

## HOUSE OF ASSEMBLY

Tuesday 27 November 2012

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 11:01 and read prayers.

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

### STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The **Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (11:02)**: I move:

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

Motion carried.

### GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

The **Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (11:02)**: I move:

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

Motion carried.

### SELECT COMMITTEE ON THE PORT AUGUSTA POWER STATIONS

The **Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (11:02)**: I move:

That the Select Committee on the Port Augusta Power Stations have leave to sit during the sitting of the house today.

Motion carried.

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

The **Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (11:03)**: I have to report that the managers for the two houses conferred together and it was agreed that we should recommend to our respective houses:

As to Amendment No. 1—

That the House of Assembly no longer insist on its disagreement.

As to Amendment No. 2—

That the Legislative Council no longer insist on its amendment but makes the following amendment in lieu thereof:

New clause, page 6, before line 23—Insert:

13B—Amendment of section 36AE—Feeding electricity into networks—requirements on holder of licence authorising operation of distribution network

(1) Section 36AE(6)(a)—before 'altered' insert:

subject to subsection (6a),

(2) Section 36AE—after subsection (6) insert:

(6a) If an alteration under subsection (6)(a)—

(a) was approved before 1 October 2011 by the holder of the licence authorising the operation of a distribution network to which the generator is connected; and

(b) is completed on or after 1 October 2011 and before 1 October 2013,

the qualifying customer in relation to the generator will be taken to be a Category 2 qualifying customer for the purposes of this section.

and that the House of Assembly agrees thereto.

### **CRIMINAL LAW (SENTENCING) (GUILTY PLEAS) AMENDMENT BILL**

Consideration in committee of the Legislative Council's amendments.

(Continued from 15 November 2012.)

**The Hon. A. KOUTSANTONIS:** I move:

That the Legislative Council's amendments be agreed to.

**Ms CHAPMAN:** I indicate that the opposition will be supporting the amendments, but this bill does require some comment. The history of this legislation is that some years ago the government, with judicial support, wanted to develop some amendments to the functioning of the criminal justice system to try to reduce the demand and delay in the criminal courts' process. Although there had been a longstanding common law opportunity for judges to grant a discount for sentences of criminals when they pleaded guilty, on recommendations that were made after a review, the government took the view that codifying that into a system that identifies the specific maximum discounts available would be beneficial and would have the effect of remedying some of the court delays and the process.

This legislation has had a long gestation. Aspects of the original bill have now been divided into two bills. This bill comes back to us with some amendments and the other bill in respect of sentencing, otherwise known as the 'supergrass bill', is still wallowing in discontent. There are two aspects of the amendments that I wish to comment on. The first is that the government did not see fit to support the retention in the act of the obligation on the court to explain a sentence to a defendant in simple language. We remain concerned that, even with these amendments, without that obligation in the act for the judges to explain that, the potency of the effect of this new reform is lost.

In particular, if the defendant acts in ignorance and is not aware of the opportunity for them to enter a plea early and have some benefit from it, then that option may not be taken up. So, it was considered appropriate that the explanation of the legal effect and obligations of the sentence were appropriate to be identified by defence counsel and/or the judge. That is the first aspect that we think weakens the effect of these two amendments and the overall bill.

The other aspect that I wish to comment on is that the opposition have consistently said that the 40 per cent maximum sentence discount was too high. We have consistently said that 25 per cent would be better and that there is a process by which, if a court were to determine that a discount was proposed at 40 per cent, that would be reduced to 25 per cent. If the discount considered was 30 per cent then, under our proposal, it would be reduced to 15 per cent, etc., culminating in a final 10 per cent discount that could still be offered at the door of the court before trial. The government has consistently rejected this.

In accepting these amendments, we are very disappointed that the government has taken this view. Not only is it inconsistent with the Western Australian position where we are way out of sync but it also raises this question about whether the government is actually serious about being tough on law and order. It is one thing to come in here over and over again and ramp up the sentences and on the other hand escalate the discounts available to criminals. It is like, as was described in another place, driving a car with one foot on the accelerator and one foot on the brake at the same time. It does not actually resolve the problem.

So we are sending a message to criminals, firstly, that if you commit crime in South Australia, as distinct from in Western Australia, you have a better chance of getting off in South Australia with a higher discount. That is the first message we send them. I hope that does not encourage them all to come across the border and think it is better for them to commit crime in South Australia. On the other hand, we have the Attorney-General regularly going out to say that we are the government that is tough on law and order.

Last Friday, I attended a professional development lecture, which is obligatory for legal practitioners in South Australia to retain their practising certificate. Interestingly, it was on sentencing, and Justice Geoff Muecke, who is probably well known to a number of members here, delivered the lecture. It was on Friday afternoon. It was not handsomely patronised, I might say,

probably because the cricket was on or something. In any event, I attended, and I thought that he made a most interesting observation.

Of course, he repeated what is commonly known, I think, even in this house, which is that in the general public, they often take the view that sentences are light, that somebody has got away with a bag of lollies, and that judges somehow live in a bubble or that they are not in the real world. They think that, even though in here we place upper limits on sentencing, judges all too frequently let people off too lightly.

That is a view that is commonly held until the average person in the public actually sits in on a trial or sits as a jury member or has a member of their own family or a friend who is actually caught up in the web of criminal activity. Then, it becomes a little more clear to them—in fact, crystal clear—all the different complications, all the construction, all the circumstances that a judge needs to take into account in sentencing to be able to produce a just result, not just a political outcome so that it avoids a story on the front page. It is a very careful deliberation, it is a complex determination and it is one which all too often I think judges are not given credit for.

I note that the former attorney was not at the lecture last week. He must not be keeping up his practising certificate. In any event, Justice Muecke made an observation about when he was a young judge and was conducting an arraignment. An arraignment meeting, for the benefit of members who do not know, is when all the barristers and litigants—the defendants—come along, sometimes representing themselves, and they identify to the court on arraignment day whether or not they are going to be pleading guilty, and then the court allocates various directions and orders for the processing of whether it is to go to trial or be referred to a superior court or whatever.

On this day the judge came into the arraignment court and viewed all the defendants and the legal practitioners. He looked around the courtroom and he thought to himself, 'I wonder where the criminals are.' It was a very telling statement of a new judge who had, in his own mind, this idea that criminals, somehow or another, were identified. I do not know whether he thought they had a red spot on them, that they all had to have tattoos or whatever. He looked around the courtroom, and he could not tell the difference between someone who was counsel, whether they were the solicitor representing or whether they were the defendant, because they were all the same.

The important aspect of that to remember, when we here are making decisions about legislation on sentencing, is that we understand that it is ordinary people who line up in the criminal courts to be dealt with. It is a rare circumstance where someone is charged—obviously at the highest level of felonies that are dealt with in superior courts—where in fact it could be said that the defendant was all bad. These people have come from broken homes, they have come from fractured backgrounds, circumstances which none of us would want to actually come from, and yet on many occasions I have thought it surprising that these people have got through life as well as they have without offending at an even greater level.

I remind members of the house that the opposition is keen to undertake and support reform that is going to be helpful in the management of cases that are clogging up our criminal courts. We are always happy to help with that, but understand that there has to be a balance. We think it is quite hypocritical of the government to be bleat about being tough on law and order and then to accept a reasonable compromise with respect to the maximum available discounting for sentencing. With that contribution, I indicate the opposition will be supporting the amendments.

**The Hon. A. KOUTSANTONIS:** I thank the member for her comments.

*There being a disturbance in the Strangers' Gallery:*

**The ACTING CHAIR (Ms Bedford):** Clear the gallery.

Motion carried.

**The SPEAKER:** I remind the cameraman in the gallery that that was not part of the proceedings of the parliament and you need to be very careful with the footage that may have been taken.

## VISITORS

**The SPEAKER:** I omitted to mention earlier in the day (I did not have time to do it) that there was a group of students here from Aldinga Primary School, years 3 to 7, who were guests of the Minister for Health. I think there was also a group of students from Cardijn College, who were guests of the member for Mawson. We hope they enjoyed their time here and we hope to see them again some time.

**UPPER SOUTH EAST DRYLAND SALINITY AND FLOOD MANAGEMENT (POSTPONEMENT OF EXPIRY) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 15 November 2012.)

**Mr PEGLER (Mount Gambier) (11:17):** I rise to speak on the Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment Bill. The bill has, basically, been brought before the parliament to extend the life of the act for another four years. While I do not support that, I do support a reduced version of the proposal and I will be moving amendments of that nature later on. The member for MacKillop gave us a very good history lesson on the drainage in the South-East and I will not go over those matters anymore, except to say that drainage is a vital part of the South-East.

It is important to realise that production from the South-East is very large and forms a very large part of the state's economy. The South-East has, by far, the majority of forestry in the state, regardless of who owns it, and it certainly contributes to the economy of this state. The number of dairy cows that are run in the South-East is the majority of what the state actually runs. We also have a large percentage of the state's lamb and beef production, along with our vineyards and other horticultural products and crops. All of those industries rely on water in one way or another; they rely on the drainage system to be able to exist. Of course, they also rely on the aquifers both to irrigate and for stock and domestic purposes.

The effect of the Upper South East Dryland Salinity and Flood Management Program should be brought to the attention of the house. When this first came in, there were many properties where the land was fast becoming saline and their production was being greatly reduced. Some of those properties that used to run five dry sheep equivalents to the acre were getting down to two, and rapidly heading towards one, sheep to the acre. Once we put in some of these drains that reduced the salinity of the lands, the production on those properties has greatly increased, and every one of those farmers who I have spoken to has been very pleased with what the system has done for their properties and for the landscape.

It is important to manage our water in a proper manner, and that is not just drainage, of course; it is also making sure we manage the aquifers. It is great to see that salt water going out to sea or into saline lakes, but I think we have to be extremely careful how we handle our good water and we must make sure that the aquifers are looked after in a proper manner in the first place.

There is a divergence of opinion regarding the management of drainage in the South-East. I think most people do agree with the saline water going out to sea or being diverted to the Coorong but, as far as fresh water goes in the South-East, I think there is a lot more work to be done on how we can use a lot of that water in its present place to recharge our aquifers rather than sending it north or out to sea. I think there is a lot more work to be done there.

There certainly is general agreement with stage 1 of the South East Flows Restoration Project which will basically take water from the Blackford Drain up to the southern lagoon. That will cost about \$60 million and I think there is about 20 megalitres of water, which is saline. It is probably up to about 10,000 ECi, but do not forget it would be going into a lake that is much higher than that, so it will certainly restore that southern lagoon of the Coorong.

With regard to the act that is before us, I have certainly never agreed with the compulsory acquisition of land without compensation. I do understand that, for the betterment of a community or a society, sometimes you do have to compulsorily acquire land for the betterment of the vast majority, but I think that when that land is compulsorily acquired, those people should be adequately compensated for what they have lost.

I have always had a problem with transferring good water particularly from the Lower South-East to the north rather than perhaps using that for recharge, so I think there is a lot more work to be done there. I will certainly be supporting stage 1 of the REFLAWS project and of course the extension of this bill is before us so that that can commence. I will be moving an amendment later, so without further ado, we will wait until we go into committee to see how those amendments go.

**Mr PEDERICK (Hammond) (11:23):** I rise to speak to the Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment Bill 2012. I note the comments made when we last sat here by the member for MacKillop, who is the member for the area where this drainage work has been happening. He noted in his speech, and I will say it in

mine, that we on this side of the house certainly will not be supporting this piece of legislation and there is a range of reasons for that.

Drainage works, and private drainage works especially, have taken place in the Lower South-East and the Upper South-East over many years. While I accept that this bill is linked to the drains north of Naracoorte and up through to Salt Creek, there is much work being done through the Lower South-East as well.

I look at the work that Murray McCourt instigated in 1957 with the Woakwine Cutting, with a workman whose name was Dick MacIntyre, when they worked for three years, day and night, with a D7 bulldozer, a ripper and a towed scoop, to dig out the Woakwine Cutting and open up swampland down near Lake George near Beachport. It was quite a major operation to get that land dewatered. It is a very steep cutting—

*Mr Pengilly interjecting:*

**Mr PEDERICK:** Yes, Murray McCourt. The cutting is not quite 30 metres deep, and it is about 36 metres wide at the top and cuts down to about three metres wide at the bottom, and it has made those swaps a very valuable asset to that family. I would also like to make mention of the works of another major landholder in the South-East (the area this bill affects), Tom Brinkworth, and the work he did in regard to drains down there, in order to drain water up towards the Coorong to the Salt Creek area.

I remember going down there when they had a day when you could tour around the work Tom had instigated. They had Opera in the Wetlands, and it was a fantastic evening. Once we had gone down and inspected the area, we had a drive around to see the work that had been done with massive scrapers and excavators, and then, to top it off, there was this grand event held outdoors.

I will never forget the site of two big Komatsu bulldozers—about equivalent to a D11, for the Caterpillar fans out there. There was one each side of the stage and, at the appropriate time, they both lifted their blades together. If you have a bit of diesel in your veins, it was something worth seeing. It just showed the dedication.

Murray McCourt and Tom Brinkworth are just two individuals who have partaken in that work, and the work was done to make land more productive. I know there were a lot of issues in these drains, around having access to cut. One of these drains originally was going to go through the Messent Conservation Park, and this was obviously causing a lot of problems with the environment department. In the end, it did not happen.

I note that Messent has not been managed that well since then, because there was a planned burn-off there in recent times, and let us just say they overachieved quite successfully; they were going to burn about a quarter of the park but burned most of it, so you have to wonder what happens sometimes.

In regard to the legislation, the original legislation had a sunset clause of four years, and the minister at the time was sure that the project would be managed and finished appropriately. The minister of the day said:

The certainty of alignment will enable the drainage component of the scheme to be completed quickly.

I also note the comments of the member for Mount Gambier about compulsory acquisition. The minister went on to say, 'All of these alignments are to be acquired at no cost by force of the legislation.' Like the member for Mount Gambier and the member for MacKillop, I find it abhorrent in the extreme that the government thinks it can just walk in and acquire land and not pay the appropriate compensation. I say that from a little bit of experience.

I have mentioned this in the past, but I did not have the exact article from *The Mail* in 1950, in which my grandfather, Len Pederick, talked about the second home up at Angle Vale he had lost in 11 years due to compulsory acquisition. He lost the first land in 1939 for the munitions dumps and then in 1950 for the Edinburgh air base. My father thought he had got around compulsory acquisition when he moved down to Coomandook in 1961 and within only 10, 11 or 12 years, from memory, the highway needed to be deviated, so there was more compulsory acquisition. Thankfully, it was only about seven acres out the front and it was appropriately compensated at about two and a half times the value at the time.

If there is any acquisition for something like this—and from what I understand, this drain is a line through the landscape with 100 metres either side, so it would be a significant acreage taken up for this project—I believe farmers should be adequately compensated. I note that this bill was

debated back in December 2002 and the scheme was due to be completed by 2006 and was not completed until 2011. It was always, I believe, the intent of the act to hand control over this scheme to the South Eastern Water Conservation and Drainage Board. That could easily be done because they have been managing the rest of the drainage scheme in the South-East and I am talking about drains that were dug way back in the 1860s and were still being dug in the 1870s.

I note the comments made by the member for Mount Gambier today about the South East Flows Restoration Project and the minister talked about how one of the reasons for retaining the act might be that it could serve as a vehicle for that program. We would like to see some better outcomes in regard to getting water into the Coorong, but we want to see the right outcomes and we believe that the appropriate legislation could be drawn up at the time to do that instead of stretching this expiry date over time.

Part of the reason for the drainage works is that land has been cleared in this area over time—all the native scrubland, tea-tree etc.—and lucerne was put in. The main variety was Hunter River lucerne, and anyone with a farming background in South Australia will know that it was around the mid-1970s that Hunter River lucerne was wiped out by aphids. Lucerne is a deep-rooted plant so it could drag out all of that useful water to keep it green for a very long time, because it has a big taproot. That was basically doing the job of a drain while the Hunter River lucerne was in place and that had replaced the natural scrubland over the landscape that was there before.

Drainage works can be the ire of some of people and some people think they are a great thing. I know that, from my observations of the South-East, having travelled through there quite a bit in the 1980s and 1990s and up until today and working down there over that time, you can see they do the job and you note that in the dry years they are not that necessary. In 1992 they would have been necessary, because that was quite a wet year for everyone. We need to make sure that we put the right programs in place when it comes to inflicting drains on farmers and the community and make sure that the right procedures are put in place.

I fear that with the extension of this legislation, other drains involved with the REFLOWS project could be tacked into it and no compensation at all be paid to farmers and members of the community. We believe that when it is needed introduce the appropriate legislation at that time, with the appropriate compensation guidelines in it if there is the need for people to give up land. I have said it before: a 200 metre strip of land through this country is quite valuable, and we are not getting any more of it. Obviously you cannot clear country anymore—

**Mr Pengilly:** You can, but you can't get caught.

**Mr PEDERICK:** One thing I will say on that is that we obviously need some better management of native vegetation in this state, with the plethora of fires that are happening, and we need to do that, whether it be privately-owned scrubland or heritage scrub or whether it is publicly-owned land like national parks. We really do need better management of native vegetation in this state.

With those few words I indicate, as the member for MacKillop has indicated, that we will be opposing this legislation. We believe that other legislation could be put in place as far as projects regarding bringing water from the South-East to the Coorong are concerned. Just on that, I know that water could be used as far as savings targets involving the Murray, but we have to make sure that we get all that right so that we are not robbing Peter to pay Paul. As we know too well in this state, the Murray has been fought over for well over 100 years and we are still not quite there.

*Mr Whetstone interjecting:*

**Mr PEDERICK:** Is it Paul robbing to pay Peter? I am not sure. Thank you, member for Chaffey. We have to make sure we get this right. As the member for MacKillop indicated in his contribution, the South-East conservation and drainage board could take over, manage this and get on with the job, so we believe this legislation is not necessary. When it comes to the time for any other projects, the appropriate legislation can be debated in this house and the other place so that we get the right outcomes not just for the community but for the farmers and the water users of this area.

**Ms CHAPMAN (Bragg) (11:37):** In contributing to this debate I do so as the newly appointed shadow minister for water for the opposition, and I am proud to have that area of responsibility along with the environment and natural resources, climate change and the like. It is a very new and interesting portfolio.

I start by thanking the member for MacKillop for assuming responsibility on behalf of the opposition for the carriage of this bill. This is an area not only of significant importance for the state but also one with which he is personally very familiar and for which he has clearly exhibited some passion, as it traverses his electorate.

The outstanding aspect of concern about this bill, in particular its extension of applicability, is that on all accounts of the contribution made by the government in developing this legislation—that is, the principal act—from 2002 until, I think, 2006 before it finally came into place, is that its work has expired. As has been pointed out by the member for MacKillop, the structure that was typically used to develop projects involving drainage into the Coorong and the lakes area was flawed in several aspects.

One is that the new structure effectively deprived the local board—the South Eastern Water Conservation and Drainage Board, I think it is called—from doing what it had been doing for 100 years; that is, to raise the necessary revenue either directly or, of course, with submissions that it would put to various levels of government to be able to undertake the exercise and to ultimately manage the structure. That was something that the government decided it was going to do. The revenue from any levy that was to be obtained was to go to the minister and they would completely circumvent a structure which had essentially operated very well for 100 years.

The second aspect, which we on this side of the house considered to be unconscionable, was the provision in the act to enable the government to compulsorily acquire land on which they would construct the drain without compensation. We have laws in this country and, indeed, in this state which protect the right for people to be reasonably compensated when it is necessary for governments to acquire property—that is, real estate—for the good of the community. It is very clear that there be a just process for the assessment and payment of compensation.

In addition to that, on our side of the house, a fundamental tenet of the Liberal Party of Australia's constitution is the protection of the entitlement of people to have some reasonable compensation. So, we do not support a structure which proposes or perpetuates that inequity. Accordingly, as outlined with the historical aspects by the member for MacKillop, these are the reasons for our objection to a continuation of a poor structure.

May I say this though: it is of great concern to me and, I am sure, to others in the house that the government, despite its protests of having a significant care factor for the Coorong and Lower Lakes area and the importance of undertaking projects that would enable the recovery of these areas, particularly since the period of drought, has an appalling record. For example, I note that the government wants to extend this structure to enable it to progress a further project, that is, the South East Flows Restoration Project, which, as I understand it, will cost about \$130 million and which will allow for about 50 gigalitres of fairly saline water (as pointed out by the member for Mount Gambier) to drain into the southern point at Salt Creek on the Coorong.

This is a project that has been around for years. They did the small project, which has been detailed by the member for MacKillop, but I noticed that the allocation of \$610 million from the Murray Futures Fund for important projects included a 10-year project, of which \$200 million was allocated to the Lower Lakes and Coorong recovery, in addition to the \$120-million Lower Lakes pipelines which have effectively occurred. As published by the government, it was:

...to undertake a series of medium to long-term projects around the Lower Lakes and Coorong to help protect this valuable Ramsar site and to sustain the communities reliance on it.

Wonderful aspiration, but, as usual, a government short on delivery. I am very concerned that hundreds of millions of dollars appear to be sitting around in funds and are not actioned, when this area of the Coorong and lakes has been under severe pressure and has been struggling to survive let alone be resuscitated, particularly in some of the wetland areas, for some time now. It seems to me very concerning that the government had all this money sitting there and have not actioned this project.

We are yet to see, as a result of the terms of settlement from the Murray-Darling Basin plan and federal legislation, as to what part this particular project will play in providing some environmental credit for the South Australian contribution to the River Murray attached to it. In any event, I make the point that they are very late in the delivery of what appears on the face of it to be an important project, which could have at least been advanced in the 11½ years of the lifetime of this government, and yet we still have not had one extra drop through this particular project. That is very concerning.

I also mentioned the foreshadowed amendment by the member for Mount Gambier. I certainly do not have any appreciation of the significance of the areas of water in the South-East, except they have got plenty of it. Certainly the member for MacKillop and the member for Mount Gambier would have an understanding of the regions that are subject to salinity problems and other areas where there is fresh water and, accordingly, a much greater opportunity to utilise that water for other purposes.

The South East Flows Restoration Project is one which, as I understand it, will at least be capturing from the Blackford Drain region, north into Salt Creek, and would only be capturing water that is saline and would not (if I could be so crude as to say) just interfere with the freshwater supplies east of that region. As I understand it, the member for MacKillop may have already indicated that we are sympathetic to the tightening of the boundary. If the structure is going to continue, at least it could be reduced to accommodate that amendment, which is sensible in the circumstances. With that contribution, I indicate that we will be opposing the bill and supporting the foreshadowed amendment.

**Mr WHETSTONE (Chaffey) (11:48):** I would like to make a small contribution, to speak about the Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment Bill. Of course, it is something that is dear to my heart—any water related proposition that is for the betterment of our state, of our waterways, of course, supporting a healthy environment. The drains were not put there to support a healthy environment. The drains were put there to rehabilitate land, to reclaim land, but they were put there with all good intentions to be a part of a sustainable landscape. In doing so, it was about gaining a balance between the landscape, between productive land, and reclaiming the land for the betterment of that landscape.

Having been born in the South-East but having very limited knowledge of what the drains were always about, I would like to acknowledge the member for MacKillop, whose ancestors went to the South-East to dig the drains. As he said, back in those days the drains were dug with pick and shovel and barrows; the most modern technology back then was probably pulling a delver behind a horse, and that was probably state of the art back in the early days. The member for MacKillop's extensive knowledge about just exactly how the drains have worked, from their early inception right to the current day, has obviously given me a reason to stand up and make a small contribution.

When the drains were first initiated, it sounds as though some of the early pioneers in the South-East took it upon themselves in many instances to reclaim land, because obviously we have a vastly different landscape today from yesteryear. Back then, a huge amount of underground water used to bubble to the surface and the drains were just a small groove in the landscape that would then run and create a self-flowing stream.

But today it is different: we do not have those self-flowing streams. We have a much higher demand, an allocation if you like, that is put on the underground aquifer, and also the allocation that is drawn off what was underground water that is sitting on the surface has had a huge impact on the storages and the way that water is being used, and I think over time we have seen different needs or different requirements on that groundwater and on that surface water.

I know that the forests were there a hundred years ago, but we are seeing a huge amount of food production, agriculture production and horticulture production that draw on that underground water and, specifically, these days it is pumped at large volumes from the aquifer due to necessity because of some of these new crops. Particularly in agriculture, we do not talk about just lucerne production these days: we are talking about seed production, we are talking about pasture, and we are talking about horticulture, and horticulture is quite a growing industry, particularly in the South-East, that requires regular water and bores that those pumps draw on.

From the documentation I read, and from listening to the member for MacKillop, listening to the member for Mount Gambier and listening to the member for Hammond, those resources are in depletion at the moment. We are seeing the bore levels drop, which is particularly noticeable in low rainfall years, and it is coming up as evidence that if we are going to have a sustainable landscape we have to be very careful how the drains are implemented, how those drains are designed and just how the drains are going to be for the betterment of the landscape and sustain an environment and sustain an economy. That is about striking a balance between the governments implementing Riverina recovery projects, about governments issuing water licences, about a sustainable allocation regime, and it is about governments having a good understanding and not relying on people who sit in offices, bureaucrats, who make decisions.



It is about having informed procedure, informed decisions and drawing on the knowledge that is grassroots to making informed decisions. It is about going to the farmers and to the LAP groups. It is about using the expertise that is on the ground that is monitoring what goes on. It has been a real bugbear of mine that we have too many government decisions and that too many of those decisions at the pointy end are made from untested science. We see a lot of it that is drawn on from bureaucrats sitting in high-rise buildings.

It is not drawing enough on the ground base knowledge. It is not drawing on what the farming communities are seeing on a day-to-day basis. It is not drawing on the historic knowledge that we have of cycles—we have dry cycles and wet cycles but today we do not see the water bubbling from the ground. Even after a huge wet season we are still seeing depleted resources and we are seeing issues that I think are really telltale in that we need to monitor the way that the water is used. We need to monitor exactly how the drains are going to be built and exactly what part of the drainage system will be diverted out to sea.

I am a firm believer that we should not have water easily diverted out to sea. Any change of landscape, any change of the way that nature has set up the land use or the land base needs to be addressed but it needs to be addressed in a way where, rather than doing the easy option and diverting water out to sea, we need to be using it in a better way. Obviously, with a lot of the drainage system to the east of the South-East we need to be looking at how we can inject that water back into aquifers.

We have areas of high saline water and areas that are not good for the landscape and not good for production and, again, they could be drains diverted into the Coorong which, as we speak today, is very much a hypersaline environment. It is an environment which has been quite adaptable to change over the last 100 years but, again, the question could be asked: is this government holding back water that could be diverted into the Coorong because they have an ulterior motive? That is, it is going to have to dip into its pockets, dip into its pockets and water resources in the very near future to help with the sustainable Murray-Darling Basin plan.

I notice that the government has been sitting on its hands with some of those projects. Those projects could contribute water into the Coorong and would also export a highly saline environment through the mouth of the Murray, and would help sustain a much fresher environment. The drains have been in operation over many years. It is a very expensive exercise to dig drains and a very expensive exercise to maintain the drains and the landscape that, once again, relies on that water flowing past to take the salts out and move the salts into another environment that is more susceptible.

The drains are very dependent on just exactly what is happening below ground but also, just as importantly, what is happening above ground. Again, there needs to be a balance between groundwater and surface water. It is not about just implementing a drain to reclaim land for agriculture, horticulture or viticulture: it is about having a sustainable landscape where we can utilise the precious resource that is water. I am very familiar with that, particularly living on the River Murray and having an electorate that is very reliant on the River Murray. However, we are also very reliant on a healthy environment. The environment is the telltale of a healthy river, of a sustainable river, and also of a sustainable economy that is so reliant on the precious resource of water.

I talk about the betterment of the environment and what the environment means to the landscape. We do not just talk about the wildlife, the fauna or the trees that rely on the water supply to keep them alive but we also talk about the regeneration. We talk about varieties that have been in existence for perhaps thousands of years and we have seen many, over the years, that have become extinct, but we have also seen new varieties. We are finding new species on a weekly or monthly basis. We are finding new species of wildlife, birdlife and fish and seeing new varieties of plants and trees. I think that they are testament to what a balanced environment is all about. That is what the drains need to be.

I would also like to acknowledge some of the expertise over the years, and why the drains are there. Tom Brinkworth is a man whom I have met on only a couple of occasions but a man who has had significant impact on the progress of the drains, on the progress of perhaps the landscape in his part of the world down there in the electorate of MacKillop. I think that his decisive actions prove that that is why the drains were started and why government today seems to slow that progress down.

Just touching on compulsory acquisition, that is something that I am bitterly opposed to. I think compulsory acquisition is something that is part of history, and today it should be part of a

bargaining tool. To come in and acquire a piece of land, there is a price tag to that piece of land. It must be acknowledged that a lot of that landscape down there is regarded as black gold. That country is deep black loam and it must be, I think, fairly compensated for any form of compulsory acquisition.

Just in closing, I would like to again acknowledge that the member for MacKillop and the member for Mount Gambier have quite some knowledge of just how the drains have worked, they know the local identities and the history around why they were built, how they were built, and the positive impacts they have had, but also noting the negative impacts that these drains have had over the many years that they have been in existence.

