

HOUSE OF ASSEMBLY

Thursday 29 November 2012

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:31 and read prayers.

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (10:32): 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. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (10:32): I move:

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

Motion carried.

VISITORS

The SPEAKER: I advise members of the presence in the gallery again today of students from Aldinga Primary School, years 3 to 7, who are here with Penny Cavanagh. It is lovely to see you and we hope you enjoy your time here.

CRIMINAL LAW CONSOLIDATION (AGGRAVATED OFFENCES) AMENDMENT BILL

Mr HAMILTON-SMITH (Waite) (10:33): Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935. Read a first time.

Mr HAMILTON-SMITH (Waite) (10:33): I move:

That this bill be now read a second time.

This is a very important matter for the South Australian parliament and for all South Australians. The bill I am moving today seeks to increase the penalties for those who violently strike nurses, doctors and other clinical staff wherever they may be working. For too long now our nurses and clinicians have had to endure situations where they are not safe in their own workplace, and this parliament owes it to those working in our hospitals to fix this problem and to make the penalties tougher. Occupational violence is particularly prevalent within the health system in this state and internationally. Health systems face unique challenges in addressing violence and security because of the difficulty of trying to balance the safety of staff with the duty of care for patients. A hospital is a very difficult working environment; there are enormous pressures.

It has been put to me by stakeholders—some of whom are present today—that there has been at times throughout the health system a culture of denial about the extent of this problem. Health organisations tend to adopt this culture of denying and ignoring responses, and there are perceived disincentives for middle management to report assaults. Health practitioners are, therefore, often reluctant or actively discouraged from reporting or addressing acts of violence in the health workplace.

A recent University of Adelaide study found nurses were often reluctant to report violence because of:

...individual desensitization to violence in the workplace, nurses considering violence to be a part of the job, presence of mitigating and/or contributing factors, fear of retaliation from management/superiors and a lack of support from hospital administrators.

I acknowledge in making that reference the work of April Stanley-Banks, a nurse from the University of Adelaide, who, in her research paper of December 2011, called 'Why do nurses electronically chart violence alerts on, or "flag" emergency patients?' made a particularly useful contribution to this debate on behalf of the nursing profession.

Anecdotally, violence in Australian hospitals has become worse along with the shift of mental health care into the community. This has been supported by research and I quote from J. Forster, in the *Medical Journal of Australia*, the following:

In more recent years, deinstitutionalisation and mainstreaming of psychiatric services within acute-care hospital settings have meant that the staff resources and level of experience available to manage violence have been reduced. Further, as mental health treatment and care continue to move towards a community focus, patients needing inpatient treatment are sicker, with the result that violence towards health care professionals is increasing.

I want to make reference to what are termed 'code black' events in our healthcare system. The Minister for Health, the honourable member for Kaurana, in acknowledging the extent of this problem gave us some information on this on 3 July this year, when he reported that whole of hospital code blacks from July 2010 to June 2012 had been 5,545, but from July 2011 to June 2012 had risen to 6,120. In emergency department only code blacks, there had been an increase from 3,471 to 3,604 over the same time frame.

In answers to questions on notice, the health minister advised the parliament that the total of reported code black events in metropolitan hospitals reported during the period 1 July 2011 to 30 June 2012 was as follows: Flinders Medical Centre, 1,548; Royal Adelaide Hospital, 1,567; The Queen Elizabeth Hospital, 638; Lyell McEwin Hospital, 1,780; Modbury Hospital, 302; Noarlunga Hospital, 190; and the Repatriation General Hospital, 95.

Each of these code black reports indicates an incident where a staff member felt it was necessary to call for security assistance because their safety was compromised. These statistics are unlikely to fully represent the current situation as many incidents go unreported or are handled by the staff members themselves on the spot.

There was even an incident at Lyell McEwin Hospital some years when STAR Force was called out to deal with a violent offender in the emergency department in very dramatic circumstances, reported at the time by the media, and as a consequence of which a number of staff experienced considerable stress requiring short-term or longer term leave arrangements to be made for their ongoing care.

This is a significant contribution to staff burnout. The failure to prevent and respond appropriately to assault within the healthcare system has arguably contributed to a high level of attrition and burnout amongst staff, particularly nurses. As well as the psychological and emotional cost for the staff affected, this is creating additional risks for medium-term workforce planning in the health system, with many nurses prematurely leaving the profession or being dissuaded from pursuing a career, and I refer the house to P. Holland in the *Monash University Journal*, February 2012.

There is a need for legislation to tighten the penalties for offenders in such cases. The Victorian parliament's Drug and Crime Prevention Committee examined and tabled the 'Inquiry into Violence and Security Arrangements in Victorian Hospitals' in December 2011. One recommendation emanating from that report was this:

The Committee recommends that a specific offence of assaulting, obstructing, hindering or delaying a hospital or health worker or a licensed security guard or emergency worker in the execution or performance of their duties be considered in Victoria.

It should be acknowledged that legislation is only a single tier of a multifaceted approach that should be considered by the government, including occupational health and safety management, staffing quotas, staff structures, training, incident review, reporting methods and peer support. Top-down, one size fits all approaches to tackling occupational violence are often insufficient, and I am not suggesting that the tougher penalties in this bill will solve the problem. Other measures will be needed.

Nonetheless, as legislators it should be our imperative to facilitate the policy process along, where possible. Legislation sends a clear message to health professionals, management and the broader community that violence against clinical staff in the health system is particularly grievous and unacceptable.

This bill that I am moving today contains certain offences within the Criminal Law Consolidation Act which distinguish a maximum penalty for aggravated offences from those of basic offences. Aggravated offences are defined by the act:

where a provision differentiates between the penalty for an aggravated offence and the penalty for a basic offence, the reference to an aggravated offence is a reference to the offence in its aggravated form.

Two such examples of other conditions where offences may be determined aggravated include: offences against spouses and domestic partners (current or past) or children of the offender; and

offences against on-duty police, prison officers and other law enforcement officers in the course of their duties.

Similarly, the bill adds a subsection to section 5AA of the act to expand what constitutes an aggravated offence to include an offence where the victim is a health practitioner in the course of their duties within a hospital or health service, and I have taken a broad view of the term 'health service' which is explained in the bill. The added subsection as detailed in the bill talks about the victim acting in the course of his or her duties and the health practitioner at a hospital or health service and so on.

Currently, under the Criminal Law Consolidation (General) Regulations 2006, similar provisions already exist for an offence against an emergency worker, including ambulance officers amongst others, to be deemed an aggravated offence within an accident or emergency department. This bill will extend the provision for protection in the remainder of the hospital and all health services. It codifies protection for all health practitioners, including paramedics and ambulance officers.

The bill takes account that some offenders have mental impairment or are under the influence of alcohol or drugs. Seeking a conviction in a healthcare setting is problematic. It may, in many cases, be that the perpetrators suffer mental health issues, such as dementia. The bill does not seek to amend the way that the police and the courts currently assess whether a person has a requisite mental capacity and the intent to commit an offence where intent is an element of the offending.

Existing provisions under section 5AA of the act already specify requirements as to knowledge and intent. The courts and the police will work through those issues as they always have done. There are definitions in the act which explain issues to do with health practitioners, health professionals, health practitioner regulation, national law, etc., and brings into its determinations Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental (including the profession of dentist, dental therapist, dental hygienist, dental prosthetist and oral health therapist), medical radiation practice, nursing and midwifery, occupational therapy, optometry, osteopathy, pharmacy, physiotherapy, podiatry and psychology. Paramedics are currently not included under this regulation, though many are campaigning for registration and are therefore detailed separately in the bill.

I can go on and talk about the extent to which penalties will be increased by this measure. I will give some examples. Acts endangering life or creating risk of serious harm against a nurse would be increased from 15 to 18 years, acts endangering life or creating risk of serious harm from 10 to 12 years, and indecent assault, from eight to 10 years. There are many other examples depending on the offence.

I would simply say that the bill comes to the house with the solid support of nurses, doctors and paramedics. By lifting penalties and broadening the scope of the protection for clinical staff, the bill provides for the courts to sort through the facts and determine any legitimate offences case by case. The bill is necessary and the bill is being sought by medical professionals. The bill is fair and the bill is balanced.

Here is what has been said about the bill, which has been consulted extensively by me with stakeholders. On 15 October, Elizabeth Dabars from the Australian Nursing and Midwifery Association provided formal support for the bill. The Ambulance Employees Association has said:

Anything that decreases the risk of incidents and actual incidents is welcomed by us.

The South Australian Salaried Medical Officers Association indicated support for the initiative and also raised the issue of legal detention and the restraint of patients. The Australian Medical Association has welcomed the bill and provided constructive comment as to its content.

I am aware that the minister himself has identified the need for the bill. He and I both spoke to the nurses at a recent annual meeting and he acknowledged and put this in writing on 3 July that there was a problem and that there needed to be tougher penalties. He said this:

I will consult with the Attorney-General on whether this can be extended to the inpatient areas of our public hospitals, giving staff an additional protection of this more serious offence.

So the minister has said he will consult with the Attorney to fix this problem and introduce legislation of his own.

I have taken the initiative of bringing this in because that process seemed to be taking too long. I do it in a spirit of bipartisanship. I think this is too important an issue for us to squabble over in a partisan way. I think it is clear from the minister's utterances that both the government and the opposition want to see our nurses and doctors better protected. So I would ask the government, the backbench and all members present when this is discussed in caucus to please consider supporting my bill or, if there are issues with it, amend my bill.

Let's get it through this house and off to the other place; let's not quibble over it. The minister could choose to ignore my bill and introduce one of his own. Whatever the case, let's fix the problem, because we cannot allow a situation where nurses and other clinicians are belted up violently in our hospitals at the moment and the offenders go off without adequate punishment.

The time for this measure has come. It is supported by stakeholders in the industry. It is the right thing to do for nurses, for doctors and for our health system. It is the right thing to do for patients and users of our health system. It is the right thing to do for offenders, who must be sent a very clear message that violent acts against nurses are not on. I urge all members, independent, government and opposition, to support the measure forthwith. I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

Explanation of clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal

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

3—Amendment of section 5AA—Aggravated offences

- (1) This clause amends the Act to include an additional definition of an aggravated offence.

Under this clause, the victim must be a *health practitioner* in the course of their duties within the occupational settings of a *hospital* or *health service*. The offender's knowledge of the aggravating circumstances must be established.

This Bill amends the Act to extend protections currently afforded through regulations for emergency departments to the entirety of the hospital and for all health services.

- (2) Currently *ambulance or paramedic officers* are not covered by the *Health Practitioner Regulation National Law* and therefore are specifically codified by this Bill.
- (3) *Health practitioner* and *health profession* are defined under the *Health Practitioner Regulation National Law* to include a wide range of existing health professions.

The definition of *health service* is suitably broad to include all occupational environments where a health practitioner may be acting in the course of their duties, including non-traditional settings such as private rooms, locum home visits, volunteers at public events and so forth.

The definition of *hospital* includes both incorporated and private hospitals. It also provides for services provided to persons on a live-in basis.

Debate adjourned on motion of Mrs Geraghty.

VISITORS

The SPEAKER: I would like to draw members' attention to the presence in the gallery of Lord Fakafanua, who is the Speaker of the Tongan parliament and is visiting us here today. I am going to be very brave and say 'tali tali fie fiā'. I hope I said 'welcome' to you. Please excuse my pronunciation.

Members may be aware that the Tongan parliament is twinned with us. We are hoping that, over the next couple of days while he is here, we are able to build up a good strong relationship and be able to work in the future much more closely with the Tongan parliament. So, we hope that you enjoy your day here. He also has with him Ms Fiona Way, who is the Assistant Director, International Community Relations from the Australian parliament. Welcome to both of you and thank you for coming.

Dr McFETRIDGE: Can I just say that the fire services in South Australia have a very strong relationship with the Tongan fire services as well.

NATIVE VEGETATION (ROAD VERGES) AMENDMENT BILL

Dr McFETRIDGE (Morphett) (10:50): Obtained leave and introduced a bill for an act to amend the Native Vegetation Act 1991. Read a first time.

Dr McFETRIDGE (Morphett) (10:51): I move:

That this bill be now read a second time.

What a day to introduce a bill to amend the Native Vegetation Act! We have fire bans right across the state, and we have extreme and severe fire weather. If you drive through our countryside, you will see massive overgrowth of roadside vegetation, and you will see many areas where homeowners and property owners have not done their proper fire preparation. It will just be through good luck but, more importantly, the hard work of CFS volunteers that we do not have a disaster today. My family owns a property between Kangarilla and Meadows and, even as early as this morning, I was in this place and got a CFS app alert that there was a grass fire at Kangarilla, so you can imagine what my heart rate did.

This piece of legislation I am introducing today is one that should be considered very strongly and very seriously by this parliament. I know it is going to be controversial and I know that there may be some amendments put up. I am happy to consider those, but this piece of legislation is all about having some common sense about allowing property owners to clear the road verges around their properties to help reduce the fire risk.

We know that many people have died on our roads trying to get out of properties along country roads and escape bushfires. Some of those decisions may have been unfortunate decisions made at the wrong time but, had there been preparation and allowance for people to undertake bushfire preparation along road verges without the fear of bureaucracy and without the fear of the complications of having to fill out forms and wait, wait, wait until halfway through summer, some of these tragedies might have been avoided.

I certainly know that, through our Adelaide Hills, we need to do something about clearing the vegetation along our roadsides, allowing property owners to do what they want to do. I trust property owners in South Australia to do the right thing. They are not going to get out there and napalm the road verges. They are not going to go out there and undertake some desertification program along the verges.

They value remnant native vegetation, but they recognise that there is a massive ingrowth and overgrowth of exotic vegetation on our road verges. On top of that are the complications of the Native Vegetation Act that put very unclear restrictions on what property owners can do—whether they can remove branches so they can get slashers in there, whether they can spray along the road verges. What you can do and what you cannot do is a bureaucratic not nonsense but nightmare for property owners.

It is so important that we make this clear for property owners. My bill makes this very, very clear. It is not a slash-and-burn approach, it is not just open slather: it is about responsible and reasonable—and that is in the bill—steps to clear the road verges, to reduce fuel loads and, in certain circumstances, to improve road safety. You can often see phalaris 1½ metres high growing on the sides of roads. You come up to the intersections and you cannot see because of the phalaris. It is not only a road safety issue but also a fire danger issue.

Just yesterday, we saw fires at Blewitt Springs and then at Happy Valley, both of those fires were certainly not sparked by passing trains but lit by people who have some absolutely unfathomable thinking going on in their heads. Where did they do it? They did it on the road verge. Why? It is easy to set fires on road verges because of the overgrowth of the vegetation there. If property owners are able to do what they want to do, that is, take reasonable steps to reduce the fuel load to improve their safety, to improve bushfire safety, to improve road safety, then let them go ahead and do it.

It is part of the CFS philosophy to prepare, act and survive. That is what this is all about. It is about getting out there, doing the job and making sure that you are able to put your bushfire prevention plans in place early. In South Australia the councils take some responsibility for this. I will read from the road reserves policy of one large hills council. Council policy 9.11—that is a bit of a serendipitous number, is it not—states:

Due to current resources and budgetary constraints it is current Council practice not to slash the roadsides of unsealed roads. Also the roadsides of many of the unsealed roads are inaccessible to slashers due to steep embankments and rocks and debris which damage equipment.

So, they do not do it. Who does do it? A while ago we saw amendments to the Fire and Emergency Services Act to bring in bushfire management committees and bushfire management areas. We saw the State Bushfire Coordination Committee being established, but there is still a lot of confusion out there. We still have bushfire management areas with their plans unreleased. If you go onto the CFS website you will see lists of the bushfire management areas. I do not know whether it has changed recently, but I went in there to have a look at these and there were none available. So, if that has changed, great, but it is too late for this summer, it is too late for many South Australians to go about and do what they wanted to do, that is, to protect their properties.

The bushfire management area plans are to be drawn up by these various committees. One of the key functions of these committees, as listed on the CFS website, is to identify who is responsible for implementing risk treatments. Who is going to clean up the roadsides? Who is going to clean up the road verges? Who is going to reduce the fuel load? We know that the state government is only interested in between white post and white post, and that is not just this government, it has been previous governments.

We know that local councils are unable to either provide the equipment or the finances to undertake the thousands of kilometres of road verge tidying up that needs to be done. So, let the property owners do it. Let them do it to a reasonable extent. Let them do it in a fashion where they can feel safe about it without having to go through a myriad of legislative hurdles and through a nightmare of filling out forms and waiting and waiting. Let us not wait anymore. Let us make sure that South Australians can do what they want to do, that is, survive bushfires by reducing the risk by reducing the fuel load.

My bill is pretty straightforward. It is amending section 27—Clearance of native vegetation, of the Native Vegetation Act. Section 27(1)(c) states:

native vegetation may be cleared without any other restriction under this Act if the clearance occurs on a road verge and is reasonably required—

- (i) for road safety purposes; or
- (ii) to reduce the fuel load on the road verge.

It is that second one, reducing the fuel load on the road verge, that we are really concerned about today. I ask the government to look at this very carefully. I know there are many groups out there who are very concerned about native vegetation, as am I and as are my colleagues in the Liberal Party.

I had one comment from one council environmental officer, who was very cautious about this approach. It was a precautionary principle approach he was using, but after consultation, after having a chat with him, he did admit that one fire did go through one of their areas along the roads and into some native scrub and he did admit that after that the native vegetation came back with a lot more vigour and a lot more flourish. So, we know that native vegetation does respond to fire, but we do not want it around built-up areas, we do not want it where people and their properties are going to be at risk.

Allowing people to reduce the fire risk is something that I am trying to achieve with this bill. I hope the government looks at it. I hope the people who are concerned about the bill contact me, contact their local members, contact the government, to propose sensible amendments to legislation that will allow people to do what they want to do. I trust South Australian property owners to do what is the right thing. We have seen in the past that they have been able to manage it. We have introduced all of this legislation, which I do not think has improved things, so let us make it right. Let us make it better. Let us make it safe.

Debate adjourned on motion of Mr Goldsworthy.

FIRE AND EMERGENCY SERVICES (VOLUNTEER CHARTERS) AMENDMENT BILL

Dr McFETRIDGE (Morphett) (11:00): Obtained leave and introduced a bill for an act to amend the Fire and Emergency Services Act 2005. Read a first time.

Dr McFETRIDGE (Morphett) (11:00): I move:

That this bill be now read a second time.

As I have said in relation to the previous bill, what a day to introduce this sort of legislation! We have nearly 15,000 volunteers and support staff out there on red alert. We have the whole state on

high alert, because we have extreme fire danger in many areas, and severe in others, including in the metropolitan area for the first time in many, many years.

I declare that I am a member of the CFS and I do that very proudly. I was interested to read my own record with the CFS. In fact, I joined on 12 March 1986 and apparently I am due for my national medal. I am due for my 20 years service clasp, but I am not in there for that. I am in there for exactly the same reason as all the thousands of volunteers who are out there today looking after this state. Can I say that the member for Finniss, the member for Stuart and the member for Hammond and I, the four of us could crew a fire truck today. We are trained up—

Mr Pengilly: Oi!

Mr Pederick: The member for Finniss.

Dr McFETRIDGE: I did mention the member for Finniss.

Mr Pederick: And you have Whetstone for Chaffey.

Dr McFETRIDGE: And the member for Chaffey as well—the list goes on. Two trucks on the road—the bulk water carrier and a tanker, on the road today.

Mr Pengilly: And a lot of experts.

Dr McFETRIDGE: There's a lot of history there. The—

The SPEAKER: Member for Morphett, can I suggest perhaps you do!

Dr McFETRIDGE: However, ma'am, I will get back to the very important reason for this bill, and that is to recognise in legislation the thousands of volunteer CFS personnel out there who have been recognised in the volunteer charter which was signed by the then premier Mike Rann, the then emergency services minister, the Hon. Carmel Zollo, the current emergency services minister and then minister for volunteers, Jennifer Rankine, the then presiding officer of SAFECOM, Mr David Place, and the then chief executive officer of the CFS, Mr Euan Ferguson. The CFS charter is a very worthwhile and valuable document. I will read from the charter:

The volunteer members of the Country Fire Service are fundamental to emergency management service in South Australia...This Charter provides a framework for the commitment to protect the needs and interests of CFS Volunteers. It represents an agreement that the Government of South Australia, the South Australian Fire and Emergency Services Commission and the CFS will commit to:

- consulting with CFS Volunteers and the Country Fire Service Volunteers Association about all matters that might reasonably be expected to affect them, and
- considering their views when adopting or approving new practices and policies or reviewing current practices or policies.

They are the fundamentals of the volunteer charter. The Victorians have a similar charter. The South Australian one was signed in 2008 and the Victorian one was signed off by Premier Ted Baillieu and Peter Ryan, the Minister for Police and Emergency Services in 2011.

We were ahead of them with the charter, a very important document, but the Victorians have gone further than we have and this is what we are attempting to do here in South Australia. The Victorians have actually incorporated their charter into the Country Fire Authority Act 1958 under section 6F—Recognition of Authority as a volunteer-based organisation, 6G—Recognition of the Volunteer Charter, 6H—Authority to have regard to Volunteer Charter, and 6I—Authority's responsibility to encourage, maintain and strengthen capacity of volunteers. This is what I am trying to do today with the Fire and Emergency Services (Volunteer Charters) Amendment Bill 2012. In my bill I want to insert into section 58A:

- (1) The Parliament recognises that SACFS is first and foremost a volunteer-based organisation, in which volunteer officers and members are supported by employees in a fully integrated manner.
- (2) The Parliament recognises that the SACFS volunteer charter—
 - (a) is a statement of the commitment and principles that apply to the relationship between the Government of South Australia, the Commission, SACFS and volunteer officers and members; and
 - (b) requires that the Government of South Australia, the Commission and SACFS recognise, value, respect and promote the contribution of volunteer officers and members to the well-being and safety of the community; and

- (c) requires that the Government of South Australia, the Commission and SACFS commit to consulting with the Country Fire Service Volunteers Association on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them.

Inserting the volunteer charter into legislation will overcome the recent problem we had with the establishment of the community safety directorate. We knew there was no consultation on that. We do not know where this idea came from, other than looking at the Queensland model. We know that there was a complete lack of consultation. It was back to the old 'announce and defend'.

The CFS Volunteers Association president's report 2012 was prepared by Mr Roger Flavell, who is the president of that—and congratulations to Roger. I recognise Wendy Shirley in the gallery, the former executive officer of the CFS Volunteers Association. I wish her well in her future and her wedding to Mr Phil Koperberg. I also recognise Ms Sonia St Alban, who is the new CFSVA chief executive.

I go back to the president's report of 2012 by Mr Roger Flavell, who is a hardworking president. In his report he said:

Consultation is not just about telling our people what they will do, but it is about listening to and understanding the issues...

We all know about SACAD, the South Australian Call and Dispatch, how the issues there have been out there for a long time. We know that the volunteers in the association have been very active on getting this call and dispatch system up and running, to make sure it works, because on days like today you had better know what is going on, where the troops are, how they are going to get there and how they are going to respond.

I understand Mr Flavell is in the chamber, in the top gallery up there. He is in the cheap seats up the back. He can come down. I am sure somebody will go and bring him down into the gallery. In Mr Flavell's president's report he said:

In August the Minister announced late one afternoon that the Government had decided to setup a Directorate of Community Safety. We are told by the Minister she worked very hard and we are lucky to get 'Safe Communities, Healthy Neighbourhoods'...

But what about consulting with the volunteers first? What about talking to the troops on the ground? What about finding out what is going on out there?

That is why I have moved this amendment in here. It is a valuable amendment. It is one that is needed and we do need to make sure that our volunteers are going to be valued, not just during the summer but all year round, 24 hours a day, seven days a week. There are about 15,000 of them out there, volunteers and support staff. There are 434, I think at the last count, CFS stations out there—280,000 hours, just in incidents, never mind the training, PR, and the other administration.

I was captain of Happy Valley CFS for a short period until I saw what effect it was having on my business. The paperwork, the time that is involved, the time that volunteers put in, you cannot put value on that. The least thing we can do is recognise them, not just in the charter, but in the legislation, so that they do know we are going to look after their interests. There is no way around that.

No minister, whether the current minister or ministers of the future, can ever take them for granted. I know we do not in this place. I know the current minister does not. We on this side certainly do not. But what we do need to do is make sure that we show the volunteers they are valued. We know volunteer numbers are decreasing. We do not want to see that because of any perception that the government does not value them, that parliament does not value them. We certainly value them on this side. We hope that every member on the government side values them. I would be very surprised if that was not the case. The member for Mawson and I were at the Mawson CFS equipment display a few days ago. We saw the equipment; we saw the abilities of the troops to perform. Let us show we value them.

