA: Of course the bill provides for a new and more flexible regime for the granting of emergency leases. They may be granted by the minister in state waters but not within aquaculture exclusion zones. Of course, as I understand it, it is something that has been discussed with the industry, and circumstances have occurred previously where there was an interruption to existing businesses and there was not the opportunity for that existing business to be relocated.

What I am advised is that, within the existing provisions in the bill under division 7, the minister has the power to require or carry out work, and that is on those occasions if, for example, a lessee fails to take action required by a condition of the lessee's aquaculture lease; so those provisions exist or will be existing as a result of this particular bill. There will be the ability for that instruction or direction to be provided by the minister.

Clause passed.

Clause 5.

Mr PEDERICK: This clause is about the suitability of the person to be granted a licence, and I mentioned in my contribution how various things would be investigated around the person's suitability. If a person is essentially disallowed from having a licence, is there any avenue of appeal for that process?

The Hon. P. CAICA: Section 60 already provides the ability for a person to appeal, but they would be current licence holders as I understand it. This insertion of section 4A under this component identifies specific factors that may be taken into account when considering whether a person is suitable to be granted a licence. This gives the minister guidance as to the relevant considerations. I will not go through these, but part 9 of the Aquaculture Act provides for appeals. Section 60 of part 9 states:

The following appeals may be made to the Administrative and Disciplinary Division of the District Court:

- (a) an applicant for an aquaculture lease may appeal against a decision of the Minister...
 - (i) that a corresponding licence will not be granted; or
 - (ii) fixing the conditions of a corresponding licence;

I am advised that a corresponding licence will not be granted, and that would cover that. The opposition spokesperson would be aware of the offences that are taken into account and, of course, the minister would only make a decision not to grant a licence if, indeed, the evidence is provided that there had been breaches as defined within the categories and the criteria that has been provided. There is an appeals section—and, of course, I am presuming and I should not presume anything.

What has been added to this is the financial and other capacity of the person to comply with the obligations under the act. That is very important, because for whatever reason some aquaculture leases have been abandoned. It is about that new section, but there are existing provisions in regard to appeal. When the minister of the day makes a decision in this area he or she will have to be very mindful of the criteria that they are using.

Mr PEDERICK: I just wanted clarification. We support the extra criteria in that part of the bill because, as you rightly stated, leases have been abandoned.

Clause passed.

Clauses 6 to 12 passed.

Clause 13.

Mr PEDERICK: In regard to clause 13, which addresses requirement for lease, subclause (1) provides:

An aquaculture licence may not be granted so as to authorise the carrying on of aquaculture in an area to which this Part applies unless the area is the subject of an aquaculture lease granted by the Minister.

However, subclause (2)(a) provides:

An aquaculture licence may be granted despite the area not being the subject of an aquaculture lease if the aquaculture is to be carried out on a navigable vessel as it operates within the area;

I guess this is appropriate with a foreign vessel fishing in our waters. As far as aquaculture is concerned, with respect to this clause, what conditions and restrictions will be enforced in regards to a navigable vessel operating an aquaculture licence?

The Hon. P. CAICA: I am advised that these were formerly in the regulations and have been brought into the bill. We do not have any applications for this activity at this point in time. Of course, the honourable member refers to the *Destiny Queen*, which was the subject of a great level of concern in a lot of areas with respect to its particular activity. This is about facilitating the ability to conduct aquaculture on a vessel. There are no applications pending at this time. This is reflected in the regulations as they exist being brought into the bill through this amendment. All licence conditions, with respect to any applications made under this provision, will be assessed by the EPA.

Clause passed.

Clauses 14 and 15 passed.

Clause 16.

Mr PEDERICK: Regarding the cancellation of the lease in new section 25B, the bill provides:

Before the Minister cancels an aquaculture lease under this section, the Minister must give the lessee written notice—

I am just seeking clarity for everyone involved, especially with the new regime. Will registered third parties registered on the lease as a mortgagee be notified of the proposal to cancel a lease?

The Hon. P. CAICA: As the names will be on the lease, the answer is yes.

Clause passed.

Clause 17 passed.

Clause 18.