It is about using that history. It is about using that knowledge to see how those drains can be put to better use, not only to the landscape in the South-East but we can use the highly saline water and divert it into the Coorong for the betterment of the Coorong. It is about retaining environment in the South-East. It is about retaining the landscape, but it is also about a sustainable scheme. It is about striking a balance between the environment, the economy and the landowners. Again, I will not be supporting the bill in its current state. Having made a small contribution to this bill, I support all the speakers on this side to better work through this and make it a bill that will benefit all involved.

Debate adjourned on motion of Hon. P. Caica.

### VISITORS

**The DEPUTY SPEAKER:** Before I call the next speaker, I would like to draw members' attention to some guests we have in the Strangers' Gallery. I understand they are students from Cardijn College, years 8 to 10, who are here as guests of the member for Mawson. Welcome.

### MURRAY-DARLING BASIN

Adjourned debate on motion of Hon. J.W. Weatherill:

That this house—

- (a) acknowledges the commonwealth government commitment to return 3,200 gigalitres of water to the Murray-Darling Basin;
- (b) welcomes the commonwealth government's decision to invest \$265 million in water recovery and industry regeneration projects in South Australian river communities to ensure our irrigators do not bear the burden of adjustment in returning the Murray to health;
- (c) notes that with 3,200 gigalitres returned to the Murray-Darling Basin, the following outcomes can be achieved—
  - i. an average of two million tonnes of salt exported through the Murray Mouth each year;
  - ii. salinity kept below dangerous thresholds for the survival of native plants and animals in the Lower Lakes and Coorong;
  - iii. a reduced risk of the Murray Mouth needing to be dredged to remain open;
  - iv. water levels in the Lower Lakes kept at a level to avoid acidification and riverbank collapse below Lock 1;
  - v. an improved ability for flood plains to support healthy red gum forests, waterbird and fish breeding and greater areas of habitat for native plants and animals;
- (d) calls on all South Australian federal members of parliament to support a Murray-Darling Basin plan that—
  - i. returns 3,200 billion litres to the Murray-Darling Basin;
  - ii. provides for the healthy river outcomes set out above;
  - iii. ensures that the burden of adjustment does not fall upon our irrigators.
- (e) that the time for the debate be limited to 20 minutes each for the mover and the Leader of the Opposition or one more member deputed by her and 10 minutes for any other member and the mover in reply.

(Continued from 13 November 2012.)

**Mr PEDERICK (Hammond) (12:04):** I rise today to make a contribution in regard to the debate on the Murray-Darling Basin. I want to go through the dot points in regard to this motion one by one. When the Premier moved this motion, he noted in (a) that this house acknowledges the

commonwealth government commitment to return 3,200 gigalitres of water to the Murray-Darling Basin.

While returning 3,200 gigalitres to the basin may sound like a noble ideal, you have to wonder where that number came from in the first instance, especially when we had Premier Jay Weatherill come into this house saying that he was going to fight for 4,000 gigalitres and nothing less. That was the number that was proposed by the Premier to bring the river system back to health, with great chest-beating and excitement and carry on about high court challenges. Now we see the Premier quite happy to say that 3,200 gigalitres will be fine, if we can get to that.

The issue is that the 3,200 gigalitres, if it can be achieved, would not be achieved until 2024. I have lived not far from the river all my life, within 40 kilometres of the river, and I have had a lot to do with the river. As a member of parliament, I have the electorate at the bottom of the River Murray, and I have certainly seen a lot of the problems over the years. As the member for Hammond and shadow for the River Murray for several years during the drought period, I know that at my end of the river we are right at the pointy end of the argument.

The issue with the 3,200 gigalitres is about whether you can deliver that water, whether you can deliver it sustainably and whether or not you kill communities along the way. That is something we have to realise in this state: there can be vast improvements made in the northern waters above our state to get water back into the Murray. I know full well that we need more water at the bottom end of the river to improve our environmental outcome, but we also need to have social outcomes and we also need to have economic outcomes.

I have toured the northern and southern basins. I have been up there with the members for Chaffey and MacKillop; we have had some interesting trips. I learned a lot of interesting things. We have had a good look. I have also been up there on my own. I have been in Bourke and I managed to find someone to fly me over Cubbie Station to St George in a Cessna and bring me back. It was a very interesting flight back then. They were growing wheat on Cubbie, trying to make some money. The issue we have here with getting 3,200 gigalitres into the system is that, first, it is not going to happen for a long time—12 years, in fact.

**Mr Whetstone:** It's not in the plan either. The 2,750 is not in the plan.

**Mr PEDERICK:** Yes, for 12 years—and I note that the member for Chaffey reminds me that it is not actually in the plan. It is the 2,750 gigalitres. The simple fact is that there will be constraints to get that water down through the system. There will be bridges that have to be upgraded, there will have to be work on the banks of the river in places, there will have to be flood mitigation—a whole range of works to be able to deliver that amount of water.

What we have said—and I think we have been very realistic on this side of the house—is that the 2,750 gigalitres is a very good starting point for revival of the river. As I said, we fully understand that on this side of the house and those of us who live in this state and people like me with the seat on the bottom end of the river know darn well we need to get recovery. However, the problem we have is that the federal body, the Murray-Darling Basin Authority, has been taking the easy way out in getting water savings back into the basin. They have been doing water buybacks which are not that strategic, and I know that they are part of the scheme, but they are quick and dirty. They are the quick and dirty way to get water back into the system, and there is so much work that could be done with infrastructure upgrades.

South Australia has done excellent work over the last 40 years regarding its pressure-pipe irrigation system; it is the leader in technology managing water in the river. However, what we are seeing in the other states are communities looking like they could be decimated by this plan because, as I said, some ways of getting water back have not been too strategic. There has just been a scattergun approach. I think there are much better ways of getting some of this water back into the river system. I note that paragraph (b) of the motion moved by the Premier states:

- (b) welcomes the commonwealth government's decision to invest \$265 million in water recovery and industry regeneration projects in South Australian river communities to ensure our irrigators do not bear the burden of adjustment in returning the Murray to health;

I think that is another noble ideal, but why could South Australia not have some of these commonwealth funds that were announced by John Howard's team back in January 2007 to get the river back to health: \$5.8 billion of infrastructure money as part of the \$10 billion plan to restore health to the Murray? A lot of this money could have been allocated to South Australian irrigators,

but the issue was, and still is, that we were too efficient. The authority could not work out how to make those funds applicable to South Australia.

I have had tours throughout the basin and I have seen the Eastern States. They look at an upgrade of the irrigation system as putting in electronically controlled gates on the channels. That is all fantastic, but we need to do a lot better. I note the works that have been done in the Victorian Wimmera, great works, where they have piped the hundreds of kilometres of water that was in small channels going around the landscape, making massive water savings. In touring some of these places in the basin, I noted that, to deliver three gigalitres to the end of the line, to the station owners who just basically need trough water for stock, you had to send seven gigalitres down these channels because of evaporation and losses. There are a lot of ways, especially with pipe infrastructure, to put water back into the system for our benefit.

I have mentioned several times in this chamber the story about the Rorato family up near Deniliquin. Glen Rorato and his family own 240 hectares—or 600 acres in the old language—of broadacre tomatoes. It is a huge operation; I have never seen anything like it. Previously, it was all irrigated with flood irrigation in small channels between the rows and, during the drought, the Roratos saw that they had zero allocation of low security water. They spent something like \$700,000 to put in drip line on their 240 hectares. It was a massive expense for these private operators to make their farm more efficient; however, the beauty of what they did—and it was visionary work—is that it doubled the efficiency for the next season, when they got 9 per cent low security water to their property. They said that it actually doubled what they could do in their production. It made 9 per cent equivalent to 18 per cent.

So those infrastructure upgrades show what can be done to prevent communities being decimated, and that is what has to happen. The money has been there, and now we see money going in on-farm. I know that a lot of this is going to have to be spent in the Eastern States, and there is a lot of debate about that, but we need to make these water savings. We need to do it properly and we need to get all the communities on line.

I have spoken to interstate ministers and previously when they were shadow ministers about what they thought of this plan, because every MP along the river, no matter what colour, has to defend their patch for their constituency. I know that Victoria has argued that we need only 2,100 gigalitres, and New South Wales is not too happy about the legislation that has just been introduced into the federal parliament either, but we have to have an outcome, and we have to have an outcome for the sake of the whole basin, not just our end of the river.

I for one know full well the full effects of what happened in the last drought, when we saw massive problems right along the river. We saw issues with low allocation affecting our irrigators, when, during one season, our irrigators on high-security water were allowed only 18 per cent, yet we could look upstream and the Murrumbidgee irrigators were on 95 per cent irrigation. Where is the equity in that? If it is high-security water, I believe, right across the basin, there should be an equivalent allocation. I acknowledge low-security water is another story, but supposedly we are all high-security water down this end of the basin.

With respect to irrigators, we had a problem below Lock 1 with just access to water. I have seen pump sheds that fell into the river at Mypolonga. I have seen great holes in the bank; in fact, I was taking some photos one day by the bank at Murray Bridge and as Trevor, my assistant at the time, took the photo, he caught a piece of the bank slipping in the background behind me. We lost three cars into the river, and I think there are still two in the river there at Murray Bridge that probably will never be recovered, even though they searched for them.

So, there have been massive effects from this low water level. We have seen Lake Alexandrina, which is still essentially out of commission as a water source, go out of commission because of the low water levels. We have seen the bunds go in because the government could not negotiate enough emergency water just to cover the base of Lake Albert and Lake Alexandrina. We have seen the debate about the Wellington weir, which I have always opposed; I do not believe that it is any solution to the problems right throughout the basin. Why should the people below Wellington have to give up their part of the river?

When the water level was getting low—and that was part of the debate about the Wellington weir proposal—there was debate about the main access pumps for water, especially for Adelaide. The minister at the time, minister Maywald, said, 'Well, they can't be lowered.' I thought, 'Engineering will fix that; just lower the pumps.' Funnily enough, the pumps were lowered and access was made.

In fact, it got that bad along the system—and I lived with a just-in-time supply at Coomandook from the Keith pipeline and the Keith pipeline off-take—that there was talk of a desalination plant at Tailem Bend, which would have cost at least, from memory, \$75 million, but they did not know where the salt was going to go. They looked at me one day in a meeting and said, 'What are we going to do with the salt?' and I said, 'It's your problem.' There have been some massive issues right throughout.

I want to note some of the ideals contained in the motion, and this goes to part (c) of the motion by the Premier. It states:

- (c) notes that with 3,200 gigalitres returned to the Murray-Darling Basin, the following outcomes can be achieved—
- i. an average of two million tonnes of salt exported through the Murray Mouth each year;
  - ii. salinity kept below dangerous thresholds for the survival of native plants and animals in the Lower Lakes and Coorong;
  - iii. a reduced risk of the Murray Mouth needing to be dredged to remain open;
  - iv. water levels in the Lower Lakes kept at a level to avoid acidification and riverbank collapse below Lock 1;
  - v. an improved ability for flood plains to support healthy red gum forests, waterbird and fish breeding and greater areas of habitat for native plants and animals;

I agree that all of these outcomes need to be achieved, but I think that we can achieve most of this with 2,750 gigalitres, because that is what can be delivered. We still have to get all of the states to agree to get these efficiencies into the system. Yes, I agree that there is an average of two million tonnes of salt, so we do need to have a flow to get that out throughout the Murray Mouth and out down to the lakes. The salinity does have to be kept below dangerous thresholds, not just for the survival of native plants and animals but also for all of our primary producers in the area who have been struggling for years now, since 2006, in regard to access to potable water to keep their businesses alive, whether they are a lucerne-growing business, a dairy, or they are running some other irrigation in horticulture, orange orchards or wine grapes. We need to keep the salinity down for that to work successfully.

We need to have less dredging down the bottom, but we need to make things work. I talked about the bunds that went in, for many millions of dollars. We were told that the money was there to take them out but, when it came to take them out, the money was not there. So, where did the money go? We were going to have 4,000 gigalitres to save the river but now 3,200 gigalitres is fine. It is a bit all over the shop. We have had the Narrung bund—

*Mr Whetstone interjecting:*

**Mr PEDERICK:** Well, that's what the Premier is indicating. The issue is about these bunds that went in. We see most of the Clayton bund has come out but there is still residue there. The Narrung bund has come out and over the years, since that has been in and now it has come out, there has been silt build-up. I know they had a dredge there the other day essentially to do, in the life of the river, five minutes' work in smoothing out some of the residue. They should have stayed there and done a lot more work to get it right.

Some work needs to be done at the Narrung intersection, I will call it, between the lakes (the Narrung Narrows) to make sure we get a flow into Lake Albert and back out to Lake Alexandrina so we can make Lake Albert useable for our irrigators and farmers in that region. It may need—and I think it does need—the causeway pulled out and the length of the ferry extended and all the silt that is there scooped out in the meantime. Certainly, Currency Creek I do not think has been pulled out yet—that is under water. What is out of sight is out of mind. I know initial work has been done in looking at how to pull that bund out but it needs to be got on with.

I look at the next dot point, dot point 4, which states, 'water levels in the Lower Lakes kept at a level to avoid acidification and riverbank collapse below Lock 1'. That is fine, but we need the river bank to be at 0.5. I note there is not a height level in the plan for that. We cannot go below 0.5 because, since the barrages have been in, the river is kept at an average of 0.7 positive AHD (Australian Height Datum), and that is how people have set up their infrastructure for flood plain irrigation, especially in the Lower Murray.

We have seen the demise of the Lower Murray swamps where we have seen flawed rehabilitation plans and the opportunity was not there to fix the whole swamp area. Some people took exit and it left another chequerboard approach. Thirty million dollars was spent there of

federal, state and farmers' money. I note there is some excellent work going on with the CSIRO and others on what to do into the future, but there have to be some big decisions made to get that right in the swamps. I note the last dot point about 'improved ability for flood plains to support healthy red gum forests, waterbird and fish breeding, and greater areas of habitat for native plants and animals'.

That is a great ideal as well, but we also must remember that we have to get this right. We must support everything. It is not just the environment: it is the social and economic needs of our communities right throughout the basin. The Premier put out this call that it is 3,200 gigalitres or nothing, when it used to be 4,000 gigalitres or nothing or a High Court challenge, but he needs to get real and note the constraints that are in place and the realities of communities right up and down the basin so that we do get an outcome. I also note the Greens are talking about blocking this federally, and they need to get a life and get into the system because, if they knock this out, we will not have a plan.

Time expired.

**Dr McFETRIDGE (Morphett) (12:24):** I rise to support this motion. There would not be a person in this place who does not want to see a healthy Murray-Darling Basin and, particularly, the River Murray. Some of my earliest recollections of the river are from 1956 when my father, who was a fireman at the time, went up to Mannum to help sandbag properties during the '56 floods. Then, when I was about eight, I think, we went up to Red Cliffs near Mildura on a fishing holiday and I caught my first fish. The river was healthy, it was full of fish and yabbies, and we had a great time, and we want the river to remain healthy for perpetuity, for our generation, our grandchildren, and the grandchildren of our grandchildren.

To see the river recently and the parlous state that it was in, and to go down to Milang and Meningie and see the expanses of exposed lake bed because of the low river and no flows into the river was an absolute tragedy, not only for me personally but for the whole of Australia because the Murray-Darling Basin and the River Murray are national treasures. The good thing, though, is that we now have high flows in the river, we will have high flows, and we will probably even have floods at some stage, but we will also have droughts, so it is very important that we manage the river in the best way possible, and to achieve the aims that are in the motion is obviously in the hearts and minds of all of us in this place. At 11:28 today *The Advertiser* printed an article 'Federal Coalition backs plan to reform management of River Murray', and it says:

Tony Abbott has used the last Coalition joint partyroom meeting to commit the Opposition to support the Government's Murray-Darling Plan in Parliament guaranteeing it will now pass into law despite dissenters. The decision, a big win for South Australian Liberals who have backed the plan strongly and stared down various internal opponents, heralds the end of more than 100 years of interstate and cross-party bickering over the river and ensures the numbers in Parliament to protect the new plan.

Mr Abbott addressed the final parliamentary meeting for the year in Canberra this morning and told colleagues that while there were some reservations, the plan—securing 2,750 gigalitres for the Murray by 2019 and another 450 gigalitres by 2024—would get Opposition support.

With the new deal now before both houses of Parliament for a minimum of 15 sitting days—a requirement under law—at least three disallowance motions have been flagged: one from the Greens, one from Queensland independent Bob Katter, and one from coalition MPs Sharman Stone and Mark McCormack.

Mr Abbott said he understood that two of his backbenchers would break ranks because of the issue in their own Basin electorates but said the Coalition would nonetheless back the plan as signed off by Water Minister Tony Burke last week.

I will just repeat the second paragraph which says:

The decision, a big win for South Australian Liberals who have backed the plan strongly and stared down various internal opponents...

This is a good result for South Australia and, more importantly, it is a good result for the River Murray and for the future of the Murray. This motion is pointing out all the things that we want to achieve, hopefully by 2024, which is a significantly long time away, but at least we are working towards a target, we are working towards goals, and we will be achieving our ultimate goal, that is, to make sure that the River Murray and the Murray-Darling Basin are protected and going to be part of the future for all Australians.

**Ms CHAPMAN (Bragg) (12:28):** As the newly appointed opposition spokesperson for water and the River Murray and environmental matters generally, I rise to support the Premier's motion on the Murray-Darling Basin, and I am proud to do so. Today, the passage of legislation to support an environmental outcome for South Australia, to support the River Murray and

Murray Mouth regions within South Australia, and the reinvestment of 2,750 gigalitres over a period to 2019 to help restore the health of our river, has been acknowledged in the federal parliament, so it is an important occasion on which we conclude the debate on this matter.

What is mischievous about the motion, however, is the assertion of there being a commitment to 3,200 gigalitres in total. As has been expressed by other speakers, it is now clear by the legislation that has passed in the federal parliament which supports an extra \$1.77 billion in funding for projects to achieve this that, in fact, the 450 gigalitres extra over and above 2,750 is an aspirational target with an expectation that, hopefully, some of it at least will come into fruition by 2024, but with no security for one drop further.

The Murray-Darling Basin Authority has been an entity established to develop a plan. It has been a tumultuous gestation for the plan, and it has not been without fierce criticism in various districts around the states that support the Murray-Darling Basin areas—and it has been a pretty rugged period, I think, for a number of the federal members of parliament who have had to deal with this issue.

It is important, however, to recognise that in South Australia the Murray River has, of course, had its gestation as a contributor to South Australia's economy as a major transport facility since white settlement in South Australia, and the development of a number of the locks through the River Murray have predated even the famous Chaffey development (now acknowledged in the name of the Chaffey brothers in the member for Chaffey's region) and the development of food production in that area.

Its origins certainly live up to the Murray being the mighty force it has been for South Australia as both a transport corridor and for the provision of water supply for the development of the food industry, and in more recent decades a significant supplement to the water requirements for metropolitan Adelaide. There have been other developed contributions for major regional towns and areas, such as the Barossa, in the last 50 or 60 years, but very significantly has been the draw for the requirements of the metropolitan area of Adelaide, which is why I bring to the attention of the house the concern that I place on the record of this government's poor performance in actually delivering anything.

At least in the period of the Playford and Hall administrations, complemented further during the Brown and Olsen administrations, not only the development of pipelines but also major salt interception works and projects that had been physically and real contributions to the health and wellbeing of the river were demonstrably committed and actioned. This government, since its inception in 2002, has had a lot of talks, a lot of forums (even a River Murray forum I remember attending in about 2003 in this place), a lot of plans, a lot of reports, a lot of consultants and little delivery, unfortunately.

I can identify then premier Rann publishing a press release jointly with minister Hill and minister Weatherill on 11 February 2003 (and this is early in the time of the Labor government) when they announced that they would be waterproofing Adelaide 'to reduce reliance on the Murray'. They pointed out that, in an ordinary year, 130 gigalitres of stormwater and treated effluent were discharged into the Gulf St Vincent from Adelaide, equivalent to the volume of 37 Hope Valley reservoirs. They said, 'In any ordinary year, Adelaide uses 200 gigalitres of mains-treated water' and 'It makes absolute sense to be using more of our stormwater rather than drawing it out of the River Murray.'

We have had acts of parliaments, we have had stormwater authorities, we have had plans, we have had reports, we have had waterproofing, blah, blah, blah—what have we had delivered? Only just at the last federal election I recall trying to get up a small project in the eastern area, and I have enough water that runs off the area of Bragg, which I represent, each year to water most of Adelaide, yet we have had all the pronouncements, all the promises and all the expectation that even minister Weatherill, when he signed up to this, had bleated on about how important it was. We all agree that these things are important and that the commitment is necessary, but the delivery is critical.

Then we had back on 1 December 2009 again a press release issued by then premier Rann, on this occasion jointly with the Hon. Karlene Maywald (who sits on the SA Water Board) and the Hon. Jay Weatherill (who is now Premier), announcing that there would be a High Court challenge against the Victorians on water and that that would be some great panacea of protection for the river, that they would teach those Vics a lesson. They were obviously unhappy with the cap on trading that the Victorians had announced, which shamefully would have no impact until 2014.

How the Premier can lie straight in bed when he talks about supporting something that will come into effect in 2024 now is beyond me, but in any event it suits to complain about these delays when it is someone else they are getting stuck into.

They said that this will be disastrous for South Australia, that they were going off to the High Court. They even tried to claim credit for causing Victoria to abolish its restrictive 10 per cent trading cap, as though they had any influence. We still do not know to this day what they have spent on High Court challenges, beating their chest, puffing out their boated claims of effectiveness and attempting to blame the overallocation problems entirely on Victoria by flexing their muscles and demanding that they would be meeting them on the steps of the High Court. Interestingly, minister Maywald in this joint statement said:

Water scientists have been telling us for many years that a minimum of 1,500 gigalitres and up to 3,800 gigalitres of flow needs to be permanently returned to the River Murray to ensure its long-term survival. So far under Living Murray Program 485 gigalitres of permanent water has been returned to the river and under the Water for Future Program a further 360 gigalitres in water entitlement has been purchased. That means a total of 844 gigalitres has in effect been restored...

But the reality is that that was just another expensive exercise of chest beating by the government and perpetuated into this current regime. We have had overlapping that the pick up of a desalination plant, water security proposal, that the Liberals had announced, and then we had this massive expansion, which has now been mothballed—what a disgrace!

Time expired.

**Mr BROCK (Frome) (12:38):** I would also like to speak on the motion moved by the Premier on the Murray-Darling Basin plan and the amount of water that has been coming back in. I was very proud to become an ambassador for the River Murray. I did a launch in Port Pirie, accompanied by mayor of the District Council of Barunga West, mayor Dolling, the Port Pirie Regional Council mayor, mayor Vanstone and the mayor of the Mount Remarkable council, mayor Walker. We did a launch in Pirie to highlight the necessity, demand and requirement that not only Port Pirie but other areas of the River Murray have as they are very reliant, 100 per cent, on the health of the River Murray.

We have conversations about waterproofing Adelaide, about looking after people on the River Murray and ensuring their existence, but we seem to lose the fact that at Morgan there is a bypass, the Morgan to Whyalla pipeline. That pipeline feeds not only across into Kimba and Whyalla and Port Augusta, but also up to Roxby Downs, down to the Copper Coast, through the Clare Valley, Port Pirie and surrounding regions. I remind members that, no matter how much water we say we will get put through for the environmental flow, whether it is 2,500, 2,700, 3,000 or 4,000, there is only the same amount of water coming down that river. Water is one of the most precious items we have.

When my late wife was alive and I was a councillor on the Port Pirie Regional Council, I had the opportunity to come down to Adelaide for a water discussion at UniSA. This was many years ago, but the speaker (Professor Mike Young) was then talking about salinity on one side of the River Murray, water wars between the states, and trading of water between the states and even across all of Australia. When I went home, my late wife said, 'How did it go?' Well, I thought it was a comedy show.

That would have been 25 years ago, and that reality has come to bite us now. We have been fighting other states, fighting amongst ourselves, and fighting amongst ourselves politically and across states, but we do not act as Australians. We only have so much water and the water is there not only for human consumption but also to produce food for ourselves, our nation and for export, especially into Asia.

As I said, everybody goes on about waterproofing Adelaide. I think it is time that we understand that we have to start waterproofing Australia, full stop. We are at the tail end of the River Murray, and we have seen before when the mouth of the Murray becomes clogged up that we have to manually dredge to ensure that the flow keeps going through, because if it does not the salt will continue to bank back up. It will hit South Australia first if we do not have that clear environmental flow going through, but the other states also need to understand that it will not be many years before that rust or decay will start to come back into the upper states and the whole of Australia's water system will be decimated.

I am very passionate about water. In fact, I have a meeting with the Premier and three other ministers this afternoon to discuss some opportunities, and I am very thankful for that. As



Australians, we have to start thinking not only about the near future but also about 20 to 25 years down the track. We talk about different projects and this and that, but we have to understand that, if we do not have a continuous supply of water for the emerging resource opportunities in the top end of South Australia, we will not be able to extract those resources and grow economically.

We all keep saying that this state needs to get more money. Our credit rating has been diminished, so we need not only to explore opportunities in resources but also to realise that we are ideally situated to increase both our population and our food production. This will help to feed not only our increased population here but also in Asia. I refer to the Prime Minister's white paper on Asia that was recently released, which talked about feeding Asia.

Everyone in the community and in the house understands the importance of water. It is one of our most precious resources, and this water issue will hound politicians for generations to come if we do not get it right. This motion is to accept the amount of water, and hopefully the federal government will get it through. Comments have been made here about the Greens. We need to have a clean environment but we also need to balance that out with economic drivers and human consumption.

I hope the federal government will accept this plan. I hope that all South Australians will accept it. I hope that all of Australia accepts it and that we look at opportunities to improve it and at new ways of getting this out. As a representative of a regional area, as are my colleagues on this side, I am very passionate about this. We need to ensure that we do not divert water away from the Morgan-Whyalla pipeline, which gets water back into our area, to make certain that Adelaide is being well watered.

I think I was the only country representative who became an ambassador for the River Murray. I am very proud of that and I will continue to fight for the River Murray. I will continue to look at ideas and other ways to utilise water far better. I commend this motion to the house.

#### VISITORS

**The DEPUTY SPEAKER:** Just before I call the next speaker, I would just like to bring members' attention to guests in the Strangers' Gallery. I understand we have students from Aldinga Primary School up there. They are guests of the Hon. John Hill, Minister for Health, and their tours have been undertaken by Ms Penny Cavanagh.

#### MURRAY-DARLING BASIN

Debate resumed.

*Mr Whetstone interjecting:*

**The DEPUTY SPEAKER:** You have spoken on this matter.

**Mr Whetstone:** I didn't finish it, though.

**The DEPUTY SPEAKER:** Yes, you did. If the Premier wishes to speak he will close the debate.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (12:45):** Thank you, Mr Deputy Speaker, and I know why the member for Chaffey wanted another crack. He probably wants to have another go to revise some of his earlier remarks, because they were very ill-advised remarks. Can I thank all speakers for their contributions and especially members on this side of the house who stood with the people of South Australia to fight for a healthy River Murray. I also want to particularly acknowledge one member on the other side of the house, the member for Frome, who stood up and put his name forward as an ambassador to fight for a healthy river. He along with many hundreds of thousands of people around this country have come together and added their voices to this important campaign, and the victory is their victory.

Yesterday, the commonwealth Labor government tabled the basin plan in the federal parliament. The basin plan provides for 3,200 billion litres of water to be returned to the river. That is 450 billion litres more than the draft plan proposed just a year ago. The commonwealth government has also committed \$1.77 billion to provide this extra 450 billion litres of water for the river's health, \$265 million for water recovery and industry renewal in South Australia's river communities to recognise that the burden of restoring the river's health should not fall on our irrigators, and just yesterday, \$155 million to rejuvenate the Riverland flood plains and so help iconic species like the Murray cod and river red gum. Can I just say that—

*Mr Whetstone interjecting:*

**The Hon. J.W. WEATHERILL:** —I want to thank—

**The DEPUTY SPEAKER:** The member for Chaffey is warned.

**The Hon. J.W. WEATHERILL:** Thank you. Can I just correct the erroneous assertion that was made by the member for Bragg before, when she suggested that the extra 450 gigalitres that was to be purchased by the \$1.77 billion was not secure. If I could just quote the remarks that were made by minister Burke the other day when he announced the Murray-Darling basin plan. He said these words:

up to—

which is in the present legislation which is about to be amended—

is not the Commonwealth's position. Our position is to provide money for the 450 gigalitres. Work is being done on amendments to the bill to make sure the bill itself accurately reflects the Government's commitment and that will be made clear.

So, for those who were trying to advance the idea that that money was not there and it was not directed at the 450 gigalitres and to the extent that that language was unclear, the commonwealth is going to clarify that. I want to thank the many South Australians who brought about this result: the tireless effort of our public servants, the rigour of the scientific scrutiny of the draft plan and its modelling, the constructive approach of our irrigators and river communities, despite the fact that there are those opposite who were seeking to divide those communities and pull them apart. Despite the fact that there were upstream irrigator interests who were trying to split the irrigator community—

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** —and have them—

*Members interjecting:*

**The DEPUTY SPEAKER:** The members on my left were heard in silence. They will grant the same courtesy to members on my right or else they'll be leaving the chamber.

**The Hon. J.W. WEATHERILL:** Despite the fact that there were upstream irrigator interests that were trying to create a pan-irrigator interest across the whole nation, the South Australian irrigators understood their best interests were sticking with the South Australian government and acting together as a community of interest here in this state. So, we brought together advocates for the environment movement and thousands of South Australians who joined the Fight for the Murray campaign, and together we have had a great victory, and it sticks in their throat. It sticks in their throat.