I look forward to the government's support of this amendment. It is straightforward, it is overdue, and I look forward to the minister coming and talking to me about any amendments if they are necessary, but I do not think there are any. I would be happy for the government to adopt this as their legislation. It is not about me: it is about the volunteers.

Debate adjourned on motion of Mrs Geraghty.

ROAD TRAFFIC (EMERGENCY VEHICLES) AMENDMENT BILL

In committee.

(Continued from 20 September 2012.)

Clause 1.

Mr VAN HOLST PELLEKAAN: Picking up where we left off a few months ago, when we were in committee but ran out of time, today I formally move:

Page 2, line 3—Delete 'Vehicles' and substitute 'Service Speed Zones'

Amendment carried; clause as amended passed.

Clause 2.

Mr VAN HOLST PELLEKAAN: I move:

Page 2, lines 6 and 7—Delete:

'1 month after the day on which it is assented to by the Governor' and substitute:

on a day to be fixed by proclamation

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

Mr VAN HOLST PELLEKAAN: I move:

Page 2, lines 12 to 15—Delete clause 4 and substitute:

4—Substitution of section 83

Section 83—delete the section and substitute:

83—Speed in emergency service speed zone

- (1) A person must not, while driving through an emergency service speed zone, drive at a speed greater than—
- (a) 25 kilometres per hour; or
 - (b) if a lesser speed is required in the circumstances to avoid endangering any person—that lesser speed.

Note—

The penalty for a contravention against this section is set out in section 164A.

- (2) Subsection (1) does not apply if the person is driving on a road that is divided by a median strip and the emergency service speed zone is on the other side of the road beyond the median strip.

- (3) In this section—

emergency service speed zone means an area of road—

- (a) in the immediate vicinity of an emergency vehicle that has stopped on the road and is displaying a flashing blue or red light (whether or not it is also displaying other lights); or
- (b) between 2 sets of flashing blue or red lights that have been placed by an emergency worker at either end of a length of road on which an emergency vehicle has stopped;

emergency vehicle means a vehicle used by an emergency worker;

emergency worker means a police officer or a person who is an emergency worker as defined by the regulations for the purposes of this section;

5—Amendment of section 175—Evidence

Section 175(1)—after paragraph (a) insert:

- (ab) a specified length of road was, during a specified period, an emergency service speed zone within the meaning of section 83; or

6—Review of operation of Act

- (1) The Minister must cause a review of the operation of the provisions of the *Road Traffic Act 1961* enacted or amended by this Act to be conducted, and a report on the results of the review to be submitted to him or her.
- (2) The review must be completed, and the report submitted to the Minister, before the third anniversary of the commencement of this section.
- (3) The Minister must, within 12 sitting days after receiving the report under this section, cause copies of the report to be laid before both Houses of Parliament.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Mr VAN HOLST PELLEKAAN (Stuart) (11:15): I move:

That this bill be now read a third time.

The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (11:15): The state government supports the amended bill tabled by the member for Stuart. During the 2010 election, the Australian Labor Party announced a similar proposal to ensure the speed limit was dropped from 40 to 25 km/h when passing emergency service vehicles attending a call. Soon after the election, concerns were raised by SAPOL and, whilst working through them, the member for Stuart introduced his private member's bill.

Upon explaining to him both the commitment of the government to see this through and the concerns that were being raised, his bipartisan approach to this has been appreciated. The Thinker in Residence report by Professor Wegman, released in the middle of the year, called for a bipartisan approach to road safety. The spirit of both parties to work through these issues to get things done in the interest of road safety pre-dates the report and demonstrates a willingness to deliver a good result for our emergency services and the community generally.

However, as I said, SAPOL had reservations regarding enforcement of this legislation. At the same time, we encountered overwhelming support from other key stakeholders, such as the SES, the United Firefighters Union, the Ambulance Association, the SES Volunteers Association and the CFS volunteers and their association.

Faced with this impasse, it was agreed that it was important to give all agencies the opportunity to have input to ensure that we were getting it right, making the right decisions. Government and opposition agreed to establish a select committee to examine the arguments for and against the bill. Thankfully, roadside injuries to emergency service workers have been minimal.

We also uphold the advice, however, from the Adelaide Centre for Automotive Safety Research, that the estimated risk of a pedestrian being fatally injured by a passing vehicle is 0.95 per cent at 25 km/h compared with 3.56 per cent when travelling at 40 km/h. The government agrees with the select committee that this data provides a convincing argument for a preventative approach to roadside safety for emergency service workers.

However, the government had concerns with the proposed penalties in the revised bill. I appreciate the member for Stuart's willingness to accept the government's suggestions that penalties should align with those applied to general speeding. I thank the members for Light, Taylor, Kavel and Stuart, as well as the chair, the member for Reynell, for their outstanding work on the committee. The state government is pleased to support this legislation.

Mr VAN HOLST PELLEKAAN (Stuart) (11:18): This private member's bill is all about making emergency service workers as safe as possible on roads. It is important to point out that that covers both professional and volunteer emergency services workers because their lives are equally as important as each other; whether they are paid staff or volunteers, the principle is exactly the same.

The minister referred to some concerns that the police had and I respect those issues. I have a view that the difficulties they encounter in regard to enforcement are probably very similar, whether the required speed limit is 40 or 25 km/h. I think making it 25 km/h, first, makes the roadside emergency services workers much safer and, secondly, allows a public education campaign to be far more effective because the public can then be educated about one speed limit. The 25 km/h speed limit would apply to red and blue flashing lights at emergency service scenes, to school bus flashing lights, and very often applies to roadside workers undertaking improvements

or maintenance as well. I think that there is very good logic for this 25 km/h speed limit and that it should not make life too difficult for the police at all.

I thank the minister for her support for this bill. She has been very direct and straightforward with me all the way through, which I genuinely appreciate, as have her staff, which is fantastic. I also thank the government for allowing this to go to a committee for suggestion and for taking this issue seriously right from the very start. In that process, all the committee members—the members for Reynell, Taylor, Light and Kavel—applied themselves to this work very well, as did the staff who supported us in this business.

Thank you also to the people who gave evidence. We all know that some people and some organisations regularly come and provide evidence to a parliamentary committee, but for others it can be pretty nerve racking and pretty difficult. So, to everybody who came and provided their information to us, thank you very much.

I would also like to highlight the fact that this is something for which emergency service volunteer associations have been calling for a very long time. I think it is probably in excess of six years that this has been going on, so I thank them for their work and their advocacy and I congratulate them on the fact that we as a united parliament have got to this stage. I particularly highlight the work of Ms Wendy Shirley, who has applied herself to this—not only, but really she has led the charge on behalf of emergency service volunteers in general. She has done an outstanding job as the CEO of the CFS Volunteers Association. With us here today is Ms Sonia St Alban, who replaces her and who I am sure will do an excellent job. It is also lovely to have Mr Roger Flavell, president of that organisation, here to see this go through the house today.

We realise, of course, that this bill has to go through the upper house as well. I am assuming that, with united government and opposition support, that should go through very smoothly and quickly. I also note that the implementation of the impact of the changes to this act will come into effect on a day to be fixed by proclamation. We trust that the government will do that as quickly as possible—that it will get through the upper house very quickly and then will be put into place very quickly. The words that we have just heard from the minister mean that there should be no delay.

This was a Labor government election commitment running up to the last election. We have all agreed that it is a positive move and on the way in which it should be implemented, so I am sure the government will actually put it into place as quickly as possible. Thanks to all the people who have been involved in getting us to this stage, from many years ago all the way through to today, and thank you to the house for your support.

The SPEAKER: Of course, I taught Ms Wendy Shirley all she knows, although I am sure that she would say the reverse.

Bill read a third time and passed.

STATUTES AMENDMENT (ANTI-BULLYING) BILL

Adjourned debate on second reading.

(Continued from 15 November 2012.)

Mrs GERAGHTY (Torrens) (11:25): I rise today to commend the honourable member for Fisher for bringing to the attention of the house an extremely important issue, and that is the problem of bullying. The government shares the increasing public concern about the incident of bullying and recognises the very serious impact bullying behaviour has on the welfare of our communities. However, we do not believe that this bill represents the most effective way of tackling this far-reaching problem and we will be respectfully opposing it.

The government is concerned that the proposed amendments to the Criminal Law Consolidation Act 1935 and the Intervention Orders (Prevention of Abuse) Act 2009 stipulated in the Hon. Bob Such's bill do not significantly change the operation of these acts to address instances of bullying. The bill firstly proposes to add two additional types of behaviour to the definition of unlawful stalking under section 19AA of the Criminal Law Consolidation Act 1935, namely using offensive or abusive words to or in the presence of a person, and performing offensive and abusive acts in a person's presence or towards them.

In its current form, section 19AA covers acting 'in any other way that could reasonably be expected to arouse the other person's apprehension or fear'. Where the intention is to cause serious harm or serious apprehension or fear, the government believes that section 19AA as it

currently stands covers the offences that Dr Such is attempting to target in his new amendments and, therefore, the proposed changes are superfluous.

In relation to the proposed amendments to the Intervention Orders (Prevention of Abuse) Act 2009, the bill seeks to expand the definition of abuse to include acting or speaking abusively or offensively towards a person in their presence. As an act of abuse this would be a ground for an intervention order. Again, we believe that this type of behaviour would be captured by the provisions as they currently stand. Currently, an intervention order can be made where emotional or physical harm (that is, more than trivial) has been suffered, therefore the amendment only adds to a list of examples of behaviour that could cause harm without broadening the scope of the act.

The government shares the concerns of the honourable member for Fisher that the gravity of bullying behaviour occurring in the community is such that it deserves targeted legislation. The government is particularly disturbed by an increasing trend towards cyber bullying where technology and social media are being used to humiliate or degrade victims. Cyber bullying is particularly worrying for a number of reasons. Dissemination of material on the internet has the potential to cause large-scale public humiliation but can also act as motivation for others to plan and commit assaults. Additionally, there is research to show that young people are less likely to seek help for cyberbullying than for more conventional bullying.

In April 2011 the Deputy Premier in his role as Attorney-General released a paper entitled 'Online thuggery' which outlined the government's intention to create new offences to do with cyber bullying. A draft bill has since been prepared setting out the detail of the proposed new law. The bill makes changes to the Summary Offences Act 1953 to create new offences intended to combat humiliating and degrading film, and non-consensual distribution of invasive images. These proposed new laws will fill gaps in existing legislation used to punish bullying. Currently, piecemeal provisions of legislation addressing bullying behaviour contained in the act, such as the Occupational Health, Safety and Welfare Act 1986, the Equal Opportunity Act 1984 and the Children's Protection Act 1933, are simply not addressing the specific crime of cyber bullying nor providing adequate punishment.

Unfortunately, the incidence of cyber bullying has significantly increased with the advancement in modern technology. The utilisation of social networking sites such as Facebook and video-sharing sites such as YouTube are used to inflict harm on victims and is an extremely worrying trend worldwide. Governments around the globe will inevitably be called upon to address this issue, and the South Australian government is taking a lead, being the first Australian jurisdiction to propose laws directed at cyber bullying.

The government is committed to tackling the problem of bullying in all aspects of the community. We have taken an integrated approach with multiple government agencies all working towards eliminating bullying and violent behaviour within our community. The interagency—

The SPEAKER: Member for Torrens, your time has actually expired. Would you like to seek leave to continue your remarks?

Mrs GERAGHTY: Yes. I seek leave to continue my remarks.

Leave granted.

Mrs GERAGHTY: The interagency round table on bullying in the workplace was established in 2005 with the aim of drawing together the experience of non-government and government agencies under currently involved the provision—

The SPEAKER: Member for Torrens, when I asked you to seek leave to continue your remarks, I meant at a future date. The next sitting date.

Mrs GERAGHTY: I take it then that we will not be able to put the motion anyway.

Debated adjourned.

EYRE PENINSULA BUSHFIRES

Mr TRELOAR (Flinders) (11:32): I move:

That this house notes the extraordinary efforts of all emergency services personnel and all volunteers in their response to the bushfire near Sleaford Mere.

I will speak to my motion and also include in my contribution mention of the even more recent fire at Coomunga, which occurred just last week. I rise today in two roles: one as the member for

Flinders, where these two most recent and significant bushfires took place, and also my new role as shadow minister for emergency services and volunteers. On Remembrance Day, 11 November, I was attending a Remembrance Day service in Port Lincoln, with an obligation to lay a wreath. It was very warm and, in fact, it was the first catastrophic bushfire day declared for this particular summer season.

During the morning of that day, there was ignition of a fire in some scrub country out near Sleaford Mere, which is due west of Port Lincoln and due west of the small township of Tulka. Obviously, many volunteers were mobilised to attend that fire. It ultimately burnt almost 2,000 hectares. There certainly was some damage to property, including the destruction of a number of homes and a number of cabins; certainly, there were losses to sheds and fences. The clean-up of that bushfire is progressing. It took some days to contain. The CFS and SES were mobilised, along with many other emergency services. I understand the clean-up has been delayed somewhat because there has been the discovery of asbestos in some of the cabins that were burnt down.

My original motion was to thank all of those involved in that but, unfortunately, on 20 November, which was just last week, a very similar situation arose, once again just west of Port Lincoln near the railway siding of Coomunga. Once again, it was in native vegetation and, once again, the most likely source seems to have been a lightning strike. Ultimately, that fire was contained after burning 2,300 hectares, and for at least some of the time we felt that the City of Port Lincoln was under serious threat. There was less significant damage in the more recent Coomunga fire than the first fire but, of course, there was still some property damage to fences and crops but, fortunately, there was no injury, or worse, to those people involved in and close to the fire.

My motion looks to thank all those volunteers who were involved, and there were hundreds of them. They came from organisations such as the CFS, the MFS, the SES, South Australia Police, St John Ambulance and SA Ambulance. DEWNR (the department of environment) was involved to the extent that they were engaged to do burn-back operations, I understand during both events. Housing SA and Red Cross set up a disaster management centre in the Kirton Point Bowling Club within the City of Port Lincoln. The Lower Eyre district council was involved: of course, they have staff and machinery that they deploy in these situations. Getting heavy machinery onto a fireground in difficult terrain and heavily wooded country is paramount in an effort to contain a fire, both to push up burning material and also make and maintain breaks.

Of course, the city council of Port Lincoln has been preparing for such events, given that we have had quite a history of significant bushfires in the near proximity to Port Lincoln. The city council has been active in setting up a bushfire committee and also assisting people to develop a bushfire strategy for their communities and their own homes. I congratulate them on that. PIRSA, another government department, was also involved because they were helping out and assisting with stock management after the fire. I understand there were some sheep lost in the Sleaford event.

Of course, in the days following, the Salvation Army swung into gear and set up a rest and recovery area at the Ravendale sports complex in Port Lincoln. The Salvation Army, of course, are famous for doing just that. Their volunteers spring into action and provide food and sustenance to all those volunteers as they come off shift and go on shift out to the fireground. There were literally hundreds of volunteers. The locals in the first instance attend the emergency and, of course, in the days following, CFS, MFS and SES volunteers come from further afield. Indeed, when I was visiting the recovery centre and the fireground itself, I noticed there were trucks and people from all over this great state who had converged on Port Lincoln to assist with the effort.

The difficulty with thanking people is that you always run the risk of forgetting somebody and I am not going to name businesses in particular, but I know a large number of local businesses provided both goods and services in the days following, and it is about sustenance and providing services to those people who volunteer.

I was driving back into Port Lincoln from the north during the Coomunga event and noticed quite a number of people leaving town. They had obviously put in place their bushfire management plan and had decided to evacuate, which, of course, is their prerogative, and they had packed up a few belongings. There were many people heading north towards Tumbly Bay; the other roads leading west from Port Lincoln were closed.

What I did notice at that time is that the local media were very good—ABC regional radio and also Radio 5CC—at providing regular updates on the fire situation, which people need. I congratulate them on filling that role. What has come to prominence in this most recent event is the use of the CFS Facebook site.

Many people have access to computers and to Facebook these days, and the CFS was using that Facebook site to provide up-to-the-minute information to those who needed it—those residents of Port Lincoln and surrounding areas who needed that information. Ultimately, the best information is required to come from the fireground itself. There is always going to be a delay, but I congratulate all of those who were involved in disseminating information as well as they possibly could.

There will be much discussion following these most recent events about the preparedness of towns, cities and individuals in the face of a bushfire. I have no doubt that there will be much discussion also around the management of native vegetation in preparation for these events and in our South Australian landscape.

I take the opportunity to thank ministers Rankine and Hunter, who were good enough to visit Port Lincoln and the fireground following the Sleaford fire. I do appreciate the support they gave at that time. There are a couple of people who I will mention by name. First and foremost, I thank Kevin May, the regional commander of the CFS on Eyre Peninsula for his tireless efforts. He was most happy to take calls and arrange visits for me at any time.

He was instrumental in setting up the management of the fire and pulling everything together. I remember calling into the control room one day and seeing CFS, SES, SAPOL and MFS all working quite efficiently together and managing what potentially was a very serious event. Fortunately, the fire was brought under control, and the city was saved once again. There were some property losses, but essentially it is now under control.

The other person I would like to mention and to give thanks to is Therese Pedler, who is the community education officer with the CFS in Port Lincoln. She has done a magnificent job in helping communities and individuals prepare their bushfire plans. Her comment was that people were as ready as they possibly could have been for these events. She was also instrumental, as was Kevin, in organising a community meeting in the Nautilus Theatre in Port Lincoln last Friday night, where some hundreds of people came along to get the latest information. So, my congratulations to her.

I will finish by reading into *Hansard* a commentary I found in the Navigator College school newsletter. It was written by Diane Moseby of Port Lincoln. I trust that she will not mind the fact that I am including this in my contribution and into the *Hansard* record because it has already appeared in the school newsletter. I think it describes her experience on that particular day. It is in the form of verse, and it says:

In light of yesterday's Catastrophic Fire Day and the fire that developed under the conditions and threatened Port Lincoln, once again these 'Heroes' were called upon to fight and protect our homes, properties, livestock...and most importantly human lives, including our children. The stamina and dedication of these people, after only a few days have passed since the last fire, is astounding.

I felt so proud to know our students were part of showing their support towards these 'Heroes' by helping to set up 'tent' city over at Ravendale last week and again today in the wake of yesterday's fire—

And that is right. My thanks go to the students at Navigator, too. They swung into action and erected a large number of tents to accommodate the volunteers. It goes on to say:

They would have experienced the true meaning and self reward of service to others, especially to our local community. I know myself I need to tell my children more often about these true 'Heroes', educate them on what these people do, the unselfish service they give and tell them how they are far worthier of the title than our made up cartoon super heroes.

'So how do I show my support?' Mrs Moseby asks. She continues:

I do not place on a fireman's uniform, or fly a water bomber, or man a phone, or provide first aid to those in need, or coordinate a crew in time of emergency or any other jobs that are required to fight a bushfire (yet)...but I will guarantee you that I have a Bush Fire Action Plan for my family. My husband and I have discussed it, my children are aware of it and we have things in place, God forbid, should there be a need to action it. So no, I'm not a hero myself, but I show my support to these volunteers by being prepared and I know they appreciate and applaud those who are.

Thank you to Diane and for that contribution and, with that, I give my heartfelt thanks to all those who assisted in these last two fires.

The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (11:45): I move:

After the words 'Sleaford Mere' insert 'and Coomunga'

The government is pleased to support the motion brought forward by the member for Flinders, with the proposed amendment. These fires near Sleaford Mere and Coomunga on Eyre Peninsula were just a week apart. I am pleased, with the agreement of the member for Flinders, to broaden the motion so that the house might also show its appreciation to those involved in both events. As the two fires were in relatively close proximity to each other, many of the same people were fighting both of them. I can only imagine how exhausted everyone felt after the fire near Sleaford Mere only for the crews to do it all over again a few days later.

Over 150 firefighters helped fight the Sleaford Mere fire and more than 370 were involved with Coomunga. Their efforts were magnificent and those on the fireground were greatly assisted by the volunteers and employees of South Australia Police, the SA Ambulance Service, the State Emergency Services, the Salvation Army, St John Ambulance, the Department of Environment, Water and Natural Resources, and the councils that were also invaluable in ensuring that these fires were brought under control.

I know that the Minister for Housing in the other place would also like me to give thanks to the Australian Red Cross and Housing SA, as they were instrumental in coordinating the recovery effort. We all know that in times of emergencies our communities pull together. I would like to put on the record how thankful this government, and I know the people of South Australia, but most particularly the people of those two communities, are to everyone who played a role.

The Eyre Peninsula community has a proud history of rallying together in times of emergencies, and there were many stories of extreme generosity—many stories of extreme but very quiet generosity. I am also told that the team at Port Lincoln Supercheap Auto put relief packages together and rushed them across the road to Housing SA to help anyone who had lost their home. I know there were many stories like this, and I say a heartfelt thanks to everyone who lent a hand.

Whilst there were no reports of injuries or substantial property damage at Coomunga, this was sadly not true at the fire near Sleaford Mere. The fire destroyed 14 cabins, a house (with damage to another), a caravan, a campervan, 300 sheep, four cars, irrigation equipment, fences and numerous sheds. In total, almost 2,000 hectares were burnt with approximately 2,300 burnt during the Coomunga blaze. I understand three firefighters also sustained minor injuries during the first fire. I want to say an extra special thankyou to these men, and I am pleased to advise the house that they have recovered and are ready to continue their work protecting their communities.

One firefighter involved in another fire was injured on his way home. He was involved in the Bramfield fire, as I understand, and he is still in the Royal Adelaide Hospital, and I understand that surgery is planned for him tomorrow. I do understand that he is expected to make a full recovery, but my very best wishes go to Ian Davey and his family for tomorrow. My sympathies and thoughts are also with those who lost property or other assets, and the fact that no lives were lost is testimony to the great work of the men and women involved in fighting both these fires.

I had the opportunity to be at the scene of the Sleaford Mere fire with the Minister for Housing and the member for Flinders, and I saw firsthand not only the professionalism demonstrated in getting things back under control but also the devastation and shock of those who had lost their homes out at the Sleaford cabins. There was, I think it is fair to say, a great deal of confusion and sense of bewilderment, but it was pleasing to know that there was such a great amount of support being provided to them to get them back on their feet.

I also want to pay special attention to two CFS staff who I think did an excellent job during these events. The CFS commander, Kevin May, oversaw both events with the utmost professionalism, and I think that very few of us can understand what stressful conditions Kevin must have been working under. What an enormous responsibility he had, yet he remained his usual friendly self whilst empowering everyone around him to deliver their best under the circumstances, and this is the mark of a true leader.

By deliberately singling out Kevin, I know that his modesty will ensure that everyone deserving of recognition will not be forgotten and that he will pass on our sincere thanks and congratulations to all those involved. I also would like to highlight the work of Therese Pedler, the

local community education officer. If we did not have people like Therese working tirelessly to ensure that landowners and residents are ready for the worst, the damage sustained in these fires would be much, much worse.

Through saying a thankyou to Therese I hope that this sentiment stretches to the many property owners who had done the right thing and were ready for the worst. On behalf of both a grateful government and a grateful community, I say a very sincere thankyou. Madam Speaker, the government is very pleased to support this motion.

Mr PENGILLY (Finniss) (11:52): I rise, also, to support the motion of the member for Flinders, and I suspect that he will also accept the amendment put up by the government without too much whatsoever to argue about. I also think it is important that we do recognise the efforts of those who worked very hard to bring fires under control, get them out and save life and property, but that is what it is all about.

I know that this takes place all over the state and all over Australia and that it is just the way it is in Australia. What does concern me about some of these things is the attitude of the city media. This morning, it seemed to me almost as though they were hoping for some sort of conflagration across the state with the nonsense that was being perpetrated. We live in a hot, dry country; we live in a country where we have hot north winds, particularly in the high rainfall country that the member for Flinders has and that I have plenty of—both on the mainland and across the water—and I know that we also have other areas of high rainfall country like the South-East.

However, the reality is that these things happen, and our increasingly urban population seems to forget about that. At the risk of repeating what I have said before and what others have said before, our volunteers and those who have to pick up the pieces when these messes start face every chance that at some stage in the future we are going to have a major fire up in the Adelaide Hills, and I know that the member for Davenport has talked about this regularly.