Mr PEDERICK: This is in regard to the granting of a corresponding licence for the pilot lease. Subclause (1) states:

The Minister may grant a corresponding licence for a pilot lease containing specified conditions

Subclause (1)(b) provides:

the Minister—

- (i) has caused public notice of the application to be published in a newspaper circulating generally in the State and invited interested persons to make written submissions on the application within the period allowed in the notice.

This is another amendment I just want to clarify. What will be the appropriate period allowed in the notice?

The Hon. P. CAICA: I understand this is an existing provision within the act, so I am presuming whatever those provisions are that exist in regard to the appropriate notification will be continued.

Mr PEDERICK: Under those existing provisions, you cannot advise me what the time lines are, whether it is 28 days or 14 days?

The Hon. P. CAICA: I am advised—but will stand corrected upon seeking some extra clarification—that it is a month; if it is not, we will get back to you.

Clause passed.

Clauses 19 and 20 passed.

Clause 21.

Mr PEDERICK: This is in regard to the granting of production leases and corresponding licences in public call areas, and I get all the way through to subclause (10). Just for reference, on top of that I want to talk about subclause (9)(b)(i), which provides that the minister may grant a corresponding licence containing specified conditions on a preferred application if—

(b) the Minister—

- (i) has caused public notice of the application to be published in a newspaper circulating generally in the State and invited interested persons to make written submissions on the application within the period allowed in the notice;

Subclause (10) provides:

An aquaculture policy identifying an aquaculture zone may exclude the application of subsection (9)(b) in relation to an application for a lease within the zone in circumstances specified in the policy.

Just for clarity, minister, I would like to know what situations and what policies would cause that to be applied, where (9)(b) was not used and we just used subclause (10)?

The Hon. P. CAICA: I am advised that with respect to your specific question, it provides the minister with the ability to grant a production lease when it is inside a zone, but it also allows for the provision that, say, for example, in Lower Eyre Peninsula, where the activity of tuna farming

and indeed the effects of tuna farming are well understood, she can take that into account and then fast-track that application.

Mr PEDERICK: Thank you, minister. I think your example is a good one. When it is extremely obvious to all the players, we just do not have to worry about it. I now go to section 36—The granting of production leases and corresponding licences if public call not required. Subsection (4) states:

An aquaculture policy identifying an aquaculture zone may exclude the application of subsection (3)(b) in relation to an application for a lease within the zone in circumstances specified in the policy.

This is very similar to the last question. Is this subsection being inserted because it is deemed that a public call will not be needed?

The Hon. P. CAICA: I am told that you will have areas that are public call and areas that are not, and this is just reflecting the appropriate provisions, the same provisions that we spoke about earlier for those areas that are not areas of public call.

Clause passed.

Clauses 22 to 26 passed.

Clause 27.

Mr PEDERICK: Clause 27 talks about the term and renewal of emergency leases, minister, and subclause (2) states:

—delete '6 months' and substitute: the period reasonably required for response or recovery following the emergency

In relation to the deletion of the six months, there is not a time line. Will there be sufficient consultation with the lessees involved before the bill is enacted?

The Hon. P. CAICA: As expected, I am advised that we will—from the government's perspective, in the context of this bill when it becomes law—be in contact and dialogue with all interested and affected parties.

Clause passed.

Clauses 28 and 29 passed.

Clause 30.

Mr PEDERICK: This clause inserts division 7—Power to require or carry out work. Section 48A(1) states:

(1) If—

- (a) a lessee fails to take an action required by a condition of the lessee's aquaculture lease; or
- (b) on cancellation or termination of an aquaculture lease, a former lessee fails to remove equipment used to mark-off or indicate the boundaries of a marked-off area of the lease, aquaculture equipment or stock from State waters.

How are these two paragraphs going to work if a lessee or licensee has gone broke or is bankrupt and no money is recoverable?

The Hon. P. CAICA: We have the Lease Rehabilitation Fund, and under each lease there needs to be money contributed to the rehabilitation fund. Also, I am advised, there is a lease obligation to provide a bank guarantee of \$10,000 or to be part of an approved industry fund—so it is one or the other—and those funds would then be applied in the circumstances described by the member, and we hope they are far and few between.