This was an outcome that seemed unthinkable to some a year ago. In fact, it still remains unthinkable to those opposite. Unfortunately, members opposite chose not to stand up for our state like those in the broader community, and they have simply fallen out of step with the broader South Australian community on this issue. They gave up right from the start, kowtowing to Tony Abbott and Barnaby Joyce rather than standing up for those they are meant to represent. Even when we debated this motion this month, those opposite were unable to bring themselves to indicate a position on it. Indeed, earlier today, despite the fact that the federal Coalition has actually changed its position and supported this plan, the member for Hammond could not bring himself to say that he supported this resolution. In fact, he went on to say that 2,750 was still a good start. This has been their position.

Who could forget the words of the opposition water spokesman about the draft plan when it was released earlier this year, after declaring in February of this year that 'something is better than nothing'—that great principle: something is better than nothing—he went on to say, 'This is obviously not a Rolls Royce, but it's a very good Mazda and we are quite happy to drive in the Mazda. The reality is we are not going to get everything we want and this is a very good start'—2,750, a very good start. The member for MacKillop was not the only culprit.

**Mr Whetstone:** What's the plan? What's the number? What's the number to the plan, Jay?

**The DEPUTY SPEAKER:** Member for Chaffey, you are warned for the last time.

**The Hon. J.W. WEATHERILL:** What makes this all the worse is the comments that were uttered by those opposite were also those that were made by the opposition leader, who in April said in this very chamber, about the 2,750 gigalitres to the river, 'It is at least a starting point. An agreement with a starting point is probably better than another option.' South Australians must be

scratching their heads at this opposition, they are so divided that they just continually add to their list of half-baked ideas: the one-way expressway, a patched-up RAH, nothing more than a good start for the River Murray instead of actually doing something to save it.

The opposition leader is not without some sense of shame because she did say on radio, shortly after the Prime Minister's announcement, 'But you know the amount of water certainly is close to what we have always said we were prepared to agree to.' So, in the face of the 3,200 gegalitres what she then wanted to say is, 'Well, actually it was our idea all along. It was our idea all along.' I mean, the dissembling on this, the sheer gutlessness of this is something of which those opposite stand condemned.

It is pretty hard to detect in them any sense of generosity, any sense of acknowledgement of what has happened here. What they should be doing is admit that they got it wrong from the start, that they should have told South Australians straight out: 'We are wrong, We didn't fight for you and we now acknowledge that the correct approach was that advocated by the South Australian government.' Fortunately, those opposite, probably more out of a sense of survival than anything else, in the federal parliament have realised where their interests lie and they have decided to support the Murray-Darling Basin plan and, presumably, the legislation that locks away the 450 gegalitres plus the \$1.77 billion extra.

We hear today that Tony Abbott has used the last Coalition party room to commit the opposition to supporting this plan. So out of step are those opposite that they cannot even get in tune with their federal colleagues, who have decided—because they could see what was going to happen if they did not support this legislation and this plan—finally, to get on board. This should be a day of celebration for this state. It is an extraordinarily good result. You only need to take one look at the plan to see South Australia's—

**Mr Whetstone:** You never even looked at it.

**The Hon. J.W. WEATHERILL:** Looked at it? We almost drafted it, mate. Just look at the plan and see it in its terms. You will see where they were going and what the South Australian difference has been. It is there in black and white: \$1.77 billion plus \$265 million plus \$155 million, that adds up to in excess of \$2 billion of value extracted from the commonwealth to South Australian interests. Those opposite were whingeing about the fact that we threw a few million dollars at the campaign to actually save this.

There are a few business people in this chamber. I am looking at one, a good businessman from down in the South-East. I think he would regard \$2 million for \$2 billion as a good deal any day of the week. Those opposite should add their voices now to those who have been standing with us consistently. They have refused to be prised apart from us. The irrigators, the environmentalists, the city and the country have stood with us, and the reason they stood with us is that they trusted us to deliver the result that has been achieved.

Motion carried.

*[Sitting suspended from 12:55 to 14:00]*

#### **WORK HEALTH AND SAFETY BILL**

His Excellency the Governor assented to the bill.

#### **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (R18+ COMPUTER GAMES) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **MOTOR VEHICLES (DISQUALIFICATION) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **STATUTES AMENDMENT (COURTS EFFICIENCY REFORMS) BILL**

His Excellency the Governor assented to the bill.

#### **EVIDENCE (REPORTING ON SEXUAL OFFENCES) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

### TRUSTEE COMPANIES (TRANSFERS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

### WILLS (INTERNATIONAL WILLS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

### FIRST HOME OWNER GRANT (HOUSING GRANT REFORMS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

### ACUTE REFERRAL UNIT

**Mr HAMILTON-SMITH (Waite):** Presented a petition signed by 103 residents of South Australia requesting the house to urge the government to cease any plans or investigations into closure of the Acute Referral Unit and instead invest in supporting and enhancing its work.

### ANSWERS TO QUESTIONS

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

### CARNEGIE MELLON UNIVERSITY

**241 Mrs REDMOND (Heysen—Leader of the Opposition)** (6 July 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 3, p135, Sub-program 3.3—

1. What is the average length of the courses offered at Carnegie Mellon University?
2. How many students are undertaking full degree courses?
3. What short courses are currently being offered and what are the enrolments in these?
4. Are the reimbursements of public servant enrolment fees in the University City budget line or in the individual agency's lines?
5. How many staff work in the Department of Premier and Cabinet's Carnegie Mellon Support Unit, do these staff also deal with other international universities and what is the budget for this unit?

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

1. Carnegie Mellon University—Australia (CMU-A) offers the following programs which are available as a one-year or two-year track, dependent on the applicant's work and professional experience, and can be undertaken on a full-time or part-time basis:

- Master of Science in Public Policy and Management
- Master of Science in Information Technology

CMU-A also offers the following programs which are undertaken over a 21-month period during which students study at both the campus in Adelaide, and the campus in Pittsburgh:

- Global MISM (Master of Information Systems Management)
- Global MSPPM (Master of Science in Public Policy and Management)

2. Following the August 2012 graduation, over 250 CMU-A students have graduated from the Master of Science in Public Policy and Management and the Master of Science Information Technology since these programs commenced in 2006.

CMU-A has advised that the current enrolment figure for 2012 is 142.

3. CMU-A launched the Advanced Education Program (AEP) in December 2010. To date, the following 15 AEP courses have been held, with a total of 138 enrolments from the public and private sector. A number of the courses have been offered on more than one occasion. The topics covered include:

- Organisational Management
- Power and Influence

- Measuring Online Social Initiatives: How organisations can understand, identify and evaluate strategies that deliver value in a web 2.0 world
- Negotiations
- Conflict Management
- Budgeting and Management Control Systems
- Performance Management in the Public Sector
- Public Financial Management
- Strategic Policy Design: A Guide to Statecraft
- Insider Threat
- Mastering Process Improvement

4. Public servants who undertake CMU-A's Masters degree courses negotiate with their respective agencies as to the level of support to meet the cost of their professional development, and partial enrolment fee reimbursement is met through individual agency lines. Level of support ranges from 10 to 75 per cent of tuition fee.

5. The Carnegie Mellon Support Unit ceased operation on 30 June 2011.

#### **CHIEF EXECUTIVE DISCRETIONARY FUND**

**30 The Hon. I.F. EVANS (Davenport)** (21 February 2012). With respect to the Chief Executive of each Agency reporting to the Minister for Finance, is there a Chief Executive Discretionary Fund, and if so—

(a) what is the fund's allocated budget for 2011-12, 2012-13, 2013-14 and 2015-16, respectively; and

(b) what are the details of all grants provided from the fund for 2007-08, 2008-09, 2009-10 and 2010-11, respectively?

**The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector):** The Chief Executive of the Department of Treasury and Finance has provided the following information for this portfolio:

The Department of Treasury and Finance does not have a Chief Executive Discretionary Fund.

#### **AGED-CARE SERVICES**

**100 Mr HAMILTON-SMITH (Waite)** (17 July 2012). With respect to 2012-13 Budget Paper 6, vol. 3, p. 69—

1. Is the funding to the 'National Partnership for Financial Assistance to Long Stay Older Patients' provided from the Commonwealth and how will the \$30.5 million over 3 years be spent?

2. How many older patients is the State Government accommodating in hospitals, who could alternatively be in Commonwealth funded aged care beds?

3. What is the cost to the State Government of accommodating older patients who should be in Commonwealth funded aged care beds and apart from this program, what is the State Government doing to address this issue?

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

1. The \$30.5 million allocation to South Australia as part of the 'National Partnership Agreement (NPA) for Financial Assistance to Long Stay Older Patients (LSOP)' will be spent over three years to assist the cost impact of caring for long stay older patients in public hospitals.

2. In June 2012 there were approximately 180 older patients in State funded hospital beds, spread across metropolitan and country hospitals, all of whom could alternatively be in Commonwealth funded aged care beds.

3. The average estimated cost is \$800 per hospital bed day for this patient group (who receive a Nursing Home Type episode of care) compared to the approximate \$250 per day cost for a Residential Aged Care bed. The estimated cost for a hospital bed is based on 2010-11 metropolitan hospital cost data (the most current data available) and applied indexation of 5 per cent per annum. Addressing the overall needs of this patient group is a priority of this government.

#### ROYAL ADELAIDE HOSPITAL

**110 Mr HAMILTON-SMITH (Waite)** (17 July 2012). With respect to 2012-13 Budget Paper 4, vol. 3, p. 38—

1. Will all functions (other than clinical functions) of the Royal Adelaide Hospital be privatized to the consortia when the hospital has been relocated?

2. What functions and people does the Government expect to have to pay for separately to the consortia, once the new hospital is in full operation?

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

1. The scope of facilities management services that are to be provided under the new Royal Adelaide Hospital contract with SA Health Partnership (the consortia) include:

- building maintenance
- maintenance of grounds and gardens
- general services, including facilities management helpdesk
- provision of utilities and medical gas management
- cleaning and domestic services
- orderly services
- patient support
- waste management
- pest control
- security
- on-site catering
- bulk stores and linen distribution

2. The cost of these facilities management services are part of the annual fee payable under contract to SA Health Partnership. The Government will continue to manage and operate all clinical services.

#### ROYAL ADELAIDE HOSPITAL

**114 Mr HAMILTON-SMITH (Waite)** (17 July 2012). With respect to 2012-13 Budget Paper 4, vol. 3, p. 29—

1. What has been the breakup of expenditure on the \$244.7 million site works at the new Royal Adelaide Hospital and how does this figure compare with original estimates of remediation costs?

2. Has the Government received advice from environment and remediation consultants that it might be necessary to build an asphalt and plastic membrane beneath the entire site at the new RAH along with air vents to clear poisonous gasses and what action did it take on that advice and have such devices been built into the project?

3. Why did the original independent environmental auditor Mr Don McCarthy quit in May 2011 and did he express any concerns about the way remediation and environmental concerns at the site were being managed and was that a factor in his departure?

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

1. The \$244.7 million State Works budget is to fund activities to be undertaken by the State for the new Royal Adelaide Hospital project, such as provision of electrical and gas supplies to the site, procurement of medical equipment, etc.

No costs for remediation were budgeted for in the \$244.7 million State Works budget as remediation is an activity to be undertaken by SA Health Partnership (SAHP).

2. The Environmental Site Auditor issued interim audit advice (that confirms the site would be suitable for use as a hospital once the remedial works as described in the SAHP Remediation Management Plan (RMP) were completed) on 17 March 2011 as part of the Development Assessment process.

The RMP, dated 17 March 2011, described the activities to be undertaken on site to ensure the site is appropriately remediated. It also contemplated a vapour barrier (a membrane beneath the building to clear gasses).

SAHP have undertaken additional site testing since Financial Close in June 2011 and have now determined a vapour barrier is no longer required under the building. This solution has been endorsed in principle by the Environmental Site Auditor, subject to one final set of testing by SAHP in August 2012. A final recommendation will be made to the Environmental Site Auditor amending the RMP to remove the requirement for a vapour barrier.

3. Mr McCarthy chose to leave the firm Sinclair Knight Merz (SKM) for personal reasons. In doing so he withdrew as an Auditor registered with the Environment Protection Authority (EPA).

SA Health has a contract with SKM for the provision of Environmental Audit Services, not an individual. SA Health varied the SKM contract pending Mr McCarthy's resignation and appointed Mr Richard Wolfe to the role. Mr Wolfe is a registered Site Auditor with the EPA.

Mr McCarthy did not express any concerns about the way remediation and environmental concerns at the site were being managed.

Mr McCarthy issued interim audit advice (that confirms the site would be suitable for use as a hospital once the remedial works as described in the RMP were completed). This advice was received by the EPA on 17 March 2011 as part of the Development Assessment process.

No works by SAHP had occurred on site prior to Mr McCarthy resigning in May 2011.

### SUICIDE PREVENTION

**132 Mr HAMILTON-SMITH (Waite)** (17 July 2012). With respect to 2012-13 Budget Paper 4, vol. 3, p. 32—

How much has been invested in the SA Suicide Prevention Strategy?

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

The *South Australian Suicide Prevention Strategy 2012-2016* (the Strategy) was developed within the existing resources of the Office of the Chief Psychiatrist and Mental Health Policy, Department for Health and Ageing.

The position of Principal Project Officer, SA Suicide Prevention Strategy, Office of the Chief Psychiatrist and Mental Health Policy (one Full-Time Equivalent position), has been almost exclusively focused on the Strategy over the 18 month period.

No specific cost centre was allocated to the project to aggregate expenditure. Funding has been expended in areas including:

- resources for the consultation process, such as administration, printing and information packs
- administrative support for the South Australian Suicide Prevention Strategy Advisory Committee
- employment of the Principal Project Officer
- evaluation of prevention and post-vention packages by Relationships Australia.

### DISABILITIES NATIONAL PARTNERSHIP FUNDING

**143 Mr GARDNER (Morialta)** (12 July 2012). With respect to 2012-13 Budget Paper 6, vol. 2, p. 39—

Why is the funding provided by the Commonwealth under the budget line 'More Support for Students with Disabilities National Partnership: non-government schools' not all being spent in the same years that they are being provided to the State and to what use will any interest earned from this delayed expenditure be put?

**The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development):** I am advised:

The transfer of Commonwealth funding to non-government schools in respect of the budget initiative 'More Support for Students with Disabilities National Partnership—non-government schools' is planned to occur in the same year when revenue is received.

### E-BUSINESS TRAINING

**379 Mr MARSHALL (Norwood)** (7 September 2012). With respect to 2012-13 Budget Paper 4, Volume 2, pg 187—

What are the details on the delivery of 'eBusiness training' to the 370 small business owners in Adelaide, Unley, Prospect and Tea Tree Gully?

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** eBusiness training is delivered in conjunction with local councils and business advisory groups, through the State Government's ebiz SA program. ebiz SA helps South Australian small and medium enterprises use digital technology to improve their competitiveness, streamline their business systems, and identify new markets.

eBusiness accredited and non-accredited training is tailored to meet the needs of local business communities; it is delivered through a combination of:

- group information sessions
- web-based seminars
- intensive courses
- one-to-one mentoring
- networking events
- formal qualifications to Diploma level.

### PUBLIC SECTOR EMPLOYEES

**383 Mr MARSHALL (Norwood)** (11 September 2012). What is the breakdown of the FTE's of Immigration SA, including their roles and overheads?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business):** I am advised that Immigration SA has a total of 9.4 FTE's. The positions are listed below:

| Position Title                               | FTE |
|--|-----|
| Manager Immigration SA                       | 1.0 |
| General Skilled Migration Team Leader        | 1.0 |
| Project Officer—Skilled Migration            | 2.0 |
| Employee Sponsored Migration Team Leader     | 1.0 |
| Project Officer—Employee Sponsored Migration | 2.0 |
| Business Migration Team Leader               | 1.0 |
| Project Officer—Business Migration           | 1.0 |
| Executive Assistant                          | 0.4 |
| TOTAL  | 9.4 |

In line with the Department of Treasury and Finance \$753,000 in corporate overheads has been allocated against this function.



### INDIGENOUS PROGRAMS, GRANTS AND FUNDING

**420 Dr McFETRIDGE (Morphett)** (18 September 2012). What Indigenous programs, grants and funding were provided by each Department or Agency under the Minister's portfolio for 2011 and in each case, were these funds recurrent, current, operational or capital expenditure?

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** In 2010-11, the Department of Further Education, Employment, Science and Technology, through Participation and Equity Directorate, expended \$5,221,159.00 in grant funding for program delivery which builds the capacity of Aboriginal people to gain and sustain employment; and builds the capacity of employers to employ and retain Aboriginal people.

This funding was executed through grant funding mechanisms and is a mixture of current, recurrent and one off grant payments.

These grants contribute to State Government Strategic Plan Targets (T51—Aboriginal Unemployment) and are a critical element of the State Government's commitment to reducing the gap between Aboriginal and Non Aboriginal unemployment rates in South Australia.

A detailed list of the programs, grant types and amount of funding is provided:

| Program Name  | Funding Type                          | Funds: Current/<br>Re-Current/<br>One off | Operational or Capital<br>Expenditure and<br>amount \$ |
|---|---------------------------------------|---|--|
| Indigenous Training & Employment Project  | Working Regions Grant                 | Current                                   | Operational \$10,000.00                                |
| Aboriginal Engagement & Employment Ready  | Working Regions Grant                 | Current                                   | Operational \$52,000.00                                |
| Summer Track  | Working Regions Grant                 | Current                                   | Operational \$13,000.00                                |
| Indigenous Employment and Training  | Working Regions Grant                 | Current                                   | Operational \$15,000.00                                |
| Aboriginal Aged Care  | Working Regions Grant                 | Current                                   | Operational \$18,000.00                                |
| Aboriginal Learning on Country  | Working Regions Grant                 | Current                                   | Operational \$2,000.00                                 |
| Aboriginal Skills & Employment Project  | Working Regions Grant                 | Current                                   | Operational \$16,000.00                                |
| Indigenous Rural Operations   | Working Regions Grant                 | Current                                   | Operational \$15,000.00                                |
| Jobs West   | Working Regions Grant                 | Current                                   | Operational \$5,000.00                                 |
| Certificate II Resources & Infrastructure for Aboriginal People—Mining Training | Working Regions Grant                 | Current                                   | Operational \$30,000.00                                |
| Aboriginal Learning on Country  | Working Regions Grant                 | Current                                   | Operational \$15,000.00                                |
| Aboriginal Personal Development and Engagement                                  | Special Project Grant                 | Current                                   | Operational \$100,000.00                               |
| Woolworths Indigenous Employment Project  | Special Project Grant                 | Current                                   | Operational \$100,000.00                               |
| Aboriginal Learning on Country  | Skills for Sustainability—10-11 Grant | Current                                   | Operational \$30,000.00                                |
| Aboriginal Career Development Service   | Stepping Stones 10-11 Grant           | Current                                   | Operational \$40,000.00                                |
| Marni Waeindi Indigenous Employment Program                                     | Stepping Stones 10-11 Grant           | Current                                   | Operational \$20,000.00                                |
| Make the first 30 Seconds Count   | Stepping Stones 10-11 Grant           | Current                                   | Operational \$20,000.00                                |
| Aboriginal Apprenticeship Program   | Program                               | Recurrent                                 | Operational \$730,435                                  |
| (Aboriginal) Career Enhancement Fund  | Program                               | Recurrent                                 | Operational \$83,467                                   |

| Program Name  | Funding Type                                      | Funds: Current/<br>Re-Current/<br>One off | Operational or Capital<br>Expenditure and<br>amount \$                   |
|---|---|---|--|
| (Aboriginal) Job Ready Fund   | Program   | Recurrent                                 | Operational \$124,595  |
| Connecting Aboriginal People to Mining                                      | Grant   | Recurrent                                 | Operational \$381,200  |
| South Australian Aboriginal Sports Training Academy Traineeships            | Grant   | Recurrent                                 | Operational \$130,000  |
| Indigenous Women in Civil Construction Project                              | Grant   | One off                                   | Operational \$45,000   |
| SA Retail Indigenous Employment Project                                     | Grant   | One off                                   | Operational \$90,000   |
| Introduction to Advanced Manufacturing Project                              | Grant   | One off                                   | Operational \$45,000   |
| Tauondi Incorporated  | Program Funding Preferred Provider                | Recurrent                                 | Operational \$2.225 million  |
| National Partnership Agreement for remote Indigenous Public Internet Access | Commonwealth Grant Funding \$464,000 from 2009-13 | Current                                   | Operational DFEEST contribution of \$240k in kind salaries and resources |

#### INDIGENOUS PROGRAMS, GRANTS AND FUNDING

**421 Dr McFETRIDGE (Morphett)** (18 September 2012). What Indigenous programs, grants and funding were provided by each Department or Agency under the minister's portfolio for 2011 and in each case, were these funds recurrent, current, operational or capital expenditure?

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** In 2010-11, the Department of Further Education, Employment, Science and Technology, through Participation and Equity Directorate, expended \$5,221,159.00 in grant funding for program delivery which builds the capacity of Aboriginal people to gain and sustain employment; and builds the capacity of employers to employ and retain Aboriginal people.

This funding was executed through grant funding mechanisms and is a mixture of current, recurrent and one off grant payments.

These grants contribute to State Government Strategic Plan Targets (T51—Aboriginal Unemployment) and are a critical element of the State Government's commitment to reducing the gap between Aboriginal and Non Aboriginal unemployment rates in South Australia.

A detailed list of the programs, grant types and amount of funding is provided:

| Program Name                             | Funding Type          | Funds: Current/<br>Re-Current/<br>One off | Operational or Capital<br>Expenditure and<br>amount \$ |
|--|-----------------------|---|--|
| Indigenous Training & Employment Project | Working Regions Grant | Current                                   | Operational \$10,000.00                                |
| Aboriginal Engagement & Employment Ready | Working Regions Grant | Current                                   | Operational \$52,000.00                                |
| Summer Track                             | Working Regions Grant | Current                                   | Operational \$13,000.00                                |
| Indigenous Employment and Training       | Working Regions Grant | Current                                   | Operational \$15,000.00                                |
| Aboriginal Aged Care                     | Working Regions Grant | Current                                   | Operational \$18,000.00                                |
| Aboriginal Learning on Country           | Working Regions Grant | Current                                   | Operational \$2,000.00                                 |
| Aboriginal Skills & Employment Project   | Working Regions Grant | Current                                   | Operational \$16,000.00                                |
| Indigenous Rural Operations              | Working Regions Grant | Current                                   | Operational \$15,000.00                                |
| Jobs West                                | Working Regions Grant | Current                                   | Operational \$5,000.00                                 |

| Program Name  | Funding Type                                      | Funds: Current/<br>Re-Current/<br>One off | Operational or Capital<br>Expenditure and<br>amount \$                   |
|---|---|---|--|
| Certificate II Resources & Infrastructure for Aboriginal People—Mining Training | Working Regions Grant                             | Current                                   | Operational \$30,000.00  |
| Aboriginal Learning on Country  | Working Regions Grant                             | Current                                   | Operational \$15,000.00  |
| Aboriginal Personal Development and Engagement                                  | Special Project Grant                             | Current                                   | Operational \$100,000.00   |
| Woolworths Indigenous Employment Project  | Special Project Grant                             | Current                                   | Operational \$100,000.00   |
| Aboriginal Learning on Country  | Skills for Sustainability—10-11 Grant             | Current                                   | Operational \$30,000.00  |
| Aboriginal Career Development Service   | Stepping Stones 10-11 Grant                       | Current                                   | Operational \$40,000.00  |
| Marni Waeindi Indigenous Employment Program                                     | Stepping Stones 10-11 Grant                       | Current                                   | Operational \$20,000.00  |
| Make the first 30 Seconds Count   | Stepping Stones 10-11 Grant                       | Current                                   | Operational \$20,000.00  |
| Aboriginal Apprenticeship Program   | Program   | Recurrent                                 | Operational \$730,435  |
| (Aboriginal) Career Enhancement Fund  | Program   | Recurrent                                 | Operational \$83,467   |
| (Aboriginal) Job Ready Fund   | Program   | Recurrent                                 | Operational \$124,595  |
| Connecting Aboriginal People to Mining  | Grant   | Recurrent                                 | Operational \$381,200  |
| South Australian Aboriginal Sports Training Academy Traineeships                | Grant   | Recurrent                                 | Operational \$130,000  |
| Indigenous Women in Civil Construction Project                                  | Grant   | One off                                   | Operational \$45,000   |
| SA Retail Indigenous Employment Project   | Grant   | One off                                   | Operational \$90,000   |
| Introduction to Advanced Manufacturing Project                                  | Grant   | One off                                   | Operational \$45,000   |
| Tauondi Incorporated  | Program Funding Preferred Provider                | Recurrent                                 | Operational \$2.225 million  |
| National Partnership Agreement for remote Indigenous Public Internet Access     | Commonwealth Grant Funding \$464,000 from 2009-13 | Current                                   | Operational DFEEST contribution of \$240k in kind salaries and resources |

#### ALLAN SCOTT PARK

In reply to **Mr GRIFFITHS (Goyder)** (12 October 2010) (Estimates Committee B).

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** In 2009-10 the South Australian Jockey Club held 66 meetings at Allan Scott Park Morphettville. In 2010-11 the club proposes to hold 65 meetings at this venue. The number of meetings scheduled can vary from those actually held, primarily because inclement weather conditions can make the track unsafe for racing.

#### CRANFIELD UNIVERSITY

In reply to **Mr PISONI (Unley)** (23 November 2010) (First Session).

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

In March/April 2007, Cranfield University and University of South Australia delivered four co-badged professional development short courses in Adelaide:

- 'Introduction to Electronic Warfare'—Cranfield University
- 'Logistics Engineering and Integrated Logistic Support'—Cranfield University
- 'Systems Integration'—University of SA
- 'Systems Test and Evaluation'—University of SA.

The universities subsequently undertook a related joint market research project to gather data from these courses to consider future defence education opportunities in Adelaide and determine the feasibility for South Australian Universities and Cranfield University to offer further courses in Adelaide.

An amount of \$634,000 was provided by the state government towards the course delivery costs and to fund the separate market research project.

In October 2007, the South Australian Government (through the Department of the Premier and Cabinet (DPC)) entered into a three-year Business Development Agreement with Cranfield University. Through this Agreement, the State Government and Cranfield agreed to fund the establishment of the Business Development Office in Adelaide by way of equal shares up to an annual maximum contribution of \$250,000—a total of \$750,000 each over the three years. In total, DPC provided \$611,000 towards this Agreement.

In financial year 2009-10, the residual of DPC's funding under the Business Development Agreement (\$139,000) was re-allocated in the third year of the Agreement to establish the Torrens Resilience Institute (TRI), with Cranfield University being the founding partner along with the three South Australian universities. An additional \$147,000 was provided to help establish the Institute.

#### **OUTBACK CATTLE DRIVE**

In reply to **Mr PISONI (Unley)** (29 June 2011) (Estimates Committee B).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** I am advised:

1. The South Australian Tourism Commission does not reveal the total cost of running its major events on the grounds of competitive advantage.

#### **STUDENT INFORMATION SYSTEM**

In reply to **Mr PISONI (Unley)** (23 November 2011) (First Session).

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** Since the implementation of the Student Information System, the TAFE SA 1800 number noted an increase in general enquiry calls received directly following its implementation (June to August).

During this period data was not broken down to identify those calls specifically relating to the Student Information System. From September 2011, data was collected on specific Student Information System related calls and I can report that from the period between 1 September 2011 to 31 December 2011, 3,376 were recorded as Student Information System related matters.

However, TAFE SA Institutes have recorded receiving a total of 174 formal complaints since the implementation of the Student Information System.

Personally, I have recorded receiving at the Ministerial Office, 3 complaints regarding Student Information System.

#### **CLUBS AND ASSOCIATIONS**

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (5 April 2012).

**The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport):** The Office for Recreation and Sport has advised me that where clubs occupy land managed by the

Office it does use an agreement prepared by the Crown Solicitor's Office that contains a clause allowing interest to be charged on rent that is overdue after 14 days.

However the Office for Recreation and Sport has advised me it does not believe this clause has been used. The clause exists to protect taxpayers from long term debt in relation to clubs, and would only be applied in exceptional circumstances.

### PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Agency audit reports: Art Gallery Board and Urban Renewal Authority  
Supplementary Report November 2012 [Ordered to be published]

Local Government Annual Reports—

City of Whyalla Annual Report 2011-12

District Council of Cleve Annual Report 2011-12

District Council of Lower Eyre Peninsula Annual Report 2011-12

District Council of Peterborough Annual Report 2011-12

Regional Council of Goyder Annual Report 2011-12

Ombudsman SA—An audit of the use of meeting confidentiality provisions of the Local  
Government Act 1999 in South Australian councils Report November 2012  
[Ordered to be published]

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

ANZAC Day Commemoration Council—Annual Report 2011-12

Regulations made under the following Acts—

Public Sector—TAFE SA—Public Sector Employment

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

Regulations made under the following Acts—

Summary Offences—

Tattooing—Body Piercing—Body Modification

Weapons

Rules made under the following Acts—

District Court—

Civil—Amendment No 21

Criminal—General

Magistrates Court—

Amendment No 43

Civil—Amendment No 43

Supreme Court—Civil—Amendment No 20

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

Regulations made under the following Acts—

Liquor Licensing—

Dry Areas—Long Term—

Adelaide

Barossa Valley

Coffin Bay Area 1

Cowell Area 1

Glenelg Area 1 and 2

Moonta Bay—Port Hughes—Walleroo

Port Neill Area 1—Tumby Bay Area 1

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

Planning, Transport and Infrastructure, Department of—Annual Report 2011-12

By the Minister for Housing and Urban Development (Hon. P.F. Conlon)—

HomeStart Finance—Annual Report 2011-12

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

Chief Psychiatrist of South Australia—Annual Report 2011-12  
Health Advisory Council—  
Berri Barmera Annual Report 2011-12—  
Ceduna District Health Services Annual Report 2011-12  
Central Adelaide Local Health Network Annual Report 2011-12  
Coorong Health Service Annual Report 2011-12  
Country Health SA Local Health Network (Governing Council)  
Annual Report 2011-12  
Hawker District Memorial Annual Report 2011-12  
Mannum District Annual Report 2011-12  
Mid North Annual Report 2011-12  
Millicent and Districts Annual Report 2011-12  
Northern Adelaide Local Health Network Annual Report 2011-12  
Port Broughton District Hospital and Health Services Annual Report 2011-12  
Port Pirie Health Annual Report 2011-12  
Quorn Health Services Annual Report 2011-12  
Renmark Paringa District Annual Report 2011-12  
Women's and Children's Health Network Annual Report 2011-12  
Health and Ageing, Department for—Annual Report 2011-12  
Health Performance Council—Annual Report 2011-12  
Health Services Charitable Gifts Board—Annual Report 2011-12  
Occupational Therapy Board of South Australia—Annual Report 2011-12  
Pharmacy Regulation Authority of South Australia—Annual Report 2011-12  
Women's and Children's Health Network—Annual Report 2011-12

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

Controlled Substances Advisory Council—Annual Report 2011-12  
Health Advisory Council—Southern Adelaide Local Health Network Annual Report 2011-12  
Regulations made under the following Acts—  
Tobacco Products Regulation—Prescribed Actions

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

Tandanya National Aboriginal Cultural Institute Inc—Annual Report 2011-12

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

Adelaide Dolphin Sanctuary Act 2005 and Adelaide Dolphin Sanctuary Advisory Board—  
Annual Report 2011-12  
Botanic Gardens and State Herbarium, Board of—Annual Report 2011-12  
General Reserves Trust—Annual Report 2011-12  
Water, Department for—Annual Report 2011-12  
Regulations made under the following Acts—  
Primary Industry Funding Schemes—Wine Industry Funds

By the Minister for Education and Child Development (Hon. G. Portolesi)—

Teachers Registration Board of South Australia—Annual Report 2011-12

By the Minister for Employment, Higher Education and Skills (Hon. T.R. Kenyon)—

Education Adelaide—Annual Report 2011-12  
Regulations made under the following Acts—  
TAFE SA—Interpretation—Prescribed Employee

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

Adelaide Cemeteries Authority—Annual Report 2011-12  
South Australian Tourism Commission—Annual Report 2011-12  
Regulations made under the following Acts—  
Passenger Transport—Metropolitan Maximum Fares

**MURRAY-DARLING BASIN PLAN**

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)**  
**(14:08):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.W. WEATHERILL:** On 22 November the future health of the River Murray took a major step forward with the release of the Murray-Darling Basin plan by the federal water minister. It represents the most fundamental change for good in the river for decades. It means future generations will not have to deal with the twin effects of overallocation and drought that inflicted so much damage on our state recently.

No longer will we need to build a weir to flood the Lower Lakes with sea water to protect Adelaide's water supply. No longer will we need to put vast quantities of limestone into the Lower Lakes to stop them turning acid—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** No longer will we be preparing to provide bottled water to country towns because salinity was making water unusable. No longer will we try to find if we could get 10 gigalitres of water from our urban aquifers because we did not have enough water for Adelaide for the next 12 months. No longer will we be closing communities for fear of riverbank collapse. No longer will our irrigators feel they are being punished for implementing good irrigation practices before the other states. No longer will we need to feel angry because other states do not want the Lower Lakes to have more water.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Madam Speaker, the basin plan that came into effect last week is a much better plan than the draft released for comment in November 2011, a full year ago. Importantly, it is a plan that we can now support.

**The SPEAKER:** Order! The Premier will be heard in silence. There is too much noise coming from the floor.

**The Hon. J.W. WEATHERILL:** It is a plan that we can now support and that is no accident. For a full year, South Australia has waged one of the most important battles in the state's history. We engaged irrigators, conservation groups, communities from city and country and from the Riverland to the Lower Lakes. We engaged scientific experts to independently verify the science that has guided our decision-making. We established a dedicated taskforce to analyse the technical details, support our negotiations and assist our communications. We engaged a legal team to prepare for a High Court challenge if it had become necessary. We launched a fight for the Murray campaign that gained rapid community support and helped to ensure that the voice of our state was heard loudly in Canberra. What we have achieved is a win for the entire basin, but especially a win for South Australia.

The basin plan we now have sets down 450 billion litres of water more than the 2,750 billion litres initially proposed to be recovered, a total of 3,200 billion litres more water for the environment. The outcome this extra water will help to deliver is now written into the basin plan. The funding needed to achieve these outcomes will now be locked in through commonwealth legislation. There is also now \$265 million in funding for water recovery and industry regeneration in South Australia's River Murray communities and a \$155 million investment in environmental infrastructure to improve the health of River Murray flood plains.

I want to express my thanks to every South Australian who has joined our fight for the Murray, the public servants who have worked tirelessly, the river champions who advocated so strongly and the community who so enthusiastically embraced our campaign. There remains only one thing to do before we can get on with the task at hand, our federal parliament must accept the plan and supporting legislation. While I noted news this morning that gives us increasing confidence that this will be the case, I ask all members of this house to impress the need for this upon our federal colleagues.

**VINING, PROF. ROSS**

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:12):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.R. RAU:** On Thursday 15 November 2012 Professor Ross Vining, Director of Forensic Science SA, died tragically in a small plane accident in Far North Queensland where he had flown to Cairns to watch the solar eclipse. I attended his funeral today. He was only 62 years old. This sad news came as a great shock and his passing is a tremendous loss to the justice system, the forensic science community and for South Australia.

Professor Vining was appointed as the Director of Forensic Science SA in 2008. He joined the South Australian government from the Institute of Clinical Pathology and Medical Research in Sydney, just one of the many major medical research, public health, pathology and forensic science laboratories where he acted as director.

In his time at the Institute of Clinical Pathology and Medical Research he received several premier's awards in that state for outstanding initiatives. He had an honours degree in Pure and Applied Chemistry, a nuclear chemistry PhD and a MBA. His passion for science and extensive experience and knowledge served as a platform to be the ideal leader for Forensic Science SA.

Professor Vining was personally driven by his philosophy of science 'safeguarding the community', as he would put it, that science is an essential part of a safe progressive society. It was his personal belief that science can improve the community and he chose to join the public sector because he believed the Public Service provided the best vehicle to make a contribution to the community and change things for the better. Over the course of his time at Forensic Science SA he did just that.

Professor Vining formed many strategic and collaborative relationships in particular with Adelaide's universities. These ongoing and enduring relationships have been equally important to the maintenance and improvement of South Australia's justice system, the development of our future scientists and researchers and creating breakthroughs in the field of research. Professor Vining understood the importance of research. Some of his research resulted in the adoption of new and better technologies within Forensic Science SA, providing a contemporary service to the South Australian justice system. Professor Vining strived towards making organisations work smarter, not harder.

Under Professor Vining's leadership, Forensic Science SA has improved productivity by 5 per cent each year since 2007. Professor Vining's legacy will live on through his outstanding contribution to the advancement of forensic science. It is because of his work that Forensic Science SA is a global leader in its field.

Professor Vining was very highly regarded by past and present staff at Forensic Science SA. Likewise, he cared about his staff and their welfare and made a conscious effort to recognise their outstanding work through the annual Forensic Science SA Awards, which I have had the privilege of attending. He was an exceptional leader for the department and respected and admired by everyone who worked with him. His infectious zeal for all things scientific is well documented by his peers and his colleagues.

In his spare time—although I find it difficult to believe that he had any—Professor Vining was fondly known as a great adventurer. Amongst other things, he was a rock climber, a canoeist, a hang-glider, a cross-country skier and a pilot. He organised two private expeditions to Antarctica and was training to sail to Sydney in the Sydney to Hobart this year.

Professor Vining will be remembered for his passion for forensic science and enthusiasm for life but, most importantly, he will be remembered as a man of great integrity. Professor Vining will be greatly missed by everyone at Forensic Science SA and the South Australian Attorney-General's Department. At this time, my thoughts are with Professor Vining's family, friends and colleagues. In particular, I would like to extend my deepest condolences to his wife, Linda, and son, Ben.



**TATTS**

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (14:17):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.J. SNELLING:** Today, the government has appointed Tatts as the master agent to operate SA Lotteries' brands and products for a 40-year period. Tatts is one of the most experienced lottery, wagering and gaming machine operators in Australia with over 100 years of experience in the industry. It has five state lottery licences in Victoria, New South Wales and ACT, Queensland, Northern Territory and Tasmania. Tatts has an established working relationship with SA Lotteries through national lottery bloc arrangements and has also managed the SA TAB network since 2002.

We have secured \$427 million for the people of South Australia. The \$427 million, excluding GST, significantly—

*Mrs Redmond interjecting:*

**The Hon. J.J. SNELLING:** I can tell you it is a lot better than the sale of the TAB by the Liberal Party when they were in government—the sale amount which did not amount to one single year's revenue.

The \$427 million significantly exceeds retention value and is substantially above our reserve price. The \$427 million is also the highest valuation multiple ever achieved for a lotteries transaction in Australia. Tatts has been chosen for its ability to guarantee uninterrupted access and experience and knowledge of SA Lotteries' popular large jackpot games that are offered nationally like Saturday X-Lotto, Oz Lotto and Powerball.

The government retains ownership of the lottery licence and intellectual property associated with SA Lotteries brands. Lottery gambling tax and unclaimed prizes, which make up the vast majority of revenue from Lotteries, will continue to be paid into the hospitals and recreation and sport funds. The Lotteries Commission of South Australia will also remain in operation in a revised capacity, with responsibility for administering the agreement with Tatts, including ensuring commitments are met by Tatts.

Previously, I have made commitments to protect the business interests of the agents and taken steps to provide business as usual for them, including: maintaining current agency commissions; not changing the SA Lotteries corporate brand and products to help protect the investment that agents have made in their infrastructure; resetting contracts for all agencies to five years from the date of transfer of their contract, with an option to extend for an additional five years if conditions are met; and keeping fees stable at SA Lotteries current rates.

These commitments have been enshrined in the contractual obligations with Tatts, and they are obliged to ensure that these commitments are upheld. SA Lotteries and Tatts will work with the agency network and their industry associations over the coming months to transition agents' arrangements from SA Lotteries to Tatts.

The government's previous commitments to SA Lotteries staff are made; that is, no forced redundancies for non-executive employees, superannuation benefits under the SA Lotteries scheme will be protected, and entitlements as public sector employees will be maintained. For those staff who are offered and accept employment with Tatts, Tatts will assume the accrued sick leave, annual leave and long service leave entitlements of SA Lotteries staff and preserve existing employment start dates for determining long service leave accrual.

Can I take this opportunity to thank the presiding member, Mr Hans Ohff, all the commission members, the chief executive, Mrs June Roache, and all SA Lotteries staff for their commitment and service to SA Lotteries. The appointment of Tatts as the operator ensures that tomorrow it is business as usual for SA Lotteries, with Tatts and SA Lotteries working together over coming months to ensure a smooth transition of operations to Tatts. The transaction is expected to close on or about 10 December 2012.

**NATURAL RESOURCES COMMITTEE**

**The Hon. S.W. KEY (Ashford) (14:24):** I bring up the 75<sup>th</sup> report of the committee, entitled Upper South East Dryland Salinity and Flood Management Act 2002 Report 2011-12.

Report received and ordered to be published.

### PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

**The Hon. S.W. KEY (Ashford) (14:25):** I bring up the 13<sup>th</sup> report of the committee, entitled Inquiry into Vocational Rehabilitation and Return to Work Practices for Injured Workers in South Australia.

Report received and ordered to be published.

### QUESTION TIME

#### DESALINATION PLANT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:26):** My question is to the Premier. When did the Premier become aware that the desalination plant was being mothballed given that the mothballing was incorporated into SA Water's business model at least five months before it was announced on 4 October?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:26):** Of course, all of these decisions were taken and made during a period when I was not responsible for the water portfolio, but my recollection of events is that these were matters which were notorious matters of public record. Indeed, I think that, in a cunning tactic by the Minister for Water, he hid the fact of putting the desalination plant on stand-by on the front page of *The Advertiser*. In a remarkable act of concealment he thought that being asked questions by a journalist and then having them—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —printed on the front page of *The Advertiser* might be a fairly prudent approach to ensuring that information got out in the general public. Most people read the front page of *The Advertiser* and, indeed, the article referred to, I think, on 22 January 2011—well before the dates that those opposite are suggesting that this became a matter of notorious public record or of decisions that were made internally within government. So, well before that time it was on the public record.

The charge that those opposite level against us that somehow this is being concealed is utterly and totally rebutted by the public record. You would have to be the laziest opposition in the history of the planet—

**Mr GARDNER:** Point of order, Madam Speaker. The Premier is going into debate, again.

**The SPEAKER:** I do not think that you have hardly given him time. I do not uphold that point of order. Premier, I refer you back to the question.

**The Hon. J.W. WEATHERILL:** Madam Speaker, the gravamen of the question is one of concealment. That is the proposition they put to us, that we knew about the desalination plant being on stand-by mode in certain circumstances and we did not tell the community about it. That is the proposition, yet the Minister for Water on 22 January 2011 is on the front page of the paper saying the very thing, and not just that but in detail, in extension—a long interview with, I understand, Penny Debelle, the journalist, where these issues were canvassed at length.

Indeed, I think that the headline was not a particularly attractive headline for the government. It was criticism of the government about the fact that there would be, on some view of it, obviously, a desalination plant which is an expensive proposition, we acknowledge that. However, the minister was at pains to point out that we would only run it when it was necessary; that it seemed that on the projections by 2015, after the run-in period of the plant, it would be prudent to have it on stand-by mode if the water continued to be available in our catchments and in the River Murray.

This was always the caveat. This is always the caveat that was put onto the matter that the water had to be there to ensure that South Australia's drinking water needs would be dealt with. So, this is a matter of notorious fact. Every time the minister has been asked a question about this in the parliament he has said a similar thing, which is essentially that we will only use this if we need it. It is there as an insurance policy, in the driest state in the driest inhabited continent, to ensure that we have water security.

The issue that led to the more recent publicity about this happened to be a submission made by SA Water to ESCOSA when they were trying to set water prices for the next four years. In the last year of that period, in 2015, an estimate had to be made about what was going to happen in relation to water costs so that water prices could be sensibly set.

Of course, after the run-in period, after the plant was run to make sure that it actually met the warranty standards, on present indications it looked as though there was going to be sufficient water in the system and we would only need to run the plant on stand-by mode. That is what was put to ESCOSA. It went up on a website; once again, hidden in full view from those opposite. If they did a moment's research and if they were not the laziest opposition on the face of the planet they would have known this.

*Members interjecting:*

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

**Mr GARDNER:** Straying from the reservation again: 98. The Premier continues to debate.

**The SPEAKER:** Thank you, member for Morialta. I think the Premier can sit down.

### INDIA ENGAGEMENT STRATEGY

**Ms THOMPSON (Reynell) (14:31):** My question is also to the Premier. Can the Premier inform the house of some of the outcomes of his recent delegation to India?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:31):** I thank the honourable member for her question. I returned home from the delegation to India on the weekend. As all of us know, India is an incredibly important trading partner already for South Australia, but its massive and rapidly growing—

*An honourable member interjecting:*

**The Hon. J.W. WEATHERILL:** I didn't stage for that. That was not a photograph that I staged for. Given its massive and rapidly growing population, rapid urbanisation and development and its close links with Australia and South Australia, this relationship is becoming even more significant. By 2030, India will be the world's third-largest economy, so we are very fortunate to be located in this region of the world with these existing ties and opportunities.

Of course, we are joined together by language, by a shared love of sport, and obviously cricket in particular. It is amazing, the literacy about cricket with India. Senior business leaders can tell you Sheffield Shield scores. That is how tuned in they are to cricket. They are incredibly excited about the redevelopment of the Adelaide Oval. They regard it as one of the great ovals in the world; after Lords, probably the greatest cricket oval in the world.

The purpose of the visit though was to lay the groundwork for Indian investment in our state, following up on our government's 10-year strategy of engagement. The India strategy sets out four sectors of the South Australian economy that we believe can take the most advantage of the rapid development that exists in the world's most populous democracy. They are: aerospace and defence, energy and natural resources, education and training, and clean technology.

India has the very thing that we need in South Australia to develop these sectors: extensive capital, consumer markets, optimism and a will to invest. The feedback that I received from many business leaders, academic representatives and government officials is that India has for a long time had its eyes closed to the opportunities that our nation presented, but now that is no longer the case. They are looking to South Australia as a place to invest.

I met with the chairman and managing director of the Export-Import Bank, which is the major central bank funding overseas investments. It has committed to further engaging with us, which will likely include them commissioning a research paper on South Australia and promoting South Australian opportunities throughout India. I also met with heads of major companies, such as Tata, Mahindra, Samvardhana Motherson, Bhushan Steel, Podar Enterprise and Waaree Energies, which are all globally-orientated businesses looking to expand their operations further, and they are interested in exploring opportunities in South Australia.

The latter company, Waaree Energies, has signed a memorandum of understanding with the state government moving towards the construction of an advanced manufacturing plant and solar energy operation here in South Australia. It is a testament to our leadership role that they have chosen to do this here in South Australia. Tata, the largest conglomerate in India, has a growing presence in Australia and intends to visit South Australia early next year to expand their

outlook and opportunities, including in the minerals and ICT sectors. There are also many significant opportunities in education and training, something our universities are well aware of. I witnessed UniSA sign an MOU with India's leading university, JNU, strengthening ties between the two institutions.

This is just a small example of the extraordinary opportunities that exist in the development of India. It is a country that is beginning to understand its strength in the world. Its self-respect is growing. They certainly regard the decision we took at our national conference to demonstrate trust in their country by paving the way for uranium sales to India as a very important step in the relationship. The Prime Minister's visit was another crucial step in the relationship, and we think there are real opportunities for our state and, indeed, our nation.

#### DESALINATION PLANT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:35):** My question is again to the Premier. In light of the Premier's answer to my earlier question—that everyone knew about the desalination plant mothballing for months—can the Premier then explain why, when announcing the mothballing on 5 October, he said, 'I became aware of it yesterday'?

**Mr Marshall:** Maybe he hasn't read *The Advertiser*.

**The SPEAKER:** Order!

*Mr Marshall interjecting:*

**The SPEAKER:** Order! Member for Norwood, order!

**Mr Marshall:** How humiliating!

**The SPEAKER:** The member for Norwood, order! Premier.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:36):** Thank you, Madam Speaker. Of course, the information that was released by SA Water went up on the website and it dealt with the precise issue that I mentioned earlier. That was the submission that they made to ESCOSA about the price pathing, the price path that would occur—

*Members interjecting:*

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

**The Hon. J.W. WEATHERILL:** —the price path that would occur in relation to the next four years, the last year of which involved an estimate by then in relation to the mothballing of this plant. It is as simple as that.

Another matter needs to be made very clear here: if there is not the relevant water in the system—either in our catchments or the River Murray—that would allow us to meet the water security needs of our state, what would occur is that the desalination plant would be used. There has been no final decision in relation to the way in which this plant will operate and there is an air of unreality about this whole debate because for the next two years—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —this desalination plant will be producing tens and tens of gegalitres of water as it operates at almost full tilt to test out its capacity. This debate that those opposite have been seeking to perpetrate, that somehow this piece of infrastructure which is state-building infrastructure necessary for the future water security needs of our state is somehow unnecessary, is completely erroneous.

*Members interjecting:*

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

#### DESIGN REVIEW PANEL

**The Hon. S.W. KEY (Ashford) (14:38):** My question is to the Minister for Planning. Minister, can you inform the house about the government's Design Review Panel and how design has been embedded in the planning process?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:38):** I thank the honourable

member for her question. The government's planning reforms continue the revitalisation of the city of Adelaide and the CBD in particular. Last week I met with the independent design experts who now form our Design Review Panel. They are drawn from all over the country and they are indeed an impressive group.

All city projects going through the pre-lodgement process will be scrutinised by the panel, headed by the government architect, Ben Hewett. The panel is composed of a pool of national and state experts in the design profession, including architects, landscape architects, urban designers and planners. By placing design at the forefront of development application processes, we are ensuring that we get the best design solutions for new developments in the city.

The advice of the panel is already making a difference to applications. We have created a streamlined, collaborative and consultative process that identifies, investigates and resolves land-use planning and design issues up-front. Sixteen proposals are currently in the design review process, seven of which have already been reviewed. Industry is embracing the new regime. We are delivering a process that saves time and money while delivering at the same time a much better product for consideration. In *The Advertiser* today, Kevin O'Leary, regarded as an Adelaide-based planning expert and often a critic of many things, noted the importance of improving urban design. This is yet another step in the government's commitment to making Adelaide a more vibrant city to live, work and play in.

### DESALINATION PLANT

**The Hon. I.F. EVANS (Davenport) (14:40):** My question is to the Treasurer. Does the government still have any observers on SA Water's board and, if so, when did the Treasurer become aware that the desal plant was to be mothballed from 2015?

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:40):** Yes, we continue to have an observer on SA Water's board.

**The Hon. I.F. Evans:** From Treasury.

**The Hon. P. CAICA:** From Treasury, that is correct. And the second part of your question?

**An honourable member:** When did the Treasurer become aware?

**The Hon. P. CAICA:** The Treasurer—

*Members interjecting:*

**The Hon. P. CAICA:** No, no, I don't. The Treasurer is—

*The Hon. I.F. Evans interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** The Treasurer is fully aware of the circumstances regarding any decision or otherwise to operate the desalination plant in standby mode. Quite simply, this is quite an ironic series of questioning because, again, it has been—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** Sorry, I meant to say 'moronic', Madam Speaker. I have had a slip of the tongue.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GARDNER:** Point of order, Madam Speaker. The minister is clearly debating.

**The SPEAKER:** No. Minister, back to the question.

**The Hon. P. CAICA:** In fact, quite simply, the Treasurer is fully aware of this, too, as I am sure those members opposite who were part of the Public Works Committee when Mr Pisoni, the member for Unley, posed a question to Mr Ringham, who was not the CE at that stage, but this was back in 2008, so it has been around for a long while. When questions were asked regarding how the—

**Mrs REDMOND:** Point of order, Madam Speaker: standing order 98, the relevance of the minister's answer as well as debate.

**The SPEAKER:** Thank you, Leader of the Opposition, but at this stage I am waiting to hear what the minister has to say. I am hoping that it does relate to the question.

**The Hon. P. CAICA:** The question was about whether or not you would shut down the desalination plant for an extended period. Just to summarise the answers there, it would be totally dependent upon that water available in the traditional climatically dependent catchment. It has been—what I am saying is that people on this side read the paper on 22 January—

*Members interjecting:*

**The Hon. P. CAICA:** Well, the question you posed earlier was about the regulatory statement.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GARDNER:** Point of order, Madam Speaker. The question was when the Treasurer was going to be aware that the plant was going to be mothballed from 2015. You are going nowhere near the subject.

**The SPEAKER:** Thank you. There is no point of order.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** Quite simply, it was raised by the Premier earlier: no decision has been made not to operate it in 2015. What they are saying and we have said is that the modelling is indicating that perhaps it might not be used, but no decision has been made. Decisions will be made at a time when accurate information is available. We all know that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** They are a shambles, Madam Speaker, I agree. If we have good winter rains and reservoirs are full, we will operate the plant at a capacity—well, we wouldn't operate it then at all, and that is what we have said.

*Members interjecting:*

**The Hon. P. CAICA:** No, the point I am making is this: we on this side are fully aware of the circumstances that have been public information for an extended period of time as to when we will operate the desalination plant. It is a point that the member for Unley, the member for Finnis, in asking a similar question—would you shut down the desalination plant for an extended period? You would recall the member for Finnis asking that particular question in November 2008, which even preceded the article in the—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr VAN HOLST PELLEKAAN:** Point of order, Madam Speaker. The minister must respond to the substance of the question and that is: when did the Premier become aware?

*An honourable member interjecting:*

**Mr VAN HOLST PELLEKAAN:** Sorry, when did the Treasurer become aware?

**The SPEAKER:** Thank you, member for Stuart. You can sit down.

**Mr VAN HOLST PELLEKAAN:** So I ask you to direct him back to that.

**The SPEAKER:** Thank you, member for Stuart. You can sit down. The minister does not have to answer. As long as the answer relates to the general subject of the question, the ministers can answer as they choose.

**The Hon. P. CAICA:** Yes, Madam Speaker, I will. Just to finish off, quoting the words of Mr Ringham, 'Shutting down plants is nothing unusual.' Well, the Treasurer is fully aware of that for an extended period of time.

**Mr PENGILLY:** Point of order. If the minister could turn around and face the mic, I really can't understand a word he's saying.

**The SPEAKER:** Thank you. I am not sure what your point of order is. Minister, I think you have finished your answer. The member for Light.

### RESIDENTIAL TENANCIES TRIBUNAL

**Mr PICCOLO (Light) (14:45):** My question is to the Minister for Business Services and Consumers. Can the minister inform the house about the strategies that have been implemented to make the Residential Tenancies Tribunal run more efficiently?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:45):** I thank the honourable member for his question. As members are aware, the government has responded directly to the issue of unsatisfactory waiting times to have matters heard before the Residential Tenancies Tribunal. I can advise the house that waiting times have improved dramatically in 2012.

In April 2012, the Commissioner for Consumer Affairs undertook an internal review of the operations of the tribunal. To ensure the tribunal ran more efficiently, a number of strategies were utilised, including: ensuring that the staffing levels in the tribunal were sufficient to deal with the demand by utilising temporary staff; introducing a new conciliation model for matters before the tribunal; updating computer systems within the tribunal; commencing hearings earlier in the day; operating an additional hearing room; establishing procedures to deal with frivolous applications; reviewing and updating tribunal proforma; increasing delegations; and group listing vacant possession applications.

An important development in the tribunal was the creation of a pilot program for conciliation in June, similar to that used in the Consumer Trader and Tenancy Tribunal of New South Wales. This new conciliation model brings parties together at the tribunal to resolve a dispute through mutual agreement without the need for a full hearing, without a formal determination being imposed upon them.

**Mrs REDMOND:** Point of order, Madam Speaker. I understand that the Attorney-General's matter may refer to a matter that is before the house, that is already listed on our *Notice Paper*.

**The SPEAKER:** I am sure the Attorney-General is very aware of that standing order.

**The Hon. J.R. RAU:** I'm talking about—

*Mrs Redmond interjecting:*

**The SPEAKER:** Order! Attorney?

**The Hon. J.R. RAU:** I am not answering a question about the Residential Tenancies Act, if that's what the Leader of the Opposition is concerned about. There's a difference between the act and the administration of the office. I am talking about the administration of the office.

*Members interjecting:*

**The SPEAKER:** Order! Deputy Premier.

**The Hon. J.R. RAU:** Madam Speaker, the member for Kavel at least is interested in this. Anyway, this new conciliation model brings together parties in the tribunal to resolve a dispute through mutual agreement without the need for a full hearing, without a formal determination being imposed upon them.

The pilot program has seen the current time frame for listing a bond or compensation application, lodged by a party seeking moneys owed after a tenancy agreement has ended, reduced to 15 days, down from over 90 days at the beginning of the year. That's a great effort by everybody in the office. They're doing a fantastic job.

Overall, the model has seen significant success, with over 80 per cent of matters listed being resolved by conciliation. I am pleased to advise that it has now been progressively implemented as business as usual. Although members would be aware that listing times for

matters will always fluctuate according to the complexity and urgency, I am pleased to advise the house that the current average listing times for the more urgent types of matters are as follows.

Vacant possession matters are currently being listed for hearing in 11 days, which is a reduction from 34 days at the beginning of the year. Matters to vary or set aside a previous tribunal order are being listed for hearing within one week. For termination based on tenant conduct, matters are being listed for hearing within one week. Immediate termination of the tenancy agreement due to serious damage or personal injury matters are being listed for hearing within three days.

It should also be noted that investments by the government into the tribunal's information technology systems have provided additional efficiencies. Stage 1 of the initiative, Bonds Online, went live on 8 November 2012. This means that agents, landlords and tenants can now access information relating to the status of a bond through a new online service. Other government agencies who are authorised to access certain bond information will also be able to do so via a secure online portal, rather than through a time-consuming, paper-based request process.

The next major phase of this project, which is expected to be rolled out in 2013, is to develop the system to also handle bond lodgements and refunds online. This will take away—

**Mr GARDNER:** Point of order: sessional order 2—we are up to about 4½ minutes now.

**The Hon. J.R. RAU:** I was interrupted.

*Mr Gardner interjecting:*

**The Hon. J.R. RAU:** Very nice of you; very generous of you. Are you the Speaker now?

*Members interjecting:*

**The SPEAKER:** Order! I will give the minister a few more seconds but, minister, your time, according to this clock, has expired.