But still we allow people to put buildings and houses in places where they are going to get burnt, yet we have foolish legislation that has come out of this parliament in relation to native vegetation, and some steps have been made in this place on trying to fix that up.

We have ridiculous situations where when a fire does start, whether it be by lightning, by accident or by some devious person who lights it, it creates an enormous mess that people have to run around and clean up. It is only five years since a third of Kangaroo Island was burnt out, which brings me to my next point. This is where government departments have failed, particularly the department of environment. They simply do not do enough prescribed burning. They can say that they have met 80 per cent or 86 per cent of their targets, but their targets are pathetically inadequate.

The member for Flinders knows only too well with the national parks in his electorate what they do not do. When these things happen, we come in here and correctly pick up on the motion of the member for Flinders and we support it. We can all stand here and pat ourselves on the back and say that we do a wonderful job in supporting volunteers and emergency services personnel, but, unless we come up with solutions by way of legislation and government departments trying to use some common sense, we will be doing this for a long, long time. I support the members motion, but I put a few warning bells up as well.

Mr PEDERICK (Hammond) (11:56): I rise to support the motion of the member for Flinders that this house notes the extraordinary efforts of all emergency services personnel and all volunteers in their response to the bushfire near Sleaford Mere and Coomunga. I speak not only as a member of parliament, but also as a volunteer. I note the extraordinary efforts of volunteers all across the state, especially most recently in the Port Lincoln area. The town was certainly under threat. Some buildings did go down at Tulka but, in the main, as far as I understand, there were no serious injuries. Things went pretty well in relation to the firefighting effort. This takes some government activity, but the biggest effort here was by the volunteers, whether they were firefighters, ambulance personnel or SES personnel, and I note the contribution of the schoolchildren in helping set up the camps.

We have to ask ourselves why we keep getting these fires—and we will get them forever in this dry continent. As with the member for Morphett's amendment this morning in regard to the Native Vegetation (Road Verges) Amendment Bill 2012, we need to seriously look at how we handle native vegetation in this state, whether it is on private property or on government land. Certainly in the Port Lincoln area and in other areas of the state, this is absolutely essential. Too

many times in recent years we have seen these fires flare up in scrub areas close to towns, especially in Port Lincoln, and I note that a lot of the native vegetation there was on private land.

We need to give people the opportunity to put in place decent breaks so that when these fires happen we can get far better control. We just cannot keep risking the lives of the people fighting these fires. It will happen again and again, as we have seen in history. Going back to 1983, we lost many people in the terrible Ash Wednesday fires. In recent years on the West Coast, sadly, quite a few lives were lost. We have seen terrible eventualities of fire in this country. Everyone needs to wake up, certainly everyone in this parliament. We need to amend laws to give people better rights, better access and better opportunities for clearing appropriate firebreaks—without going overboard—to make sure that people can manage fires.

There was a fire incident recently in Ngarkat in my electorate. The firefighters on the scene wanted to burn back, but they were all too concerned that they could be charged with something if it went pear-shaped. As the winds were about 90 kilometres per hour, they all knew that the fire would come out anyway, but the powers that be in the CFS decided that the break would be the Mallee Highway. Before the Mallee Highway and between Ngarkat and the Mallee Highway there is plenty of farmland, so that land was going to be sacrificed.

So CFS volunteers on the ground need to make sure they know the full aspects of their authority. They need to know, and it is quite legal if they need to light a burn-back. But people get jittery on the ground; they are frightened of legal consequences when these things happen. I think there needs to be some education to make sure people are on the right track and to make sure that people will not be under any legal responsibility if they do have to do a burn-back in these situations.

While we are debating about the volunteers over on the West Coast, I would like to digress a little and thank the volunteers right throughout the state recently with the lightning strikes, and especially around my area and further down the South-East. Our farm lost only a few acres, thankfully, due to prompt neighbours who turned up and put the fire out quickly and we only lost a few acres of wheat. They were all out fighting fires all around the place and they put in a magnificent effort, as people have done on the West Coast.

So, I certainly commend all of our volunteers, all our firefighters, all our ambulance people, the schoolchildren, as I mentioned earlier, and everyone who gets involved. I note that there has been better use of aircraft in recent years in fighting these outbreaks. I commend everyone for their involvement and I commend the member for Flinders for bringing this motion to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (12:01): I wholeheartedly endorse the member for Flinders' motion and also all the comments that have been made so far and I will not repeat them. I would like to add to the debate my appreciation for the CFS volunteers who go on strike teams. Without any doubt whatsoever the people from Lower Eyre Peninsula and other parts of Eyre Peninsula performed remarkably well fighting these two fires, but I think that it is important to note that CFS crews came on strike teams from other parts of the state as well.

I remember very, very well in January this year, when we had hundreds of firefighters fighting the Wilmington fires, people from all over the state came, and I know that there were many people from all over the state, including from my local area who went to Lower Eyre Peninsula very recently. I would like to add praise and thanks and support for them as well. It is a big thing to be in the CFS, it is a big thing to leave your home, your business, your job, your family, to go and fight a fire in your own area, but it is an even bigger thing to do exactly that, to go and fight a fire in another area, in another part of the state.

While I appreciate all CFS volunteers and all those who worked very, very hard locally at Lower Eyre Peninsula, I think it is important to recognise the people from all over the state who regularly go to other parts of the state to fight fires and thank them.

Ms BEDFORD (Florey) (12:03): I would also commend the motion. I think it is one opportunity where we have the ability to show how city supports country. I say that particularly because it is the first time that my son has been deployed. He recently bought a home on Yarrabee Road for some reason, but his experience was terrific, he has been trained really well, and while I know some members have concerns about decisions being made and who is doing what, I know that everyone does their best in a situation like this and we just have to keep working together.

Mr BROCK (Frome) (12:04): I wholeheartedly support and congratulate the member for Flinders for bringing this motion forward and also endorse the amendment by the minister. I will be

very brief and I will not repeat what everyone else has said, but from an emergency services point of view, it is not only the CFS people we have to thank, but also the SES and also the ambulance people and others like that across the whole of the state.

Just referring back to the clearing of vegetation, I will be very supportive of and speaking on the member for Morphett's bill to amend the Native Vegetation Act. In my travels I have been very fortunate as I have not had to be involved in a bushfire. The severity of bushfires is hard to comprehend. As part of the Natural Resources Committee we did have the opportunity, with the member for Davenport, to look at an inquiry into the Adelaide Hills bushfire, and we had the opportunity to view, firsthand, a video of the Canberra fires. Just sitting there watching that video was traumatic enough, and we were sitting in an air-conditioned office.

Certainly one of the issues I have is clearing sufficient firebreaks across not only regional South Australia but in very close proximity to Adelaide, and one of the things I do find is that the local councils that are responsible for this seem to leave it to the last minute and we can see, even with this season here, how the seasons have changed very dramatically, and I think we need to look at the road verges being cleared not only once but maybe two or three times leading up to it, because once the temperature gets like today they cannot use any equipment to actually start clearing.

Also, I think the other issue is, and I had this issue with my own local council for a household block in Port Pirie, some residents requested vacant blocks belonging to the ARTC to have notices served upon them to actually have their blocks cleared and they were told very clearly the local councils cannot enforce those or put notices out until such time as the total fire bans are declared and, again, that is one of the things I will be taking up later on.

I, as with others here, support and congratulate the member for Flinders for bringing this up here, and I certainly am very appreciative of all the volunteers of all the emergency services across South Australia and, in particular, the CFS, because they do take their lives in their hands to save somebody else's life. So I certainly, again, congratulate the member for Flinders.

Mr TRELOAR (Flinders) (12:07): I thank all of those members, from both sides of the house, who made a contribution in support of this motion and, once again, I congratulate all those on a fine effort in controlling the latest bushfire outbreaks around the city of Port Lincoln.

Amendment carried; motion as amended carried.

PRESIDENT OBAMA

Mr SIBBONS (Mitchell) (12:07): I move:

That this house extend its warm congratulations to the 44th President of the United States of America, Barack Obama, on his historic second term victory.

Mr Pengilly interjecting:

Mr SIBBONS: Thank you, Mr Pengilly. This US election result is a great example of how positive, sensible, calm and dignified leadership will always win out over hysterical, negative campaigns based on fear and division and how sound considered policy aimed at strengthening and building up a society will triumph over the will of those whose only goal is to bring the house down, to spoil, to obstruct, to take a wrecking ball to the economy, destroying confidence and hope in its wake.

Likewise, we must never forget the need to be positive, to have a vision, to be constructive and creative, to be bold and courageous, to build on ideas and build up our state, figuratively and literally. That is what President Obama has been trying to achieve despite tough economic times and a very hostile Congress. Before President Obama was elected for a first term in 2008, the US economy was losing 800,000 jobs each month. Under his leadership, there have been 32 consecutive months of job growth and a total of 5.4 million new jobs in the US private sector.

Political commentators, including News Limited's Mark Kenny, have noted that a crucial element in President Obama's re-election is the support that he provided to the US auto industry in 2009. That year he decided to extend emergency loans to GM and Chrysler, a move that would prevent the collapse of a major US industry and save more than one million jobs. All outstanding loans have since been repaid to the federal government, auto sales are on the rise and America's so-called big three of the industry—GM, Chrysler and Ford—are back in the black for the first time in a very long time.

I thoroughly agree with Kenny, who said in a column just after the election that the Republicans were sunk by 'their blind adherence to small government free market dogma while American automotive jobs faced extinction during the Global Financial Crisis'. He went on to say:

In swing states like Ohio where hundreds of thousands of blue-collar jobs in the automotive and related sectors hung in the balance as the industry went close to collapsing in 2009, the President simply had a more convincing story to tell.

Indeed, the Democrats made sure of it by turning the presidential fight in the Buckeye State and in other manufacturing areas into a virtual referendum on Mr Obama's 2009 auto industry bailout.

Vice-President Joe Biden's pithy one-liner became a telling bumper-sticker: 'Bin Laden is dead and General Motors is alive'.

A crucial 18 electoral college votes were up for grabs in Ohio and it was when they turned Democratic blue around 11pm on election night, taking the President over the magic 270-vote mark, that Mr Obama secured his second term. In Ohio, as many as one in eight jobs is connected to the car industry.

In Michigan, it is estimated that one in five jobs is supported by the auto industry, either directly or indirectly. President Obama also won the state's 16 votes.

Along with keeping the car industry afloat, President Obama's first term contained many other worthy achievements. Probably the most important was passing historic universal healthcare reform—something five presidents have attempted but failed to achieve over a century of trying. The Affordable Care Act 2010 will see 32 million uninsured Americans covered from 2014.

President Obama also passed laws which tighten the regulations on large banks and other financial institutions in the wake of the GFC. He signed the \$787 billion American Recovery and Reinvestment Act in 2009 to boost the economy amid the largest recession since the Great Depression. 'Weeks after the stimulus went into effect, unemployment claims began to subside,' according to the *Washington Monthly*. 'Twelve months later,' says the same publication, 'the private sector began producing more jobs than it was losing.'

In matters of foreign policy, he has ended the war in Iraq, continued to reduce the number of troops in Afghanistan and tightened sanctions on Iran in an effort to deter that country's nuclear proliferation. He is investing in community colleges to provide education and career training programs with the aim of ensuring that high-quality education is affordable and accessible to all who wish to continue their schooling. He fought and overcame a move to double the interest rate of student loans for more than seven million students and capped the loan repayment at 10 per cent of their income.

In terms of human rights, President Obama signed into law a fair pay act against pay discrimination, enacted policies that promote the hiring of people with disabilities, repealed the Don't Ask, Don't Tell policy of the armed forces, signed the Hate Crimes Prevention Act and reversed the Bush era torture policies. On the environment, the President has taken steps to reduce carbon pollution, including setting up fuel economy benchmarks designed to cut by half the amount of carbon pollution from cars.

His agenda for his second term is both ambitious and admirable: make education and training a national policy, build on the US manufacturing boom, boost American-made energy, reduce the deficits responsibly, end the war in Afghanistan and nation-build at home. These moves are proactive and positive; some of them have taken a deal of bravery and fortitude. They are all about looking 'forward', the term that became President Obama's most fitting slogan for the recent campaign. Look forward, moving forward and using forward thinking are the things we must all do if we are to encourage and support a brighter, more inclusive and prosperous future. The past is only really useful for the lessons it teaches us for today and tomorrow.

Against a backdrop of troubled economic times around the world over the past few years, the state Labor government has been working hard to keep our economy strong and people in work. We are working to deliver a more vibrant city and a safer, fairer, healthier, smarter and greener state with initiatives being introduced across a wide range of sectors. There is much more work to be done and progress to be made, but we are moving forward with positive strides, both big and small.

President Obama said in his victory speech that he felt the best was yet to come for America. I feel the same way about South Australia. As long as we have a government with the vision, courage and conviction to lead us there, we will do so. Of course, this is a great state today but, with each passing year, it can become an even better place to live, with a safer, fairer, healthier, smarter and greener future for our children and grandchildren.

It is up to those of us fortunate enough to be elected representatives to ensure we think of the future as we propose ideas, make decisions and pass laws. We will not always agree, but we can always be constructive with the state's best interest at heart. Such things are the mark of a healthy democracy—something we should all cherish. I will close my remarks today with President Obama's words on this very subject:

Democracy...can be noisy and messy and complicated. We have our own opinions. Each of us has deeply held beliefs. And when we go through tough times, when we make big decisions...it necessarily stirs passions, stirs up controversy...These arguments we have are a mark of our liberty. We can never forget that as we speak people in distant nations are risking their lives right now just for a chance to argue about the issues that matter...

The Hon. R.B. SUCH (Fisher) (12:17): I must say at the outset that the election of Barack Obama was much more preferable to the alternative. I think that the alternative would have been a real risk to world peace, with an extreme right-wing gung-ho approach to international politics, and that it would not have been long before there was a major conflict, so in some ways it was a choice of the lesser of two evils.

There are some lessons that come out of this that Australia should take heed of. Firstly, I think Australia needs to be not so subservient to the United States; too often, we are keen to lick the boots of the Americans. They did a lot to help us during World War II, but since then in many ways they have lost direction, they have lost their moral compass, and they have engaged in some activities which I think are by any standard deplorable.

We followed them into Iraq, which was completely unjustifiable as a conflict. I think that what was done to the population of Iraq, with us clapping and participating to some extent with the British, was deplorable. We should never have been in there or been part of that exercise that killed hundreds of thousands of Iraqis.

Another major issue is peace in the Middle East, and we are affected by all these things. The United States does not take an even-handed approach in the Middle East, and it is good to see that a small step is being taken now for Palestine at least to get observer status at the United Nations. It will not solve the problem in the Middle East, but the United States is opposed to even that small recognition and the Australian government was also opposed to it until the Labor caucus had a say in the matter.

We need to chart our own future. That should mean that we are much more independent in our foreign policy and our defence policy. Even if it means we have to pay more to be more independent, I think it is something we ought to do. We have seen the federal government cuddling up to Barack Obama and inviting the United States to have marines and so on here in Australia. I think that is a great mistake.

We have to be very careful that, under Barack Obama (even though he was a better choice than Mitt Romney), we are not seen to be anti-China or anti-Chinese. It is the logical conclusion that the United States wants to constrain China because it does not want China usurping its current position as the world's most powerful nation. So, I think Australia, and this affects us in South Australia as much as any other state of Australia, has to be careful that it is not seen as a tag-along group with the United States.

Whilst I welcome the election of Barack Obama, it was great in the sense that it was far better than the alternative, it also highlighted the significance of the female vote, the coloured vote and the Hispanic vote. I think it sent a very clear message to conservative parties that if men want to control what women do with their bodies then there will be a backlash. I think that was shown in this election. The women, Hispanics and Afro-Americans got Barack Obama across the line. It left what has traditionally been a conservative party (or the more conservative party), the Republicans, on the sideline because of their attitude and approach to women and on a whole range of other issues, including basic health care.

I welcome this election. It brought me some joy, in particular because it meant that the alternative did not get to that position where, I think, it would have put us all at an even greater risk than the current administration in the United States. I think it is important that we comment on these issues even though in South Australia we are very much a small part of the total picture.

Mr GARDNER (Morialta) (12:23): The motion before the house is:

That this house extend its warm congratulations to the 44th President of the United States of America, Barack Obama, on his historic second term victory.

I can indicate that the opposition supports this motion. I want to touch briefly on some of the comments made by the mover and also the member for Fisher. I do not endorse the comments made by the member for Fisher. The very reason the opposition is happy to support this motion is because the United States of America is one of Australia's closest, longest standing and most important allies. In a security sense, a cultural sense and an economic sense, the United States is tremendously important to Australia and South Australia.

There is a practice that sometimes occurs in this house where we have members becoming commentators or amateur psephologists on international election results. There is a place, I think, for this house to make statements supportive of our friends, by which I mean our allies and the nations that are our allies. To that extent, I support the sentiments of the motion. However, I do not know that it is helpful for us to engage in base partisan bickering amongst some of our closest allies. I do not think it is helpful to have the House of Assembly in the South Australian parliament including comments as extraordinarily derogatory as some of those that have been in the debate so far. I hope that members will refrain from that in the remainder of the debate.

I think the very things the member for Mitchell talked about that are among the attributes of the Obama administration—the soaring rhetoric, the jobs growth, the legislation supporting the hiring of people with disabilities and the 'looking forward and using forward thinking' approach—are certainly meritorious and I hope that one day we will see something similar from this Labor government.

Mr PENGILLY (Finniss) (12:25): I have no particular objection to the motion that the member for Mitchell has put up. In democracies, you get what you deserve, I suppose would be the best way to put it. The Americans have elected Barack Obama for another four years. That is how democracy works. Their system is different from ours but I strongly object to some of the phrases by the member for Fisher in relation to the United States.

The United States is the greatest democracy in the world. It is the fountain of freedom. If we did not have the United States, this nation would quite likely be speaking German with a Japanese accent. Let's be realistic about it. We were deserted in World War II by the British and we relied on the United States. We have relied on the United States ever since, and we need to. There are only just over 20 million of us. The United States is always held up as going in with guns blazing and everything else but you want to do a bit of work on what the United States does around the world in feeding people, looking after the poor, going in where there have been disasters, etc.

A couple of years ago I was in Darwin in the middle of winter and the hospital ship, the *Mercy*, was in port. It is an enormous ship, a former oil tanker, I think, which is decked out as a fully-equipped hospital. It can go anywhere in the world and get there quickly, and indeed I think I am right in recalling that just after we were in Darwin, something happened in, I think, Bangladesh or Sri Lanka—I just cannot recall now—and it was there in no time.

The United States does an amazing job and it does not matter whether it is President Obama or if it had been president Romney, they would still be doing that. On the subject of Afghanistan and Iraq, they have lost at least 2,000 of their personnel in Afghanistan and do you know what they are doing there? They are allowing women to work. They are allowing women to go to school and allowing children to go to school. You forget all that. If you want to go round sabre-rattling against the United States, you will get an argument out of this bloke pretty quickly.

I visited there many years ago and the American people are about as much like us as they could possibly be. They talk a bit differently. If you go out into rural United States, or wherever, you could not get a more polite people, you could not get a kinder people, you could not get a more merciful people. They are an outstanding contributor to life on this planet, so for the member for Fisher to give them a bit of curry in here absolutely stinks. I think it is disgraceful and I tell you—

An honourable member interjecting:

Mr PENGILLY: I do—you've had your say and you got away with it. You let me have a say. The next time someone comes sniffing around Australia's borders like happened in the 1940s, I hope the United States are not far away. As for having troops in Australia, a couple of thousand marines in Darwin, I fully support it and I fully support the bases that the United States has here. It goes back a long time, and they are absolutely integral to our way of life. They have been in the past and they will be in future. You only need to talk to some of those United States personnel who are here: they love the place. They love to go home, of course, but they love being here.

While we have close to three billion people just to our north and there are 20 million of us, I know who I would rather have for a friend. Our relationship with Great Britain is one thing, but that all ended in the 1940s, in my view. We have a key ally in the United States which is absolutely foremost, so the member for Mitchell producing his motion is fine. I do not dispute that at all but I am not going to sit in this place and have the United States castigated with cheap political shots.

Mr VAN HOLST PELLEKAAN (Stuart) (12:30): I support this motion. The United States is an absolutely outstanding democracy and I would congratulate warmly any leader who is successful in a genuinely democratic process. I think it is very fair that we pass our congratulations on to Barack Obama for being re-elected. I would have had no hesitation in doing exactly the same if it had been Mitt Romney, by the way. Whoever is successful in a very good democratic process deserves our support and appreciation

I agree with one of the things that the member for Finniss said and that is that the United States is our most important ally. I think it is very important to recognise that. I would also like to share an opinion with the house as a person who spent all my high school years in the United States. It is important for members to recognise that the more or less conservative party in one country is not exactly the same as the more or less conservative party in another country.

In the United States we have Republicans, more conservative, we have Democrats, less conservative. Here we have Liberals, more conservative, Labor, less conservative. That does not mean that the Liberal policies and the Republican policies would be exactly the same as each other and it does not mean that the Labor Party policies and the Democratic Party policies would be exactly the same as each other. Every country is a bit different.

I think it is fair to say that the United States, on balance, is a more conservative nation than Australia is. It is an absolutely outstanding nation, not nearly as good as Australia, not even close, but let me say this: the United States is an outstanding nation and is our most important ally and one of our greatest friends. I have no hesitation in supporting the member for Mitchell in his motion to congratulate Barack Obama, but I also caution this house on just assuming that the policies of any four of those parties will automatically line up with each other.

Mr SIBBONS (Mitchell) (12:32): I certainly thank the members for Fisher, Morialta, Finniss and Stuart for their comments and opinions. I will just say one final thing. It is vital that Australia builds relationships with economies all around the world.

Motion carried.

VISITORS

The DEPUTY SPEAKER: Just before I call on the next speaker, I would like to bring members' attention to the presence in the Strangers' Gallery today of students from Aldinga Primary School, who are guests of the Hon. John Hill, Minister for Health and Ageing, and have been toured by Penny Cavanagh. I hope you enjoy your visit to Parliament House.

Members interjecting:

The DEPUTY SPEAKER: Hold on. Just relax, people. I would like to welcome the students and staff here. On the other matter, I have granted permission for that person to take a picture of one member and one member only, no-one else.

PARALYMPIC GAMES

The Hon. T.R. KENYON (Newland—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for Recreation and Sport) (12:33): I move:

That this house—

- (a) notes the magnificent achievements of the 2012 Australian Paralympic team;
- (b) commends the team for its 85 medals and for placing fifth on the overall medal tally; and
- (c) notes that with a global television audience of up to 3.8 billion people watching the London Paralympic Games, the Australian team has inspired us all and we are very proud of their performances.

It is my very great pleasure to move this motion congratulating the Australian team on its success at the recent (a bit less recent than it was when I wrote this) 2012 London Paralympic Games. The world witnessed possibly the most successful ever Paralympic Games in London and this success

is not only in terms of athlete performances but also for the enhanced profile and exposure of the games themselves and inspirational stories of triumph and achievement by the athletes.

It was a privilege to be able to witness in person this transformation of the Paralympic Games into one of the largest sporting events in the world in its own right and especially the strong performances by South Australian athletes. On many days the games were sold out. The area around the venues was packed with people. It was a really enjoyable thing to be able to witness the complete support for the athletes and for the event itself. The Australian Paralympic Committee team selected a—

Members interjecting:

The DEPUTY SPEAKER: Members on my right. Thank you.

The Hon. T.R. KENYON: The Australian Paralympic Committee team selected a total of 161 athletes in the Australian Paralympic team for the 2012 London Paralympic Games. South Australia had a total of 14 representatives across six sports. They were Nathan Arkley, Gabriel Cole, Katy Parrish and Michael Roeger from athletics; Felicity Johnson, Stephanie Morton (pilot), and Kieren Modra and Scott McPhee (pilot) in cycling; Grace Bowman in equestrian; Rachel Henderson in goalball; Libby Kosmala in shooting, with an incredible record of attendance at Paralympic Games; Matthew Cowdrey, Esther Overton and Jay Dohnt all from swimming.

Overall Australia placed fifth on the medal tally with a total of 85 medals won—32 gold, 23 silver, 30 bronze—and equal fourth with Ukraine on the gold medal count. South Australian athletes contributed 11 of those medals to a tally of seven gold, two silver and two bronze achieved across 11 events. The Australian result in London compares with a total of 79 medals won in Beijing—so that is six more than four years ago—with 23 gold medals won in Beijing compared to 32 this time around, so a substantial improvement in the Australian Paralympic athletes. Australia entered 13 of the 20 sports and won medals in nine of them: athletics, cycling, equestrian, rowing, sailing, shooting, swimming, wheelchair basketball and, of course, the great wheelchair rugby.