Mr PEDERICK: Under section 48A(3), the minister may cause the required action to be taken and may recover the cost as a debt, if the minister has to cause the work to be done with their staff or contractors. What power does the minister have if he is dealing with a bankrupt or someone he cannot locate?

The Hon. P. CAICA: Presumably the existing laws that are in place to deal with matters of bankruptcy would be followed by the minister of the day. This reflects section 58, action on licences. We have changed that and transferred that to this section as well to be a requirement for

a lessee. However, I would reinforce the point that they will not get the lease unless they are providing a bank guarantee of up to \$10,000 or are part of an approved industry fund.

Clause passed.

Clauses 31 to 40 passed.

Clause 41.

Mr PEDERICK: This clause concerns the guidelines for the Aquaculture Tenure Allocation Board:

60A—Guidelines for ATAB assessment of lease and corresponding licence applications

- (1) The Minister may, by notice in the *Gazette*, publish guidelines for the assessment by ATAB of applications for leases and corresponding licences under this Act.
- (2) The Minister may, by subsequent notice in the *Gazette*, vary or revoke the guidelines.

In subclause (3), though, the wording is a bit different. In the first two subclauses 'the Minister may, by notice' and 'the Minister may, by subsequent notice', but subclause (3) provides:

- (3) The Minister must cause an up-to-date copy of the guidelines to be kept available for members of the public on an Internet site.

I am just wondering why there is not that stronger wording in the first two subclauses. We have 'may' in the first two subclauses 'by notice in the *Gazette*', and I would have thought, just for correlation, we would have the same wording right through those three subclauses.

The Hon. P. CAICA: They do not exist at the moment but once they exist they must be put on as referred to in subclause (3). They have not been developed as yet. The proposed guidelines are being developed and will be considered by the Aquaculture Advisory Committee. When they are agreed to and formally accepted and adopted by the minister they must then, for the purposes of transparency, be published in the manner described within the act.

Mr PEDERICK: I understand that, minister, and most people have access to the internet. Essentially, we can assume that the minister has an out by not publishing in the *Gazette* because 'the minister may'. There is no compulsion for the minister to put the notice in the *Gazette* I suppose is the point I am making, that you must put it on the internet.

The Hon. P. CAICA: Again, that is a far more public way of doing things. That is the way the bill exists there. As I said, once they are developed they must be published in the manner described.

Clause passed.

Clause 42.

Mr PEDERICK: Clause 42 is membership of the Aquaculture Advisory Committee. This will rise from 10 members to 11 members. Will the advice given to the minister from this committee be made available to the public, for example, other people who might be involved close to the lease sites, such as recreational and commercial fishers?

The Hon. P. CAICA: As I understand it, the amendment expands the Aquaculture Advisory Committee by one member, and that is a person engaged in the administration of the Harbors and Navigation Act. That person would be nominated by the minister responsible for the administration of the act. I am told that is to improve to transport consultation input into aquaculture's own policy development. That new representative will ensure that the Department for Planning, Transport and Infrastructure has early knowledge of input into aquaculture planning and development. It makes a lot of sense to me.

Of course, to a very great extent that information would subsequently be made public in the determination of the activities within that particular area. I am further advised that this process also activates a public consultation process, preceding any decisions that are made.

Clause passed.

Clause 43 passed.

Clause 44.

The Hon. P. CAICA: I move:

That clause 44, which is printed in erased type, be inserted in the bill.

Mr PEDERICK: Clause 44 provides for the establishment of the aquaculture fund. In my speech on the bill I spoke about how some sectors, like oysters, have their own internal fund for the clean-up of leases, and obviously part of the aquaculture fund provides for the removal or clean-up of sites. I framed this question in my speech: how does this clause work when a sector has its own voluntary fund for clean-up? Does it mean that some sectors are contributing twice? Maybe it is not so much the effort, but are people double dipping on clean-up, and will the effort be duplicated?

The Hon. P. CAICA: I am advised that in no way is this about some type of double dipping with respect to money being provided by various sectors. As was noted by the opposition spokesperson, the oyster industry fund does not cover all the oyster sector, only its members. Of course, if this is an approved industry fund the minister could use parts of that fund for the purposes of rehabilitation. However, in essence, this will be about providing clarity and flexibility for the minister to consider the creation of a government-administered fund for the rehabilitation of marine sites should it become necessary in any sector of the aquaculture industry. It is an enabling clause.