**The Hon. J.R. RAU:** I am just coming to the climax, Madam Speaker.

**The SPEAKER:** Thank you.

*Members interjecting:*

**The Hon. J.R. RAU:** Do I need to start again?

*Members interjecting:*

**The SPEAKER:** Order! Minister.

**The Hon. J.R. RAU:** This will take away the paperwork and allow a much smoother processes for tenants and landlords. I look forward to the government continuing to make further improvements to the Residential Tenancies Tribunal because this side of the house is committed to delivering better outcomes for all South Australians. This is because the government has a positive and forward-looking vision for this state. It is a can-do government.

*Members interjecting:*

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

### DESALINATION PLANT

**Ms CHAPMAN (Bragg) (14:50):** My question is for the Minister for Water and the River Murray. Does the commonwealth funding agreement to contribute \$328 million towards constructing the desalination plant involve a commitment to operate the plant and/or reduce the amount of water taken from the River Murray, and, if so, is it triggered when Adelaide's reservoirs reach a certain level and/or the flow down the river reaches a certain level?

**Dr McFetridge:** Good question.

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:51):** Well, they over there might think it is a good question, but Madam Speaker, with the respect to the \$328 million—and, of course, we know that there was initially a commitment for \$100 million for the 50-gigalitre plant that was then increased by 228 to cater for the 50-gigalitre plant. Of course, that was a very, very sensible decision. Of course, there were a lot



of discussions going on with the commonwealth about what reducing reliance on the River Murray meant. We have since struck an agreement—

**Ms Chapman:** Is there a commitment?

**The Hon. P. CAICA:** I will get there, Vickie; we're not in a court of law now.

*An honourable member interjecting:*

**The Hon. P. CAICA:** Yes, sorry, the member for Bragg—who has plenty to brag about, Madam Speaker. Quite simply, within the agreement with the commonwealth, the agreement caters for us to return some water from an environmental perspective—six gigalitres, supplemented by up to an extra 24 gigalitres per year, on a rolling average, with a maximum of 120 gigalitres over a 10-year period of time. There are no stipulations within that agreement, as asserted by—and I am presuming that's what she is doing: asserting this might be the case; perhaps a hypothetical—

*Ms Chapman interjecting:*

**The Hon. P. CAICA:** No agreement, Madam Speaker, about when or will we operate the desalination plant.

**Ms Chapman:** Is there a commitment?

**The Hon. P. CAICA:** The answer to that is no, and that is what I just said. I will also say this: I am surprised that they didn't make my very good friend the member for Schubert the shadow water person, because he did say, back in 2007, that:

I would be more than happy for us to build a desalination plant and then not need it. That would be a good result. It would be there for the next time. And it will happen, even if it rains tomorrow.

I am very surprised that, with all of the players over there that won a prize, the member for Schubert didn't win a prize. It is nonsensical for the member for Bragg to assert that written in the agreement is how we will utilise our desalination plant and operate our desalination plant.

*Members interjecting:*

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

**Mr GARDNER:** Point of order, Madam Speaker: the member for Bragg is not making assertions; she is asking questions, which the minister is now straying from.

**The SPEAKER:** It relates to the question; but I think the minister has finished his answer.

**The Hon. P. CAICA:** Madam Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** The answer to this question, of course, is no, there are no such arrangements in place, as asked by the member for Bragg.

#### CHILD DEVELOPMENT LEGISLATION

**Mr ODENWALDER (Little Para) (14:54):** Can the Minister for Education and Child Development tell the house how consultations regarding child development legislation are progressing?

**The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:54):** I would like to thank the member for Little Para for this important question. Earlier this year I was very pleased to release a discussion paper inviting our community to help shape and inform new child development legislation. The aim of the legislation is to fundamentally change the way that South Australia plans and connects, through policies and people, to make our state an even better place for families and children. My department has been seeking the community's views, and I have been very pleased to meet and talk with many parents and professionals—at community forums and during my visits to schools and preschools—about how we can best legislate to support every child and their family so that our children get the best possible start in life.

I am pleased to report that there has been tremendous interest from a very broad cross-section of the community. Around 7,000 copies of the discussion paper have been distributed to child development groups and community members, whilst many others have downloaded the paper and contributed through our 'Your SAY' website. People have come along to more than

70 public forums and targeted stakeholder meetings right across rural, regional, remote and metropolitan South Australia, from Andamooka to Naracoorte and Ceduna to Berri.

So far more than 1,500 people have taken part and, overall, I think I can confidently say that the concept of supporting child development and entrenching this notion in South Australia with legislation is being viewed favourably. So far there have been more than 150 written submissions from various groups; others (including Early Childhood Australia) are yet to provide one, but I am advised that they will. I believe it is very important that we engage with communities, and children especially, because this legislation will significantly influence the way we go forward.

I had hoped to bring this important piece of draft legislation to the house this year; however, there continues to be a great deal of interest and more contributions are expected. I do believe it is important that we take into account those views, and that I am able to bring a piece of legislation to this place on the basis of those views. Therefore, I now expect to introduce this legislation in the new year. I take this opportunity to thank the many people and organisations who have contributed to this important work on behalf of the children and families of our community.

### SA LOTTERIES

**The Hon. I.F. EVANS (Davenport) (14:57):** My question is to the Treasurer. What amounts will now be paid into the hospital fund and the recreation and sport fund each year from the budget to replace lost dividends following the sale of the SA Lotteries licence, given that last year \$24 million in dividends from SA Lotteries was paid into those funds?

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (14:57):** The \$24 million is dwarfed by the more than \$60 million in gambling taxes which are paid every year and which go into the sport and recreation and hospital funds. It is a very small amount of money. What I can say—

*Members interjecting:*

**The Hon. J.J. SNELLING:** It is a small amount of money relative to the gambling taxes that continue and that, most importantly, are protected by this transaction. As I have explained to the house before, with the national lottery market and the importance of the bloc to the profitability of SA Lotteries, the potential risk of the Tatts Group pulling out of the bloc would mean that SA Lotteries would basically be an unviable organisation. It would have destroyed the livelihoods of hundreds, if not thousands, of newsagents and agents who sell lotteries products, whose livelihoods depend upon the sale of lotteries products.

The fact that we have entered into this arrangement with the Tatts Group protects, firstly, the livelihoods of those newsagents and, secondly, the gambling tax revenues that this state receives that go straight into the health fund, the hospital fund and the sport and recreation fund, which is exactly what we are talking about.

### SA LOTTERIES

**The Hon. I.F. EVANS (Davenport) (14:58):** I have a supplementary question. In his answer the minister referred to the livelihood of newsagents. Can the minister advise the house of the impact of the new provision allowing online purchases of lotteries? What is the impact on newsagents and employment in that sector?

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (14:59):** I do not think that is a supplementary question—

**The SPEAKER:** That is not a supplementary question, even though it relates to the previous one.

**The Hon. J.J. SNELLING:** Nonetheless, I am more than happy to take it, Madam Speaker.

*Members interjecting:*

**The SPEAKER:** Order! You have asked a question; you will listen to the Treasurer.

**The Hon. J.J. SNELLING:** The fact is SA Lotteries were entering into online arrangements, regardless of whether there was this transaction with Tatts, in any case. My advice

is that it is not expected that online sale of products is going to have a great impact because there is not a huge market online for the lottery-type products which Tatts sell.

Most online gambling is online wagering. It is not these sorts of products. We don't expect it to have any impact, or a very, very minor impact. The simple fact is that, regardless of whether we entered into this arrangement with the Tatts Group, SA Lotteries were entering into the online area anyway. The board were in the process of developing that. In fact, I think—the Minister for Finance might remind me—as of about two months ago, I understand SA Lotteries have started selling their products online.

#### HAMPSTEAD REHABILITATION CENTRE

**Mrs GERAGHTY (Torrens) (15:00):** My question is to the Minister for Health. Can the minister update the house on the future of the hydrotherapy pool at Hampstead centre.

**The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:00):** I thank the member for Torrens for—

*Ms Chapman interjecting:*

**The SPEAKER:** Order! The member for Bragg, order!

**The Hon. J.D. HILL:** I thank the member for her question and acknowledge her very strong interest in the Hampstead centre and the users of that centre and her strong advocacy for them. In relation to the hydrotherapy pool, I can advise the house that, only as recently as last week, it was announced that we are undertaking a six-month, \$200,000 upgrade of the pool, which will include new chemical storage facilities, new non-slip tiles, walls painted, a safety bumper added to the walk-in ramp, areas around filter boxes reconfigured to reduce tripping hazards and shower facilities improved. I hope that gives a sign to both the member and to the community who access this pool that our intention is not, whatever happens, to close the pool down.

As members would know, I announced in October—on 9 October, in fact—that we would go through a process of consultation and discussion around rehabilitation centres in Adelaide. One of the options we are looking at is the combination of the rehab services that are currently at Queen Elizabeth Hospital, the Hampstead centre and St Margaret's.

Around the world and, of course, in Australia, the long-term trend has been to co-locate rehabilitation units on-site with acute services to allow for earlier initiation of rehabilitation. It also makes it easier for the patients who are in the rehab centre, and who are often there for months, who need to have diagnostic services provided to them or who have an illness which needs to be treated in the hospital and have to be transferred by ambulances now to be able to get that access much more quickly.

The Hampstead centre itself, of course, is a relatively old centre. The infrastructure there is decades old; it would cost a lot of money to upgrade it. So, in considering what the future of Hampstead is, we need to consider whether the services there ought to be there or ought to be moved to another location, and we are going through that in a proper way.

I met with the staff at the Hampstead centre a few weeks ago. I have to say that one of the leading doctors there was strongly supportive of the move as were a number of senior nurses who I met on an earlier occasion but, nonetheless, regardless of what happens to the Hampstead centre, I know there are a number of people who like to use the facilities, principally the hydrotherapy pool and the gymnasium.

I can indicate to the house that, at a meeting which the local member (the member for Torrens) is arranging, I will meet with user groups to work out how we can continue to support their use of those facilities because I think it is important that those facilities continue to be accessed by groups who represent people who have disabilities and also members of the community who like to access them. I can see no reason why that can't continue.

We also on that site, of course, at Hampstead have a dialysis centre, which we would want to continue and there may well be some other outpatient services there. All of these decisions have yet to be made, but one decision I can absolutely assure the member about: we have no intention of closing down the hydrotherapy pool. We obviously need to work through who would manage it and what their arrangements would be, but that pool is there and we are not going to get rid of it.

**The SPEAKER:** The Deputy Leader of the Opposition.

**HEALTH BUDGET**

**Mr MARSHALL (Norwood—Deputy Leader of the Opposition) (15:03):** Thank you very much, Madam Speaker.

*Members interjecting:*

**The SPEAKER:** Order! Members on my right, order!

**Mr MARSHALL:** My question is to the Minister for Health. What health services will the government be cutting, given the Treasurer's previous answer where he has just outlined that there will be cuts to the State Hospital Fund of approximately \$35 million per year?

The 2011-12 annual report for SA Lotteries clearly outlines four major areas of dividend, essentially, to the government. There are the gambling taxes (which are preserved, thank you very much), but there are also dividends of \$24 million last financial year, unclaimed prizes of \$1.599 million, and the very large \$9.788 million distribution to the hospital funds for income tax equivalent reimbursement—adding up to \$35 million per year.

**The SPEAKER:** Order! Thank you, deputy leader. I am not sure that I have heard the minister announce he was cutting; however, minister.

**The Hon. J.D. HILL (Kaurua—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:05):** Thank you, Madam Speaker, and I thank the member for his question. The answer is: there won't be, because the way the health budget has been worked out over many years, of course, is Treasury allocates—

*Mrs Redmond interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** It's the forked tongue which I find so appalling in here. On the one hand, they worry about what services might be cut, and then when we talk about budgets they say I overspend; so they need to work out what their line is.

*Mr Marshall interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** Look, thumper—thumper over there should just calm down. He should just calm down and let's relax about this. This is an interesting question and I am happy to provide an answer. The answer is that Treasury allocates funds to health, just under \$5 million in the last year. Those funds come from a range of sources, and one of them is the lotteries fund. As members know, the only way that this state has a lottery industry is because Tom Playford was persuaded that if the money went into the hospitals fund it was okay to have gambling.

**The Hon. M.J. Atkinson:** No, no; he was against it.

**The Hon. J.D. HILL:** He was against it?

*The Hon. M.J. Atkinson interjecting:*

**The Hon. J.D. HILL:** Okay, whatever the reason—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** —the argument at the time was that you could justify an immoral act, that is, gambling, if there was a moral good that came from it—putting the funds into the hospital fund, and historically that has been one of the sources of funding that comes into health. However, I can assure the house that Treasury will allocate the funds that health needs. We are always looking at ways of improving the way we deliver services to make sure that we reduce the cost structure of our provision of services. We will continue to do that, but there will be no extra burden on health services as a result of the lotteries sale.

*Members interjecting:*

**The SPEAKER:** Order!

*The Hon. M.J. Atkinson interjecting:*

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

*Members interjecting:*

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

### COMPULSORY THIRD-PARTY INSURANCE

**Mrs VLAHOS (Taylor) (15:07):** Can the Treasurer outline to the house the government's reform agenda for compulsory third-party reform and provide an update on who is supportive of the changes?

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:07):** I would like to thank the member for Taylor for this question. I am pleased to report the government's proposed reforms to the compulsory third-party insurance scheme so that all severely injured motorists are covered and motor registration premiums become cheaper. The reform scheme will make it fairer for all South Australians and ease the burden on South Australian motorists and taxpayers. The new scheme will be more affordable for motorists. For the average household of two cars, there will be savings of more than \$300 over two years. By moving to a no-fault scheme—

**Mrs Redmond:** If you have two cars per year?

**The Hon. J.J. SNELLING:** If you have two cars, over the two years you will save more than \$300.

*Mrs Redmond interjecting:*

**The Hon. J.J. SNELLING:** For one car you would save less because you only have to pay for one registration.

*Mrs Redmond interjecting:*

**The Hon. J.J. SNELLING:** That is correct. Many South Australian families need to have two cars, for various reasons and they have to register their car twice; that is my point. By moving to a no—

*Members interjecting:*

**The Hon. J.J. SNELLING:** Well, the member for Norwood may well have more than two cars in his personal garage; I don't know. I don't know if you register yachts, I don't know.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.D. HILL:** By moving to a no-fault scheme, all motorists, regardless of fault, will be covered in the event of an accident resulting in catastrophic, permanent injury. Those who sustain minor injuries in an accident will still have their medical care and treatment needs met and income from days off work covered. Our main goal is better recovery, rehabilitation and care for injured motorists and keeping CTP premiums affordable.

The main proposed reforms include that injuries that are less than catastrophic will continue to be managed through the Motor Accident Commission on a fault basis, with claims starting under a new points of threshold system. Secondly, compensation will be paid at 80 per cent of past and future economic loss. Damages for future economic loss will be available when the injury is moderate or serious, that is, more than 15 points on the 100-point scale. Finally, legal costs will not be reimbursed for minor injuries (claims of less than \$30,000). A maximum \$2,500 will be reimbursed for claims between \$30,000 and \$50,000. Drunken hoon drivers will not be able to sue for any economic loss under the new system. When finalised in July 2014, the full extent of the reforms will see ongoing premiums reduced to an estimated \$462, a net benefit to the typical motorist of \$50 ongoing on current premiums.

The proposed reforms have been supported by no less than the RAA (representing over 700,000 South Australians); the Australian Medical Association; Dr Ruth Marshall, the director at the Hampstead Rehabilitation Centre; Dr Bill Griggs, the director of trauma at the Royal Adelaide Hospital; and many disability groups. I encourage the state opposition to become involved in the discussion. I would hope that the opposition would put the needs of the South Australian public ahead of very small interest groups being a few plaintiff lawyers.

The Liberal Party's lack of support expressed by the member for Davenport was astonishing. Asked whether he thought it was a good idea, he said, 'Well, look, we're not

convinced'—not convinced that those who are catastrophically injured should be covered, not convinced—

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

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

**Mr GARDNER:** The Treasurer is now putting words in the mouth of other members and is clearly debating standing order 98.

**The SPEAKER:** Thank you.

*Members interjecting:*

**The SPEAKER:** Order! I will uphold that. Treasurer, have you finished your answer?

**The Hon. J.J. SNELLING:** Yes.

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

#### FORESTRYSA

**Mr PEDERICK (Hammond) (15:11):** My question is to the Premier. Is it correct that 80 to 100 ForestrySA workers in the South-East will lose their jobs in the next 24 months?

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:11):** That is a question I will have to refer to the Minister for Forests. ForestrySA reports to her—

*Mr Gardner interjecting:*

**The Hon. J.J. SNELLING:** I did have carriage of the sale, but—

**The SPEAKER:** Order!

**The Hon. J.J. SNELLING:** —this is the responsibility of the board of ForestrySA. I am more than happy to get an answer back to the honourable member.

#### FORESTRYSA

**Mr PEDERICK (Hammond) (15:11):** My supplementary question is to the Premier. Will the government guarantee that there will be no ForestrySA job losses as a result of the sale of ForestrySA's timber harvests? The Premier said on 8 December 2011:

ForestrySA jobs will be maintained. They'll be a condition of the sale. They'll be enforceable conditions.

**The SPEAKER:** Member for Hammond, I do not think that was a supplementary. I am not quite sure how you defined it, but I will count it as a question. Treasurer.

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:12):** The fact is that ForestrySA is an independent statutory corporation. It has its own board. The employees of ForestrySA—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.J. SNELLING:** The employees of ForestrySA—

**Mr Pederick:** Their jobs are gone.

**The Hon. J.J. SNELLING:** —are public sector workers. They have the same rights and conditions as other public sector workers. There would be no forced redundancies under any circumstances. The government's 'no forced redundancy' provisions promise, commitment, continues until the election.

#### IMMUNISATION RATES

**Dr CLOSE (Port Adelaide) (15:13):** My question is to the Minister for Health and Ageing.

*Members interjecting:*

**The SPEAKER:** Order! Member for Port Adelaide, can you sit down a minute, please? Members will not shout at the top of their voice across the chamber. The member for Port Adelaide.

**Dr CLOSE:** Thank you, Madam Speaker. My question is to the Minister for Health and Ageing. Can the minister update the house on the rates of immunisation of South Australian children?

**The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:13):** I thank the member very much for her question. Before I go on, I thank the member for Croydon for pointing out that it was the Dunstan government, not the Playford government, that introduced the lotteries legislation.

Latest stats from the Australian Childhood Immunisation Register show that 89 per cent of South Australian children are fully vaccinated by the time they turn five. These statistics are issued quarterly by the commonwealth, and the report issued in September 2012 reflects data as on the last day of the financial year this year. I am pleased to say that is a significant increase of 14 percentage points compared to the same period in 2008, when only 75 per cent of children were fully immunised by the age of five.

There was a report, I think in the media yesterday, which indicated some concern about a dropping rate. The reverse is the case in South Australia, yet the rate is still not where we would want it to be. The increase we have had so far is largely due to commonwealth and state-supported initiatives that include changing the assessment age from six years to five years and positive promotion and education around the importance of vaccinating children on time. Since 2008, there has been regular advertising in newspapers and parent magazines to get the message out to parents about the importance of vaccines due at age four.

A campaign called Big Help for Little Adventurers, *Jack's Big Adventure*, is encouraging parents to have their child fully immunised before they start kindergarten. It is a children's book that parents can read to their kids to reinforce the message and to get kids understanding and accepting about what might happen. Before this campaign started, 49 per cent of children received their four-year-old vaccines within one month of turning four. Since, 81 per cent of children now receive their vaccines within a month of turning four, and that is a 32 per cent turnaround. I think all members would be impressed by that.

Parents of newborn Aboriginal children are also being reminded to get their infants vaccinated on time at two, four and six months of age. Additionally, a nurse immunisation coordinator is working with Aboriginal immunisation services in the northern metropolitan area to enhance access to services and promote timely immunisation there. Immunisation rates have also increased amongst Indigenous four year olds, from 63 per cent in 2008 to 83 per cent for the same period in 2012, so I think members can see there is real improvement.

Campaigns have also targeted areas with low rates of immunisation, including the Adelaide Hills and Riverland regions. I would encourage members who represent those communities to do what they can to encourage their constituents to have their children immunised. There are groups in our community who campaign against immunisation, based on false understandings. It does scare some people and they do seem to be consolidated in certain parts of our state.

The immunisation section of SA Health continues to monitor and target areas of low coverage in the five-year-old age group. National strategies such as the recently-introduced policy of linking immunisation status to the Family Tax Benefit Part A supplement will complement the work that is being done in our state and we hope will further build on those gains. There has been great improvement in this area but, as I said, there is more that we need to do. I think we ought to be 95 per cent plus and I hope over the next few years we will continue to see that improvement. I thank the member for Port Adelaide for her very important question.

#### CHILD PROTECTION

**Mr PISONI (Unley) (15:17):** My question is to the Minister for Education and Child Development. Now that the Debelle inquiry into the rape of an eight year old at a state school has commenced, can the minister guarantee that Mr Debelle has all of the following powers: to compel witnesses to give evidence, to take evidence on oath and to subpoena documents?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (15:17):** I think this question was asked last week and the answer is the same as it was last week.

**Mr PISONI:** Point of order, Madam Speaker. The answer from last week was that Mr Debelle would have what he requires. I am asking specifically what he has received.

**The SPEAKER:** I am not sure if the Attorney-General understands what you are saying, but I don't.

**The Hon. J.R. RAU:** The position was made fairly clear. Have you seen one of these?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.R. RAU:** The situation is that Mr DeBelle has whatever Mr DeBelle requires.

**Mr PISONI:** The question was: is he able to subpoena documents, take evidence on oath—

*Members interjecting:*

**The SPEAKER:** Order! Thank you.

**Mr PISONI:** Has he required those powers?

**The SPEAKER:** I believe the Attorney has answered that question, member for Unley.

*Members interjecting:*

**The SPEAKER:** Order!

### SHARK PATROLS

**Ms BETTISON (Ramsay) (15:18):** My question is to the Minister for Emergency Services. Can the minister detail new arrangements for shark patrols along Adelaide's beaches this summer?

**The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (15:19):** I thank the member for Ramsay for her question. From Saturday, 1 December, following a call for tenders, a new contract will be in place to increase shark patrols from 734 patrol hours that we had last summer to 907 this season. Shark patrols will be operated by UniSA in conjunction with its pilot training school, giving students flying practice while ensuring swimmers' safety. The service will run until 31 March and, if warmer weather continues beyond March, we will negotiate to extend the patrols. Since 2005, UniSA has regularly monitored our beaches from—

*Ms Chapman interjecting:*

**The Hon. J.M. RANKINE:** Why don't you have a quiet moment?

**The SPEAKER:** Order! Minister, back to the question.

*Ms Chapman interjecting:*

**The Hon. J.M. RANKINE:** Why don't you have a quiet moment?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** The only quiet moment you had, you lost the election.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** The only quiet moment you had, you lost the election.

**The SPEAKER:** Minister, order! The minister will sit down. Order! Minister, I refer you back to the question.

**The Hon. J.M. RANKINE:** Thank you, Madam Speaker, and if I can have some silence, I am happy to answer the question.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** Since 2005, UniSA has regularly monitored our beaches from North Haven through to Rapid Bay. Shark patrols will now operate continuously throughout this area from 11am to 8pm, seven days a week. The service will also include patrols along the South



Coast from Victor Harbor to the Murray Mouth daily during school holidays. Under the former arrangements, this only happened on weekends and public holidays.

The changes, which will be delivered within the existing budget, will replace the part use of Surf Life Saving SA's rescue helicopter. Last summer it undertook patrols on weekends and public holidays for a total of 69 hours. As a result of the changes, some additional funding is now also available to Surf Life Saving SA to operate its rescue helicopter for special community events such as VACSWIM and the Henley to Grange swim.

This funding comes on top of other arrangements that Surf Life Saving has to operate its services. Since 2002, the state government has provided more than \$10 million to Surf Life Saving SA to redevelop seven local clubs and the first stage of Surf Central, Surf Life Saving SA's new headquarters at West Beach. With weekends and public holidays being the busiest times at the beach, this increase in both patrols and services will give South Australians more peace of mind in and out of the water.

### CHILD PROTECTION

**Mr PISONI (Unley) (15:22):** My question is to the Premier. Will the Premier now tell the parliament whether his education adviser, Jadyne Harvey, advised him of the rape in December 2010 of the eight year old in a western suburbs school?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (15:22):** I expect that Mr Debelle will address all of those questions.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** Point of order.

**The SPEAKER:** Order! You have not heard the answer. What is your point of order?

**Mr PISONI:** The Premier can tell the parliament what he is going to tell Mr Debelle.

**The SPEAKER:** Thank you. You will take a seat. You can't order any member here to answer. Minister.

**The Hon. G. PORTOLESI:** I expect that these are the very matters that Mr Debelle will get to the bottom of, but let us remember that there is a very big difference between those of us on this side of the house and those on that side. We are motivated by the welfare, protection and care of children. We are in favour of full disclosure and Mr Debelle will assist us in this process.

### MURRAY-DARLING BASIN PLAN

**Mr SIBBONS (Mitchell) (15:23):** My question is to the Minister for Water and the River Murray. Can the minister advise members about the benefits South Australians can expect through the adoption of the Murray-Darling Basin plan?

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:24):** I thank the honourable member for his very important question. The adoption of the basin plan by the Gillard government on 22 November was a great moment for Australia, a great moment for the River Murray and a great moment for all South Australians, especially those living in communities that rely on there being a healthy river to protect their livelihood.

After more than 100 years of degradation of the river and the basin's environment, generally due to the overallocation by upstream states, we are finally on the cusp of an agreement that will halt and, over time, reverse much of the damage that has been done over many decades. As a result of our committed, principled and resourceful campaign, South Australians have won a basin plan that now supports 3,200 gigalitres of water recovery and the removal of constraints that impede effective water delivery.

The enhanced environmental outcomes include: keeping the Murray Mouth open so that two million tonnes of salt that accumulates in the Murray each year can be flushed out of the

system; securing salinity and water level targets that protect the Coorong and Lower Lakes, wetland site and river channel; providing river flows that help to protect and restore River Murray flood plains, such as Chowilla; recognition of South Australia's responsible water use in determining where and how water will be recovered; and investment in strengthening regional communities so that the basin reforms help drive value-adding and the diversification of business and job opportunities. These measures will go a long way in the future to reducing the kind of devastating ecological, economic, social and cultural damage that was experienced during the recent drought.

We have also been successful in gaining the commitment of the commonwealth government to the tune, as the Premier mentioned today, of \$155 million to help maximise the environmental outcomes for South Australian River Murray flood plains, including environmental works and salt interception schemes that will enhance the ability to water priority floodplain sites on the Pike and Katarapko flood plains, something I presume the member for Chaffey, like his constituents, welcomes very much.

A very important commitment we have won is having our responsible water management recognised, as evident in the \$265 million program for water recovery and industry regeneration in South Australian River Murray communities.

So, as can be seen, the Fight for the Murray campaign has been highly successful, and I take this opportunity to acknowledge the efforts of all those who joined the campaign, particularly our river champions for the \$2 million committed to the campaign. We have won extra funding of \$1.77 billion, an extra 450 gegalitres of water for the river system, along with the funding commitments of \$420 million—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** —for environmental and economic projects in South Australia. Madam Speaker, what is the impact of the division amongst the Liberal opposition? They have been nowhere with respect to the fight to save the Murray.

*Members interjecting:*

**The SPEAKER:** Order! Point of order. Member for Morialta.

**Mr GARDNER:** Let's just stick to 98—debate.

**The SPEAKER:** Thank you. Minister, back to the question or sit down.

**The Hon. P. CAICA:** Yes, I am going to wind up, Madam Speaker, if they would just stop heckling. We did hear this morning a couple of members, the member for Bragg and the member for Morphett, trying to find a place at the table for dessert.

*Members interjecting:*

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

**Mr GARDNER:** Point of order, Madam Speaker: the minister is now defying your ruling. You should sit him down or throw him out.

*Members interjecting:*

**The SPEAKER:** Order! I am really not sure what the minister is saying. I can hear electorates being named, but I am not sure what he is saying because I can't hear.

**The Hon. P. CAICA:** I can hardly hear myself speak, Madam Speaker.

**The SPEAKER:** I hope you're answering the question.

**The Hon. P. CAICA:** I am indeed answering the question, Madam Speaker. But, of course, what occurred this morning was only after the federal opposition leader, Mr Abbott, indicated support for the plan this morning. They weren't even capable of coming together to support South Australians on an issue like the River Murray, a matter of such critical importance for South Australians. How about putting South Australians first—

*Members interjecting:*

**The SPEAKER:** Order! Point of order! Member for Kavel.

**Mr GOLDSWORTHY:** The minister is clearly debating.

*Members interjecting:*

**The SPEAKER:** Order! Minister, I think you have probably finished your answer.

**The Hon. P. CAICA:** Madam Speaker, I am about to wind up in almost a nanosecond. I would just put this—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** How about putting South Australians first instead of thriving on your own internal political cannibalisation?

*Members interjecting:*

**The SPEAKER:** Order! Before we have any more points of order I will sit the minister down.

### COOMUNGA BUSHFIRE

**The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (15:29):** I lay on the table a ministerial statement made in another place.