One of the highlights of the Australian team was the success of South Australia's most successful competitor ever in the Paralympic Games, Matthew Cowdrey, winning a total of eight medals—five gold, two silver and one bronze. His performance in London saw him achieve the feat as Australia's greatest ever Paralympian when he won his 11th overall Paralympic medal in the men's 50 metre freestyle in world record time on day seven of the competition, surpassing Tim Sullivan from athletics with 10 gold medals. By the end of the competition he had extended his lead by winning his 13th Paralympic gold medal.

The eight medals Mr Cowdrey won in London from the eight events he competed in included gold in the men's 100 metre backstroke (S9), men's 4x100 metre relay, men's 50 metre freestyle (S9), men's 200 metre individual medley (SM9) and men's 100 metre freestyle (S9). His two silver medals came in the men's 100 metre butterfly (S9) and the men's 100 backstroke (SB8), and the bronze was won in the men's 4x100 metre medley relay (34 points).

Mr Cowdrey made further Paralympic history in winning the men's 200 metre individual medley to become the first Australian athlete to win the same event at three consecutive Paralympic Games—Athens, Beijing and London. He also broke the world record in the men's 4x100 metre freestyle relay and an Oceania record in the men's 100 metre breaststroke. Matthew Cowdrey's outstanding world-leading achievements warranted recognition through the renaming of the competition pool at the South Australian Aquatic and Leisure Centre in Marion as the Matthew Cowdrey Competition Pool.

Swimming also produced another Australian Paralympic milestone in London with Jacqueline Freney's eight gold medals, the most won by an Australian athlete in a single Paralympic Games. Other South Australian medal successes at the 2012 London Paralympic Games include: gold, Felicity Johnson/Stephanie Morton, women's tandem individual one kilometre time trial (which I was there to see); Kieran Modra/Scott McPhee, men's tandem individual pursuit in track cycling; and bronze, Nathan Arkley, in the men's 4x400 metre relay (T53-54) in athletics.

The legacy of the 2012 London Paralympic Games is its recognition as a significant sporting event in its own right. A global audience of 3.8 billion people watched the 11 days of competition with record ticket sales achieved. Research conducted by the London Organising Committee in the United Kingdom revealed that 80 per cent of people agree that the 2012 London Paralympic Games demonstrated an athlete's ability ahead of their disabilities.

Other results from the research included: one in three UK adults claim the London 2012 Paralympics have changed their attitude towards people with disabilities; 65 per cent agree that the Paralympics have delivered a breakthrough in the way disabled people are viewed in this country—up from 40 per cent expectation in June 2010; 74 per cent agree that the Paralympic Games have shown the world how to treat disabled people with respect and equality, up from a 52 per cent expectation set in June 2010; and that the Paralympic Games are about ability and not disability; and are about what people can do, not what they cannot do.

South Australians should be proud of the performances of not just our 14 local athletes but the entire Australian Paralympic team during the 2012 London Paralympic Games. They are an inspiration to all of us. London 2012 may now be over, but already I am aware that many athletes have begun to focus on the 2016 Rio Paralympic Games, and their work has already begun. It is significant to note that almost exactly half the Australian team competing in the 2012 Paralympic Games were first-time Paralympians and expect to make the Rio Paralympics. It is therefore without hesitation that I move this motion congratulating the Australian Paralympic team on their magnificent achievements at the recent 2012 London Paralympic Games.

Mr GARDNER (Morialta) (12:40): In speaking to this motion I draw members' attention to comments that I and others made on 6 September in relation to a similar motion moved by the member for Stuart at that time while the Paralympics were underway. I will endeavour not to repeat the great many comments made on that day. However, I draw members' attention to the fact that 6 September was the day Matthew Cowdrey became Australia's greatest-ever Paralympian in terms of gold medals won. Although we have the pride of being able to say that Jacqueline Freney, after eight gold medals in one meet, is catching up on him quickly.

Matthew Cowdrey has had a very good year because, in addition to, at his third Paralympics, becoming our greatest-ever Paralympian, he has also been named a style icon in GQ magazine's Man of the Year Awards. He narrowly missed on GQ Man of the Year to Chris Hemsworth, I am reliably advised. Nevertheless he did secure Sportsman of the Year ahead of people like Michael Clarke. So, that is very impressive for Matthew Cowdrey, and I know that he follows with great interest the goings on of the South Australian House of Assembly's motions where we talk about him, so we certainly wish him all the best. We hope to see him in Rio extending that lead in four years time.

There were 13 South Australian Paralympians who competed in the 2012 Paralympic Games, and they certainly also should be mentioned as we note the magnificent achievements of the 2012 Australian Paralympic team. We commend the whole team for its 85 medals and for placing fifth on the overall medal tally. We also note the global television audience of up to 3.8 billion people. It certainly inspired us all and we are very proud of their performances. I am sure most members took the opportunity to watch at least some of the Paralympics. It was a genuinely impressive spectacle.

All the Paralympians from South Australia are worthy of that commendation. They were of course recognised at the Town Hall for a welcome home reception on 26 September, which I was pleased to attend, along with a number of other members of the house. In supporting the incredible achievements of our Paralympians in London earlier this year, I do not want to let the opportunity pass by without also noting the many people who were involved, particularly volunteers, families and participants in other organisations supporting people with a disability to engage with sporting activity. I particularly note in that instance the Organisation of the Special Olympics, particularly with the support they have had recently from the New South Wales government. They are going ahead in leaps and bounds.

Earlier, in the last couple of months, I also had the opportunity, along with our Governor who was their patron, to attend the 30th anniversary celebrations of SASRAPID, which does a magnificent job of partnering with sporting organisations and existing sporting teams so that people with a disability, who would like to exercise the opportunity to get involved in those sports, can do so in a mainstream context. It is very important that people with a disability in Australia not be just thought of in the sense of 'this is for the mainstream and this is for people with a disability'. Where there is an opportunity for people with a disability to participate in mainstream clubs, it is fantastic that that has taken place.

I note that the member for Port Adelaide was there as well. It would have taken little less than that to get me down to the Allan Scott oval on that day, but for SASRAPID I was willing to make that sacrifice and I commend the motion to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (12:44): I warmly support this motion from the minister, as he supported mine back on 6 September. We are both very genuine in our support. The motion I put forward a few months ago was congratulating and thanking Olympians and Paralympians, and this one is focused very much on Paralympians. I know that every member of this house is very proud of the South Australian Paralympians who went to London and competed, representing our state, because they do that just as well as able-bodied athletes do in the Olympics. I think it is very important to recognise that. The minister has gone through the medals that were won, so I will not go back over that but, for me, getting onto the team is probably the biggest and most important step. Winning medals is obviously critical and vital and is what everybody aspires to, but anybody who is even on the team is an absolute champion as far as I am concerned. To become a Paralympian is extraordinary.

Of course, what Paralympians do is expose all of us in the world to the extraordinary athletic achievements that Paralympians can make. I think that is really wonderful and it is a very important part of bringing people who may not be 100 per cent there yet around to the fact that, regardless of sex or religion, age or race, or physical or mental capacity, every single person is important and has something to contribute to our society, and every single person's achievements should be held in high esteem. So, I thank our Paralympians for doing that. I also thank all of the people who support them because, as we all know, it is not just the athlete who deserves the credit but it is also the families, supporters, coaches, administrators—everybody shares in this.

One of the groups that deserves to share in the credit are sporting medical science professionals. One of the wonderful things that the Paralympic movement has done is bring to the forefront funding support, recognition and the importance of sporting medical science developments for Paralympians. That may well be so that they can help those athletes win more medals and so they can help South Australia and Australia achieve on the international stage, but the real importance of that is when that science can then be brought home and applied to everyday people with disabilities—not necessarily our sporting heroes or the Paralympians, but all people with a disability. They can all benefit from that sports science. I think perhaps one of the greatest contributions that the Paralympic movement has made is the fact that then all people with a disability get access to a much broader and much better-funded body of scientific medical research, so I thank all the people who work in that field particularly today.

I also recognise the Paralympic movement's desire that Paralympians, Paralympic athletes and disabled athletes do not stand aside in a separate stream but that sports embrace able-bodied and less-able-bodied athletes under their broader sporting umbrella. They do not want to have mainstream and Paralympic/other as the way that people view sports. They want to have sports like basketball, within their governing bodies, having a stream for all people who would like to play basketball, regardless of what their physical capacity happens to be. The same would be true for all other sports. It would not matter whether it was soccer, martial arts, rowing or whatever it might happen to be. I think that is a very important thing because, to really get to where we want to be as a society, it is not about having mainstream sportspeople and other sportspeople, it is about having sportspeople and bringing them all together.

A very important step forward for making that happen would be for all sports who compete at an Olympic level, within their sporting organisation, to umbrella both Olympic and Paralympic sportspeople. I commend those that are already doing that and I encourage those that have not quite got there yet to do exactly the same thing. That is what is going to bring that full recognition that people, regardless of their ability, have the possibility and deserve the right to participate in the mainstream. The mainstream then is not just left for able-bodied people only; the mainstream is everyone. I think that is a very important aspect of what the Paralympic movement is trying to achieve at the moment. Let me say again, I wholeheartedly and warmly support the minister's motion. The Paralympic movement certainly has my full support.

Motion carried.

SUICIDE PREVENTION

The Hon. R.B. SUCH (Fisher) (12:51): I move:

That this house—

- (a) acknowledges the pain and suffering resulting from suicide; and
- (b) encourages government and non-government agencies to continue to help reduce and hopefully eliminate this all too frequent tragic occurrence in our society.

The traditional approach has been not to raise the issue of suicide, to keep silent about it. In recent times, the approach to this tragic occurrence has changed, and I will come back to that in a moment by referring to the report of the Office of the Chief Psychiatrist entitled South Australian Suicide Prevention Strategy 2012-2016 where that very issue is touched on.

First, putting this issue in a context, I am sure everyone in here knows of a situation where tragically a suicide has occurred. I will not be precise about the detail, but in the shopping centre where my electorate office is there is a worker who not long ago lost his grandson in a swimming pool drowning. Understandably, that had a major impact on the father and the mother of that little boy to the extent that the father could not cope, relationship issues arose from that tragedy, and then the father took his life. What do you say to someone in that situation, the worker who works in the shopping centre where my office is, who lost his grandson and then suffers the flow-on effect of his son taking his life because it overwhelmed him?

Years ago when I was lecturing at the university, someone's son leapt from a building in the city and I still remember observing the pain and suffering of the father who was one of my colleagues. Someone in the street where I live (in the connecting street; I will not be too precise), who was a highly qualified scientist, diagnosed too late with prostate cancer, ended his life by driving up to the freeway and then heading straight into a truck coming along the freeway. These are all tragic situations and they have lasting consequences, obviously, for family and friends.

Statistics from 2009 show that there were more suicide deaths in South Australia than there were road fatalities. That is not to diminish the tragedy of a road fatality, as they are terrible also, and I have experienced that in my own family, but lot of people do not realise that more people take their own life than are killed on the road. It is not a reason to do nothing about both issues, but it puts it into some context.

In 2009, there were 187 suicide deaths and 119 road fatalities. Fortunately, road fatalities have reduced, and to some extent in South Australia suicide deaths have also reduced somewhat in recent times. A survey was taken in 2007 on mental health and wellbeing in Australia and, based on that survey, it was estimated that about 65,000 people in Australia make a non-fatal suicide attempt, which is quite a significant number. Likewise, that survey estimated that about 146,000 men and 222,000 women experience suicidal thoughts in any given 12-month period, so we are talking about a significant number of people. One suicide death is one too many.

I said before that the approach to these ongoing tragedies has changed, and I quote from the South Australian Suicide Prevention Strategy 2012-16, prepared by the Office of the Chief Psychiatrist at the end of last year. The action plan recommended by the chief psychiatrist includes:

1. Take action to break the silence around suicide—

and that is the point I was making earlier. Previously, people wanted to keep it quiet and not say anything, but that does not address the issue—

raise awareness and reduce the stigma in the community—

so a change in strategy to deal with this tragedy is recommended by the chief psychiatrist, and:

2. Promote mental health and wellbeing, and prevent mental health problems.
3. Provide early intervention programs and screening.
4. Support collaboration between local networks and agencies to reduce individual and community risks and strengthen protective factors.
5. Reduce access to means of suicide.

The approach has changed, and fortunately (and I welcome this) there now seems to be a greater acceptance and acknowledgement of mental health issues in the community. We would be naive to think that there is no stigma attached to mental health issues. The reality is that there is, but I think as a community we are becoming better at accepting that mental health issues exist, and there is a greater willingness to try to deal with them. I seek leave to continue my remarks.

Leave granted; debate adjourned.

STATUTORY OFFICERS COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (12:59): I move:

That the Hon. R.B. Such be substituted in place of Mr Odenwalder (resigned) on the Statutory Officers Committee.

Motion carried.

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

PARLIAMENT HOUSE, MEDIA ACCESS

The SPEAKER (14:01): I am sure that all members are aware of the suspension of a journalist's access to the building for the remainder of this week, 30 November 2012. Members of the press and other pass holders are reminded that whilst in the parliamentary precinct they remain under the direction of either the Black Rod or the Serjeant-at-Arms and the appropriate protocols apply, including the expectation that the rights and privacy of both members and staff are respected at all times. Unsupervised access to and within the building is not a right but is gained by way of invitation conferred by the parliament which can be revoked at any time. It is my opinion that on this occasion the journalist acted in an unprofessional manner. Advice to me about the level of distress the incident caused to ministerial staff gave me great concern.

I have become increasingly concerned about the number of complaints I have been receiving from members of parliament, from both sides, about invasions of privacy, particularly in relation to their officers. Whilst we at all times use the media to our advantage, members are entitled to be respected and normal courtesy is given. With this in mind, I will be taking to the next JPSC meeting a new media policy which I will ask to be taken back to party rooms and anticipate having in place for next year's sittings.

It is unfortunate this action has had to be taken but in my role as Speaker I have a responsibility to ensure that there is an orderly conduct in the proceedings of the house and for maintaining its decorum and dignity. This also applies to the workplace and, if members or staff are upset by incidents occurring in this place, then I have a role to ensure that they feel safe and comfortable and, thus, I took this action.

VISITORS

The SPEAKER: Members, I think we have present Mr David Lightfoot, who is the producer of *Wolf Creek*, *Bad Boy Bubby*, *Rogue*, *Japanese Story* and *Coffin Rock*, and I am sure we have seen at least one of those, all of us. He is the guest of the member for Unley. Welcome. It is nice to see you here.

Also, members, if you were not here earlier in the day, I also again acknowledge the Speaker of the Tongan parliament, which is twinned with us. I think we are wearing him out with the information we are giving him—information overload. Welcome again. I will not try and say it again in Tongan.

PORT GERMEIN PRIMARY SCHOOL BUS SERVICE

Mr VAN HOLST PELLEKAAN (Stuart): Presented a petition signed by 311 residents of Port Germein and district requesting the house to urge the government and Minister for Education to take immediate action to keep the Port Germein Primary School bus in service to collect and deliver students to school and home.

VISITORS

The SPEAKER: Members, we also have a group of students here from the TAFE English language course, who are guests of the member for Adelaide. We have seen a number of people in the past in here, but we always welcome you in here. It is nice to see you here.

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answer to a question be distributed and printed in *Hansard*.

ENTERPRISE PATIENT ADMINISTRATION SYSTEM

In reply to **Dr McFETRIDGE (Morphett)** (31 October 2012).

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

I am unable to release information relating to the pricing of the EPAS software, as this is commercial in confidence and cannot be disclosed.

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—City of West Torrens Annual Report 2011-12

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

AustralAsia Railway Corporation—Annual Report 2011-12

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

Attorney-General's Department—Annual Report 2011-12

Electoral Commission of SA—Annual Report 2011-12

Guardianship Board—Annual Report 2011-12

State Coroner—Annual Report 2011-12

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

Planning Strategy for South Australia—Annual Report 2011-12

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

Across Government Asbestos Risk Reduction—Annual Report 2011-12

Rail Commissioner Auditor's Report—Addition to the Department of Planning, Transport and Infrastructure Annual Report Annual Report 2011-12

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

Coast Protection Board—Annual Report 2011-12

Marine Park Management Plan 2012—

Eastern Spencer Gulf

Encounter

Far West Coast

Franklin Harbor

Gambier Islands Group

Investigator

Lower South East

Lower Yorke

Neptune Islands Group (Ron and Valerie Taylor)

Nuyts Archipelago

Peninsula

Sir Joseph Banks Group

Southern Kangaroo Island

Southern Spencer Gulf

Thorny Passage

Upper Gulf St Vincent

Upper South East

Upper Spencer Gulf

West Coast Bays

Western Kangaroo Island

SA Citrus Industry Development Board—Annual Report 2011-12

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

Children in State Care Commission of Inquiry Report—Allegations of Sexual Abuse and Death from Criminal Conduct—Report November 2012

Minister for Education and Child Development to the Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commissioner of Inquiry—A Report into Sexual Abuse Report November 2012

MARINE PARKS

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)
(14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Today, the government is delivering one of the most significant conservation initiatives ever completed in South Australia, a final network of 19 marine parks that will protect our valued marine environment for the future. South Australia has some of the most spectacular coastline in the world and an even greater variety of marine life than the Great Barrier Reef. Many of the marine plants and animals found in our region cannot be found anywhere else on earth, and that is worth protecting.

As we have seen with the River Murray, fixing environmental damage after it has occurred is much more costly environmentally, socially and economically than preventing it in the first place. However, our marine parks are not about closing down our marine environment; they are about ensuring that it can be enjoyed and sustained for many future generations to come.

South Australia's marine parks have been carefully designed so that people can continue to enjoy their favourite activities, such as fishing, swimming, paddling and boating. It is only in the sanctuary areas of marine parks, which take up about 6 per cent of the state's waters, that fishing is not permitted, along with mining and trawling. These relatively small areas have been set aside to protect fragile habitat and breeding sites for some of our best-loved marine life.

To develop this park network, the government has finished one of the most extensive and comprehensive community engagement programs ever completed in South Australia. Over the past three years, we have consulted with tens of thousands of people and have sought to engage key stakeholders—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —every step of the way.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: Through the final consultation, further changes were made to the draft marine park management plans, which will be tabled today. Today, finalised zoning regulations will be provided to the parliament, along with final management plans for each of the 19 marine parks. These regulations describe the activities that will be prohibited in each type of zone.

Importantly, these regulations provide that restrictions on all fishing activities (other than benthic trawling) do not start until 1 October 2014. This timing provides nearly two years as a transition period until fishing restrictions come into effect, providing commercial and recreational fishers the opportunity to learn where the zones are and prepare for the change.

Before closing, I would like to thank the many thousands of people who have contributed to this process. These include: the 14 marine park local advisory groups and their chairs, who donated hundreds of hours to develop their advice on zoning proposals; the thousands of people who provided formal written submissions on the 19 draft management plans; the key stakeholders who have worked with the government to represent the views of other member organisations. I would also like to thank the various ministers who have brought us to this point: the member for Kurna, the Hon. Gail Gago, and of course the present minister, who has so ably steered us through to this conclusion.

I also thank Mrs Valerie Taylor, who has kindly agreed to have the Neptune Islands marine park re-named the Neptune Islands Group (Ron and Valerie Taylor) Marine Park. This name change commemorates the recent passing of Ron Taylor and honours the Taylors' nearly 50 years of work in marine conservation, in particular focusing on sharks and Australian sea lions. The Neptune Islands are home to great white sharks and Australian sea lions and this name change is fitting recognition of their work.

Experience in other jurisdictions has shown that our marine parks will offer the state economic benefits in increased tourism and new regional business opportunities. This will be the

new selling point for our state's clean, green image. As Valerie Taylor said today, a protected area that is attractive to tourists will make jobs rather than lose them.

Members interjecting:

The SPEAKER: Order!

Mr Pengilly interjecting:

The SPEAKER: Order! Member for Finniss, behave or you will leave.

QUESTION TIME

SANSBURY, MR T.

Mrs REDMOND (Heysen—Leader of the Opposition) (14:13): My question is to the Premier. Is the resignation from the Labor Party of former Labor candidate, Mr Tauto Sansbury, a direct consequence of Labor's failure to consult with Aboriginal groups and failure to deliver for Aboriginal communities?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:13): No.

SOUTH AUSTRALIAN ECONOMY

Mrs VLAHOS (Taylor) (14:14): My question is to the Premier. Can the Premier advise the house about South Australia's overall social and economic position as we end this year?

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

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —important question on the last sitting day of the year. Can I say that, as the year ends, we look forward to spending some time with family and friends. We also have the opportunity to take stock of where our state has come over the last 12 months. Of course, the government's most important responsibility is to ensure that South Australians have secure, decent, high-paying jobs. It is the central purpose of the Labor Party and it is something that we have taken very seriously. The unemployment rate in South Australia is at 5.6 per cent in a global environment where unemployment is 11.6 per cent in the eurozone, 7.9 per cent in the United States and 7.8 per cent in Great Britain.

Despite the misinformation of those opposite trying to put around in the middle of the year that South Australia was facing a period of negative growth, South Australia saw economic growth per capita in 2011-12 in line with New South Wales and faster than Victoria and Tasmania. Adelaide ends the year still the most competitive Australian city out of those surveyed by KPMG and as the world's equal fifth most liveable city in the world, as estimated by the Economist Intelligence Unit.

Our state leads the nation and is among the leading jurisdictions in the globe in renewable energy. We have 50 per cent of the nation's wind power and 25 per cent of power produced by renewables. Our energy industry is benefiting from the burgeoning growth—

Mr Marshall interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —in shale gas, and this year we have seen Santos launch the first unconventional gas well for commercial supply in Australia at Moomba. Our housing remains the most affordable of all mainland states, and our recent Housing Construction Grant will bring home ownership within the reach of even more South Australians.

While the economic fundamentals of the state are positive, Christmas and the festive season is, of course, an important time to remember those who are less fortunate. We have worked hard in South Australia to have the second lowest rate of homelessness in the country, in 2006 we had the fifth lowest and since 2006 the number of rough sleepers has fallen by around 40 per cent. We have also started rolling out individualised support for people with disabilities, with just under 300 clients—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —who have already expressed an interest in individualised funding. There is much to do, but we believe that speaking down the state, as those opposite do, is completely the wrong approach in this environment.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: On any indicator, if you were to compare the performance of this state with jurisdictions around the world, we should be proud of the fact that we live in such a wonderful state.

SANSBURY, MR T.

Mrs REDMOND (Heysen—Leader of the Opposition) (14:17): My question is again to the Premier. Is former Labor candidate Mr Tauto Sansbury correct when he says, and I quote, 'The Labor government just pays lip service to Aboriginal people'?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:17): No.

Members interjecting:

The SPEAKER: Order! The member for Mitchell.

CITY OF ADELAIDE PLANNING

Mr SIBBONS (Mitchell) (14:17): My question is to the Minister for Planning. Can the minister inform the house about the government's achievements this year to deliver a more vibrant Adelaide, particularly the progress of planning reforms announced in March?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:18): I thank the member for Mitchell for his question. In March this year the Premier, the Lord Mayor, the government architect and I announced the most significant reforms to city planning in a generation. Design was embedded within the planning approval process. Immediately four projects worth over \$300 million went into case management.

Today, eight months later, \$1.65 billion worth of potential investment has been unlocked: four projects have been approved; eight projects, to the value of \$225 million, are to be considered by the Development Assessment Commission before the end of this year; and a further 15 projects are under active case management. This is beyond our expectations and shows the way the industry has embraced the changes.

It is a massive vote in the confidence that the industry holds in this government and its policies. In addition to this, we have also been doing work in providing places for people in the city. Supporting these reforms is the government's delivery of more places for people in the city centre. The trial closure of Leigh Street—now one of the highest-profile areas in the city—demonstrates the beginning of this success. Yesterday's announcement regarding wi-fi and small venues in the city adds more value to this project.

Tomorrow another feature week of events begins, showcasing the opportunities that restaurants and small venues have with the activation of the street, connecting our investment in the Riverbank with the central markets by creating places for people along key streets. This received massive endorsement when Channel V chose to host a guerrilla gig by the Veronicas in Leigh Street—very close to Liberal Party headquarters, I believe, and enjoyed by all of them. Also there is a case management process to cut through red tape to assist—

Members interjecting:

The SPEAKER: Order! Can you please listen to the Deputy Premier in silence?