Mr PEDERICK: I understand that, but what confidence can you give industry? The question was asked of me directly when I was over at Ceduna. Can you give absolute confidence to the industry that they will not be forced to double dip? Quite frankly, let's hope that not too much of this happens, for everyone's sake. Can you give the industry confidence that it will not be double dipping in regard to the cost of cleaning up or removing material off sites?

The Hon. P. CAICA: I find it very surprising that the view might be that we are actually going to hamstring the industry. This is an enabling provision; it is about making sure that proper arrangements are put in place so that when situations occur the appropriate level of rehabilitation of marine sites can occur in a timely fashion.

Being an enabling bill, there certainly would be the expectation that there will be ongoing dialogue with the various industry sectors because a lot of industry has different levels of equipment, use, and the like. It enables this creation of a government administered fund to be created, should it so be determined, but of course that would only occur after the appropriate level of dialogue and consultation with the very diverse and broad aquaculture industry.

Clause inserted.

Clause 45 passed.

Clause 46.

Mr PEDERICK: In regard to the amendment of section 82—Fisheries officers and their powers, this part relates to 'things seized'. What could be involved or included as 'things' under this clause?

The Hon. P. CAICA: I am advised that the intent of this particular amendment of section 82 is to allow fisheries officers, who currently have the power to seize items but do not have the power to dispose of them, to be able to dispose of them. Presumably, anything that would be seized would be seized for a reason—for example, collected as evidence against any offence that might be occurring. It could be a variety of things, and it might include equipment, or whatever.

What this allows for are those circumstances where fisheries officers have utilised their power to seize items, that the matter is being resolved to whatever outcome occurs, and they are left with these items that have been seized; this bill will provide the opportunity for those fisheries officers to dispose of those items.

Clause passed.

Clause 47.

Mr PEDERICK: This clause relates to part 10A—Compliance with general environmental duty and environmental protection policies, and the administration of that duty and the policies by the minister and fisheries officers. Is there a particular budget allocation for this compliance procedure?

The Hon. P. CAICA: I am advised that this would be conducted under the existing budgetary arrangements that are provided for within the agency. I was speaking to someone the other day who had a long history within fisheries who certainly said that one of the outstanding

occurrences here in South Australia that has set South Australia apart from other states was the involvement of the EPA in the very early stages in regard to the development of aquaculture leases; as a result of that, it put us leaps and bounds in front of the rest of Australia to say, 'This is a good place to invest.'

Not only is it a good place to invest, but the environmental provisions that were incorporated were such that, again, it was a clear enabler and provided certainty to the industry as well. I am told—and I just thought I would throw that in for what it is worth—that it would come under the administration of the general environmental duty and the environmental protection policies would be carried out under existing financial arrangements within the organisation.

Clause passed.

Clause 48.

Mr PEDERICK: This involves the death or bankruptcy of the lessee or a licensee. Section 82B states:

- (1) If a person holding an aquaculture lease or an aquaculture licence dies, the personal representative of the deceased, or some other person approved by the Minister on application, is to be taken to hold the lease or licence in the place of the deceased as from the date of the death until the expiration of 6 months from that date, or until such later date as may be fixed by the Minister.
- (2) If a person holding an aquaculture licence becomes bankrupt or insolvent, the official receiver may carry on aquaculture under the licence as if the official receiver held the licence in place of the person.
- (3) If a body corporate holding an aquaculture licence is being wound up or is under administration, receivership or official management, a person vested by law with power to administer the affairs of the body corporate may carry on aquaculture under the licence as if the person held the licence in place of the body corporate.

We are getting to where the lawyers are involved. I had an issue with a fisheries licence, not an aquaculture licence, where the person holding the licence had leased it out and there was an issue where the lessee, tragically, died and there were massive issues for the holder of the licence in resolving who paid for the licence and the winding up of the estate. He was essentially asked by the wife of the lessee to pay for winding up the estate. I hope this clause gives some protection for people who may be involved in the future—and let us hope it does not happen because, obviously, it involves a tragedy. I am asking how this clause will protect the holders of the licence if the person they lease their business to dies managing that lease.