### GRIEVANCE DEBATE

#### SA LOTTERIES

**The Hon. I.F. EVANS (Davenport) (15:29):** Today I want to make some comments about the sale of the Lotteries Commission by the Weatherill government under the stewardship of Treasurer Jack Snelling. The interesting thing is to go to the financial issues related to this particular sale. If you go to the Auditor-General's Report, page 987, it sets out the distribution into the hospital fund and the recreation and sport fund from the Lotteries Commission. The gambling tax collected last year was \$212 million and, under the deal, that is protected, so there is not such an issue with that figure. Then there is a dividend figure of \$24 million and, when I asked the Treasurer today, would the budget be paying that \$24 million into the hospital fund and the sport and recreation fund, the Treasurer would not answer the question.

It is a fair interpretation from this side of the house that the Treasurer had four minutes to get up and say, yes, the budget would be paying it or, no, it would not. It is a fair indication that the government is either going to cut the hospital fund by \$24 million a year or, indeed, have to take a hit to the budget of \$24 million a year. Then you go down to the distribution from income tax equivalents which is about \$9.8 million a year, and that would also have to be topped up by the budget or cut from the hospitals.

We asked the health minister whether there would be a cut to health services and the health minister said no, there would be no extra burden on the health budget, so what that means is that the budget is going to have to find another \$34 million a year to keep the funding for the health services at the same level—\$34 million a year. Before the Treasurer trots out from Treasury a figure that says, don't forget we are saving the interest, if they use the money to pay down debt, they have yet to say that every red cent of this sale is going to be used to pay down debt.

However, if they do pay down debt, you go to the Treasury annual report and go to the Auditor-General's annual report, and this government borrows money at 4.9 per cent. A 4.9 per cent saving on \$427 million is about \$21 million. So, at best, we have a \$21 million saving on one hand and a \$34 million cost on the other hand. They cannot have it both ways. They are either going to cut the hospital fund and the sport and recreation fund by a total of \$34 million a year or they are going to have to find out of Treasury another \$34 million a year because they want to save \$21 million a year.

If it has not dawned on anyone yet why previous governments have not sold the Lotteries Commission, it is because of exactly that point. Under the previous government when the State Bank disaster happened, although there was a lower debt than is currently budgeted by this government, the previous Liberal government decided not to sell the Lotteries Commission. That is right. The Lotteries Commission survived the State Bank debacle, but not even the Lotteries

Commission can survive Jay Weatherill and Jack Snelling as Premier and Treasurer. Not even the Lotteries Commission can survive the mismanagement by this government.

Let me make a couple of comments on everyone's favourite topic, the desal plant. The poor old Premier cannot have it both ways. He trots out on 5 October and says, 'I found out on 4 October.' The acting minister said on ABC radio that he found out on 4 October at about 4.30 that the plant was going to be mothballed. It might be a surprise to the Treasurer that he has observers on the SA Water board. He used to have them on the Zoo board at one point. We know that the observers report back to the Treasurer on a regular basis of what is being discussed.

The Treasurer today had the opportunity to tell the parliament when he found out that SA Water was going to mothball the desal plant and the Minister for Water shielded him and would not let him take the question. Why can't the government tell us when the Treasurer found out from the observer that they were going to mothball the desal plant? The Premier cannot come out and say that the opposition is lazy and sloppy because there was some information on a website in May, when he himself turns around and says that he only found out and the acting minister only found out the day before the announcement. He cannot have it both ways.

Time expired.

### **COLD FUSION AUSTRALIA**

**Mr SIBBONS (Mitchell) (15:34):** I rise today to acknowledge the extraordinary achievements of a group of Brighton High School students. Jane Burton, Jake Grant, Spencer Olds, Michelle Lennon, Henry Lynch and Tom Agars are Cold Fusion Australia. These six amazing young people represented their school, their state and their country in the largest school-based technology challenge in the world, and emerged as world champions.

Operating in around 20 countries, the F1 in Schools Program was designed by a commercial racing team to spot the best young school-aged engineers. Well over 500,000 students globally competed for a chance to win the Bernie Ecclestone Trophy, and to represent their respective countries.

The competition requires teams to cover all facets of engineering a vehicle from the ground up. Teams must design, test, make and race a prototype F1 car, powered by a CO<sub>2</sub> cannister, down a 20-metre track, as well as to provide marketing materials and collaborate with industry. Necessary skills include the ability to use computer-aided design and manufacturing tools, virtual wind tunnel testing, artistic design, marketing and corporate sponsorship, and create a full portfolio presentation to sell the product. The team also undertakes advanced graphics, testing and analysis of computational fluid dynamics data, team management, design of display booths and competition uniforms, and writing NC code to drive a fourth axis milling machine to manufacture the prototype F1 cars. Simply amazing, isn't it?

The competition progresses from regional and state levels to national and international competitions. Cold Fusion first appeared in the national competition back in 2008 and has made it to the nationals ever since. This year, it became the first team from South Australia to make it through to the international competition.

The national competition saw Cold Fusion compete against 23 other schools and defeat some highly fancied and heavily financed opponents from all over Australia. After winning the national competition, the team went on to compete in the international competition against 21 countries and 32 teams from around the world, including teams from Germany, the USA, Britain, Canada, Malaysia and Ireland.

On 31 October, Cold Fusion was crowned F1 in Schools world champions at the eighth world championships held at Ferrari World Abu Dhabi, in the United Arab Emirates. As well as the prestigious Bernie Ecclestone Trophy, the team also receives Motorsport and automotive engineering scholarships from the City University in London. Cold Fusion was presented with its trophy by Force India F1 driver Nico Hulkenberg, and founder and chairman of F1 in Schools, Andrew Denford.

While in Abu Dhabi, team members met Ferrari drivers Fernando Alonso and Felipe Massa, and visited the F1 paddock just before the Etihad Airways Abu Dhabi Grand Prix, where they mingled with more drivers and teams from Formula 1 motorsport.

Cold Fusion impressed all the judges with the engineering of its car, the depth of its research and its innovative design. Incredibly, Cold Fusion's car was found to have incorporated a

feature that appears in the Red Bull real F1 racing vehicle—the students having no idea of this beforehand. That gives you some idea of the talent of this home-grown team.

Cold Fusion not only the world champion crown, but also took out the Fastest Car Award with a time of 1.045 seconds, won the Best Engineered Car Award, and the Knockout Racing Competition. For someone like me, who has a background in car manufacturing and is a motorsport enthusiast, it is little wonder I am excited about the team's success.

It is fantastic that our young people have an opportunity to be involved in programs such as this. It is also something my generation would not have even dreamed of. I am immensely proud because these amazing young people have learned their skills at a public high school—Brighton High, where my own kids attend. I would also like to acknowledge the Brighton High School staff who have supported them: Stephen Read and Lynlee Graham.

If any of my colleagues would like to offer their congratulations, the team will be visiting Parliament House this evening for a tour and dinner. I pay tribute to their success, and I am certain it is just the beginning for these young adults.

### **EMERGENCY SERVICES EQUIPMENT DISPLAY NIGHT**

**Dr McFETRIDGE (Morphett) (15:39):** I rise to talk about the Kangarilla CFS and the Mawson CFS Group equipment night, which was held on 19 November, a week ago yesterday. As a member of the Kangarilla CFS I was very proud to be part of the night, and was joined by the member for Mawson, Mr Leon Bignell, who was there to help appreciate the efforts and see the displays put on not only by the CFS but also by the MFS, the Volunteer Coast Guard Lonsdale, Sturt CFS Group, the Mount Lofty CFS Group, the Heysen CFS Group, the Kyeema CFS Group, CFS training centre staff, the CFS Commander and staff from Region 1, and also people from the SAFECOM Emergency Services Stress Prevention and Management Unit. SA Police were there, as well as the SES and St Johns, and the Department of Environment, Water and Natural Resources was there with some of their equipment, as well.

The whole idea of the night was to showcase all the equipment used by the various services, and to allow the members of the different services to meet each other and to look at the equipment that is available should they be required to work in a cooperative manner at an incident in the future. They do that so well, as we have seen in the past and only just recently over at Port Lincoln. I am sure that level of cooperation will only be enhanced by nights like this.

It was a pleasure to see the number of CFS and other emergency service personnel there, along with their families. It was a family night as well, and there were many spouses and children looking at the more than 52 emergency vehicles with the 182 emergency service personnel who participated that night. The need to display the range of equipment and the expertise of the personnel is very important. The South Australian Urban Search and Rescue unit of the Metropolitan Fire services was also there. They showed some of their fantastic equipment, and I know they train SES and CFS personnel with MFS personnel in urban search and rescue.

The equipment needs to be displayed to enable family members and the public in general to be aware of what we do have at our disposal, not only through our paid fire fighters but also through the volunteers in the CFS, SES and other volunteer emergency services that we have here in South Australia. We should all be very proud of that night; I know the member for Mawson was very supportive of all the people that night, and I am sure he will be able to tell members in this place about his experiences that night.

As a member of the CFS, each year we have to do our burn-over drill. In other words, if you are out at a bushfire and the fire front turns around and comes towards the vehicle and you are threatened with being engulfed by the fire—being 'burnt over'—you need to know what to do and how to react. I did my annual burn-over drill that night with the Chief Officer of the CFS, Mr Greg Nettleton. We had it ticked off; we both actually passed it that night, so we are able to participate in fire-fighting activities again this summer.

The Mount Lofty Ranges fire danger season officially starts on Saturday, 1 December, but we are already seeing very high temperatures. We have 39° forecast for Adelaide on Thursday, with high winds, and we just hope that the CFS does not have to do what they are prepared to do: that is, get out there and fight the bushfires with the many millions of dollars of equipment at their disposal. The millions of hours they save the state, in volunteering, is something we should never, ever forget.

I just remind members in this place to let their constituents know that the new CFS app is available, the smartphone app. You can go on there, locate your property, wherever you are, and then you can decide how far around your property you want to be alerted if there is an incident—whether it is five, 10, 15 or 20 kilometres. You will then be sent alerts to your iPhone. Whether it is for a car accident or a bushfire, but more particularly bushfires, it is very important that people start using this smart technology, wherever you are. We have a property down at Meadows. My wife was in Sydney on the weekend, and there was a grass fire not far from our place. She received an alert over there. At least she knew where the fire was and where the house was. It is good technology and we should all be using it.

We should also be encouraging the government to support the private member's bill I have introduced today to incorporate the South Australian CFS volunteer charter in the Emergency Services Act. The CFS is a group of which I am very proud to be a member, and I know that every member in this place is very proud of the CFS. I encourage them, when the equipment night is being held next year, to come along and show their support for the CFS by their presence there.

**Mr BIGNELL (Mawson) (15:44):** I rise to continue on the same theme. As the member for Morphett indicated, last week, we were at Kangarilla for the display of pretty much all the emergency services. The South Australian Ambulance Service was a last-minute scratching because of an operational issue that came up but they have normally been there.

I have attended the last couple of years when it was held at McLaren Flat and, this year, it moved to Kangarilla. It is just a wonderful night that gets everyone together in the one place. Often, these people come together in the height of emergencies when there is not much time for small talk or to get to know each other, so they actually get to know each other, walk around, have a look at the different capabilities and the different pieces of equipment that they have.

I found it interesting, as I did last year, to see some of the equipment the SES have to get out and rescue people who might be floating down a fast-flowing creek or drain or something like that. There is all this equipment that you do not really see. Obviously, these people use it week in, week out, in their training and they are to be commended for all the work that they do. We see them at emergencies, whether it be a bushfire or car accident but, apart from doing their normal job, these people are out there training week in, week out.

People like the member for Morphett and, I know, other members in this place are CFS volunteers—thank you to them and to all the volunteers we have throughout the state. It has been said many times that no state could ever afford to provide the sort of emergency services that we are blessed to have without all the volunteers—the thousands and thousands of volunteers—who put in so many hours each and every week, which must total hundreds of thousands of volunteer hours.

The member for Morphett went through the groups that were there, but I did not hear all of them so, just in case he missed some out, I will just reiterate because I think it is really important that we pay tribute to everyone who was there. Firstly, the Mawson CFS Group, who were the event organisers and did the incident control exercise, did a fantastic job of getting people in and out. There was big, heavy equipment and people walking around the place and they made sure that it was all done very safely. It was good to see family members of the volunteers and the paid firefighters and also the cadets. It is always great to see the CFS cadets. I was really pleased to see a group there from McLaren Flat. They were in their overalls and they were taking it very seriously.

They were as excited as me, I think, when the firefighters put on a display about how to cool down a house fire and how you extinguish it without destroying everything in the house. Obviously, forensics have to go in there and comb through looking for clues. The last thing they want is for the firefighters to have destroyed everything with the water. It was quite interesting to see how they just apply a little bit of water and cool the whole fire down by creating more and more steam and so on. The kids were excited by that and so was I.

The Chief Officer of the CFS, Greg Nettleton, was there and I know everyone was buoyed to see him. The Minister for Emergency Services was overseas and sent an apology. The CFS State Training Centre was there, Region 1 CFS commander and staff were there, and Region 1 staging pod was set up for the night. The CFS volunteer support officer had Safer Precincts information and I got some of the brochures that they had.

The Kyeema CFS Group, the Heysen CFS Group, the Mount Lofty CFS Group and the Sturt CFS Group were there. MFS had their chemical biological response personnel as well as

operational crews. South Australian Urban Search and Rescue were there. The emergency service stress prevention and management people from SAFECOM were also on hand as were the South Australia Police.

I know the police officers who I spoke to that night also really appreciated the time that they had to get around and look at the equipment and the various trucks. Things are changing all the time. The trucks are actually getting so big now that they are causing some problems with low-hanging branches and things like that. There was a prototype fire truck there that night, which is a smaller unit that gives a little bit more manoeuvrability and is a little bit lower but still holds a similar amount of water, so that is something that people will be having a look at and looking at the merits of the new design.

As I said before, the SES were there as were St John's. The St John's volunteers do a fantastic job. The Volunteer Coast Guard were over from Lonsdale, as were the firefighters from our national parks. So, all up, 182 emergency services personnel were there with 52 emergency service vehicles. I would really like to pay tribute to Garrick Lehmann, who organised the whole night. He is an MFS firefighter but also a CFS volunteer, so he brings together both facets and did an amazing job to bring everyone together on the night.

### MURRAY-DARLING BASIN

**Mr WHETSTONE (Chaffey) (15:50):** I would like to grieve on the Murray-Darling Basin, as I have many times in this place, on this rather historic day for the Murray-Darling Basin: reform in River Murray in South Australia has been achieved. For me and my constituents, and I think every South Australian, it is a day to remember for the Murray River in South Australia and the entire Murray-Darling Basin. We no longer have a guide to the draft of the basin plan and we no longer have the final draft of the basin plan. What we have today is a realisation of the Howard government's national water initiative. It is a 2,750 gigalitre plan for water to be put back into the river system and the environment for the health and sustainability of the river, and for me it is a great day.

In saying that, it is something which I have worked tirelessly and very hard on over the last 10 years. I have worked extremely hard with all levels of government, all facets of industry and communities to get an outcome. The plan was tabled in the parliament at 5pm last night, and it now has to sit there for 15 days so that it can achieve an outcome 'in law'; but there is still a lot of hard work to go. We still have to achieve about 1,200 gigalitres of water, and of that South Australia has to contribute around 83 gigalitres; so that is where the hard work really does start.

Where will that 83 gigalitres come from? I guess the question which really needs to be asked and which the Premier or the water minister should be answering is: when did they make that decision on the 83 gigalitres? I remember the Premier and the water minister coming up to my electorate in the Riverland. The Premier stated three facts: 4,000 gigalitres—no less; there will be no more water from the irrigators and their communities; and he will mount a High Court challenge. None of those three have come true and none of them are factually correct: we have not achieved 4,000 gigalitres; irrigators and their communities are still being asked for water; and he has now disbanded the High Court challenge. So where is that champion that he claims to be, the champion of the river? I think it is just political spin.

Again, we have to look at how we are going to achieve that amount of water. Putting politics to one side, the Water Industry Alliance is going to be critically important to the regional communities on the river, to my community (the electorate of Chaffey), for the 40 gigalitres that needs to be achieved, with a funding package of around \$265 million. I think that is critically important and it is something that the Premier and the water minister have acknowledged as a vital part of water to be put back into the environment.

When are we going to achieve the other 40 or 45 gigalitres? I heard the water minister say, 'That's okay, we'll tip in 20 gigalitres.' Where are we going to find the other 20 or 25 gigalitres? 'Oh, we'll find that through works and measures.' Minister, where have you been when that funding has been on the table for the last three years? Where have you been putting those projects into place? Where have you been lobbying for those projects?

It has been political spin that we have had to put up with for three years. Today, enough was enough, with the Premier coming out and saying that the South Australian Liberal Party and the federal Liberal Party have been divided on this. We have never been more united on a plan that needed to be formed. Water minister, you will not find that we have not been united on this anywhere. It is political spin; it has been the highlight of your campaign.

Listening to the Premier close his motion today, he had that continual slight at the South Australia Liberal Party. His actions nearly stopped reform in this whole process—throwing rocks on the change room, throwing rocks upstream all the time. Not once did we see a reform package come out of the Labor government—not once.

**An honourable member:** What did you see?

**Mr WHETSTONE:** We saw a pipeline around Lake Albert. Why don't you fix the salinity issues in Lake Albert? Because you want to sell water out of that pipeline, that is why you are not fixing the salinity issues. It is an absolute commercial decision. It is a disgrace. Again why are we not—

*The Hon. P. Caica interjecting:*

**Mr WHETSTONE:** You're no champion, let me tell you. No solutions. The reason that you have got that money is you have sat by your federal Labor mates. Absolute disgrace.

Time expired.

### **DRUGS, ALCOHOL AND YOUTH SAFETY COMMUNITY FORUM**

**Mr BROCK (Frome) (15:55):** I would like to talk today about a conversation on drugs, alcohol, youth and their safety. It was a recent forum that I held in Port Pirie. The theme was, as I said earlier, a conversation on drugs, alcohol, youth and their safety. This was born out of a community concern following an overdose in March this year and also of two serious adverse reactions to drugs taken by local young people in our community.

I wanted to get a message out to encourage all young people to make informed choices about drug and alcohol use and the likely consequences of risky behaviour. We all understand that adolescents are hard-wired to take risks, so I wanted to mitigate these risk by setting up a forum which would be interactive but also allow frontline agencies such as the South Australian Police, Drugs and Alcohol Services SA and South Australian Ambulance Services to offer their resources or, if you would like, to offer their tools to assist with decision-making, abstinence being an option, and that being the first option.

It must be emphasised that not all young people engage in risky behaviour or take drugs. However, I wanted to make a clear message in the community that said, 'Look after yourself and look after your mates.' The theme of the forum was pared back to grassroots levels so that the focus was not on violence.

Prior to the forum, I had a number of parents approach me with their personal stories and concerns. This representation was increased following the forum and these concerns were very, very heartbreaking and very, very frank. It was very apparent that, aside from the initial trauma that may occur with engaging a risky behaviour, the long-term effects are devastating at many levels. These include emotional, financial and social implications.

Regrettably, some events mean that the individual affected may no longer be able to enjoy a normal and productive life. This also has significant consequences for loved ones. Approximately 180 people attended the forum, ranging from students, parents, caregivers and also grandparents. The cultural diversity of Port Pirie and regions was also represented very well in the audience.

Questions asked of the panel members were well-considered and the responses ensured that most left the forum better informed about the risks associated with drugs and alcohol misuse. The positive feedback from the community has been very, very heartening. I am confident that we were able to make a difference. Our local media, including radio, television and the press, were very supportive and gave great coverage of the event.

I must also thank the Premier for his support of this forum and ministers Rankine, Hill and Portolesi for their assistance. The local representatives from the agencies charged with the delivery of essential services to our community, including Health, Drug and Alcohol Services SA, South Australian Ambulance Service, South Australia Police and the Department for Education and Child Development, were critical in the forum's success. Those who participated must be congratulated for their professional approach.

Thanks also to the staff of the Northern Festival Centre in Port Pirie and Uniting Care Country SA Port Pirie for their tremendous support, and also Dr Andrew Jayaprakash who represented the local medical practitioners. I also wish to recognise minister Kenyon for officiating



at the forum and my EO staff, particularly Dianah Mieglich, who worked very, very hard bringing this forum together. It was not easy.

In closing, I thank the community of Port Pirie for their great interest and their encouraging comments following the forum. It is my intention to continue with these community conversations in my electorate in the new year.

### PARLIAMENTARY COMMITTEES

**The ACTING SPEAKER (Hon. M.J. Wright):** I advise the house that I have received the resignations of the members for Kavel and Norwood from the Economic and Finance Committee; and I advise the house that I have received the resignation of the member for Norwood as alternate member to the member for Finniss on the Joint Parliamentary Service Committee.

### ECONOMIC AND FINANCE COMMITTEE

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:59):** On behalf of the Leader of Government Business, I move:

That the member for Goyder and the member for Flinders be appointed to the committee.

Motion carried.

### JOINT PARLIAMENTARY SERVICE COMMITTEE

**The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:59):** On behalf of the Leader of Government Business, I move:

That pursuant to section 4(5)(b) of the Parliament (Joint Services) Act 1985, the member for Kavel be appointed as the alternate delegate to the member for Finniss on the committee.

Motion carried.

### UPPER SOUTH EAST DRYLAND SALINITY AND FLOOD MANAGEMENT (POSTPONEMENT OF EXPIRY) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

**Mr TRELOAR (Flinders) (16:00):** I rise today to make just a brief contribution to this amendment bill indicating, of course, that we as an opposition oppose the intent of the bill. However, I would like to make some comments regarding this and the practicalities around engineering solutions. I am quite familiar with the situation, not so much in the Upper South-East but in my own part of the world on Lower Eyre Peninsula. In fact, there are many similarities in the landscape, and I note that the minister on occasion has visited that part of the world and met with some of our landowners and catchment management groups, and I was able to join him on a couple of those visits.

The drainage scheme itself in the Upper South-East began officially in the mid-1990s after some bits and pieces of drainage work were done much earlier on. Indeed, in the Cummins Wanilla Basin drainage works were done, really, from the 1930s and 1940s on, because the nature of the soils, the rainfall, the topography and the landscape were such that waterlogging was an issue; and waterlogging was an issue that really impacted on production for the farmers in those areas, not just in the Upper South-East but also in Lower Eyre Peninsula.

Interestingly, the two landscapes evolved in parallel through similar decades and ultimately got to a point in the mid-1990s where dryland salinity was such an issue that remedial works had to be undertaken. These works involved not only change in farming system but also it was proposed at that time that there should be some engineering works involved in that. I understand that there was much discussion about what the effectiveness might be of the increased drainage works, the depth of drains, the course that was taken and the impact that it might have on the surrounding landowners and landscape itself.

I remember following that discussion in the rural press at the time because we were confronted with very similar issues. Ultimately, the scheme went ahead. It extended well beyond the proposed time frame. There was the initial time frame, and I understand now that the expiry date was extended first from 2006 out to 2009 and finally was completed about 12 months ago. At the same time, as I said, on Lower Eyre Peninsula I was involved with one of the very early

Landcare groups, and we were assessing the issues that waterlogging brought to our landscape and the impacts that it had on our production.

We formed the Edillilie Landcare group. I was one of the founding members of that, and one of the first things we did at that time was to undertake property management planning, and I am sure that the landowners in the Upper South-East undertook similar programs. It was a very worthwhile program to be involved with, because it gave producers and landowners, probably for the first time, the opportunity to take it out of their own mind. They always understood their own properties well and knew the limitations of it but, for the first time, they were able to look at aerial photos and put it down on paper and put in place a strategy, I guess, as to how they might manage and maintain that property, not just in the foreseeable future but well beyond that so that production could be maintained in the long term.

Our particular Landcare group grew and became part of a catchment management group. Once again, there are parallels and affinities with the Upper South-East. Both the Cummins-Wanilla Basin and the Tod Basin—and I have talked about the Tod catchment and the Tod reservoir in here before—were catchment management groups who very early on, 20 years ago now, began to undertake remedial works.

Other efforts on Eyre Peninsula involved the Dutton River catchment on eastern Eyre Peninsula and the Heggarton-Mangalo group in the hills north of Cleve also did a lot of work. In fact, there was very extensive drainage work, an engineering feat that was undertaken in the Heggarton Hills, which ultimately took the excess water all the way to the sea in the Spencer Gulf. That has really remediated a lot of the salinity and waterlogging issues in those hills.

Salinity itself is not a problem in all parts of the world, in all soil types or in all landscapes, but the crux of the matter is that, when the native vegetation was cleared to make way for pastures and annual crops, there was increased leakage past the root zones and increased recharge. What we saw was the watertables rising. Once those watertables rise to a point where they are within a couple of metres of the sown annual crops and pastures then it brings the salt with them. The salt is a part of the soil profile anyway and is built up over millions of years, given our coastal environment. As the watertable rises it brings the salt with it and impacts on the root zones and, ultimately, the growth of the crops.

The management of that is very difficult and engineering solutions can often prove very effective. Deep drains can often help lower that watertable and really take the watertable back down below where it becomes a problem. It is an effective tool and a successful scheme, as I understand it, certainly in the Upper South-East and in our part of the world as well. It is all about managing the landscape and maintaining a productive landscape. I have spoken before, both in here and in public, about the importance of maintaining a productive landscape. It is imperative that we do.

Agriculture and primary production remains a critical part of this state's economy and there is a broader global responsibility to maintain, retain, manage and even enhance that productive landscape. Ultimately, I believe that the people best placed to undertake that management are the landowners themselves. With that contribution and your indulgence, I conclude my remarks and note that we oppose 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) (16:08):** I thank honourable members opposite for their contributions. I thank the member for MacKillop for providing us with a brief history of the South-East region during his second reading contribution. I also thank the member for Mount Gambier for his wise contributions and I understand he will have some amendments for us to discuss at the committee stage.

The member for MacKillop has made it clear that he will not be supporting the bill to postpone the expiry of the Upper South East Dryland Salinity and Flood Management Act for a further four years. However, I note that he supports the principle of moving water from the South-East towards the Coorong. There are a number of points that the member for MacKillop raised that I would like to respond to. First, I point out that the Upper South East Dryland Salinity and Flood Management Act has been instrumental in allowing for the initiation and implementation of project works undertaken during 2003 through to 2011 as part of phase 3 of the Upper South-East program. It is highly unlikely that phase 3 of the Upper South-East program would have been able to proceed without this enabling legislation.

Phase 2 of the program was delivered between 1995 and 2003 and involved the construction of 255 kilometres of a drainage system, predominantly using existing powers under the South Eastern Water Conservation and Drainage Act, and included the construction of the Fairview drain, which the member for MacKillop referred to.

However, by the end of phase 2, the Upper South-East program had reached an impasse on several of the proposed drain alignments. Under phase 2, a single dissenting downstream owner could trigger expensive workarounds. If the program had stopped then, the significant environmental and production benefits seen in recent years would not have been achieved.

Therefore, if the regional drainage component of the Upper South-East program were to be completed, a clear mandate was needed. For this reason, the Upper South-East program approached the minister for environment and conservation and the mandate for phase 3 was provided by parliament in the form of the Upper South East Dryland Salinity and Flood Management Act.

The second point I would like to clarify is the arrangements regarding the ongoing management of the South-East drainage system. During debate on the Upper South East Dryland Salinity and Flood Management Bill in 2002, clauses were included to make it clear that the management of the Upper South-East drainage system would primarily revert back to the South Eastern Water Conservation and Drainage Board.

However, in 2006, parliament was advised that ongoing management arrangements would be considered as part of the review of the South Eastern Water Conservation and Drainage Act. As the member for MacKillop acknowledged during the second reading debate, the government recently introduced the South East Drainage System Operation and Management Bill 2012 into parliament.

This bill was prepared in response to the review of the South Eastern Water Conservation and Drainage Act, which found it insufficient to meet contemporary requirements. This bill is part of a process towards greater integration through managing the total drainage system under a single umbrella. The government is committed to ensuring that the integrity of the South-East drainage system is maintained, both in terms of the ongoing management of water in the drainage system, wetlands and watercourses in the South-East and any future infrastructure works such as the proposed South East Flows Restoration Project.

In relation to the member for MacKillop's concerns regarding the amount of water the government believes it can deliver to the Coorong's South Lagoon, I provide the following information. On average, the current South-East drainage system delivers between 25 and 30 gigalitres per year of water to the Coorong's South Lagoon. If the proposed South East Flows Restoration Project progresses, it could deliver additional water to the Coorong's South Lagoon.

This volume will depend on the scope of works that are undertaken and final estimates will be included in the business case as it is completed. These will take into account the measured and modelled historical flows under both current and climate change scenarios. The member for MacKillop may be interested to know that in 2009, 2010 and 2011, the Blackford Drain alone discharged 31 gigalitres, 28 gigalitres and 19 gigalitres of water to the sea. All of this water would have been available for diversion as the majority of local wetlands on the proposed alignment are filled by local run-off. However, this water could supplement their needs.

Finally, in response to the member for Hammond's concerns regarding compensation, it is the government's intention that landholders or persons with an interest in the land may be offered compensation under the act in accordance with the principles and processes of the Land Acquisition Act. If the South East Flows Restoration Project is approved, the Upper South East Dryland Salinity and Flood Management Act would be used to acquire the interests in land through statutory easement and to undertake works on private land.

Just to conclude, I thank all honourable members for their contributions. I note the comments of the member for Chaffey who indeed told us what we should be doing. In the main, with respect to his comments, I am pleased to inform the house that what he stated is exactly what we are doing, whether it be the monitoring aspects of the system, but really his comments indicated what it is we are actually doing. I also acknowledge the newly-appointed shadow person for water and her enlightening contribution to the debate. I thank members for their contributions.