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: Are we all good? Okay. There is a case management process to cut through the red tape to help with the re-use of existing older buildings. This is bringing more life to the heart of our city. Combined with the stamp duty and first home owners' commitments, we are delivering more people to live, work and enjoy the great city of Adelaide. This year has seen rapid progress delivering key government initiatives, unlocking investment and building a more vibrant city. This is a can-do government getting on with the job. As Tim Horton might say, we are not in the think tank, we are in the do tank.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

ABORIGINAL AFFAIRS AND RECONCILIATION

Mrs REDMOND (Heysen—Leader of the Opposition) (14:21): Why are Aboriginal groups repeatedly telling the opposition that Labor's Closing the Gap programs are not working, and what evidence has the government that their funding of almost \$1 billion a year to Aboriginal communities is improving outcomes?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:21): It is just a tad galling to be lectured by those opposite about commitment by governments to Aboriginal affairs. This from the party which, when it was last in government, did not permit the Aboriginal lands standing committee to even visit the APY lands.

Mr GARDNER: Point of order!

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

Mr GARDNER: It is a tad galling to be lectured by this Premier—

The SPEAKER: Order!

Mr GARDNER: —about Aboriginal affairs when he refuses to answer the question.

The SPEAKER: Order! The Premier and the member for Morialta will sit down. Order! You will not shout at each other across the floor. What is your point of order, member for Morialta?

Mr GARDNER: It is 98, Madam Speaker. The Premier is refusing to answer the substance of the question which goes to his government's record.

The SPEAKER: There is no point of order. The Premier is answering the question in his own way.

The Hon. J.W. WEATHERILL: Let's just start with the most disadvantaged Aboriginal community—the APY lands. When we came into government, there was not one sworn police officer on the APY lands. You should hang your heads in shame. To come into this place and ask questions about our commitment to Aboriginal affairs, you should be—

Members interjecting:

The SPEAKER: Order!

Mr VAN HOLST PELLEKAAN: Point of order!

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

Mr VAN HOLST PELLEKAAN: Standing order 98: the Premier is debating the issue, rather than answering the question.

The SPEAKER: No, there is no point of order there, member for Stuart. He is answering the question as he chooses.

The Hon. J.W. WEATHERILL: We're going to go through this line by line and you're going to sit there and listen to your lack of commitment to these lands: no visits from the Aboriginal lands standing committee, no sworn officers—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —the run-down in TAFE and commitment to skills development.

Members interjecting:

Mr GARDNER: Point of order!

The SPEAKER: Order! What is your point of order, member of Morialta?

Mr GARDNER: At some point, the Premier must get around to his own record.

The SPEAKER: Member for Morialta, the question was about the billion dollars' funding not working. The Premier can answer that and he is answering that. There is no point of order.

Members interjecting:

The Hon. J.W. WEATHERILL: No, no. I'm telling you what we're doing. What we are doing is remedying your mistakes and abject disregard—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —for some of the most disadvantaged people in our community.

Members interjecting:

The SPEAKER: Order! You will listen to the Premier. This question is important to me and I want to hear his answer. Premier.

The Hon. J.W. WEATHERILL: We have introduced now, I think, 19 sworn officers into the lands when there were zero, introduced scrutiny in relation to the lands by having the Aboriginal lands standing committee visit the lands and have full access to the lands, introduced a far-reaching inquiry into sexual abuse in relation to the APY lands and acting on its—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: —and acting on its recommendations, introduced the most substantial program on house building in relation to the APY—

Mr Marshall interjecting:

The SPEAKER: Order! The deputy leader will leave the chamber for 10 minutes.

Members interjecting:

The SPEAKER: Order! The deputy leader will leave the chamber for the rest of question time now, if he shouts at me. You will stay out until the end of question time. Order! We will have some order in this place. I know it's the day before the Christmas break, but that's it. I'm not putting up with any more disorder.

The honourable member for Norwood having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: What is your point of order?

The Hon. A. KOUTSANTONIS: I don't know what the deputy leader said to you, but it seemed as if he was speaking to you in a threatening manner.

Members interjecting:

The Hon. A. KOUTSANTONIS: Well, he was.

Members interjecting:

The SPEAKER: I didn't feel threatened at all by the deputy leader; however, I did take offence at his shouting as he left the chamber. Now, Premier, we will get back to your answer.

The Hon. J.W. WEATHERILL: I was referring to the commitment of public housing, of substantial resources in relation to public housing, and I think the former minister for housing will correct me if—\$290 million over 10 years in relation to remote communities generally, a substantial proportion to be devoted to the APY lands. There is the introduction of a new TAFE facility in relation to the APY lands, which was recently opened by the Minister for Aboriginal Affairs, to build skills in that region. There is the recent negotiation in relation to the extension of the BHP indenture

agreement, and the substantial commitment that is made by BHP in relation to the provision of Aboriginal employment. The largest single element of that package negotiated with BHP goes to the question of Aboriginal employment.

Mrs REDMOND: Point of order, Madam Speaker, under standing order 98 regarding relevance. The question was about outcomes not inputs. The Premier has so far only talked about what they have put in, not what the outcomes of those inputs are.

The SPEAKER: No, I think that is a matter of interpretation. I am satisfied with the way the Premier is answering the question. He was referring back to what the government has done with that money.

The Hon. J.W. WEATHERILL: Absolutely, and I would have thought a roof over one's head is an outcome. It has always been regarded as an outcome in any language that I understand, and can I also refer to: our contributions that have been made to the Aboriginal foundation to set up its own encouragement of business enterprises for Aboriginal people across our state; our commitment in relation to the APY lands to provide social workers in relation to schools; the provision of people to support youth workers who go into communities to work with them; the provision of child protection workers based on the lands for the first time; and, crucially, upgraded police stations and infrastructure in at least three communities in relation to the APY lands. Also, pools in relation to, I think, two communities on the APY lands, perhaps three. Madam Speaker, the commitment of this government to addressing Aboriginal disadvantage is unquestioned, and it sits ill in the mouth of those opposite who presided over a complete neglect of this area of government responsibility.

ABORIGINAL AFFAIRS AND RECONCILIATION

Mrs REDMOND (Heysen—Leader of the Opposition) (14:28): Supplementary question, Madam Speaker. If all that the Premier says is true, then why hasn't the gap been closed at all under the watch of his government?

Members interjecting:

The SPEAKER: I will count that as a question.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development) (14:28): There are very substantial improvements that have occurred over the last decade in relation to Aboriginal advantage and disadvantage. We have seen very substantial improvements in Aboriginal retention rates in our schooling system. We continue to see dramatic improvements in the infant mortality rate in relation to Aboriginal people. We continue to see improvements in the mortality rate generally of Aboriginal people. Now, the truth is there are also improvements across the general community in each of these parameters, so the gap is a particularly resilient one to be able to close, but we are closing the gap in some very important respects. I am more than happy, if the honourable member is actually serious about getting information about this, to document that, in detail, rather than her coming in here and grandstanding on this issue about which they have no standing.

Members interjecting:

The SPEAKER: Order! Point of order.

Mr GARDNER: Point of order: 127—the premier is imputing improper motive.

The SPEAKER: Thank you. The Premier I think has finished his answer.

EMERGENCY DEPARTMENTS

The Hon. S.W. KEY (Ashford) (14:29): My question is directed to the Minister for Health and Ageing. Minister, can you update the house on the performance of our hospital emergency departments and further planned improvements?

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:30): I thank the member for Ashford for this question. Over the last four months, South Australia's hospital emergency departments have topped the nation for having the lowest median waiting time in the nation and the equal highest proportion of patients who were seen on time. I can advise today that we are also working in Health to improve the ambulance turnaround times when they arrive at a public hospital emergency department.

SA Health and the chief executives of the metropolitan local health networks are developing new targets in consultation with health unions which will aim for incremental improvements over the first half of 2013 for the percentage of ambulance turnarounds completed within 30 minutes and 40 minutes. I will just explain, if I can. Currently, around 65 per cent of patients arriving at public hospitals by ambulance are transferred from the care of the ambulance staff to the emergency department within 30 minutes and 85 per cent are transferred within 40 minutes.

The new targets will coincide with the appointment of a new statewide clinical lead to oversee South Australia's efforts to achieve the four-hour national emergency access target. This requires our hospitals, as members would know, to see, treat and admit or discharge 90 per cent of patients presenting at emergency departments within four hours by the end of 2015. The appointment of a clinical lead was a key recommendation of an independent review of patient access procedures at Flinders Medical Centre undertaken by one of Australia's leading emergency physicians, Dr Mark Monaghan from Western Australia.

Many recommendations from this review have been actioned, including piloting an admissions unit model at Flinders Medical Centre for six months to assist with patient flow into the hospital, and I understand this is working well. Flinders Medical Centre has also started reviewing models of care in the emergency department to prepare for a trial of criteria-led discharge of patients from the hospital by doctors and nurses, assisting with the flow of patients from the emergency department into the hospital.

A patient services attendant team member has been supporting ambulance transfers since September, and new ambulance load distribution diversion coordinators are also in place. A real-time dashboard, much beloved by the member for Morphett, has been introduced for the allocation of ambulance presentations against hospital demand in a more coordinated manner to improve patient flow.

I am pleased to report that I am advised that Flinders Medical Centre emergency department performance has improved, with 70 per cent of patients now being seen in time in September 2012, compared with 65 per cent a year earlier. Also, the percentage of time that the emergency department spent in white demand status, which is over demand, during July to September this year was between 4.1 per cent and 6.7 per cent, compared to between 12.6 per cent and 15.2 per cent the previous year.

I would like to thank the clinical staff and the administrative staff at Flinders Medical Centre for making these real improvements in the performance of the emergency department for the benefit of our patients.

MULLIGHAN INQUIRY RECOMMENDATIONS

Dr McFETRIDGE (Morphett) (14:33): My question is to the Minister for Education and Child Development. Can the minister tell the house how many of the 46 recommendations made in the Mullighan inquiry have been fully implemented? In the latest report, is there detailed, relevant and up-to-date information on the key outcomes and developments that have occurred in relation to each recommendation, the amount of funding allocated for each recommendation and the data on the number of mandatory notifications in that latest report? Is there a copy of the most recent version of any overarching plan the government has developed to ensure the timely implementation of the inquiry's recommendations?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:34): I thank the shadow minister for this question. The Mullighan inquiry was established in 2006 to examine child abuse on the APY lands, and everybody in this place acknowledges that this was a very significant piece of work. It provided the government with 46 recommendations, 45 of which we had accepted. I am pleased to report that substantial progress has been made, with 37 of the 45 recommendations now completed; 26 of these recommendations were reported as completed in the 2011 annual report. In relation to the recommendations that have been progressed this year, a further 11 have now been reported as completed. I would like to summarise that quickly.

I am very happy to provide a detailed briefing for the honourable member, but in summary: recommendation 10, reviewing the effectiveness of service providers involved in child protection; recommendation 13, new housing; recommendation 19, sexually transmitted diseases reported; recommendation 23, Nganampa DECD, SA Police, in relation to protocols and policies around child abuse; recommendations 24, 27, 29; and recommendations 30, 32, 42 and 43.

As the Premier mentioned a moment ago, this government has a great deal to be proud of in relation to the work that we have done in relation to this matter. These are incredibly complex matters. I know the shadow minister has a deep commitment to this area, and I am certainly happy to work with him in relation to our Aboriginal children. I am very happy to provide a more detailed report to him.

SOUTH AUSTRALIA POLICE

Mr ODENWALDER (Little Para) (14:36): My question is to the Attorney-General. Can the Attorney update the house about the government's achievements over the past year to help our police keep our communities safe?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:36): Yes; I thank the honourable member for his question. The government is committed to providing South Australia Police with the powers they need to keep our communities safe. We have been very busy in this all throughout this year. I would like to summarise a few of the things that have been achieved during the course of this year.

The Summary Offences (Weapons) Amendment Act 2012 has provided our police with the power to conduct metal detector searches on anyone in, or attempting to enter, or leave, licensed premises. This is an important new power for police to conduct searches without first having to meet the test of suspecting that the person is carrying a weapon. I understand that SAPOL will take delivery of their new metal detectors soon and will be ready to start using this important new power before Christmas. Also, police will now have the power to conduct searches of any person who is not in an area that may soon be the subject of an incident or serious violence. This is an important tool for SAPOL to prevent serious violence.

The government has also given SAPOL the ability to conduct random tests for gunshot residue on criminals who are classed as serious firearm offenders under the Statutes Amendment (Serious Firearm Offenders) Act 2012. This is also an important tool to reduce firearm crime in South Australia. Related to firearm crime is the new offence the government has created in the Criminal Law Consolidation Act to make it clear to the thugs and criminals in our community that the government will not tolerate any firearm-related violence, particularly that directed at police officers.

The new offence, in relation to police officers, makes it clear that if you discharge a firearm at a police officer, regardless of whether you injure that officer, you will be guilty of an offence and may be imprisoned for up to 10 years. Most importantly, it is worth noting that the opposition has changed its mind about the identification evidence legislation, and the government will today introduce a bill to provide police with this important efficiency measure and take advantage of this welcome backflip by the opposition. This is a can-do government getting on with the job. The opposition, throughout this year, has been dragged kicking and screaming into supporting SAPOL. I hope next year they offer more support.

MULLIGHAN INQUIRY RECOMMENDATIONS

Mr GARDNER (Morialta) (14:39): My question is to the Minister for Education and Child Development. Why does the minister say that recommendation 19 of the Mullighan report has been completed? Recommendation 19 of the Mullighan report says that every positive result of screening tests for a sexually transmitted infection of a child on the lands should be immediately notified to Families SA even if the person reviewing the results has not formed the relevant suspicion under section 11 of the Children's Protection Act and that every result should also immediately be notified to the Department for Health. However, the annual report that the minister has just tabled identifies that, consistent with the practices of all other South Australian medical practitioners, the Nganampa Health Council is not obliged to make a child protection notification for every positive result of a screening test for a sexually transmitted infection for children under the age of 18.

The Hon. J.D. HILL (Kaurana—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:40): I am happy to answer the question for the member. The APY medical service which treats children on the APY lands, which is an independent Aboriginal controlled organisation, complies with the law in South Australia.

Members interjecting:

The SPEAKER: Order!

MULLIGHAN INQUIRY RECOMMENDATIONS

Mr GARDNER (Morialta) (14:40): A supplementary question to the Minister for Health: if that is the case, why does the government claim that they have fulfilled that recommendation?

The Hon. P.F. CONLON: It is a not a supplementary; it is the same question.

The SPEAKER: Yes, I think it was the same question, but the minister may choose. Do you have anything further to add to your answer, minister?

The Hon. J.D. HILL (Kaurua—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (14:40): I am happy to have a look at my answer and give a more detailed response to the member, but we have worked very closely with the APY executive. This is the Aboriginal controlled health service that looks after people on the APY lands and they comply with the laws as they stand.

COORONG, LOWER LAKES AND MURRAY MOUTH REGION

Ms THOMPSON (Reynell) (14:41): My question is to the Minister for Sustainability, Environment and Conservation. Can the minister provide an update on the progress that has been made through the programs that are being delivered in the Coorong, Lower Lakes and Murray Mouth (CLLMM) to build ecosystem resilience to drought and the impacts of climate change?

Ms Chapman interjecting:

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:42): Yes, I saw that. You are very mature. I thank the honourable member for her very important question. Work on a number of fronts has been progressing well over the last year. In fact, the House of Representatives Standing Committee on Climate Change and the Arts recently released its second report into biodiversity and incorporated findings from its May 2012 site visit to the CLLMM region. The report concluded that:

These programs...delivered environmental benefits, while also stimulating and transforming the local economy, building resilience in the community, and ensuring local ownership of environmental programs.

Further, the report stated:

The Committee commends the approach taken by the DEWNR in the CLLMM region, and notes the benefits of enhancing community resilience alongside ecological restoration.

Despite improved inflows to the region in recent times, ecological monitoring continues to reveal ongoing impacts from the drought. Modelling indicates there should be continuing improvement in salinity in the Coorong during 2012-13, although the overall level of improvement will depend on barrage operations, natural inflows and the provision of environmental water.

In early November 2012, the average salinity in Lake Albert was approximately 3,400 EC compared to average salinity of 5,200 EC at the same time last year. At the height of the drought, salinity in Lake Albert passed 20,000 EC. The water level in the lakes was cycled, when possible, through managed barrage releases to help reduce salinity levels in Lake Albert by drawing saline water out and replacing it with fresher inflowing water. It is expected to take some time—

An honourable member: Get rid of the silt.

The Hon. P. CAICA: Well, we have. It is expected to take some time for salinity from Lake Albert to approach historical average levels (about 1,800 EC) without further management intervention.

The government will be working with the Coorong, Lower Lakes and Murray Mouth Community Advisory Panel, the local community and the Ngarrindjeri on the long-term management of water quality issues in Lake Albert and the Narrung Narrows. With considerable improvements in inflows, the Narrung bund was partially removed in September 2010 and dredging of the remaining high points to remove navigation hazards in the channel was completed in October this year. The government built temporary flow regulators in Currency Creek and in the Goolwa Channel near Clayton Bay in response to the emergency drought conditions experienced during 2009. The government continues to consult with the Ngarrindjeri regarding the removal of the regulators, the Clayton regulator having been partially removed—

Mr Whetstone: You just pull them out.

The Hon. P. CAICA: Well, you should have kept digging, mate. That would have been very helpful. That stunt that you did, because that is what you are into. You are into stunts. You are not into any substance.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: This is a very important subject.

An honourable member interjecting:

The Hon. P. CAICA: Well, don't lead with your chin.

Mr GARDNER: Point of order, Madam Speaker: the minister has strayed again. He is in 98. He is debating the issue.

The SPEAKER: Yes, I refer the minister back to the question. Order!

The Hon. P. CAICA: The government built temporary flow regulators, as I said, in Currency Creek in the Goolwa Channel in Clayton Bay in response to the most unprecedented drought conditions experienced in this state. The government continues to consult with the Ngarrindjeri regarding the removal of the regulators, the Clayton regulator having been partially removed in 2010 to allow for water to be released through the Goolwa Barrage. The removal of the regulator was completed in February 2012.

Funding for the removal of the Currency Creek regulator has been approved by the Murray-Darling Basin Authority and the commonwealth, with tenders having closed in mid November 2012. As part of the vegetation program, the Ngarrindjeri community and commercial nurseries grew approximately 705,000 plants in 2012 which were planted across 26 revegetation sites. A total of 124 different species were planted to stabilise soils and increase biodiversity and habitat for fauna, with 89 per cent survivorship achieved, with pest control undertaken on invasive plants such as—

The SPEAKER: Order! There is a point of order.

Mrs REDMOND: I understand the minister's time has expired.

The SPEAKER: Actually, minister, your time has just expired, but after the Leader of the Opposition got up; but your time has expired now.

The Hon. P. CAICA: Madam Speaker, I have got one paragraph. Are you telling me I cannot finish it?

The SPEAKER: Quickly. One paragraph.

Mr Pederick interjecting:

The Hon. P. CAICA: This shows how much you care, doesn't it?

The SPEAKER: Order, minister!

Mr Pederick interjecting:

The Hon. P. CAICA: It shows how much you care.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. EVANS: The minister is interrupting and misbehaving in the house, and I draw your attention to standing order 73.

The SPEAKER: Yes.

Ms Bedford interjecting:

The SPEAKER: Order, member for Florey! The member for Unley.

CHILD PROTECTION

Mr PISONI (Unley) (14:46): My question is to the Premier. Do the terms of reference of the Debelle inquiry allow Mr Debelle to inquire into the actions of ministerial staff Jadyne Harvey,

Bronwyn Hurrell and Simon Blewett? The terms of reference of the Debelle inquiry state that Mr Debelle will inquire into 'actions of all relevant agencies' but it is unclear if the ministerial office staff will be included in this scope.

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:47): Yes.

PLANNING STRATEGY

Mr PICCOLO (Light) (14:47): My question is to the Minister for Planning. Can the minister update the house about the government's planning strategy, particularly how the government has acted to protect the character of the fertile agricultural land in the Barossa and McLaren Vale regions?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (14:47): I thank the honourable member for his question, and I note as a matter of interest to the house that the honourable member for Light, together with the honourable member for Mawson, has been very much involved in the process of working on this important legislation, and I thank them both for that. I acknowledge the member for Schubert, too, who at various times has had an opinion on many sides of that particular question and has recently finished painting a bridge, which is to his great credit. I think the EPA want to visit you about something in the water—but I digress.

Today I tabled a report card to the planning strategy for 2011-12. The report card tracks the government's progress and details our achievements over the past year—of which, of course, there have been many. A key aspect of our planning strategy is the need to plan for the future growth of Adelaide. We know that a metropolitan Adelaide that starts near Port Wakefield and finishes near Victor Harbor would not be workable. More than this, metropolitan Adelaide would swallow important productive agricultural land (which is a matter that I know concerns the member for Schubert).

We have identified the need to reduce growth on the fringes and encourage consolidation around the heart of the city. The government's Vibrant Adelaide initiatives are clearly important to achieving these goals, but the government also recognises the importance of agriculture and is committed to building the state's clean, green food industries. The 30-year Plan for Greater Adelaide identifies the need to protect 375,000 hectares of productive agricultural land from inappropriate development.

Another key achievement of the Weatherill government this year has been the preservation of valuable agricultural land through the character preservation legislation (in particular, we are talking here about the McLaren and Barossa Valley regions). These groundbreaking laws will support key agricultural regions and halt the march of new suburbs into productive land.

The Hon. I.F. EVANS: Point of order, Madam Speaker. I draw your attention to standing order 128, which is repetition: where the member indulges in repetition of the substance already presented in debate. What the minister is speaking about has already been fully debated through this chamber and passed. He is simply repeating debate.

The SPEAKER: Minister, I am sure you are very aware of that standing order. I hope you have something new to add.

The Hon. J.R. RAU: I am. It is in the forefront of my mind, Madam Speaker. But I am also minded of the member for Morialta's standing order: having a fair go. That one I am also thinking about. But I am nearly finished, anyway. These groundbreaking laws will support key agricultural regions. The government is committed to working and, more importantly, to actually getting things done. This is a government that delivers on its ideas. We are a can-do government.

CHILD PROTECTION

Mr PISONI (Unley) (14:51): My question is to the Minister for Education and Child Development.

The Hon. M.J. Atkinson interjecting:

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

Members interjecting:

The SPEAKER: Order! We will have some silence so that the member can ask his question.

Mr Pengilly interjecting:

The SPEAKER: Order! Member for Finnis, you go next time. Order! I am sorry, member for Unley. Now, I hope they will be polite for you.

Mr PISONI: Thank you for your protection, Madam Speaker. Will the minister advise how she became aware that I had been in contact with Mr Debelle regarding his independent inquiry?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:51): Can he repeat the question please, Madam Speaker?

The SPEAKER: Yes; I didn't quite get that question, either.

Mr PISONI: The question is: will the minister advise how she became aware that I had been in contact with Mr Debelle regarding his independent inquiry, because she wrote to me telling me she was aware?

The Hon. G. PORTOLESI: I do not understand the nature of the question; in fact, I do not even understand the question. I first became aware of this issue when the member raised it in this place.

CHILD PROTECTION

Mr PISONI (Unley) (14:52): I have a supplementary question, Madam Speaker. Given that I did not raise it in this place, is it the case that the minister is advised of who is in contact with Mr Debelle in relation to his inquiry and, if so, how is the inquiry independent?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:52): That is a most improper suggestion on the part of the member for Unley. I think the member is suggesting that the manner in which Mr Debelle is conducting the inquiry is not independent or is somehow being influenced by me. That is entirely improper and entirely untrue.

Mr GARDNER: Point of order, Madam Speaker. In the minister's own words, she is imputing improper motive.

The SPEAKER: I think it was tat for tat there, member for Morialta. I do not think you should be making that point of order. I will not accept that one. The member for Port Adelaide.

PUBLIC TRANSPORT

Dr CLOSE (Port Adelaide) (14:53): My question is to the Minister for Transport Services. Can the minister update the house on the progress made in enhancing the Adelaide public transport system over the past year?

The Hon. C.C. FOX (Bright—Minister for Transport Services) (14:53): Thank you to the member for Port Adelaide, who spends a lot of time on public transport, as do many members of her family. Since the portfolio of transport services was established in October last year, there have been a number of significant enhancements of our public transport system. Adelaide's new world-class smartcard ticketing system, Metrocard—

Dr Close: I don't have one.