The Hon. P. CAICA: I am told that anyone who holds a licence and leases it must give due diligence to the arrangements that are put in place. That is the responsibility of the person who has the licence. These provisions are aimed at improving security for investors and financiers of aquaculture operations. The Australian Bankers' Association has reviewed this provision, I am told, and are supportive of it. It is about making sure that there is a level of protection of what will be very valuable stock, quite often, within these leases. Certainly, it is aimed at improving security for investors and financiers of aquaculture operations. That is the thrust of it.

Clause passed.

Remaining clauses (49 to 53), schedule and title passed.

Bill reported with amendment.

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (17:54): I move:

That the bill be now read a third time.

Bill read a third time and passed.

APPROPRIATION BILL 2012

The Legislative Council gave leave to the Minister for Agriculture, Food and Fisheries (Hon. G.E. Gago), the Minister for Industrial Relations (Hon. R.P. Wortley) and the Minister for Communities and Social Inclusion (Hon. I.K. Hunter) to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 4, page 3, lines 1 and 2 [clause 4(2)]—Delete subclause (2) and substitute:

(2) Section 3—after the definition of *minor* insert:

prescribed graffiti implement means—

- (a) a can of spray paint; or
- (b) a graffiti implement designed or modified to produce a mark that—
 - (i) is not readily removable by wiping or by use of water or detergent; and
 - (ii) is more than 15 millimetres wide;

No. 2. Clause 7, page 3, line 14 [clause 7(1)]—Delete 'graffiti implements' and substitute 'prescribed graffiti implements'

No. 3. Clause 7, page 3, lines 22 and 23 [clause 7(5)]—Delete subclause (5) and substitute:

(5) Section 4(2)—delete subsection (2) and substitute:

- (2) However, subsection (1) does not apply in relation to the sale of prescribed graffiti implements of a type excluded from the operation of subsection (1) by the regulations.

No. 4. Clause 8, page 3, line 27 [clause 8, inserted section 5(1)]—Delete 'graffiti implement' and substitute 'prescribed graffiti implement'

No. 5. Clause 9, page 4, line 22 [clause 9(1), inserted subsection (1)]—Delete 'graffiti implements' and substitute 'prescribed graffiti implements'

No. 6. Clause 9, page 4, line 24 [clause 9(2)]—Delete 'graffiti implements' and substitute 'prescribed graffiti implements'

No. 7. Clause 10, page 4, line 28 [clause 10, inserted section 6A]—Delete 'graffiti implement' and substitute 'prescribed graffiti implement'

No. 8. Clause 12, page 6, lines 2 and 3 [clause 12(1)]—Delete subclause (1)

No. 9. Clause 12, page 6, lines 4 and 5 [clause 12(2)]—Delete subclause (2) and substitute:

- (2) Section 10(1)(b)—delete 'graffiti implement of a prescribed class' and substitute 'prescribed graffiti implement'

No. 10. Clause 13, page 7, after line 25—Insert:

10BA—Expiry of sections 10A and 10B

Sections 10A and 10B will expire on the expiration of 4 years from the commencement of the sections.

No. 11. Clause 13, page 7, line 28 [clause 13, inserted section 10C(1)]—Delete 'this section' and substitute 'section 5(2)'

No. 12. New Clause, page 7, after line 40—Insert:

14—Review of Act by Attorney-General

- (1) The Attorney-General must cause a review of the operation and impact of this Act to be undertaken after the third anniversary of the commencement of this Act.
- (2) The review must include consideration of the effectiveness of sections 10A and 10B of the *Graffiti Control Act 2001* (as inserted into that Act by section 13 of this Act) in reducing offending for prescribed graffiti offences (within the meaning of those sections).
- (3) A report on the results of the review must be submitted to the Attorney-General within 3 months after the third anniversary of the commencement of this Act.
- (4) The Attorney-General must, within 12 sitting days after receiving the report under this section, cause copies of the report to be laid before both Houses of Parliament.

Consideration in committee.

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

That the Legislative Council's amendments Nos 1 to 12 be disagreed to.

The amendments are unacceptable.

Motion carried.

At 17:58 the house adjourned until Wednesday 27 June 2012 at 11:00.