Bill read a second time.

In committee.

Clause 1 passed.

New clause 1A.

**Mr PEGLER:** I move:

Page 2, after line 4—After clause 1 insert:

1A—Commencement

- (1) Subject to subsection (2), this Act will come into operation on assent.
- (2) Sections 2A and 2B will come into operation on a day to be fixed by proclamation.

This amendment basically talks about when it will start. My understanding of this amendment is that amendment No. 1 (the commencement) is subject to No. 2, which is sections 2A and 2B. The minister might be able to inform us more but my understanding is that this act cannot be extended unless sections 2A and 2B are proclaimed. I will ask the minister to inform us on that one.

**The CHAIR:** Given that it is quite a short bill, I will allow comments and questions right across the clauses; that might make it easier to deal with. I am saying that if you want to deal with all the issues, you can do them at once.

**The Hon. P. CAICA:** Firstly, I indicate that the government supports the member for Mount Gambier's amendments and I agree with his comments previously that a staged approach should be pursued. I also agree with the need to engage the South-East community regarding the broader package of works in the context of community desire to conserve and use water more efficiently in the South-East landscape. With respect to the member's specific question on amendments proposed at sections 2A and 2B that come into operation on a day to be fixed by proclamation, when is the proclamation likely? I understand that proclamation will occur once the necessary arrangements are in place to enable the South Eastern Water Conservation and Drainage Board to take over the management of the completed project works which fall outside of the revised project area.

**The CHAIR:** Member for Mount Gambier, does that answer your query?

**Mr Pegler:** Yes.

**The CHAIR:** Member for MacKillop, do you have something on this matter?

**Mr WILLIAMS:** Yes, I do. I raised this issue with the member for Mount Gambier. I indicate at this stage that the opposition will be supporting the amendments of the member for Mount Gambier because we think they improve the bill but we will still not be supporting the government's bill in its entirety. We think this will improve it but we still do not think it satisfies the matters that were raised earlier on. I might come back to some of those as we go through the committee stage.

I raised with the member for Mount Gambier earlier about when the commencement would occur. The minister's response just now confuses me. He indicated that it would occur at a time when the regulations are made to allow for the transfer of the ongoing management to the South Eastern Water Conservation and Drainage Board; that is what I believe I heard him say. My reading of the minister's second reading contribution on this bill is that this act has an expiry date of 19 December 2012. In June 2011 the Upper South-East program was completed and the Upper South-East drainage system moved from construction to operational phase in order to enable this management to continue. The expiration date of the Upper South East Dryland Salinity and Flood Management Act 2002 needs to be extended.

To me, that suggests that the minister is saying to the house that he needs another four years in which to implement the regulations to transfer the management to the South Eastern Water Conservation and Drainage Board. Does that mean that apart from the intervention of the subordinate legislation act we may not see you proclaim these particular clauses for something up to four years? I think what the committee wants to know is: is it your intention to implement or proclaim these particular amendments, if they are successful, virtually forthwith, or will they be left to some future date? As I say, apart from the Subordinate Legislation Act, that could be as far out as two years away.

**The Hon. P. CAICA:** As I mentioned earlier, the proclamation will occur once the necessary arrangements are in place to enable the South Eastern Water Conservation and Drainage Board to take over the management of completed project works which fall outside of the revised project area. I think the member for MacKillop used the word 'regulations'. It might be as

simple as entering into an agreement with the board to take over those particular responsibilities. If we are working to a time line—I mean, I do not want to be bound by this, member for MacKillop—I would be hopeful that anything between three and six months would see that occur; that is what we would be aiming for.

**Mr WILLIAMS:** Is the minister prepared to give an undertaking that this will occur before the end of June, or no later than the beginning of July next year?

**The Hon. P. CAICA:** Given my comments earlier that we would expect three to six months, I think I can certainly give the undertaking that best endeavours will be used to meet those timeframes and those timeframes that the member for MacKillop just stated.

New clause inserted.

Clause 2 passed.

New clauses 2A and 2B.

**Mr PEGLER:** I move:

Page 2, before line 10—Before clause 3 insert:

2A—Amendment of section 3—Interpretation

Section 3(1), definition of *Project Area*—delete the definition and substitute:

*Project Area*—the Project Area is constituted of—

- (a) subject to paragraph (b)—the area or areas of land described in the revised Rack Plan 1067 lodged in the Surveyor-General's Office at Adelaide, as at 9 November 2012; or
- (b) if the regulations describe or delineate another area or other areas of land to constitute the Project Area—that area or those areas;

2B—Amendment of section 4—Identification of Project

Section 4(3)—delete subsection (3)

This further amendment to the Upper South East Dryland Salinity and Flood Management (Postponement of Expiry) Amendment Bill to reduce the current Upper South-East project area will provide that the project area is reduced by more than half, and I think I counted up about 40 hundreds in the management area, and this will be reduced back to 16.

The Upper South-East project area defines the area in which the minister can carry out works. My purpose in moving this amendment is to limit the spatial extent of the minister's functions regarding infrastructure works to those areas required to deliver what is currently being discussed and proposed with the community as stage 1 of the South East Flows Restoration Project.

Proposed works involve the diversion of saline water from the Blackford Drain through the Taratap and Tilley Swamp drains into the southern lagoon of the Coorong. Whilst this water is saline, I might say that it is about 90 per cent better than the water in the southern lagoon, and it currently runs out to the sea at Kingston. It will greatly enhance the ecosystems and environments of the southern lagoon of the Coorong.

I understand that there is broad community support for stage 1, and I also understand that most of the issues raised by the community regarding the broader South East Flows Restoration Project concern areas south and east of the project area that I am proposing. I would encourage the minister and relevant agencies to undertake thorough hydrological studies and a proper consultation process before considering any of the broader package of works proposed in the South-East outside of the area I am now proposing, in the context of the community desire to conserve and use water more efficiently in the South-East landscape.

**The Hon. P. CAICA:** Again, I indicate that the government will be supporting this amendment as proposed by the member for Mount Gambier. I make this point to start off with: the amendment will restrict some functions that I have as minister, including the area in which I (or the minister) can carry out works. Notwithstanding that, though, the revised project area still covers stage 1 of the South-East flows project, which I think is important.

Also, to reinforce the comments made by the member for Mount Gambier—and I agree with those comments—a staged approach should be pursued. I also reinforce the point that, if we are to get the best possible outcome, we need to engage the South-East community regarding the broader package of works in the context of community desire to conserve and use water more

efficiently in the South-East landscape. We are very supportive of what it is that the member for Mount Gambier has proposed here. Notwithstanding the fact that, I believe, we undertake that particular process anyway, but it does not hurt to be reminded that that should underpin the process by which this matter progresses.

**Mr WILLIAMS:** Just one quick question to the member for Mount Gambier. His amendment refers to rate plan 1067 lodged in the Surveyor-General's office at Adelaide as at 9 November 2012. My understanding is that this would restrict the works basically to that area of the South-East north of the Blackford Drain. I ask the member for Mount Gambier to confirm that.

**Mr PEGLER:** It will include the hundreds of Santo, Messent, McNamara, Laffer, Neville, Wells, Petherick, Duffield, Landseer, Peacock, part Lacepede, Murrabinna, Minecrow and Woolumbool.

**Mr WILLIAMS:** I indicated that the opposition support these amendments because we do think it does improve the situation, but we still have concerns. As the local member, I have serious concerns about the concept as it has now been worked up, particularly with regard to the route proposed to shift water. As I said in my second reading contribution and again as the local member and somebody who has been involved in water management in the South-East over a long period of time, I do support the principle of shifting water from the South-East to the north. I think that should be done under a very strict management plan where the needs of the South-East are paramount and only water that is excess to the needs of the South-East is allowed to be moved northwards. That is why I commented about the volume of water that the government seems to be intent on shifting back to the southern basin and the Coorong.

In his remarks concluding the second reading debate, the minister talked about the outfalls from the Blackford Drain in the last three years—31, 28 and 19 gigalitres in each of those three years—which is a substantial amount of water, but my understanding is that the plan I have been briefed on is to shift a lot more water than that to the north over and above the water that is currently flowing out of the upper South-East scheme.

More importantly, my concerns and the concerns of my constituents are that the proposed route takes the water further to the east than is necessary and cuts off an opportunity to provide some other important drainage relief, particularly in that area south and south-east of the town of Kingston, an area which becomes inundated and has very little drainage service at the moment. It is an area from which a significant amount of high quality water could be generated to be moved to the north. The proposal that has been put to me would deny any future opportunity to harvest water from that area because it will take the water out of the Blackford Drain at a point too far to the east to allow that to occur.

There is still the need for a lot of investigation and consultation with the local community. To my mind, the proposal is to run the water down what are known as the ephemeral lakes, which is basically a continuation of the Coorong, that part of the landscape which reflects the land form of the Coorong but is generally dry. It is called the ephemeral lakes because they are ephemeral. In times of high rainfall they do collect and pond some water, but generally they spend most of the year as dry lake beds. There is an opportunity, I think, to run the water northwards via those ephemeral lakes. In an earlier discussion I had with the minister, a significant player—I think one of the people in the South-East who has a very good knowledge of the drainage system and the historical water flows in the South-East—suggested that that be the preferred route to shift water to the north.

I understand that in the initial stages there were some concerns from the department that it might be difficult to obtain access to those areas because of native title issues, but more recently I have been informed that the local Indigenous communities and the local native title holders find that the preferred route as well. It is one that I am certainly prepared to advocate, and I am pretty sure that the people I have been talking to in my electorate are prepared to advocate for it as well.

So the proposal that is reflected in the briefings that I am sure the member for Mount Gambier has had, and the briefings that I have had, again denies that opportunity: it is to shift the water in a newly-formed drain path, which would be to the east of that. In fact, my understanding is that the plan is to shift the water out of the Blackford Drain and connect into the recently constructed drain which runs up the Taratap Flat.

That would work, there is no doubt about that, but I think it denies us greater opportunities in the future and creates some other problems which are of concern to landholders not just in that area but certainly landholders further south, who believe that there will then be impetus to continue

the drains further south to pick up water in that region. That has been hotly contested by the local community, and that is why I have lobbied amongst my colleagues on this side of the house to oppose this bill, because I think the minister should be obliged to ensure that he gets full approval from the local community before going ahead.

That is why the opposition is arguing that we should allow this bill to expire. That would force the minister to come back to the parliament at a future date, when the parliament can assure itself that the local community has been fully consulted and is in agreement with what will be a significant change to water flows in that part of the state. As I said in my second reading, I think there is a huge opportunity to get a win-win-win situation here, but there is also a huge opportunity to make yet another mistake with regard to water management in this state. Goodness knows we have seen enough of those made, historically.

Notwithstanding that the opposition is supportive of the member for Mount Gambier's amendments—they do improve the situation—they still allow the minister the opportunity to go ahead without having to come back to the parliament and get a final approval from the parliament. In my opinion that would still allow the minister to ride roughshod over the wishes of the communities in the South-East, and even down as far as the Lower South-East.

There are significant management issues which should be addressed in the South-East. It was put to me recently that before one drop of water is taken out of the Mid and Lower South-East and shifted north, the South-East communities should be demanding to get commitments from the government of South Australia about a whole range of issues to do with water management. I have raised a number of them over the years, but obviously one is controlled structures throughout the existing drainage scheme. Another one may well be a commitment that the government will not impose an additional cost on people in those communities in return for the contribution of water into what is, in fact, part of the Murray-Darling system, the Coorong.

So there is a whole range of issues which the communities of the South-East still want to canvass. The opposition's position is that it does not want to leave the minister with these powers before those issues are canvassed and before the communities of the South-East have an opportunity to have their say and be assured that they will be looked after into the medium and long term.

**The Hon. P. CAICA:** There was no question there but I will make a quick comment. My inclination is just to thank the member for MacKillop for his comments, sit down and get this bill over and done with, but I think I need to make a couple of points.

One is that we are doing this in two stages. Stage 1, of course, is utilising the existing alignment. I am informed that, generally, the landholders who have been engaged during this phase 1 are supportive of this particular process. The greater debate is on phase 2 which was indicated there, but I have also given a very strong indication to the house, based on the amendments being moved by the member for Mount Gambier, that underpinning this whole process will be that ongoing consultation with the community on aspects of phase 2; that is why we are doing it in two tranches.

There are concerns about the route. I have had plenty of discussions with a lot of people—even those who the member for MacKillop has brought to my office—about what might be the best possible route. I have also spoken to my friends, the Ngarrindjeri, down south about their preferred position. The advice I am receiving is that there is concern about the route.

Also, if we look at the ephemeral lakes there, the impact on the coastal lakes due to the lack of fall, because there is a lack of fall across there, the preliminary advice I have received—and I am in no position to deny that advice as being anything but accurate—is that we will be looking at a floodway about 200 metres wide across those ephemeral lakes.

To finish off, I would say that there is general agreement to date about stage 1—utilising existing alignment—with a few issues that still need to be sorted out. Phase 2 will be undertaken through consultation with the community as to the route and other aspects of it, just as I have committed to in my response to the amendments from the member for Mount Gambier.

**Mr WILLIAMS:** I will respond to a couple of things that the minister has just said. The difficulty in flowing water to the north across the whole of the landscape because of lack of fall is a recognised difficulty. That is one of the reasons why I have been saying, minister, both in here and in my local community, that I think the target that the government is setting itself—if my memory serves me correctly and it normally does, I think the target was up to 90 gigalitres a year to be

recovered out of the South-East, including the Upper South-East, to flow into the Coorong—is too high because of the very issue which the minister just talked about, which is the lack of fall and the ability to get that amount of water transferred.

Bear in mind that we can only harvest the water for a couple months of the year. It is not as though we have got all year to shift this water: it is only harvestable during the wet part of the year and it is only for two or three months of the year that the water is available in any great volumes, so we have to be able to transfer it relatively quickly.

The other issue which the minister talked about is that he has general approval for stage 1 or phase 1 of the project as has been discussed. That does not surprise me but that is not the issue. I am not suggesting that the people on the suggested flow path have any objection to it. What it does is cut off the opportunities into the future from where you collect or harvest more water from as you move to stage 2 or phase 2. That is the objection that I have to the project as envisaged by the department at this stage.

I think the point of taking water out of the Blackford Drain is too far to the east and that cuts off your options as you move to a possible stage 2 or stage 3, or whatever, into the future. Notwithstanding you might lose some fall, the closer you get to the coast, the greater the opportunities are for the future.

This is why I emphasise and I will re-emphasise that we now need to have a full and complete discussion. There is no point just discussing the stage 1 proposal with the people at that geographic location because that will have implications as to how you can implement stage 2 in the future. We need to go back and have a full discussion with the whole of the South-East community about what our endgame should look like.

We should ensure that we have had that complete discussion and got complete agreement and approval from that community before we even implement stage 1, which, in my opinion, if it is implemented as proposed, will cut off future options. That is my concern, and that is why I say—and I repeat it for the benefit of the house—we have made mistake after mistake after mistake. There is no need for us to continue doing that. We can get it right, but it means having full and proper consultation about not just stage 1 but about what we want to see at the end of this process and make sure we get it right through that. Notwithstanding that, the opposition supports this amendment.

New clauses inserted.

Remaining clause (3) 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) (16:42):** I move:

That this bill be now read a third time.

Again, I thank all members for their contributions and reinforce just one point, that implicit in this whole process, whether it be phase 1 or phase 2 of this process, is the ongoing consultation and engagement with the community of the South-East. We are committed to ensuring that continues. I thank members for their contributions and I thank those who supported the bill.

Bill read a third time and passed.

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

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

#### **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 15 November 2012.)

**Mr GRIFFITHS (Goyder) (16:44):** I note that I am not the lead speaker for the opposition on this, but I do intend to make a brief contribution while we are waiting for the member for Davenport, who is the lead speaker, to enter the chamber. I rise with some pleasure, and I do it willingly, because one of my first jobs as a young man joining the workforce was to do payroll. So, I



have a bit of interest in how annual leave, long service leave, and all those types of accrued leave and payroll are calculated. I have read this bill and the second reading contribution from the minister with some interest, and note that it is a good idea.

**The DEPUTY SPEAKER:** So you are speaking on behalf of the opposition, then?

**Mr GRIFFITHS:** No, that is not what I said.

**The DEPUTY SPEAKER:** I am just clarifying.

**Mr GRIFFITHS:** It is a personal position. I am sure that the lead speaker will indicate the position of the opposition, but it will not be different to what I am saying, though, except that he might go into more detail.

**The DEPUTY SPEAKER:** I'm very surprised!

**Mr GRIFFITHS:** That is alright. I will just talk for a little while. It is only a relatively short bill but it is actually quite an important one. I note that in the construction industry it is a rather challenging one where you have the highs and lows of a lot of business, and sometimes when there are more challenging times there is therefore a movement of employees across different employers. However, it is important that this bill, as I understand it, allows for a recognition of continuity of service within the industry—not necessarily for a particular employer but across the industry—therefore giving those employees access to very important long service leave entitlements, be it for 10 years of service, which I presume is the case here, or in some of the industries where it is 15 years of service where they are entitled to a 13-week paid period of leave.

The fact that there were some amendments made, as I understand it, with considerable consultation across the industry to allow for this to occur to give some security of long service leave payment to employees is actually a good thing.

*The Hon. J.J. Snelling interjecting:*

**Mr GRIFFITHS:** No. When I talk about 'amendments', I mean your bill.

*The Hon. J.J. Snelling interjecting:*

**Mr GRIFFITHS:** Yes; not amendments that we are proposing, no. I know that, having spoken to industry sector operators in the past, there are occasions where people who have got great skills are poached from construction industry employers and businesses to work for other people. Sometimes a lack of incentive for a movement of a particular employee might be the fact that they might lose their long service leave entitlement because they have not reached that critical cut-off period where that liability transfers to a future employer.

The fact that this bill is coming in allows for that recognition of that service to be accrued, which is a good move. I did note that the bill provides the opportunity for the board to make movements within the levy amount up to a maximum of 3 per cent. Indeed, if you do a simple calculation, that 13 weeks over a 10-year period calculates to 2.5 per cent, therefore I can understand why it has been 2.25 per cent since 2008 and has only ever been a maximum of 2.5 per cent.

Yes, it is a pleasure to see that the industry has actually worked on this. The government has supported it. The industry importantly recognises that it wants to provide some additional value to its employees. It has brought this bill before the house, and I am sure that, in making a longer contribution for the opposition, the member for Davenport will certainly confirm our final position.

**The DEPUTY SPEAKER:** Member for Davenport, I understand that you are the lead speaker.

**The Hon. I.F. EVANS (Davenport) (16:47):** I have listened to the member for Goyder and I am convinced, so we are supporting this bill. This is the Construction Industry Long Service Leave (Miscellaneous) Amendment Bill. The member for Goyder has accurately reflected the intention of the bill so my contribution will not need to be long. For the officers here, we do not have a committee so you can head back to your other activities, if you wish.

It was kind of the Minister for Industrial Relations to send an email to my computer about three-quarters of an hour ago offering me a briefing; given that it was being debated in the next few minutes, I politely declined. However, given that it was introduced on 18 October, it took only six weeks for the minister to get around to emailing me offering a briefing, so maybe next time we

could be a little earlier. The reality is that I rely on the Hon. Rob Lucas in the other place to provide an accurate briefing on the matter.

This bill seeks to extend the board's power to vary the levy rate within the prescribed parameters. The levy is defined in the act as a percentage of the total remuneration of employees and construction workers. Currently, the levy rate can be adjusted on the advice of the actuary who must be a fellow or an accredited member of the Institute of Actuaries of Australia. Any adjustment is then subject to the board providing a report to the minister recommending a change to the levy rate. The levy rate is then prescribed by regulation, and a copy of the report to be laid before both houses of parliament.

The bill gives the board the capacity to vary the levy rate upon the recommendation of the actuary so long as the variation does not take the levy above 3 per cent. This will increase the efficiency in changing the levy rate which would provide greater flexibility for the board to protect the fund from potential losses of levy income and ensure that employers are paying levies appropriate to the relevant financial position of the fund.

The board will be required to inform the minister of its intention to vary the levy rate, and there will be a 14-day grace period to allow the minister to seek any clarification from the board if necessary. Since 1 January 2008, the levy rate has been fixed at 2.25 per cent and has never been higher than 2.5 per cent. Under the bill, the levy rate can go up or down, but it cannot be above 3 per cent.

The bill also seeks to remove uncertainty surrounding the predominance rule so that its intention is clear. The predominance rule determines whether an employee is liable for paying into the fund on behalf of the particular employee because that employee is deemed to work predominantly in the construction industry. Those who do not meet the requirements of the predominance rule still accrue long service leave under the Long Service Leave Act 1987.

The bill also amends the list of industrial awards and occupations contained in schedules 1 and 1A to update the act in the context of modern awards. The bill is supported through the industry associations generally, which we consulted. For those reasons and because no-one has objected to the bill, we are supporting the bill and in this house have no questions for the minister.

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (16:50):** I thank the member for Davenport and the opposition for their support for this bill.

Bill read a second time.

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (16:51):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

#### **RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 31 October 2012.)

**Ms CHAPMAN (Bragg) (16:52):** I rise to speak on the Residential Tenancies (Miscellaneous) Amendment Bill 2012 which, as the title indicates, seeks to make miscellaneous amendments to the Residential Tenancies Act 1995. Members will probably remember that there was significant reform in residential tenancy law—in particular, its operation and management—with the establishment of the Residential Tenancies Tribunal to provide what was then proposed to be a regime that would provide for prompt, efficient, cheap, accessible and quick justice in the resolution of issues between landlords and tenants.

There have been some changes over the years, but I think in May and June of this year a consultation period opened where a number of submissions were received by the government in their review of this act. There will be no criticism from the opposition on the review of legislation. Obviously, after a reasonable period of time of 15 or 20 years, it is not unreasonable to review the effectiveness of legislation and whether any reform is necessary, and to do that a bit more comprehensively than simply a kneejerk reaction to individual events.

What does concern me—and this is not the first time that this has occurred—is that when these consultation periods occur, sometimes the submissions that are received are published on a website and sometimes they are never seen. This was legislation that was introduced fairly quickly after the consultation period in October this year and, not unreasonably, I suggest, the opposition sought to be provided with copies of the submissions.

We understand that that included the 'usual suspects' as you would expect in this type of review—that is, landlords and tenants, residents, professional property managers, private landlords and tenants, all people who you would normally expect would have some stories to tell, proposals to be considered and reforms that they would be seeking to have adopted. Sometimes it is from very poor experience. It is not often that these reviews attract submissions from people who are happy in their lot with a piece of legislation but, at least when you hear the unhappy stories, it can identify an area that needs to be reformed.

Since our request that the submissions from the consultation on this matter be provided, they have not been produced. I am not sure why that is the case. I cannot understand why this has to be so secret. The Hon. Stephen Wade in another place attended the briefing with me and, I think, other members on the day. I would not have thought that it would attract such a high level of secrecy.

What is important is that, when the parliament does consider these reviews, and this is reasonably comprehensive, we are able to quickly check off whether in fact reforms are in response to an individual request, because that can sometimes be easily identified. We may have overlooked any problem in that area and be happy to, in appropriate circumstances, say, 'Yes, that's a good idea,' and not waste time. This whole secrecy thing seems to be permeating the mindset of the government. No wonder we need an ICAC!

In any event, getting back to this bill, the large area of reform relates to penalties and the creation of expiable offences. I am never that comfortable with that personally, in the sense that, to me, expiable offences do not always produce prompt and cheap justice but, nevertheless, it is reasonable that penalties be reviewed. I do not have any further comment on those.

In respect of landlords, the new regime for them includes that, in the absence of an agreement about water payments and where the property is separately metered, tenants will be required to pay all water usage. That seems sensible and reasonable in the circumstances, and we have a new tiered water-charging system. Some members will remember that there used to be a standard payment and then an excess water payment; we now have a tiered system.

There will be provision for a pet bond to be introduced, so that where a tenant seeks to keep a pet on the property, landlords will be able to charge an additional week's rent in bond. We can see the logic of that. It just seems that it is typical of 'one size fits all' that it will probably not be very helpful to identify whether that is fair for a goldfish or a pet moose. In any event, we will no doubt hear from the Attorney-General as to—

*The Hon. J.R. Rau interjecting:*

**Ms CHAPMAN:** A bit like graduated sentencing and discounts. If it is as bad as that, then perhaps it would not be a good idea, but I know members on this side of the house would like to understand more clearly how that 'one size fits all' is to be approached and the basis for it. Also, landlords will be able to claim compensation for tenants for any loss caused by the abandonment of property by the tenant. I have personally been in this situation as a landlord of a small property at Oakbank, a little farm block that used to be part of my maternal grandparents' dairy farm. There were tenants in the cottage and when they vacated I was advised that they had left a python in the roof, chooks in the backyard and some of those funny fish with legs that eat meat—I can't think what they are called now.

**The Hon. J.R. Rau:** Axolotls.

**Ms CHAPMAN:** Axolotls, that's it; the Attorney is being helpful for a change. There were axolotls floating around in a tank. I went to secure the property, as there was fairly short notice that the tenants were vacating this property, and found that a note had been left to say that the python had actually been picked up, which I was relieved to hear about, but I was left with the fish with legs, which I knew were meat-eating, and the chooks.

There was a phone call then received that indicated that the tenants wanted to come back and pick up the fish; they did not have room in the tank but they would be picking them up in the next 24 hours. So I gave the fish some mincemeat and hoped that that was not going to kill them,

but it seemed to keep them alive. I then proceeded to catch the chooks and put them in the back of the car and tried to find a home for them, because they had been abandoned.

So, it is not just a question of goods that are left, but living things can be left and the landlord is then left with this vexed question of what on earth they do with them and how they can be humanely relocated to another home, or disposed of. It is difficult if one is put to the expense of advertising to try and find the owner to come and pick up their chooks, or whatever.

As it turned out, there was a happy ending to this story. I did find a new home for the chooks, although within a few days the tenant, who in fact did owe a bit of rent, contacted me to say that she wanted to pick up the chooks, that she had now changed her mind. She wanted Henny Penny and her associates to be collected and I had to retrieve them. I did not have to but I felt that it was important that she have a chance to be reunited with her chooks. So, with that arranged and the matter of the outstanding rent having been addressed, Henny Penny et al and family were exchanged. So, there are happy endings to some of these things, but it can be a great inconvenience and expense, and can be quite distressing. I would have been very disturbed, of course, had I had to climb into the roof and actually extract the python, but, anyway, I was relieved of that. So there are circumstances—

**The DEPUTY SPEAKER:** More snakier moments!

**Ms CHAPMAN:** More than usual! So there are circumstances where this can be important. Under this reform, landlords, we think, will also find it easier to evict tenants who repeatedly fail to pay their rent on time. We will see whether that actually works. I hope it does. I know, having represented the opposition on matters relating to the South Australian Housing Trust, that this has been a very difficult area, and even Housing SA has had to manage some very difficult circumstances.

Considerable time can be spent, in seeking some relief, by the tribunal and by a reasonable landlord, in the matter of evicting non-paying tenants, and, I think, the reverse, that is, those who decline to pay rent on the basis that there has been a breach of some obligation of the landlord. These things are fairly tedious and tiresome to go through the tribunal, even though it is supposed to have been a streamlined, cheap option. Also, there is to be the adoption of the national model provisions for the regulation of residential tenancy databases, often referred to as the tenant blacklists.

For the tenants, they have a smorgasbord of reform. One of them is that the landlord and agents will only be permitted to enter the property between 8am and 8pm during a specified two-hour window, and not at all on Sundays or public holidays. That is probably not unreasonable. It would seem to be a bizarre situation where a landlord has to be entering a property to inspect at night-time or on holidays, but even if they were a small property owner, as a landlord, one would think that they could organise their arrangements so that they would not unfairly intrude into the privacy of the tenant.

Landlords will be responsible for the reasonable losses of the tenant flowing from a failure to repair, or to take reasonable steps to repair, after notification by the tenant. This is another area of concern probably—and I guess there would have been submissions on this issue—even the simplest things like failing to fix leaking taps, causing water damage, causing damage then to other personal property or furniture of the tenant, all because the landlord has failed to attend to the proper repair and maintenance of the property or fixture.

There will now be specified information that must be recorded by the landlord in relation to rental payments. We also have a clause which is to make provision for the landlord to consent to tenants making alterations or additions to the property. It is to be done in a manner where the landlord is not able to unreasonably withhold that consent. This is an area of concern, I would have to say, raised by a number of members of the opposition and I, too, am concerned as to how exactly that would operate. The extent of the renovations/alteration is one on which we will need some specificity from the Attorney. Tenancies that are not terminated before the end of a fixed term are proposed to be periodic tenancies after the end of a fixed term, that is, except for the tenancies of less than 90 days.

In respect of the Residential Tenancies Tribunal, the changes there are to include that the tribunal be able to determine disputes without conducting a hearing based on the application and documentation provided by the parties. The tribunal will no longer be bound by evidentiary rules. I think they had a pretty lax regime before to be honest but in any event they will be able to conduct hearings with a minimum of formality and must act in good conscience and on the substantial

merits of the case without regard to technicalities and legal forms. I think that has been something that has been an observable practice of the tribunal the few times I have ever appeared in it.