The Hon. C.C. FOX: You don't have one?

Dr Close: Not yet.

The Hon. C.C. FOX: You need to get one.

The Hon. I.F. EVANS: Point of order, Madam Speaker: the minister is using displays, which is not allowed by standing orders.

The SPEAKER: I am sorry. I hope the minister was not displaying material. Minister, you are not to display material. Minister, back to the question. You have three minutes 28 to answer it.

The Hon. C.C. FOX: I would just like to apologise to the member for Davenport, and I withdraw my card.

The SPEAKER: Thank you.

The Hon. C.C. FOX: Adelaide's new world-class smartcard ticketing system, Metrocard, by all metrics is proving to be an incredible success, both in terms of popularity amongst commuters and its operability. Commuters can now purchase the rechargeable Metrocards for travel on all Adelaide Metro buses, trains and trams. I am advised that, since these cards have been made available to the general public only a few weeks ago, over 50,000 Metrocards have been sold. This is an outstanding success as far as the commuter public embracing this state of the art, reliable and secure ticketing system is concerned.

To further demonstrate the extraordinarily rapid uptake of the Metrocard by commuters, I am advised that overall Metrocard validations accounted for 40 per cent of total daily validations, just over halfway to our initial target of 72 per cent, only 18 days after the system was launched. Specifically, rail commuters have been the most enthusiastic users of the Metrocard, accounting for 60 per cent of all rail validations. A range of online facilities has also been developed to support the Metrocard, including being able to register your card and your details via the Adelaide Metro website for security purposes. Specifically, the card can be cancelled if reported lost or stolen and the balance can be transferred to a new card.

The government has also established priority bus lanes on critical road corridors throughout the city and introduced quarterly reviews of bus timetables to ensure that they are as responsive and efficient for our commuters as possible. Both these initiatives have significantly improved the on-time running of our bus services. A new and improved Adelaide Metro website has also been launched, which is easier to navigate, provides better access to timetables and journey planners, and features important information on topics such as the Metrocard.

Another significant initiative in the public transport sphere has been the rollout of free wi-fi across the bus and tram networks, which is designed to assist passengers with their work or study while commuting to their destination. These investments in public transport services demonstrate the government's commitment to providing a modern, safe, comfortable and reliable public transport network to the commuters of Adelaide.

CHILD PROTECTION

Mr PISONI (Unley) (14:56): My question is to the Minister for Education and Child Development. Why has the minister written to me with regard to allegations of sexual abuse in schools asking 'refer to her office any details of concerns' rather than referring them directly to SA Police in the first instance?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:57): You are being very mischievous, Madam Speaker. I believe the—

Members interjecting:

The SPEAKER: Order!

Mr GARDNER: Point of order: Madam Speaker, I have not seen you being mischievous at all today.

The SPEAKER: I think the minister needs to be very careful how she words her answer. I wish I had been mischievous.

The Hon. G. PORTOLESI: I do beg your pardon. The member for Unley, I believe, is referring to a letter that was given to him this week where I asked him, if he had any concerns in relation to any outstanding cases that I may not be aware of, in the interests of the protection and care of our children, to provide that information to me so that we could resolve them as expeditiously as possible.

CHILD PROTECTION

Mr PISONI (Unley) (14:57): Supplementary: given the minister's answer, is the minister asking other witnesses to refer their evidence to her also?

The Hon. G. PORTOLESI (Hartley—Minister for Education and Child Development) (14:58): You are not a witness for this purpose.

Members interjecting:

The SPEAKER: Order!

VICTOR HARBOR ROAD

Mr BIGNELL (Mawson) (14:58): My question is to the Minister for Road Safety. Can the minister inform the house about the new road safety measures on the Victor Harbor Road?

The Hon. J.M. RANKINE (Wright—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister for Multicultural Affairs) (14:58): I thank the member for Mawson for his question and his ongoing efforts to improve road safety in his electorate. I am pleased to advise the house that, with the many drivers who will use the Victor Harbor Road this Christmas, they will benefit from a range of road safety works that have recently been undertaken; most notably, the centreline barriers that stop vehicles from crossing onto the wrong side of the road.

Since 2002 there have been many lifesaving improvements to this road, with the creation of overtaking lanes and the sealing of road shoulders. A multimillion dollar improvement project was also undertaken at the Victor Harbor-South Road junction, and the people of McLaren Vale are very excited that since last Friday they have been driving over the new bridge over the Victor Harbor Road. The bridge is part of the \$18 million McLaren Vale overpass, which will be completed early next year, fixing the deadly and dangerous intersection of Main Road and Victor Harbor Road.

As members know, head-on crashes are the most severe and often result in serious death or injury. The state government has invested \$2 million in the barriers at Willunga Hill to prevent cars and trucks from crossing into oncoming traffic. I am advised that the barriers can reduce the chance of a crash by as much as 90 per cent. As well as the wire rope barrier installation, audio tactile line markings have been installed and roadside vegetation has been cleared.

Tragically, it is easy to make a simple error in judgement and lose control of a vehicle. The last fortnight on the state's roads is a sobering reminder of exactly that. Over a period of 10 days we have suffered eight deaths on our roads. We all know that the statistics can sometimes lose their impact, but I would like to remind the house that this is eight fathers, brothers or sons who will not be home for Christmas this year.

The vast bulk of fatalities and serious injuries happen to everyday people going about their normal lives. It takes just one moment of inattention and lives can change forever. This year's road toll is considerably lower than last year's—86 currently compared to 96 at the same time last year, but the events of the last two weeks demonstrate how quickly this can change.

The Victor Harbor Road has been fatality free since September 2009, and it is improvements like this which are helping to keep it this way. This government ensures that every dollar from speeding fines is reinvested back into the community via the Community Road Safety Fund, which was established by this government in 2003. The sole focus of the fund is to reduce fatalities and serious injuries on our roads.

More than \$600 million has been paid into the fund, which has in turn been invested into blackspot improvements, new cycling lanes, shoulder sealing, vegetation clearing, education and enforcement programs. The results are reflected in the road toll. For the 2011-12 financial year South Australia experienced a 20.7 per cent reduction in the toll. The next best reduction from any state or territory was 6.6 per cent in Western Australia.

This Labor government is committed to road safety and reducing tragedies associated with road trauma. In monetary terms it costs our community about \$1.2 billion a year, but the grief from the loss of a loved one is immeasurable. Every time you get behind the wheel you have responsibility for your life and the lives of your loved ones and other road users.

Please, this Christmas, I urge all drivers to be careful as they travel to and from their celebrations. Remember the fatal five: inattention, fatigue, driving under the influence, failure to wear a seatbelt and speed. They all kill. Always err on the side of caution and do not become a statistic.

The SPEAKER: Minister, your time has expired, but we thank you for that message. Member for Bragg, I thank you for your restraint during that answer; it was most unusual.

SA WATER

Ms CHAPMAN (Bragg) (15:03): Thank you, and a merry Christmas to you. My question is to the Minister for Water.

The SPEAKER: We have got to know you.

Ms CHAPMAN: I thought that the reference to a serious death did incite some invitation, but we will leave it for next year. My question is to the Minister for Water and the River Murray. Given the minister's statement yesterday concerning the River Murray that 'SA Water is looking at providing water from its entitlement back to the commonwealth through the buy-back program', will the minister confirm that the water licences that SA Water plans to sell to the commonwealth come from irrigation licences?

The Hon. P. CAICA (Colton—Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:04): I think that I have answered that in this house previously; and, Mitch, you can brief the member for Bragg next time on this matter. No, it is not going to come from irrigators.

The SPEAKER: The member for Ramsay.

ENERGY RESOURCES

Ms BETTISON (Ramsay) (15:04): My question is to the Minister for Mineral Resources and Energy. Can the minister detail for the house the government's achievements with respect to energy in South Australia in the last 12 months?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Manufacturing, Innovation and Trade, Minister for Mineral Resources and Energy, Minister for Small Business) (15:04): Thank you very much, Madam Speaker.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: I will try my best. South Australians demand and deserve reliable and affordable energy. Across much of our country, the rising cost of power is putting increased pressure on household budgets. When members opposite privatised our assets, they denied the people of this state from exacting control over electricity infrastructure.

Despite having no control over our assets, this government makes every effort to craft policy that strengthens consumer protection and encourages people to manage their energy requirements efficiently. In the last 12 months, we have maintained a strong momentum of energy policy development. The successful passage of the National Energy Customer Framework legislation is a significant energy market reform. It provides stronger consumer protections and a simpler regulatory system for the energy industry, thereby strengthening South Australia's access to electricity and gas and creating a more competitive energy market.

In addition, on 2 October 2012, the government also signed an MOU to participate in the national Greenhouse and Energy Minimum Standards scheme. This scheme largely replaces the existing state-based regulation, establishing national Minimum Energy Performance Standards (MEPS) and labelling requirements for about 19 categories of energy-using appliances and equipment. As promised, for the member for Norwood, I will include hairdryers in that standard as of next year.

The government has also acted to give households the best opportunity to access their power usage by supplying every electorate office with a home energy toolkit. These toolkits are user-friendly and can involve the whole family and, most importantly, can show people where their big energy usage is coming from and how they can act to create a more efficient home.

Mr Williams interjecting:

The Hon. A. KOUTSANTONIS: You didn't get one?

Mr Williams: I didn't get one.

The Hon. A. KOUTSANTONIS: I'm sorry, Mitch.

Mr Williams interjecting:

The Hon. A. KOUTSANTONIS: Just so the member for MacKillop is aware, country members were given two kits, and how-to-use kits were offered here in the parliament. I am not sure why you did not turn up, Mitch, but I will find out why you did not turn up, or why your colleagues did not pick them up. I hope members who bothered to turn up to get the toolkits are getting good feedback from their constituents, and I remind members opposite that they are also available from most public libraries.

Also, in the last 12 months, the government has held a strong commitment to energy reform in remote Aboriginal communities. Earlier this year, the Department for Manufacturing, Innovation, Trade, Resources and Energy recently contributed to the installation of 89 solar hot water systems in Aboriginal community housing at Marree, Coober Pedy and the APY lands. These new systems, installed and co-funded by Housing SA at no cost to residents, will have an ongoing benefit to residents by reducing energy use, greenhouse gas emissions and, importantly, running costs. The government is aware that energy costs are hurting families. Unlike members opposite, who live in a policy vacuum, we will continue to use all the available resources—

Mr GARDNER: Point of order!

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

Mr GARDNER: Standing orders 98 and 127—take your pick.

The SPEAKER: It is a very open-ended question, I think.

The Hon. A. KOUTSANTONIS: I am just pointing out that you have no policy on energy.

The SPEAKER: Minister, you only have 36 seconds left.

The Hon. A. KOUTSANTONIS: This government will do everything we can to effectively drop energy prices—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —and do all we can to build on efficiency, and one day hopefully the opposition will have a policy on energy.

The SPEAKER: I call the member for Schubert, who recently joined the painters and dockers, I believe.

ROBIN BRIDGE

Mr VENNING (Schubert) (15:08): My question is to the Minister for Health and Ageing. Now that the Robin Bridge at Nuriootpa has been painted at a total cost of \$2,000, will the government show its gratitude to the Barossa community by spending the estimated \$600,000 it budgeted for this purpose on a dialysis machine for the community? The Robin Bridge in Nuriootpa had not been repainted for more than 45 years. The Labor government had been lobbied to paint the bridge and did absolutely nothing. Many residents of the Barossa regularly travel great distances to receive dialysis treatment. The savings the government has made in not having to paint the bridge would benefit the region greatly if spent on a dialysis machine for the Barossa.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:09): I must take this question quite seriously because the member for Schubert has, he thinks, had a bit of a laugh painting a bridge cheaper than the department would have done it. The reason that occurred is that the member for Schubert, despite being advised a number of times, was told that the bridge had been painted with lead-based paint and there are strict measures enforced—

Members interjecting:

The Hon. P.F. CONLON: —when someone cleans a bridge. Now, of course, the Leader of the Opposition says it is too expensive to observe those protocols and, of course, that's what we did in the past. It was too expensive.

Mr GARDNER: Point of order.

The SPEAKER: The member for Morialta.

Mr GARDNER: I think that the minister is coming dangerously close to accusing the member for Schubert of—

The SPEAKER: You're saying he's coming close. He hasn't actually done so and I would also remind members on my left, who I can hear muttering in the background, that the question did include several references to the painting of the bridge, so the minister is answering.

The Hon. P.F. CONLON: An allegation that he has saved the state money. What the member for Schubert did do was completely ignore health and safety protocols and environmental protocols that are there for good reasons. I'm sorry, that's what he did.

Mr GARDNER: Point of order, Madam Speaker. If the minister has evidence that he wants to refer to somebody, then he should do that. This is not the time for him to be making accusations.

The SPEAKER: There is no point of order in that. You can bring that up afterwards. Minister.

The Hon. P.F. CONLON: For the rather confused and floral member—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: —the evidence is that the department advised me, and we subsequently advised the member for Schubert, that the painting of the bridge would have to be done by operating proper protocols with safety equipment to prevent the fugitive escape of lead from the lead-based paint. I am told that the EPA has serious concerns that the actions of the member for Schubert have released fugitive traces of lead into the river beneath.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Madam Speaker, protocols on health and safety and on environmental safety exist for very good reasons. They are not there for the humour or for the stunts of a local member trying to get a headline. They are there to protect people from the dangers of these products. These are the reasons—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: It was too expensive for James Hardie to have proper safety measures in their asbestos factories, so they killed people. That is what we're talking about, Madam Speaker. It is not the subject of a stunt. They exist for good reasons and the member for Schubert should never have done what he did and I hope that he doesn't find himself in trouble over it.

Mr GARDNER: If you're talking about killing people being equated to what the member for Schubert did then it is utterly inappropriate.

The SPEAKER: Order! Thank you. As I said, the question did refer a number of times to the painting of the bridge, therefore the answer was inclusive of that.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! There will be no shouting across the chamber. The member for Port Adelaide.

SUBMARINE PROGRAM

Dr CLOSE (Port Adelaide) (15:13): My question is to the Treasurer. Can the minister inform the house about state advocacy efforts to promote an Australian build for the Future Submarine Project.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Workers Rehabilitation, Minister for Defence Industries, Minister for Veterans' Affairs) (15:13): I would like to thank the member for Port Adelaide for her question. She obviously has a very keen interest in this project. It is incredibly important to her electorate. South Australia is active in the debate over our future submarines in support of the national interests, as well as our clear interest in ensuring as much work as possible is carried out here in South Australia. Submarines are, of course, a vital component of our national defence strategy. No-one would understate the importance of the decision, or series of decisions, that the commonwealth will make over the coming years.

Australia has a strong foundation of submarine expertise and shipyard infrastructure and, in collaboration with foreign design partners, this Future Submarine Project provides an unprecedented nation-building opportunity.

The state supports industry's vision for Australia to be a world leader in conventional submarine build and sustainment. Irrespective of which option the commonwealth selects, it is imperative that we build the future submarines in Australia, so we can readily adapt to technology shifts and guarantee our sovereign independence. South Australia is the leading state for naval submarine and ship building in systems integration. We pride ourselves on being the defence state and continue to invest heavily in necessary skills and infrastructure.

The government's commitment is mirrored by our strong and growing local defence industry. This industry provides thousands of jobs and has generated major capital investment in the Techport Australia naval shipbuilding precinct over the last five years. Techport Australia is home to Australia's largest concentration of specialised naval shipbuilding design, engineering and production expertise, with some 2,000 highly skilled workers located on site. It is an exemplar precinct for advanced manufacturing.

Modular ship production and systems integration techniques are being employed on the \$8 billion air warfare destroyer build project, and the Collins class submarines are being efficiently sustained by the ASC. Highly capable subcontractors and component suppliers are located in close proximity to the heart of these projects. We are seeking to capture an array of work to ensure sustainability of the industry, including US naval voyage repair.

Members will be aware that we were able to promote Techport Australia's capabilities to US Secretary of State Hillary Clinton earlier in the month. Techport Australia will also be the place of assembly for Australia's future submarines, which will undoubtedly be the nation's most complex manufacturing project. It is vital that we get our submarine capability right, because the consequences are enormous in both a tactical and an economic sense.

The commonwealth's decision over the coming year will not only determine our future strategic position in the region but the future of Australia's naval shipbuilding industry and its many reliant communities. As Treasurer, I understand some of the pressures that the commonwealth is under. Frugality is the order of the day, and cheaper options will always have their appeal, but a brave cabinet will resolve that a local build is in the nation's long-term interests.

I conveyed these messages in my recent address to the Submarine Institute of Australia's sixth biennial conference in Canberra with key government and industry leaders in attendance. The state, particularly through our highly active and influential Defence SA Advisory Board, will continue to advocate in this critical project, focusing on two key points: first, Australia cannot effectively manage and evolve the submarine throughout its life without a local build and thorough understanding of its design; and, second, we should not spend this amount of money without considering the broader economic benefits to our nation.

ENTERPRISE PATIENT ADMINISTRATION SYSTEM

The Hon. J.D. HILL (Kaurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:17): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: With regard to questions asked in the house yesterday by the Deputy Leader of the Opposition about the Enterprise Patient Administration System and eHealth initiatives, I provide the following information.

I am advised that a full cost-benefit analysis has been performed, and EPAS has a comprehensive benefits realisation plan. This was part of a cabinet decision and is subject, of course, to normal cabinet protocols.

In relation to staffing of the eHealth Program Management Office, a small project management office has been operating with six employees, providing reporting and support for individual projects. An eHealth project management office is now required and is being established to monitor and avoid duplication on projects operating under EPAS, including ESMI (which is for imaging), EPLIS (which is for pathology) and other eHealth projects such as the new Royal Adelaide Hospital and Oracle.

I am further advised that in the division of the department known as eHealth systems, there are 358 full-time equivalents. This division provides leadership in developing and implementing information, communication and technology initiatives across SA Health.

In relation to the deployment of EPAS to country sites, I am advised that SA Health owns an enterprise licence for EPAS so it can deploy the software to any SA Health site. There are bandwidth limitations, as the member would know, in rural South Australia that we hope will be addressed by the National Broadband Network over the next few years. Once EPAS has been implemented into the metropolitan hospitals and the two large country sites, a review will be undertaken as to further EPAS deployment options.

MULLIGHAN INQUIRY RECOMMENDATIONS

The Hon. J.D. HILL (Kurna—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for the Arts) (15:19): I seek leave to make another ministerial statement.

Leave granted.

The Hon. J.D. HILL: In question time today, I was asked a question by the member for Morialta about the Aboriginal lands health service. I described it as the APY health service. I should of course have referred to it as Nganampa Health. I apologise to Nganampa Health for missing the name when I was giving the answer, and, of course, I repeat that my understanding is that Nganampa Health is in compliance with the state laws in relation to reporting.

GRIEVANCE DEBATE

ABORIGINAL AFFAIRS AND RECONCILIATION

Mr MARSHALL (Norwood—Deputy Leader of the Opposition) (15:20): Today I rise to talk about Aboriginal affairs and reconciliation here in South Australia. I do so on a day when I understand the federal government has introduced a bill for an act of constitutional recognition of Australia's first people. I also understand that our own Premier, the Hon. Jay Weatherill, plans to make a similar announcement on constitutional recognition of Indigenous people in our Parliament House this afternoon. Unfortunately, of course, nobody on this side of the house has been informed. We just hear these rumours coming to us via the media. It is completely unacceptable, but this is becoming a key theme of this government in the way that they operate with regard to Indigenous affairs in South Australia.

It is completely unacceptable that the opposition has not been consulted by the Premier on his plan to change our constitution in South Australia. When the Premier first announced his intention to consult with the people of South Australia about a constitutional change, he again sent a message to the opposition, as a text message, at a quarter to eight at night before his announcement the next morning at breakfast on this important issue. It shows complete and utter disregard for this important area, which should be bipartisan. He then, at the breakfast, proceeded to lecture the opposition about how important it was for the Liberal opposition to get on board with this important reform. What a hypocrite! His government has continually used this important portfolio to create a wedge.

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: Point of order: that is definitely unparliamentary language.

The SPEAKER: Yes; I point out to the member that was unparliamentary language, calling someone a hypocrite. I would ask you to withdraw it.

Mr MARSHALL: I withdraw the word 'hypocrite', Madam Speaker; but I go on to point out the failings of this government in terms of working in this portfolio in a bipartisan way. Both the current minister (minister Caica) and the former minister (minister Portolesi) have had Dorothy Dixier questions, asked of themselves here in question time, designed purely to raise the issue of the Liberal Party's non-mandated position to acknowledge country at every single opportunity. I point out, of course (I have to be careful of the word 'hypocrite'), this can be seen by some to be hypocritical because the simple fact of the matter is not everybody on the other side of the house is acknowledging country at every opportunity.

We think it is completely unacceptable that the government would use question time to try to drive a wedge in this important area, especially when the portfolio is actually called Aboriginal affairs and reconciliation. How can this be seen as an act of reconciliation with the government continually trying to attack the Liberal Party? We believe that it is completely unacceptable. Traditional Labor voters are now expressing their long-found dismay of the government's performance both at federal level and at state level in handling Indigenous affairs in Australia.

Former ALP national president Warren Mundine has resigned from the party. The Labor Party should hang their heads in shame. Tauto Sansbury, a former ALP candidate both at state and federal levels, has resigned in complete and utter dismay. There are many, many more, and the people on that side of the house actually know this. These people, like the Liberal Party, appreciate that this is a difficult portfolio. We acknowledge that it is a difficult portfolio, but it is one that needs to have a lot more than lip service paid to it; it is important.

We asked today about his government's performance on this important portfolio in question time. What does the Premier do with his time allocated to answer this important question? He decides to launch an attack on Liberal Party performance in this area from more than a decade ago. The simple fact of the matter is the government should be focusing on the current performance and the future performance; it is completely unacceptable.

Both major parties have had their highlights in terms of this area and their lowlights in terms of this area. I feel very proud of the Liberal history in this area. I feel very proud that my friend Ken Wyatt, member for Hasluck, is the first Indigenous person elected to the House of Representatives in Canberra. I feel very proud that Dean Brown was the first premier in Australia to apologise to the Stolen Generations—11 years before the federal government did this. We have not performed well in this area in this state for the past decade. That is a complete and utter statement of fact. Yes, there have been some improvements but overall much more work needs to be done, and this needs to be done in a bipartisan way. The fact that the Premier fails to consult is absolutely shameful.

Time expired.

Members interjecting:

The SPEAKER: Order!

WEATHERILL LABOR GOVERNMENT

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)
(15:25): I begin by saying that this year that confronted us in South Australia has been a year when the South Australian Labor government decided to put front and centre in its concerns the creation of jobs. Early in the year we were faced with the prospect of the closure of Holden which would have led to a 16,000 person hole in the employment situation in South Australia—an extraordinary economy wrecking and region wrecking proposition if it had come to pass.

It meant that we travelled to Detroit and, together with the commonwealth government, we negotiated a package of co-investment that leveraged \$1 billion of investment from Holden and \$275 million of which the South Australian government will contribute \$50 million. We did this because we understood that this state, the great manufacturing state that it is, needs to have a car manufacturing sector if it is to make the transition to a long-term sustainable advanced manufacturing state. We believe that we need to continue to make things in this state. That is why we are committed to the manufacturing sector.

We quickly then went on to make a number of substantial investments that spoke to this very ambition. The investments in the Mitsubishi site at Tonsley Park are a fantastic example of the movement from the old to the new. An old car manufacturing plant which would have been destined for a bulky goods factory, we took it over and imagined a vision for advanced manufacturing. We now have a university there, shifting an important part of its campus there. We now have a TAFE college. We have significant businesses committing to relocate. We have a partnership with Siemens, the largest company on the German stock exchange, a country which is renowned for its advanced manufacturing capability. Together we will create one of the world's great sustainable advanced manufacturing precincts.

We also have put in place the building blocks for the training and skills that are necessary for us to make sure that workers have the skills and capabilities to participate in such a sector. We have a blueprint designed by Mr Göran Roos, an acclaimed world leader who has chosen to move

his residence to South Australia because he shares our ambition for advanced manufacturing future in this state.

We were also confronted with disappointments: the BHP decision to no longer be pressing ahead with the expansion on the original time line. We did not take that lying down. We sought to negotiate with BHP their ongoing commitment to this state and we negotiated a package of measures which exceeded \$650 million which is an extraordinary commitment by this company to the long-term future of this state. At the heart of those negotiations were Labor causes: the proposition about ensuring that we are a mining centre of excellence for the nation in this state, to not only allow people to dig up things here but to ensure that it actually is there for the benefit of our state.

Of course, there is the great fight for the River Murray, asserting our interests, a self-respecting state that does not lay down but actually asserts itself and understands its place in the world, and that is why we were successful. We did not lay down. If anyone looks at the Murray-Darling plan, you will see our fingerprints all over it—an extra 450 billion litres, an extra \$2 billion—down to our advocacy, down to our campaigning.

What do we see from those opposite? We see the rerun of the old story, the Hatfields and McCoys that exist on the other side of the parliament, and their complete inability to articulate a single positive policy for this state despite the fact that we have had a promise. The opposition leader has pledged to abandon her small target strategy. Well, where are they? Where are these incredible policies? They simply do not exist. Why don't they exist? Because she has been relentlessly stalked.

Members interjecting:

The SPEAKER: Order! The members for Davenport and Norwood, behave or leave. You will listen to the Premier.

The Hon. J.W. WEATHERILL: Madam Speaker, the reason that she could not come up with any policies is that she has relentlessly and treacherously been stalked for months and months and, when the push failed, she went out there and sought to denigrate the military service of the challenger as she sought to defend herself.

I conclude with these words. Appropriate attribution to the member for Davenport, mutatis mutandis. The opposition does not deserve the opportunity to govern. The opposition is a rabble. You have lost your authority. You have lost your way. You are divided. You are tired. You are arrogant. You are at war. Have a good Christmas!

The SPEAKER: The member for Schubert.

Members interjecting:

The SPEAKER: Order! Member for Schubert, sit down until we can get rid of some of the rabble.

ROBIN BRIDGE

Mr VENNING (Schubert) (15:31): I wish to report to the house that I, with assistance, have painted the Robin Bridge in Nuriootpa. I noted the response today from the minister in this house, and that actually proves the very point I am trying to make. Yes, I am the first to realise this action is irregular, to say the least, not authorised or sanctioned by the body responsible for this bridge (the state Labor government). After pushing the government to do it for over four years, out of frustration I carried out this unusual act.

I know I have failed to carry out many things, and I have been reminded of that. I inform the house that we wore respirators, laid down groundsheets, hand sanded it, and sucked up the dirt and the dust with an industrial vacuum cleaner. Most of the dust was mould and grit. Hardly any paint was left on the bridge. We ended up with about a cupful of dangerous material, which has been burnt. I did fail, and have been reminded that I failed, to:

- have a lead-trained responsible person on site at times with the authority to shut down the site at their call at any time;
- have only lead-trained people do the works;
- have a detailed lead management system such as the PCCP level 5 A system;

- have a detailed site-specific lead plan that shows soil sampling, sediment sampling, air monitoring and water sampling details (do before and after on a number of these, send these away for third party testing and auditing);
- have exclusion zones clearly marked out around the site; and
- have wash facilities for all the workers on site within the area.

In addition:

- All workers need to have a blood test before the project and after the project. If the project goes longer than four weeks, have works tested every four weeks.
- All works need to be encapsulated and there needs to be a negative air pressure within the encapsulation to stop dust leaving the encapsulation. Proper HEPA filtration system to be used, not an industrial vacuum cleaner.
- EPA needs to be notified before works start, for possible inspection of the work site, plus you need to have a mobile EPA licence.

End of that. Yes, I did not do any of this. We wore safety gear and we collected the dust. It was no more than a cupful. No wonder government jobs are continually blowing their budget. What a massive overkill this would have been.

We looked at the situation and assessed it, realising that every day for the last 10 years there has been leaded paint falling into the river under that bridge, what was left. Do not come and tell me that it fell into the river, and I heard what the minister just had to say. As the house knows, the *Hansard* record shows that it was after questioning the Minister for Transport on this project some six months ago with the following argy-bargy. I was challenged by another senior government minister in here that I could afford it, 'So you do it,' and I said, 'Okay, I will,' and now I have. I was hoping the government may come in and cut my lunch and do it before I did, but there was no sign of that.

I had previous correspondence from minister Conlon saying that it was a big job and because of the leaded paint it had to be dismantled, taken to Port Adelaide, sandblasted, repainted, then taken back and rebuilt at Nuriootpa. The rumoured cost was in excess of \$600,000, and we seek that confirmation through freedom of information now. The minister agreed that it could be included in the 2015-16 budget, obviously well after this government is out of office.

So it came to pass, as public pressure mounted: when will it happen? Last Thursday and Friday, two long days, and the job is done. I was very fortunate to have the services of a professional painter, Mr Craig Marsten and three of his staff—Ben Verne, Rodney Hill and Joel Semmler. The weather was good, and there was no wind. Also, Dulux donated the paint, which is a lovely colour, and Mitre 10 supplied all the bits and pieces. So, all in all, it was a very good result. Also, I got very favourable rates from the Barossa Valley hire company for the use of all the plant and equipment.

We did not intend it to be a stunt. All I can say is that the people are happy. Just look at the regulations there on this job and the cost. No wonder budgets get out of control, and no wonder Labor is a poor economic manager, because they do not know how to manage. Common sense has gone out of the window. In this instance, yes, we knew it was lead paint—but with proper management and care, it was handled, and now we have a result. I have to say that the community are very pleased about it. Everyone wanted to join it, and it turned out to be a great community project. The job is done, and the proof is there, if members want to have a look.

MARITIME UNION OF AUSTRALIA

Ms BEDFORD (Florey) (15:36): The Maritime Union of Australia is a great union. Along with many in this place, I recall many struggles it has waged on behalf of its members, the men of the sea. Last week, I attended a service to remember a seafarer, Mr Les Perry, and our condolences go to Pat and her family in their time of loss.

It was with great sadness that I learnt the very next day of the passing of Rex Munn, a truly wonderful man I have known only for about 20 years, but some of the comrades had known him for much longer than that; in particular, the Maritime Union of Australia members in the South Australia branch, the MUA vets; the May Day Collective; the CPSU; the CFMEU; the member for Ashford, her partner and staff; the CPA; the Port Adelaide National Trust and the Tea Tree Gully Football Club, among many others.

To Rex, the most important things were his love for the love of his life, Marcia, his family, his union, his friends and the Waterside Workers Hall at Port Adelaide—and it was to farewell Rex that the Premier and so many gathered there earlier today to the sounds of *The Internationale*, hopefully all in tune, for Rex was known as the 'Singing Socialist'—and that is how I first met him.

Rex died peacefully after a brief battle with cancer on 21 November at the age of 84. He was the beloved husband of Marcia, and the loved father and stepfather of Norma, Michael, Janet, Mary, Ruth, Jane, David (deceased), Sally and May. He was the treasured poppa and grandpa of Michelle, Kirstin, Damien, Stacey (deceased), Benjamin, Joseph, Tara, Jenna, Chloe, Marcia, Rick, Jennifer, Michael, Paul, Carl, Rachael, Meagan, Thai and Nantale, and he was cherished by his great-grandchildren.

Rex was a legend of the Labor movement in South Australia. He was the president of the MUA Retired Veterans Committee and vice-president of the May Day Collective. He always led the May Day dinner in renditions of the *Red Flag*, *Solidarity Forever* and, of course, our beloved *The Internationale*. I am grateful to Rex's family and MUA state secretary, Jamie Newlyn, for the following information.

Rex was born in Mannum in 1928, the third of seven children. He was 12 when the family moved to Semaphore, and so was born his lifelong love of the Port Peninsula and its people. Rex joined the wharf at the age of 23 in 1951. These were days of great struggles to improve workers' working conditions and wages, and Rex fast became an active participant in the political lessons of the day. He was an unflinching member of his union, the Waterside Workers Federation (now the MUA) and a member of the Communist Party of Australia. Rex spent 36 years on the wharf—hard years, long before mechanisation, when men carried sacks on their back and a man's best help was his gang.

Rex retired as vigilance officer for the union in 1987, but his motto was 'retired from the workforce but not from the struggle'. Rex moved to Tea Tree Gully in 1957, so the north-east of Adelaide has a claim to his affections, too, as he joined the Tea Tree Gully Football Club in 1960. He took to his footy club just as he did to his working life, with great passion, and he was a proud life member of the club.

After some time in the Clare Valley, a place also dear to my heart, Rex and Marcia travelled around Australia and settled in Queenstown, where Rex launched himself back into community activity. He became the president of the Maritime Union Veterans Association, a member of the SA Unions' community action group, a member of the May Day Committee, a member of the Asbestos Advisory Committee to the government, a member of the Fair Go for Pensioners Committee and he became a committee and foundation member of the Port Adelaide branch of the National Trust. He was a passionate and boundlessly enthusiastic volunteer at the Port Adelaide Maritime Museum for many years.

Rex had a special interest in the Waterside Workers Hall and its survival and he sang there on many occasions. I cannot remember a workers' memorial observance at the Black Diamond Corner where Rex was not present. Rex was a born entertainer and started singing at a very young age. He sang at every opportunity and many were blessed to have heard him sing. He was the leader of the Union Entertainment Committee in the 1950s and was a member of the New Theatre and sang in Reedy River on the Waterside Workers Hall stage. In fact, he kept on singing until the end.

How could we really encapsulate such a rich and full life and pay proper tribute in this short time here today? Rex's contribution has been inspiring to those he worked with for so many years and the new generation of maritime workers who followed. He set a fine example and no doubt never missed an opportunity to assist them and passed on his knowledge of the sea and the Labor movement. As a past winner of the May Day Spanner, Rex's strength and dedication will remain, just like the MUA, here to stay in our memories forever.

STORY, MS D.

Ms CHAPMAN (Bragg) (15:40): It is customary on the last day of the parliamentary sitting before Christmas to extend good wishes and goodwill to colleagues and to also recognise the service during the year of our long-suffering staff and those who serve us here in the parliament. Today I wish to acknowledge the extraordinary contribution that Dawn Story has made, who has recently retired from my office after many years of service as my personal assistant and who has been part of our 'Team Bragg'.

Dawn has had nearly 40 years of service, however, in parliamentary electorate offices. She commenced her political career serving the people of Eyre for the Hon. Graham Gunn, who is a former speaker of this house. I took the view, as those would around, that if she had a reference from Graham Gunn and she had experienced and survived his employment then she must have some excellent skills. However, in addition to her work in the parliament, her career and service to the people of South Australia has been sprinkled with work in the disability sector for a non-government organisation, in the private health sector and in the mining industry. So, she has brought a breadth of experience to her continued service in the parliamentary field.

For a number of years Dawn worked for my father, who was a former minister of the Tonkin government. She was his electorate assistant—long suffering, I am sure, in that role, but she survived him, which was another important badge of honour on her CV. I particularly remember Dawn in her years of service at Victor Harbor, listening carefully with a sympathetic ear to electors, providing the calming dialogue of support and wise counsel. It is those attributes that she particularly brought to my office.

Some in this house would also know that she served for some 10 years as the personal assistant and electorate secretary to the Hon. Dean Brown, who not only is a long-serving member of this house but also served as South Australian premier and government minister. Through all of these different echelons of government, parliament and Public Service, and in the private sector, she has remained a hardworking, loyal and supportive adviser and assistant.

Many members would appreciate the significant amount of work that is done by our personal assistants and electorate officers, particularly during our absence. They are expected by our electors to provide that emotional support and advice not just in our absence but also to us personally. I wish to place on the record my personal appreciation for her longstanding support to the people of South Australia, most particularly to me and members of my office.

My brother Jim would turn up from the farm with crumpled and torn-up pages and she would be able to understand his writing and prepare a letter, and give him advice on that. Paul Armanas from my office, who joined us subsequent to Dawn coming to the Bragg electorate office, also wishes to extend his appreciation for her advice and support as a senior member of the team.

Lynne Byrne came in today as another long-serving provider of services to our electorates. She has also worked in my office on many occasions. She is a wonderful friend, and she and her daughter both provided considerable support. Terri Church has now joined the Bragg electorate office, and we welcome her. Terri has also had experience in all levels of federal, state and local government in senior roles of advice, and we welcome her to the team.

However, today is a day to recognise all those who provide us with support, but particularly I wish to thank Dawn for her extraordinary service and the accolade of having survived some of the most difficult members of parliament. At least she ultimately worked for a gentleman of the parliament, namely, the Hon. Dean Brown. Today both Dean and Graham returned to the parliament to pay tribute also to her service and to enjoy in the refreshment in the dining room, and I thank them for their attendance today.

Typically in my office, Dawn did everything. She even had to organise her farewell lunch, which she did admirably, and we all enjoyed that occasion. Well done, Dawn, and thank you for the service to South Australia.

COMMUNITY GROUPS

Ms THOMPSON (Reynell) (15:45): Today I want to pay tribute to two organisations in my electorate that combine the enthusiasm of youth and the wisdom and experience of the elders of our community. The first one is to congratulate all involved in TS Noarlunga on the presentation of the Navy League of Australia's Perpetual Trophy for the most efficient navy cadet unit in Australia.

The criteria for the award included parade and ceremonial work and participation in community events. Certainly the environment of my electorate has benefited by the work of the cadets who have joined me in recent years to clean up a site of Christie Creek on Clean Up Australia Day, and the support of the community, which was demonstrated by the many community organisations, parents and friends, as well as local members of state and federal parliament, local government and the RSL who have shown commitment to and support for the cadets of TS Noarlunga, ably led by their commanding officer, Lieutenant David Lyas.

The ceremony was very impressive, indeed. The invited guests included the Parliamentary Secretary for Defence, the Hon. David Feeney; the Chief of Navy Vice Admiral Raymond Griggs;

the National Commander of Australian Navy Cadets, Captain John Gill; and Commanding Officer Navy Headquarters South Australia, Commodore Allan Williams.

If I read all the people who were invited I would not have time to acknowledge the cadets themselves who put on an excellent display of parade for the day and have always shown self-discipline, self-confidence, their ability to learn new skills, their ability to respond appropriately in tricky situations, enthusiasm for what they are doing, support for each other and respect for the institutions of Australia.

The cadet unit includes cadet midshipman Alicia Wilson; petty officer, Jason Gabel; petty officer, Isabella Walton; leading seamen, Scott Barber, Brandon Kennedy, Lauren Tschirpig, Keri Ward and Krystelle Winn; able seaman, Sara Manikhy and seamen David McCormack, Liam Doherty, Luana Kidney, Charles Rundle, Logan Myers, Luke Myers and Lucy Dodson, together with recruits Daniel Harding, Hannah Kent, Dylan Lawrence, Steffanie Roberts, Zen Du Preez and Jayden Van Der Westhuizen.

In talking to one of the mothers of one of these cadets at another function at which I encountered her, she said that her son had changed remarkably as a result of his involvement in the cadets; that he had matured and was more willing to participate in things, as well as taking on responsibility that she had not expected.

The other organisation that I want to celebrate today is the Sammy D foundation which recently held its annual general meeting. This meeting recognised another successful year by the Sammy D foundation which was started only a few years ago after the tragic death of Sam Davis by one hit at a party at Somerton Park. His parents, Nat Cook and Neil Davis, decided that Sam's memory would not be forgotten and that his death would not be in vain.

They have been joined in their efforts since by many of Sam's friends and his sister, Sheree Davis, and have continued to develop programs that young people and their parents find extremely relevant. They are led by Nat and Neil who recently welcomed the arrival of new baby, Sid, and we are all very joyful for them on that occasion. The practical approach that Nat and Neil show and their ability to communicate easily with young people has engaged thousands of young people now and caused them to think about the consequences of their action.

We know that young people all think they are immortal and all think that they are totally impervious to any sort of harm, but the lesson from Neil and Nat about the death of their son has shown young people how vulnerable they can be, and the evaluation of their program shows consistently that young people have changed their attitudes as a result of the presentation and that even six months later there is still evidence of their changing attitudes to responsibility and care of others.

VISITORS

The SPEAKER: Before we move on, members, can I welcome to the chamber members of the advisory panel for constitutional recognition for Aboriginal rights in South Australia. What a cast of stars we have up there. We have Professor Peter Buckskin and Khatija Thomas who is a Commissioner for Aboriginal Engagement in South Australia. It is lovely to see you. Shirley Peisley, it is lovely to see you here.

I can see Robyn Layton behind her—we all know Robyn—and we have Nerida Saunders there, who is in Aboriginal affairs in South Australia. There are a couple of faces there I do not quite know, but I can see Mark Waters up the back who looks after Reconciliation SA. We have a cast of thousands there and it is very nice to see you in here. We know you have been working very hard on your advisory panel. Welcome to all of you; it is lovely to see you.

GOVERNMENT STATIONERY CONTRACT

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for the Public Sector) (15:52): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.F. O'BRIEN: I rise to inform the house on matters regarding the across-government stationery contract. For the benefit of members I will describe the process that occurred, in chronological order. On 21 November 2011, cabinet approved a submission to establish a mandated across-government stationery contract following completion of the printer cartridge review undertaken by the Procurement Working Group.

The submission proposed that a new mandated contract be established for stationery and commence from 1 September 2012 for all public authorities. The submission intended that all public authorities should be interpreted as broadly as possible and include public authorities and prescribed public authorities covered under the State Procurement Act 2004.

An acquisition plan for the new across-government stationery contract received Governance Committee approval on 29 March 2012 and was submitted to the State Procurement Board for consideration at their meeting on 11 April 2012. The State Procurement board approved the acquisition plan on 11 April 2012 and delegated approval of the purchase recommendation to the chief executive, Department of the Premier and Cabinet.

In the lead-up to the tender process, Shared Services SA sought advice from DECD as to the scope of Back To School and met with DECD Procurement to discuss this matter. The Crown Solicitor's Office finalised the draft contract for stationery on 24 April 2012. The tender documents were released on 26 April 2012.

As part of the tender process, tenderers had one month from the release of the tender documents to prepare and submit their bids by 28 May 2012. In all, eight submissions were received. These were firstly evaluated to ensure that each bid met all the specified requirements of the state, such as deliveries to regional and remote areas, the ability to integrate with the state's e-procurement system, payment terms, warranties, savings opportunities and contract reporting, to name but a few. As with any tender process, it is important that prospective suppliers fully and comprehensively address all these requirements, as this information is used by the evaluation team to assess each bid in detail.

The evaluation plan was approved on 22 May 2012 and the evaluation team undertook the evaluation of bids over the period 31 May 2012 to 14 June 2012. The evaluation of these technical requirements was undertaken prior to, and separate from, any assessment of price. After this evaluation was complete, the bids were scored by the evaluation panel, with representatives drawn from agencies across government, and the panel then agreed on the final score. The evaluation report was approved on 26 June 2012.

Suppliers needed to score a minimum of 60 per cent from this technical review in order for them to be shortlisted for selection. Regrettably, some suppliers did not meet this requirement. Tender bids that did not achieve a score of 60 per cent included little or no response to requirements such as delivering savings to government, providing additional value, ability to deliver price matching, business continuity or the inclusion of a transition plan for the new contract. Some tender bids also included delivery times that were twice that specified in the tender document (delivery within 24 hours in the metropolitan area), again making their bid less likely to meet a minimum score of 60 per cent.

Four suppliers were shortlisted and were then evaluated from a value-for-money point of view, not just price. This includes assessing a basket of goods containing more than 1,200 items commonly used across government, in particular, those that are mandated under the contract. Value for money includes the technical requirements, as well as price, delivery costs (if any), rebates, discounts, minimum order sizes—in effect the whole-of-life cost.

A negotiation plan was approved on 27 June 2012. Negotiations were held with the four shortlisted suppliers to further improve the value for money to government by maximising the application of rebates and discounts. The purchase recommendation was finalised on 27 July 2012 and approved by the chief executive of the Department of the Premier and Cabinet on 6 August 2012. Finally two suppliers, who demonstrated that they met the service delivery requirements and delivered best value for money, were recommended for approval by the State Procurement Board as members of the panel contract.

This procurement process also included a review by a probity adviser, who considered the tender document, approval documents, the evaluation process, management of tender documents and final purchase recommendation. This review by PSI Asia Pacific Pty Ltd noted that the decision to award a panel contract to Corporate Express and OfficeMax is defensible and consistent with the aspirations of the approved acquisition plan. PSI also concluded that the outcome of the evaluation process was robust, with the evaluation process appropriately conducted. There were no residual probity issues associated with the procurement process.

The cabinet submission was circulated to agencies for review prior to consideration by cabinet. Cabinet approved the submission on 3 September 2012 and I informed the house on 5 September 2012. Since that time, one of the unsuccessful tenderers has raised issues and

allegations about the process and the outcome. I wish to inform members that the Small Business Commissioner, Mr Mike Sinkunas, is investigating these complaints. The Small Business Commissioner Act lists as one of the functions of the commissioner: 'to assist small businesses on request in their dealings with state and local government bodies.' A request has been made to the commissioner and he is acting upon that request.

The government takes seriously the views of small business operators in South Australia and wishes to encourage small businesses to thrive and prosper. I have held discussions with the chief executive of Business SA, Mr Nigel McBride, to examine ways in which South Australian small businesses can be supported to apply for and win government tenders.

Members should be aware from reading the State Procurement Board annual report that 75 per cent of government contracts are with South Australian suppliers. This was an increase from 63 per cent in 2010-11. The government is committed to maximising the business relationship with South Australian suppliers while ensuring maximum value for money for taxpayers.

CONSTITUTION (RECOGNITION OF ABORIGINAL PEOPLES) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)
(16:01): Obtained leave and introduced a bill for an act to amend the Constitution Act 1934. Read a first time.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)
(16:01): I move:

That this bill be now read a second time.

In 1834, the parliament of the United Kingdom passed 'An Act to empower His Majesty to erect South Australia into a British Province'. This was followed in 1836 by the Letters Patent, establishing the Province of South Australia. As the system of representative government in this state evolved, the legislative instruments providing for the governance of the state underwent a series of changes leading to the Constitution Act 1934.

The Constitution Act 1934 does not acknowledge Aboriginal occupation and custodianship of the land and waters of South Australia. It also does not acknowledge the spiritual, social, cultural and economic practices of Aboriginal people in relation to the lands and waters. This is why, in May 2012, the South Australian government made a commitment to give formal recognition to Aboriginal peoples as the first peoples of this state by an amendment to the state's most fundamental document: the South Australian Constitution Act 1934.

An advisory panel of eminent South Australians was appointed to provide advice to government on the possible wording and placement of such recognition, and in doing so, consult with Aboriginal and non-Aboriginal communities. This advisory panel comprised the convenor Professor Peter Buckskin, Dean and Head of School at the David Unaipon College of Indigenous Education and Research, University of South Australia and co-chair of Reconciliation SA; Ms Khatija Thomas, Commissioner of Aboriginal Engagement; Ms Shirley Peisley, Aboriginal Elder and former co-chair of Reconciliation SA; the Hon. John von Doussa, a former judge of the Federal and Supreme Courts and former President of the Human Rights and Equal Opportunity Commission; and the Hon. Robyn Layton, former Supreme Court judge and current co-chair of Reconciliation SA.

The panel conducted a thorough consultation process and made recommendations as a result of this. The consultation facilitated strong participation of both Aboriginal and non-Aboriginal people. A discussion paper was prepared, a website was created and the process was widely advertised. Twenty consultation meetings were held in regional and urban centres, and 49 written submissions were received, including representative submissions from local government councils, church groups and community groups with an interest or involvement in Aboriginal affairs. This consultation process and the work of the advisory panel has led us to this historic bill: a bill to amend the South Australian constitution to recognise Aboriginal peoples in our most fundamental document.

This recognition, long overdue, is a critically important mark of respect of Aboriginal peoples past, present and future. It is an act that has the capacity to reach across generations and to be of significant value for both Aboriginal and non-Aboriginal people. It is also a means by which we enhance the self-esteem of South Australia's first peoples while strengthening the identity of our state. This bill is a vital piece of work that will contribute to further reconciling Aboriginal and non-Aboriginal people in South Australia.

The constitution should reflect the identity of the people it represents. It should recognise the unique importance of Aboriginal people to the state, the long relationship Aboriginal people have with the land and waters of South Australia, and their importance in the future of the state. In light of this, this bill provides for a new section in part 1 of the Constitution Act 1934, entitled 'Recognition of Aboriginal Peoples'. This new section begins with two statements of historical fact: the establishment of the Province of South Australia by the 1836 Letters Patent and that there had been no proper and effective recognition, consultation or authorisation of Aboriginal peoples either then or when the present Constitution Act 1934 was passed almost 100 years later.