The jurisdiction of the tribunal is proposed to be increased from \$10,000 to \$40,000; that is a logical step. Fees paid to the tribunal will not be recoverable with an award of costs or in order to pay compensation. I think that is a mistake. I always think that is a mistake with these tribunals trying to be cost recovery free jurisdictions. Nevertheless, that is what is being proposed.

Probably the most significant area of reform is the overall application of the act and the Residential Tenancies Tribunal being accessible for relief for people who are living in rooming houses and lifestyle villages. It is probably fair to say that other members of the house would have received from time to time complaints of people who are enjoying a right of access to a room or a space or a particular unit in a facility and yet are not covered by other legislation. The Retirement Villages Act and all the other different types of legislation that we now have cover different types of lifestyle living, but the lifestyle villages and rooming houses have largely fallen through the cracks and it is not unreasonable that they be absorbed into one or other piece of legislation to be dealing with that.

The Real Estate Institute has raised a number of issues in respect of this legislation and has provided some input. I think it is best they be teased out during the course of the committee. I expect that the government has heard from the Real Estate Institute at some stage during this consultation and they may well have some sensible answers in response to some of their concerns that would avert the need for any amendment.

Shelter SA were the first to write to me and possibly to others in the house. I had not heard from Shelter SA for some time, but they have a new CEO, and she was most helpful in her advice. They raised concerns about the effectiveness of a standard tenancy form being utilised if, as they say, 'a failure to comply with this section does not make the Residential Tenancies Agreement illegal, invalid or unenforceable'. So, the practical application of that is obvious a concern to them.

Not surprisingly, Shelter SA really see the bill as one which is perpetuating the power imbalance between landlords and tenants. They of course are a strong advocacy group for many of the most underprivileged people in the community. Perhaps, from their perspective, had they had a more open consultation on the bill and the proposed changes to the act, they would have been better served in the reform that is before us. Nevertheless, they were very critical of the consultation process or lack thereof.

Shelter SA have also raised concerns regarding the introduction of the pet bond, and the whole operation of the tenant blacklist database has probably not gone sufficiently far enough for them to be satisfied that tenants would be protected. Their biggest concern, from memory, was that once you are on these lists you cannot get off them, and they see this as a situation where people for whom they advocate are frequently and almost permanently excluded from the tenancy market because of being on the blacklist.

The Law Society have considered the question of reform and, again, presented some material. I am not sure as to whether they have actually seen the bill, but in any event, they take the view that the increase in jurisdiction with respect to the tribunal from \$10,000 to \$40,000 is too high. They have not identified what they do consider to be reasonable. The opposition will not be taking issue with that. It has been 17 years or so since we have reviewed this; it does not seem to be unreasonable on the face of it.

The Law Society also have concerns that appeals over the decision of the Residential Tenancies Tribunal would be made to the administrative and disciplinary division of the District Court, which would be costly for the parties involved. The appeals under the current Residential Tenancies Act are also to the District Court. Instead, the Law Society recommend that the appeal process be made from the tribunal to the Magistrates Court, where there is a lower level of appearance fees in that jurisdiction.

The areas of concern on which we seek some clarification are foreshadowed in this discussion, and that is that we do need to have some understanding of what happens at the termination of a lease where there has been a tenancy break or cessation of the standard tenancy agreement. Will this allow, at that point, for there to be an increase in the asking price under proposed clause 29? I think we need some clarification on that.

I recall asking, in the briefing, whether the standard rental agreement has been drafted yet. My understanding is that there had been historically one used by the Real Estate Institute by

practice in more recent years, because it was more contemporary than the old one. Now, they are looking to have a standardised agreement. I am not in favour of 'one size fits all' for things, but nevertheless, if we are going to have one, I would have thought, at the very least, we could have had a draft presented to us for some consideration. So, we would be looking to provide the standard rental agreement as a disallowable instrument.

We would want the increase in rent at the break of tenancy if the property is offered to new parties to be allowable. We consider that allowing for a condition of a standard rental agreement to prohibit conversion of the property from a shared rental property to a rooming house to be important, to avoid tenants vacating a property without incurring the cost of a lease break by defaulting in rental payments, and to only require landlords to provide instructions to tenants about household appliances where reasonably practical.

We are open to some consideration of the Law Society's recommendation that the appeals go to the Magistrates Court. There may be other precedents of that process that are in place that are effective, in which case we would like to hear about it. If the government has considered the Law Society's proposal and dismissed it, then we would like to have some answers on that.

I think a number of other members would like to speak on the landlord and tenancy reform in this legislation so I will not dwell on that further, but I will raise some issues in committee. If there are areas that we need to tidy up to make this bill more effective and more applicable on a just basis in this, at times, rather fractious relationship between landlords and tenants then we will be looking for them. Hopefully, we will have some indication whether the government is prepared to accept them; if not, we will press ahead with those in another place.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:16):** I just want to ask a question, or make an observation. I am not sure if I mentioned this to members previously, but I do not wish to close down reasonably flexible discussion during the committee stage of the bill. For members who have a particular contribution to make about particular aspects of the bill, my intention is not to be in any way restrictive about their making that contribution in the context of the committee stage. I just ask that, in the interests of being succinct or targeted about it, that we do not have a second reading contribution that is then regurgitated in the committee stage.

My respectful request is that people consider one or the other. However, I can assure people who elect to go for the committee stage that I will not be pulling some sort of procedural red card out of my hat and saying—

*Mr van Holst Pellekaan interjecting:*

**The Hon. J.R. RAU:** I am in the hands of the house about that. I know that the member for Schubert wants to say something, but I was going to say—

**The DEPUTY SPEAKER:** The member for Schubert actually has the call.

**Mr VENNING (Schubert) (17:18):** I note what the minister said, and I just want to make some observations both as a landlord and a tenant. I am actually both, because I do rent out properties and also pay rent myself. It is always a difficult area, and it is good that we—

*Mr Whetstone interjecting:*

**Mr VENNING:** I tried to buy the place but my wife would not let me; that is the reason I rent. I rent a lovely place in Tanunda, but I will say that it is getting rather expensive.

There is always that conflict there between the renter and the landlord and it is good to occasionally reassess the situation, because I believe that every now and then we lose track of what is going on. We need to both encourage the landlord—because we need to have landlords; there needs to be a viable industry for them, otherwise we would not have a rental market—and to make sure that the tenants themselves are responsible, that they look after the property. After all, someone has to repair it and keep it in good condition, if not for them then for the next tenant.

So I do note the list here in the second reading speech. I think it spells out some very obvious things that I always assumed were law, particularly in relation to the water that the tenant uses being paid for by the tenants. I cannot see why that should ever be any different. Regarding pets in tenant houses, there are a lot of landlords who do not allow pets nowadays and I can understand that. It is quite reasonable that, if a landlord was to allow pets, they ask for and get the extra bond. In this instance, that is only an extra month's rate put down as a bond.

I was also very interested to read—and this has always vexed me—that it will be easier for landlords to evict tenants who repeatedly fail to pay their rent on time. I think it is difficult to understand why the minister should have to spell that out in a bill because that ought to be common sense. There is nothing worse than harassing people for money if they have not paid. This is why most people now have an agent go around and pick up the money. In the old days, it was just a direct transaction between the landlord and the tenant. Now, because of these hassles with payment, a lot of people, myself included, put it in the hands of an agent and hand away some of the money to an agent because it is too much hassle.

The entry of landlords to properties has always been in dispute. I think what the minister has put here in relation to a specified time between 8am and 8pm and not on weekends is reasonable enough. I always give notice and have always given notice about when the inspections would be. Without any further ado, I was certainly interested to read this bill. I will listen to the committee stage but will not contribute further.

**Mr GRIFFITHS (Goyder) (17:21):** I respect the minister's intent. It has been his practice in other discussions about bills to allow members to make a contribution in general at the committee stage, but I wish to make some part of a second reading contribution to this bill. In doing so, from the very start, I declare my personal interest in that I am the owner of an investment property, which is in the Register of Interests. All MPs are required to submit—I think, in July or August or thereabouts—whatever properties they might have an interest in. While I certainly do not intend to go through the full briefing paper, as the shadow minister has very capably done in raising all the points of issue that the opposition might have, there are a couple more points in particular I want to take up.

The first one is the abandonment of property. I have a historical recollection, from when I was working in local government, of a property that the council was renting from the South Australian Housing Trust that I had initially lived in until I had built my own in that town. I made it available as part of an opportunity to employ somebody in the council who, I thought, needed a chance in life. This bloke had had a lot of struggles and had a young family. I had arranged a job opportunity for him and, unfortunately, he abused the privilege terribly.

I thought he was doing a reasonable job, but he just decided to leave the house and leave the district and he left the house in an absolutely disgraceful state. Out of shame for the fact that I had put my own neck out there to provide the home for him, I felt an obligation to clean it myself before anybody else saw it because it was that bad. So, my wife and I spent a couple of days up there making use of our time to clean it.

I know of other people. Indeed, a staff member who I have had working for me has told me of a property that they have owned that was left in an absolutely disgraceful state with furniture, clothes, food, everything left there. It is important to recognise that this is a mutual obligation issue. The tenant has a responsibility and the landlord has a responsibility. If the relationship is a strong one, everybody is happy.

I understand the intent of the bill from the minister. If everyone met those mutual obligation requirements, we would live in a much nicer world, you would not necessarily need legislation to fix these things and those of us who have investment properties would not have to employ property managers and pay 7.7 per cent of the rent or whatever it works out to be, depending on what your agreement says, for those people to be that first point of contact before they contact you about issues that might arise.

I was also particularly interested in the provision of the bill that a landlord's consent cannot be unreasonably withheld from a tenant who wishes to make an alteration or addition to the property. I can only assume that that talks about garden issues because it would not talk about an internal wall structure or the addition of a veranda, a shed or something like that. The minister nods his head in agreement with the fact that it is only of a minor nature, so I am pleased to have that level of clarification.

I was also interested in the sale notification. When I read this in the briefing paper, my immediate reaction was to think that I can understand that, when people make a decision to sell a property, they are also confined within the responsibility that they have under the lease agreement with the tenant to make that property available for that committed time. While, of course, they would like not to have any vacant period between the lease agreement finishing and a sale proceeding on the basis that they have found someone to buy it, it is important, as part of that

mutual obligation requirement to inform the tenant and also that property manager, so that everyone who is involved in the transaction understands the time frames that are involved.

I was also interested in the rent review situation. While most people would go for a longer term of lease (be it 12 months or so, which I think in most cases is probably the maximum period), there are occasions where shorter terms are in place. Therefore, it is important that instead of a fixed 12-month period it might be confined to a lease period of three months, six months, nine months or 12 months, and the clock might be able to be reset at the completion of the first lease period.

Property managers have a very challenging job. My son is an electrician (I will declare that). The small firm that he works for does an enormous amount of work for property managers across metropolitan Adelaide. He has told me some crazy stories, where he has been called out to do electrical jobs. One tenant did not want to pay for a new light globe, so they called the property manager, who called the electrician, who came out to change the light globe. As a landlord, that is a disgraceful story when you consider the costs of a minimum callout charge.

His latest example of where mutual obligation has fallen down completely concerns a bloke who was renting a property and having trouble with a Clipsal safety switch. He managed to flick it back on a number of times and finally got sick of it after about a month. He rang the property manager, who rang my son, who had to drive 50 minutes to get to this property. He was five minutes away when he had a telephone call from the property manager to say that the bloke fixed it and did not need him anymore. As it turned out, they still had to pay for calling somebody out. Then, the even more grating frustration is that he got a call the next day to say it happened again and that they wanted him to go there.

That shows where tenants are just being completely irresponsible. I recognise that that is in the absolute minority, though. The absolute majority of people who rent properties do so through need and have respect for the property owner, and they take exceptional care of the property. In my own case, I have had a tenant for about five years, living by herself, operating a small business from the property, and she does a wonderful job. Even when we have had some problems with things she has been very calm, does not get upset and recognises that repair works will take place. She has a great attitude, which has always made me inclined to keep any property rent increases to an absolute minimum and, indeed, to invest in a new veranda that she wants too.

Good relationships exist, but it is important that we pass this bill, which allows for a recommitment and an improvement of the arrangements to give some security to both sides of the equation. There will be a variety of contributions and there will no doubt be some questions in the committee stage, but I and other members look forward to the swift passage of the bill.

**Dr McFETRIDGE (Morphett) (17:28):** I just want to make a few comments about this, having been a landlord and suffered at the hands of various tenants. We have had properties, including shops, flats and houses and, trust me, I would much rather now put the money into an investment that I can enjoy myself, so my wife and I have bought a farming property. We might have to suffer some pain in having to work the place, but we can at least enjoy that pain at our own pace.

We had a house a number of years ago that we rented out to a delightful young lady who had all the right references. The day before, she phoned and said that she was sorry, she could not do it, that she had a job change, she was going interstate and could her cousin rent it. Well, that was fine. She seemed a trustworthy young lady. It turned out that the cousin was a bikie, and having patched up the shotgun holes in the walls, repaired some of the other damage, and pulled up the marijuana plants that kept coming up in the backyard, we decided that we did not want to be in the rental business for too much longer, so we went from residential tenancies to commercial.

While that was not as bad, the demands on the landlord were quite significant. We tried to be good landlords and did everything. It is one of those areas where you put a lot of money into the investment, and by the time you pay land tax and other outgoings there is not a lot left over. To see some extra protection for landlords coming in is excellent. I think there are probably some areas for improvement in this bill, according to those who know more about it than I, but it is important that we do protect landlords and, at the same time, protect tenants because I, and other members in this place, would have constituents come to them who are victims of unscrupulous landlords, and I have got one at the moment who is a single mother with two primary school children.

There are a number of issues with the house at Glenelg and although they are getting a relatively inexpensive rent compared with others in the area that does not give the landlord an



excuse not to do any maintenance or repairs on the place. There are standards that should be agreed to. It has to be a two-way street and I think people just want a fair go.

The other issue, obviously, that I, as a veterinarian, am aware of is the health benefits of owning pets, and the vast majority of pets do not damage homes. In fact, people care for their pets and a lot of them treat them like children. Those who do allow pets to damage property need to be made aware of their responsibilities, not only as a pet owner but also as a tenant. I see in here that the pet bond will be introduced. I think that is a very good thing because it is an indisputable fact that pet ownership is good for your health, and it should not be bad for the wallet of the landlord.

There is a need to continually look at residential tenancies and the issues involved in that, such as water metering and power metering. I had a fellow come to see me the other day who has six flats. There is one main gas meter. Each flat has its own meter for gas to show their consumption. They are metered out to four different gas companies or retailers. He got a bill for the main meter for over \$2,000 that had to be paid. The fact that the same company was also then charging the tenants for the gas through individual meters was something we had to sort out, but fortunately we did get it sorted out. There are issues around that.

I think there are a lot of issues involved in the rental business, whether it is commercial or whether it is residential, but I certainly encourage the government, and certainly I know the opposition is continually looking at the issues with this particular area in mind because there will always be people who want to rent.

There will always be people who want to invest and, provided the returns are there for the investors and there are acceptable conditions for rental, some people actually rent all their lives. I have always owned homes where I possibly could, but I rented when I was a student and we had some pretty good deals then from our landlords as they took pity on us as poor students.

So, there are lots of issues and I look forward to seeing a good outcome so that all the members in this place do not get continual complaints from tenants who are feeling they are hard done by, or from landlords who think they are being hard done by, without any commonsense recourse to solve problems and not having to go through a legal system that can be an absolute huge expense as well.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:33):** I thank all the members who made a contribution. I just want to say a few brief things in overview about this because it may or may not be helpful as a way of quickly setting the scene for the committee stage, which I hope we can go into pretty well immediately.

The first thing is this bill has had a considerable gestation period. In fact, by my reckoning, well over a decade. When I became the relevant minister, I asked some of the excellent departmental advisers that I have, 'What is happening with residential tenancies?' I was told, 'We have been looking at that.' Then I said, 'Roughly how long have you been looking at it?', and they said, 'About a decade.' I said, 'Well, isn't it time we stopped thinking and started doing something?'

*Mr Griffiths interjecting:*

**The Hon. J.R. RAU:** You cannot really blame anybody. It is just that they are such deep thinkers in business and consumer affairs that they do not want to leave any little thing, to a comma or a full stop or an apostrophe. That is true, isn't it. They do not like being in a position where they have not covered everything to the nth degree. I said, '99.9 per cent is good enough for me because when I get it into the House of Assembly I know the members there generally do not mess around with legislation. But I can be confident that, if you spend enough time creating the Mona Lisa, it will come back from the Legislative Council with an eye patch and a blackened tooth. So don't go to that 100 per cent. Don't take it that far, okay?' Anyway, they felt empowered by that, I think, and so we actually started to write down exactly what the thinking was, and that was put out in a discussion paper.

The people who were mentioned (the REI, Shelter, the Law Society and everyone else), at some point during the last decade all of them have had their fingers in this pie somewhere along the place; and they certainly had an opportunity to have a look at the discussion paper that we had out there and they certainly had an opportunity to respond to it, and some of them did respond and some of them did not.

Can I say this, though: in a spirit of getting things done—which is where the Consumer and Business Services people are, because they are now out of the 'think tank', they are into the 'do

tank'; they are just doing stuff and this is an example of it—the theme of this is Yin and Yang. The idea is—

**Ms Chapman:** Give each dog a bone.

**The Hon. J.R. RAU:** Give each dog a bone, indeed. I was going to move on actually to feng shui because I thought that went in with—

*Members interjecting:*

**The Hon. J.R. RAU:** It is better than Yin and Yang.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** Okay. Unlike the member for Bragg, I am not an expert on feng shui, but as I understand it the idea is that you have balance and harmony and you have a sense when you are in a place that everything is in equilibrium. That is the idea here. All I would say to the members as we go into the committee stage of the bill is to say, 'Look, please, with that sort of feng shui analogy in your mind, or maybe the scales of justice with the blindfold on, just remember that if you take something out of one side you are going to tip the scale.'

If your concern is that the scale is already not in balance, then, fair enough, and we should and must have that conversation in the committee stage. But just bear in mind that if we take too much out of the landlords' side we are going to swing the balance in favour of tenants in a direction that we have not intended to do in this bill. Conversely, if we pull stuff too much out of what is in there for tenants, we will swing it too far in favour of landlords, which is also what we have not tried to do.

I confess that the idea from the start was to give both landlords and tenants things which have been niggling, annoying things for both of them, rectify them in both sides so they all feel happier, so that they all sort of move together into that sunlit upland where tenants and landlords respect and like each other. That is where we are trying to wind up. That is the object.

I will touch on a couple of very brief things that were mentioned by the member for Bragg. With respect to the question of District Court versus Magistrates Court, the idea, I guess, is that we do not particularly think there will be a lot of these appeals. Traditionally, that is where they have gone, and it is my hope and expectation that in the not too distant future most of this work will be done in a civil and admin tribunal in any event. To be perfectly frank with the member for Bragg, this is the logical place to leave that function for the time being, but I do not see it staying there forever.

**Ms Chapman:** Where is it going?

**The Hon. J.R. RAU:** A civil and admin tribunal, which is something we need and sooner or later we must have.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** Well, a District Court is actually a very busy trial court, and most of our civil and criminal matters are dealt with there, not to mention the ERD Court, but, anyway. Cost free is an interesting debate, and I will be interested in what the member for Bragg has to say about that. I must confess that, in my experience, there are problems with totally cost-free jurisdictions, just as there are problems with jurisdictions which basically have a basic standing rule that costs follow the event.

In my personal practical experience, one of the most effective rules I found was in the Industrial Commission where it was a cost-free jurisdiction unless there was a determination by the Presiding Member of the commission that a party to the proceedings had manifestly failed to act in any reasonable way in their conduct of proceedings. Now, it might or might not be that we can have a conversation about that; I am more than happy to do so.

In terms of the standard form business, can I just say that we have been working on the bill and we would intend to consult on the standard form. You might note from clause 2 (it is very early on) that the bill does not come into operation until a date fixed by proclamation. There is plenty of opportunity between now and then for the regulations to be worked upon. I am perfectly happy to do that on the basis that the member for Bragg and I sit down with some sandwiches, the REI version and officers of the department so that we can nut it out, and everyone will be happy with that. There is no issue about that.

There is a certain predictable choreography about the member for Bragg's contributions and mine in these debates so, in order to be consistent, I had better say what I always say, which is that it is a shame that we do not have any amendments in front of us in relation to this matter in the lower house, if there are going to be amendments. If there are not going to be amendments, that is fine, but we are actually part of the parliament too. I think every member of this house should consider us to be diminished by the fact that amendments are not debated in this chamber but are dealt with in another place where, admittedly, anything is possible and frequently does happen. However, it would be nice for us to all be engaged with the process and be given the opportunity in this place of debating those things.

I had to put that on the record again, just as the honourable member for Bragg makes outrageous assertions about my lack of consultation and things like that. That is part of the standard choreography in here. I think both of us would be disappointed if we did not say our things, although we could agree perhaps that if you do not say yours I will not say mine. Anyway, we want to go into committee.

Bill read a second time.

### VISITORS

**The DEPUTY SPEAKER:** I draw members' attention to the presence in the gallery today of students from Brighton Secondary School, who are the world champion F1 team, Cold Fusion. I will not pretend to understand what that is. However, I do believe it is a great achievement. They are the guests of the member for Mitchell. Well done.

### RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

In committee.

Clause 1 passed.

Clause 2.

**Ms CHAPMAN:** The Attorney indicated that the commencement date to be proclaimed is expected to be next year, assuming passage through the other house sometime early next year. Is there any chance that the draft could be completed at least, so that we can have a look at the draft form? This form is going to cover penalties, so it is not just like the normal rules that go with it. There are very strict penalties for 'not using any other form' and complying with this, so we would like to have a look at it, if possible, before the passage of the bill.

**The Hon. J.R. RAU:** As I said before, we have not actually commenced the task of drafting that but, once the bill is dealt with, I undertake that we will make it a priority to get that form worked up. Obviously, because it will be in regulation, if it does not meet with everyone's approval, it will not be going anywhere, so it is in my interests, and everyone's interests, that we deal with any issues in that document and get them sorted out as quickly as possible.

Sorry, I misunderstood that. I am advised that presently the commissioner is able to do that. If it is a matter of serious concern, I do not mind it being a regulation issue. It does not matter. There is no intention to make this a sneaky, 'creep up on you' type issue.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** Yes.

Clause passed.

Clause 3 passed.

Clause 4.

**Mr VAN HOLST PELLEKAAN:** My query, I think, relates to subclause (8), which refers to section 3(1), but essentially it is about the water payments. I would just like to ask for clarity, probably because I have not read the Waterworks Act or the Sewerage Act but, with regard to exactly what water charges will be passed on, is it water usage, is it supply or is it both of those?

I just put on the record my understanding that, if a tenant defaults, a landlord is currently automatically responsible for water bills. Is it the intention of this bill to completely change that, so that the full responsibility for everything associated with water—River Murray levies and everything that comes on a standard SA Water bill—will then be entirely the responsibility of the tenant, and

so that, if the tenant defaults and eventually just does not pay for whatever reason, it will not and cannot come back to the landlord?

**The Hon. J.R. RAU:** I am sorry that that took a little time, but I thought it was worth getting it right. I am advised that the present arrangements are that the first 136 kilolitres are paid by the landlord where there is no agreement. What will happen under these changes is that, in the case of separately metered tenancies where there is no agreement, the default position will be that all the usage is paid by the tenant, but not the sewerage. In effect, it changes the default position where there is no explicit agreement. The default position has gone from the first 136 paid by the landlord to all paid by the tenant. That is the first thing.

The second thing is that the tenant can require to be provided with a copy of the bill, which is an improvement on present arrangements, and the third thing is that rates are to be communicated to the tenant on a quarterly basis. There is a requirement that they must be communicated within three months, so that the tenant does not wind up in a situation where, out of nowhere, some accumulated indebtedness for sewerage or water rates is suddenly dropped on them. It is an example of both sides getting something out of this. The tenant is getting access to the water bill, they are also getting a guarantee that they will receive it broken up in a periodic fashion so that they do not get hit with one big whack at some point in time, but in the absence of an agreement to the contrary the landlord is getting the tenant's paying for the usage of the water.

**The CHAIR:** Minister, part of the question was that in the absence of the tenant paying or defaulting, where does the account then reside? With the landlord?

**The Hon. J.R. RAU:** With the landlord.

**The CHAIR:** I think that was the nub of the question.

**The Hon. J.R. RAU:** Because it remains the landlord's property.

**Mr VAN HOLST PELLEKAAN:** Thank you, Chair, for that. Quite right. It is an agreement about how everything would work swimmingly well if the tenant paid, but if the tenant does not pay whether there is an agreement or not it still becomes the landlord's responsibility eventually. Keeping in mind your yin and yang example, it is all good on the surface. When everything is going well, everything is great; but the final resulting responsibility still falls to the landlord even if an agreement has been put in place. It may well be, as the member for Goyder has pointed out to me, that a landlord and a tenant might have an agreement whereby the rent might be slightly lower in return for the tenant paying everything including the usage and the supply (the sewerage, River Murray) but if the tenant defaults it is still all back on the landlord. Is that accurate?

**The Hon. J.R. RAU:** Yes, that is; however, clearly, if there is an explicit agreement between the landlord and the tenant, there are a couple of things that flow from that. One is that the landlord, for what it is worth, would be able to pursue recovery of those funds through the Residential Tenancies Tribunal and they would have primary access to the bond that would be held in the deposit and, I guess in the event of that not being sufficient, we are getting to the point where the tenant is unlikely to have any other money but they would still be in breach of contract and there would be the capacity for a small claim to be taken in respect of that. If you think it through, the consequence of not doing that would be that ultimately—

*Members interjecting:*

**The CHAIR:** Could the members at the back please keep their voices down. Members on my right at the back. Member for Ramsay, your voice can be heard at the front.

**The Hon. J.R. RAU:** The effect of not doing that would actually be to make the ultimate guarantor of the tenant SA Water rather than the landlord, and SA Water's relationship is more remote.

**Mr van Holst Pellekaan:** I understand.

**Mr GRIFFITHS:** I seek clarification of one point in the minister's initial response. You talked about the need to provide every three months details of the water consumption. I thought that meter readings only occur every six months.

*An honourable member interjecting:*

**Mr GRIFFITHS:** Yes. I know we receive a bill every three months, but there is only a water cost component for two of those four billing periods in a 12-month cycle.

**The Hon. J.R. RAU:** Thank goodness those people in Consumer and Business Services have spent so much time thinking about this, they know all the answers immediately which is very satisfactory from my point of view. Apparently all you have to do is flick to page 24 of the document and if you look at section 46(2)(iii) it says the tenant is not required to pay the charges for water supply if the landlord fails to request payment from the tenant within three months of the issue of the bill for those rates and charges by the water supply authority or the tenant has requested from the landlord a copy of the account for the rates and charges and the landlord has failed to provide a copy to the tenant within 14 days of the request and at no cost.

**Mr VAN HOLST PELLEKAAN:** I think I understand everything you have said, minister, and I appreciate that. I am not here to advocate for the landlords or the tenants, but it does seem to me that, while this facilitates a way that they could all get on better together, there is actually no security for the landlord in what has been proposed, ultimately, if the tenant does not want to pay.

**The Hon. J.R. RAU:** I think it is fair to say that no, there is no increased security in respect of that. As I said, the normal rule is that the default position is actually better for landlords but, in the event of noncompliance by the tenant, no, there is no greater security.

**Ms CHAPMAN:** Statutory charges is now an impressive list under this bill of state and local government charges. I am wondering where the water prescription fees come in. Some areas, of course, are well known for their prescription, such as the Barossa and places like that; they have learned to live with it. Others are not so happy and have either got rid of it or sent them away, but it is coming to the Adelaide Hills. So, I inquire as to whether that is going to be under (b), (e) or (f).

**The Hon. J.R. RAU:** Are you meaning NRM—

**Ms CHAPMAN:** Not the NRM levies; the water prescription levies, which are being dealt with by the water minister, for the Western Mount Lofty Zone and the Eastern Zone and, I think, after that—we already have some, of course—

**The Hon. J.R. RAU:** We will get back to you on that; we will check it out. I think, in fairness to everybody, the new water act is not yet in, so we are in this sort of transitional period. I do not think it comes in until 1 January, if I recall correctly. So, there are some aspects of things that are in transition, but we will—

**Ms Chapman:** Another lot.

**The Hon. J.R. RAU:** Oh, it is another lot? Rightio. Anyway, we will get back to you.

**Mr VAN HOLST PELLEKAAN:** Just to make sure I have got this right, I am talking about land tax and changes in land tax. I know we are talking about residential tenancies. In commercial tenancies for properties, I think, with rent of less than \$250,000 a year, a landlord is not allowed to adjust the rent in line with adjustments to land tax. Could a residential landlord under this arrangement adjust the rent in line with changes to land tax, given that land tax is one of the statutory charges?

**The Hon. J.R. RAU:** I think we will take that on notice as well. These are quite detailed questions, but yes, we will—

**Mr van Holst Pellekaan:** Sorry about that.

**The Hon. J.R. RAU:** No, that is fine; we will get an answer for those.

Progress reported; committee to sit again.

#### **STATUTES AMENDMENT AND REPEAL (BUDGET 2012) (NO. 2) 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 37, page 21, lines 15 to 17—Delete clause 37

No. 2. Clause 38, page 21, lines 18 to 37 and page 22, lines 1 to 36—Delete clause 38

At 18:00 the house adjourned until Wednesday 28 November 2012 at 11:00.