The words 'proper and effective' were intended to reflect the fact that there had been some interaction or communication with Aboriginal peoples prior to 1934. The failure to properly and effectively consult was deeply offensive to the respectful way in which the Aboriginal people conducted negotiations within their own groups about coming onto land or about the use of land. Following this is a statement of acknowledgement and respect which records the apology to the stolen generations given in this place on 28 May 1997, and subsection (2)(a) goes on to acknowledge and respect Aboriginal peoples as the state's first peoples and nations.

Subsection (2)(b) recognises Aboriginal peoples as traditional owners and occupants of land and waters in South Australia. Each Aboriginal group knows the boundaries of its traditional lands, and different Aboriginal groups have the right to exclude Aboriginal people from different groups entering their land. They have the right to grant permission for such groups to travel across their land or to enter it for cultural purposes and to share the fruits of their land. These traditional owners have a unique and deep spiritual, social and cultural connection to land.

At the consultation meetings, people who identified themselves as Aboriginal explained that spiritual, social and cultural practices, as well as their economic practices, reflect Aboriginal law, which governs their way of life and their interpersonal relationships, and that each Aboriginal group had its own governance system specifying required behaviour within and between groups and the respect required to be given to their traditional customs. It was also explained that Aboriginal spiritual, social, cultural and economic practices come from the land, and their beliefs are inseparable from the land. This is reflected in the bill, that Aboriginal culture is unique and irreplaceable, and is followed by an acknowledgment that Aboriginal peoples have endured past injustices and dispossession of their traditional lands and waters.

Subsection (3) provides that this measure is to have no legal force or effect. It is important that all parties involved in the consultation process were aware that it was not intended that recognition would either create any new rights or remove any existing rights. This was necessary to avoid this important step of formally recognising Aboriginal peoples from becoming subject to a series of technical legal debates and objections.

This subsection, therefore, makes it plain that the amendment will not provide the foundation for any cause of action. Nor will it be called in aid of claims whether for native title, compensation for past wrongs, or any other. The amendment will also be irrelevant to the legal interpretation of any document (including this act) and to the content or processes by which government carries out its functions, policies or undertakes decision making. Further, the factual statements contained in the amendment cannot be relied upon as evidence in legal proceedings.

Some may consider that this subsection robs this recognition process of its significance; however, that is not so. The significance of the amendment arises by virtue of the formal recognition of past injustices and the ongoing unique contribution made by Aboriginal peoples to the life of the state. It is not, and was never intended to become, a tool for litigation. Were this to occur, then the statement of recognition contained in this amendment would become a source of division rather than a step towards reconciliation.

This bill is of profound importance for current and future generations of both Aboriginal and non-Aboriginal people. Formally recognising the Aboriginal people of South Australia will continue the important process of reconciliation and, therefore, I commend this bill. I seek leave to insert the remainder of the second reading inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause provides for the short title of the measure.

2—Amendment provisions

This clause is formal.

Part 2—Amendment of *Constitution Act 1934*

3—Insertion of section 2

This clause will insert new section 2 into the South Australian *Constitution Act 1934*.

2—Recognition of Aboriginal peoples

The new section records certain events associated with the establishment of the Province of South Australia and the subsequent governance of South Australia and sets out a statement by the Parliament relating to Aboriginal peoples. However, the section is not to have any legal force or effect.

Debate adjourned on motion of Dr McFetridge.

EVIDENCE (IDENTIFICATION) AMENDMENT BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:12): Obtained leave and introduced a bill for an act to amend the Evidence Act 1929. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:12): I move:

That this bill be now read a second time.

Labor's *Strengthening our Police Service Policy 2010* said:

'Line ups' require substantial police resources often requiring up to 10 police officers and up to 60 hours of police time to arrange. A re-elected Rann Government will amend legislation that will allow identification of a person suspected of committing an offence via photographs or video (including still or moving digital images) in lieu of physical 'line ups'. Police will be able to use technology such as PowerPoint presentations or mobile data terminals located within vehicles to present photographs to victims and witnesses. These changes will increase the efficiency of police investigations; relieve victims of the trauma of having to see the offender again and most importantly free up valuable police resources. Any changes to the legislation and procedures will ensure that the use of identification evidence in criminal proceedings will not be compromised.

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

Leave granted.

A properly conducted identification parade or 'line up' has been traditionally regarded as giving rise to the most confidence in a reliable identification. As was explained by Gibbs J in the leading authority *Alexander* (1981) 145 CLR 395 at 401:

The safest and most satisfactory way of ensuring that a witness makes an accurate identification is by arranging for the witness to pick out from a group the person whom he saw on the occasion relevant to the crime.

Identification by means of a parade or line up is traditionally preferred to other alternatives, such as from photographs, at least when a named suspect is reasonably known to the police (although the High Court accepted in *Alexander* that photographs were unobjectionable and probably unavoidable in the investigative stage when a suspect was not known).

Alexander has been followed in South Australia. In *Deering* (1986) 43 SASR 252, King CJ said:

Where there is a clear and definite suspect or where an arrest has been made the proper procedure to be followed is for the police to arrange an identification parade if the suspect or arrested person is prepared to participate in such a parade. If that procedure is not followed it gives rise to a discretion in the trial judge to exclude the evidence of identification by other means and that discretion will be exercised having regard to all relevant factors including, of course, the public interest in ensuring that persons who have committed crimes are convicted and punished for those crimes. It may be necessary to present photographs to an alleged victim of a crime at a stage of the investigation at which no person has been arrested and at which there is no definite suspect, in order to provide an opportunity for the victim to pick out the offender.

The traditional assumption favouring line ups also gives rise to the potential for comment or warning to the jury by the trial judge that the weight of the photographic identification, whilst admissible, is inherently inferior to that of a line up. Such comments are open to criticism as confusing, unnecessary and even wrong.

However, it is clear that, notwithstanding *Alexander*, photographic identification evidence is used at trials in South Australia. The practice of the courts has moved away from *Alexander* and toward the routine use of photographic identification evidence. It is widely accepted in practice as relevant and admissible evidence. It appears that local defence lawyers routinely advise their clients (perhaps unwisely) to refuse to take part in an identification procedure therefore requiring the police to resort to photographic procedures. It appears that, notwithstanding *Alexander*, line ups are already comparatively rare in practice in South Australia.

The traditional assumption that line ups are a superior form of identification was accepted by the Australian Law Reform Commission in the 1980s and incorporated into the *Uniform Evidence Act* which has been enacted in New South Wales, Victoria, the Commonwealth and the Australian Capital Territory (although not on this particular point in Tasmania). However, the traditional assumption has come under increasing challenge over recent years on account of practical considerations, psychological and academic research, and technological advances. Other jurisdictions, notably Western Australia (by judicial ruling) and England, have explicitly departed from the preferred use of line ups and recognise the benefit of identification by means of photographs or a video.

The Western Australian Court of Appeal in 2007 in *Western Australia v Winmar* considered the available research and 'firmly rejected' any suggestion that the identification from a photoboard (which is typically used in South Australia) was 'inherently inferior' to identification from a line up. The court observed:

The court should not, as some past authority may tend to suggest, attempt to discourage the use of the digiboard [the Western Australian term for a photoboard] for identification, either by requiring trial judges to warn juries specifically about the dangers of that process as compared to an identification parade, or by requiring trial judges to suggest that the process is inherently flawed, or by suggesting that trial judges should be readier in the exercise of their discretion, to exclude digiboard identification than they might be to exclude evidence of identification by other means.

South Australia Police (SAPol) submits that the use of identification parades has become increasingly difficult, time consuming and impracticable over recent years. Other jurisdictions, such as England, have also experienced these problems. SAPol argues that the practical problems that have arisen with line ups are:

- Victims and witnesses are reluctant to face offenders (especially an issue in dealing with organised crime);
- The major difficulties in securing the attendance of victim(s) and witnesses, suspects and sufficient volunteers of similar appearance to the accused at the same location for what can be a considerable time;
- The increasing multinational and multicultural diversity of South Australia often makes it difficult, if not impossible, to arrange line ups if the suspect comes from a minority group;
- It may be that some accused are of a unique or unusual appearance so that is impossible to organise a fair line up;
- There simply may not be enough volunteers of similar appearance to the suspect to hold a line up - it is increasingly difficult to assemble volunteers to participate in line ups. The days of police going to the local university and finding a ready pool of volunteers appear to be over;
- Suspects can (and often do) sabotage the identification process by failing to arrive at line ups arranged with considerable difficulty, by arbitrarily challenging the suitability of participants, by disrupting the process and by changing their appearance since the commission of the alleged crime;
- Where identification is an issue, it is crucial that the identification of the suspect should be done as soon as possible after the offence - line ups cannot be arranged at short notice which prevents timely identification and weakens the probative value of any subsequent positive identification;
- Line ups are time consuming and relatively expensive to arrange and hold. There are only limited facilities available. Although they may be realistic in serious crimes, they are not a realistic or cost effective solution in dealing with less serious but high volume crime, such as car theft, assaults or break ins. This results in solvable crime going undetected and the culprits going unpunished;
- The difficulties in arranging an identification process are compounded when investigations are conducted in regional or remote locations.

There has also been research, notably by Professor Neil Brewer at Flinders University, that highlights that traditional line ups are not as reliable as was commonly supposed. It has been found that witnesses have a tendency to compare the appearance of each person in the line up to each other. They adopt this strategy as part of a strategy to find the person who most closely resembles the culprit. The process of comparison means that a witness is likely to make an identification, although not necessarily the correct one. A further problem that arises is that the 'simultaneous' format (where the witness views everyone at once) associated with traditional line ups has been found to increase the risk of false identification. Professor Brewer and others have found that a sequential form of identification (where the witness views the images one at a time) produces a substantially reduced rate of wrong identification.

Alexander was decided when black and white photographs were still routinely used. Photographic identification has become more sophisticated and effective in replicating real life. Although photographic identification is not without its difficulties, it is now arguable that photographic evidence is as reliable (if not even more so) than identification from a line up.

The use of photographs provides a fair and effective means of identification. There are a number of powerful advantages associated with modern photographic or video identification. SAPol argues that:

- It enables swift and timely identification which furthers the policy of detecting and identifying an accused at the earliest possible opportunity after a crime;
- Prompt identification processes aid the police investigation of crime and also enable the prompt elimination of innocent suspects;

- Photographs offer great advantage over line ups in the ability to feature persons of similar appearance to the suspect, especially if the accused is of unusual appearance or comes from a minority group;
- Greater fairness to a suspect can be achieved by adjustment to photographs or identifying features to ensure the volunteers most closely resemble the suspect;
- Photographs can be readily distributed to all regions of the State almost immediately;
- Modern photographs are as reliable and accurate a means of identification (if not more so) than traditional line ups;
- Photographs represent a realistic and cost effective means of identification thus enabling proper investigation of a wider range of crimes where identification is an issue.

Identification evidence has long been regarded as inherently problematic by the criminal justice system owing to the well documented risk of a mistaken identification by even honest witnesses leading to the real risk of a wrongful conviction. The difficulty in cross examining confident but wrong identification witnesses has long been recognised. The common assumption is that human memory is an uncomplicated photographic-like process but, as jurists and researchers note, the reality is that identification evidence presents its own real dangers.

The potential unreliability is due to the subconscious frailties of observation and memory. To try and alleviate the dangers associated with identification evidence, the courts have long insisted that the jury must be warned as to the dangers of relying on identification evidence, both in general terms and in specific terms appropriate to the facts of the particular case (see *R v Turnbull* [1977] QB 224 and *R v Domican* (1992) 173 CLR 555). It is not proposed to dilute or remove this warning. This warning applies to all forms of identification evidence without discrimination and should remain.

This Bill simply puts photographic means of identification on an even footing with a line up. The message of this Bill is simple and potent. A bad photographic identification is just as bad as a bad line up—and a good photographic identification is just as good as a good line up. There is simply no need to say more than this. The opposing view was that the Government should codify every aspect of the identification process. That was not and is not the view of the Government. It would set the process in concrete and hamstringing the judicial process of the evaluation of highly controversial evidence in the context of the trial as a whole. It is that very problem that has led to this difficulty because of old authority.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Evidence Act 1929*

4—Insertion of section 34AB

This clause inserts new section 34AB.

34AB—Identification evidence

The proposed section provides that evidence of the identity of the defendant is not inadmissible merely because it was obtained other than by an identification parade, if the judge is of the opinion that the evidence has sufficient probative value to justify its admission.

Proposed subsections (2) and (3) govern the information to be given to a jury by a judge in a criminal trial where the identity of the defendant is in issue and evidence of the identity of the defendant is admitted.

Debate adjourned on motion of Ms Chapman.

CRIMINAL LAW CONSOLIDATION (CHEATING AT GAMBLING) AMENDMENT BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:14): Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:14): I move:

That this bill be now read a second time.

The risk of match fixing and allied cheating at gambling is a serious issue. It is now notorious that, internationally, links have been identified in professional sport between organised criminal groups

and match fixing, illegal betting, money laundering and corruption. Allegations of improper behaviour involve not only players but referees, coaches, officials, support staff and players' agents. It is also notorious that players and those engaged in sporting codes such as international cricket and national rugby and Australian Rules codes have been caught engaging in various methods of manipulation of games or gambling to gambling ends. For example, Pakistani cricketers' deliberate no-balling incidents are well known.

The criminal groups which are exploiting professional sport overseas have a strong historical involvement in illegal gambling and gaming, and this has been an important source of income for these groups. Sport has simply become a new market for these groups to exploit. I seek leave to have the remainder of the second reading explanation inserted into *Hansard* without my reading it.

Leave granted.

On 10 June 2011, Australian Sports Ministers signed, on behalf of their governments, Australia's first National Policy on Match-Fixing in Sport with the aim of protecting the integrity of Australian sport. Under the National Policy, all Australian governments agreed to pursue, through their Attorneys-General, a consistent approach to criminal offences and penalties, including legislation by relevant jurisdictions, in relation to match-fixing.

At the meeting of the then Standing Committee of Attorneys-General (SCAG) on 21 and 22 July 2011, Attorneys-General agreed to establish a Working Group to develop a proposal and timetable for a nationally consistent approach to criminal offences relating to match-fixing. At the Standing Council of Law and Justice (SCLJ) meeting on 18 November 2011, Attorneys-General supported the development of consistent specific national match-fixing offences with a maximum penalty of 10 years imprisonment.

A suitable standard of offences and penalties needs to be established that would meet the standard required by the National Policy, that is, laws that reflect the seriousness of match-fixing offences and act as a deterrent.

The SCLJ Working Group on Match Fixing held a series of meetings designed to develop nationally consistent guidelines for the development of match fixing offences in each Australian jurisdiction.

In the meantime, the New South Wales Law Reform Commission had been given a reference on 'Cheating at Gambling' and had undertaken considerable research and analysis in this area. The Commission reported on the subject in Report 130 in August 2011.

Existing legislative arrangements vary across States and Territories. All States and Territories agreed that their framework of existing offences, both at common law and in legislation, deal with the agreed match-fixing behaviours in almost all circumstances. These are detailed below. However, it was also acknowledged that there may be some gaps in the coverage required, in particular to achieve a consistent national approach to the criminal offences relating to match-fixing.

The SCLJ Working Party on match-fixing in sport developed a set of descriptions of behaviours that should form the basis of nationally consistent criminal legislation. The descriptors were generally agreed by Attorneys-General at the SCLJ meeting on 18 November 2011.

Match-fixing behaviour 1: A person intentionally fixes or influences the outcome of a sporting event or contingency for the purposes of causing a financial benefit for him or herself or for any other person or a financial detriment to any other person. Actions could include:

- deliberate under performance;
- withdrawal (tanking*);
- an official's deliberate misapplication of the rules of the contest;
- interference with the play or playing surfaces; or
- any other action or omission designed to influence the outcome of a game or contingency.

**Note: actions where the intent is to gain tactical advantage, for example, a more advantageous draw, or more advantageous draft picks are not subject to any offences.*

Match-fixing behaviour 2: A person provides or uses insider information relating to a sporting event for the purposes of directly or indirectly (through a third party) placing a bet on a sporting event or contingency where he or she knows or is reckless as to the fact that the outcome of the sporting event or contingency has been fixed.

Match-fixing behaviour 3: A person accepts a benefit for the purposes of fixing or influencing an outcome of a sporting event or contingency whether or not that action occurs.

Match-fixing behaviour 4: A person offers a benefit for the purposes of fixing or influencing an outcome of a sporting event or contingency whether or not that action occurs.

Match-fixing behaviour 5: A person such as a betting agency or bookmaker accepts a bet on a sporting event or contingency where he or she knows that the outcome of the sporting event or contingency has been fixed.

Match-fixing behaviour 6: A person offers another person a benefit for the purposes of fixing or influencing an outcome of an event or contingency and encourages that other person not to report the approach to the sporting organisation, event or competition organiser, or the police.

So far as the last is concerned, criminal law policy dictates that there should be a positive act of concealment rather than merely a failure to report.

A survey of jurisdictional arrangements found:

- Through existing *Crimes Acts* and *Gambling/Wagering Regulation Acts*, every jurisdiction has legislation that addresses most of the elements of match-fixing behaviour 1 (match-fixing conduct).
- Match-fixing behaviour 2 (misuse of inside information) in its narrower form (that is, knowledge of a fix) is largely addressed by applicable existing legislation in most jurisdictions.
- The majority of jurisdictions, including South Australia, have provisions within their respective *Crimes Acts* relating to provision of secret commissions/bribes that address many of the scenarios anticipated in match-fixing behaviours 3 (acceptance of a benefit) and 4 (offer of a benefit). The coverage of such provisions is likely to depend upon the issue of whether a principal-agent relationship can be established between the parties seeking to fix an outcome.
- The Northern Territory *Totaliser Licensing and Regulations Act* (and a number of other NT Acts), and the *Unlawful Gambling Acts* in NSW and the ACT would cover most, if not all, scenarios anticipated in match-fixing behaviour 5 (betting agency accepts a bet knowing the outcome is fixed). The general fraud offence under section 408C of the *Criminal Code* in Queensland would also cover this behaviour. In situations where the betting agency is aware of the fix because they are part of the scheme, Victoria believes the general offence of conspiracy to obtain a financial advantage by deception may cover this behaviour. South Australian general fraud provisions and conspiracy to defraud would cover these situations.
- Match-fixing behaviour 6 (concealing match-fixing conduct) is covered in most instances in the ACT under bribery and conspiracy to defraud offences, and extensions of criminal responsibility such as incitement and complicity. Attempted fraud offences under Queensland's *Criminal Code* would also cover this behaviour. No other jurisdiction would seem to directly address this behaviour within any applicable existing legislation, however some jurisdictions are of the view that it would fall within match-fixing behaviour 4 (offer of a benefit for the purposes of a fix).
- The current range of penalties varies across the jurisdictions, with different offences ranging from a fine, to a maximum of 10 years imprisonment depending on the jurisdiction and the offence.

The New South Wales Law Reform Commission reported and included in its Final Report a draft Bill. The draft Bill covers the agreed match fixing behaviours.

The national Working Group developed a set of national drafting instructions. The New South Wales Draft Bill has been used as a template to implement the national agreement.

Despite the coverage by the criminal law described above, the Working Party recommended the enactment of specific legislation. Specific legislation is likely to have a greater impact on preventing and dealing with match-fixing by:

- providing clear signals to the public as to the criminal aspects of match-fixing behaviour;
- clearly defining the reach (on the one hand) and the limits (on the other hand) of the behaviour determined to be criminal;
- enabling law enforcement agencies and the courts to more effectively deal with match-fixing behaviour through a clear set of offences; and
- demonstrating a commitment by governments to addressing the issue of match-fixing.

The Bill proposes a range of offences directed at the determined match-fixing behaviour and modelled on the New South Wales Bill. These are engaging in conduct that corrupts a betting outcome, facilitating the corruption of a betting outcome, concealing the corruption of a betting outcome, and using corrupt conduct information or inside information for betting purposes. Generally, the maximum penalties involved are set at the 10 year level and, again, generally, subjective fault elements of knowledge, recklessness and intention must be proven for such serious offences.

It should not occasion alarm that the definition of 'corrupts a betting outcome' requires proof to the satisfaction of a jury that the conduct 'is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of any type of betting on an event'. Where an offence or offences covers a potentially broad range of conduct that is inherently morally ambiguous, it is not uncommon to include this kind of evaluative element to ensure that those who technically break the letter of the law are not ensnared by a net designed to catch those who are much more seriously involved. Examples that show this are the fault elements of 'dishonestly' in theft and fraud offences, 'improperly' in public corruption offences, 'corruptly' at common law, 'criminal negligence' and 'offensive behaviour'. These evaluative elements function to winnow the wheat from the chaff.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

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

4—Insertion of Part 5B

A new Part is being added to the Act.

Part 5B—Cheating at gambling

144G—Interpretation

This provision sets out the meaning of various terms used in the proposed new Part.

The offences in the proposed new Part apply where a person engages in various types of conduct, knowing or being reckless as to whether that conduct corrupts a betting outcome of an event. This clause defines what is meant by engaging in conduct that corrupts the betting outcome of an event. This refers to conduct that affects or would be likely to affect the outcome of betting on an event, and that conduct does not meet the standards of integrity that a reasonable person would expect of a person in that position.

Betting is defined to include placing, accepting or withdrawing a bet and a reference to betting on a event also includes betting on any contingencies that are connected to the event. An event is any event, whether or not it takes place in this State, on which it is lawful to bet under an Australian law.

The offences set out in the proposed Part require that the person acted with the intention of obtaining a financial advantage or causing a financial disadvantage. Obtaining a financial advantage is defined to extend to gaining a financial advantage for oneself or for another person, retaining a financial advantage, or inducing someone else to do something that results in a financial advantage for oneself or another person. Causing a financial disadvantage includes causing a financial disadvantage to another person or inducing a third person to do something that results in another person suffering a financial disadvantage. It is not necessary to prove that a financial advantage was actually obtained or that a financial disadvantage was actually caused.

144H—Engaging in conduct that corrupts betting outcome of event

This provision makes it an offence to engage in conduct that corrupts a betting outcome of an event. It is necessary that the defendant knew or was reckless as to whether the conduct corrupts a betting outcome of the event and that the person intended to obtain a financial advantage or cause a financial disadvantage in connection with any betting on the event.

144I—Facilitating conduct that corrupts betting outcome of event

This provision contains three offences. Firstly, it is an offence to offer to engage in conduct that corrupts a betting outcome of an event. Secondly, it is an offence to encourage another person to engage in conduct that corrupts a betting outcome of an event and thirdly, it is an offence to enter into agreement that corrupts a betting outcome of an event. In each case the person must know or be reckless as to whether the conduct corrupts the betting outcome and the person must also intend to obtain a financial advantage or cause a financial disadvantage in connection with any betting on the event.

144J—Concealing conduct or agreement

This clause provides that it is an offence for a person to encourage another person to conceal from a relevant authority either conduct, or an agreement, that corrupts a betting outcome of an event. The person must know or be reckless as to whether the conduct or agreement corrupts a betting outcome and must also intend to obtain a financial advantage or cause a financial disadvantage in connection with any betting on the event. A relevant authority is defined to mean the police or a body that has the official function of controlling, regulating or supervising an event or betting on the event. An authority can also be of a kind prescribed by regulation.

144K—Use of corrupt conduct information or inside information for betting purposes

This provision makes it an offence for a person who possesses either 'corrupt conduct information' or 'inside information' (knowing or being reckless as to whether the information is corrupt conduct information or inside information) and that person either bets on the event, encourages another person to bet on the event in a particular way or communicates the information to another person knowing they are likely to bet on the event. The corrupt conduct information or the inside information must be relevant to the bet. Corrupt conduct information is defined to mean information about conduct that corrupts a betting outcome. Inside information is

defined to be information that is not generally available, but if it were, would be likely to influence persons who commonly bet on the event in deciding on whether or not to bet or to make any other betting decision. It is not necessary to prove that the person encouraged to bet or to whom the information was communicated, actually bet on the event concerned. Communicating the information also includes causing that information to be communicated.

Debate adjourned on motion of Ms Chapman.

BURIAL AND CREMATION BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:16): Obtained leave and introduced a bill for an act to provide for and regulate the identification, handling, storage, transport, disposal and memorialisation of human remains; to provide for the establishment, administration and closure of cemeteries and natural burial grounds; to provide for the conversion of closed cemeteries into parklands or public parks or gardens; to repeal the Cremation Act 2000; to amend the Adelaide Cemeteries Authority Act 2001, the Births, Deaths and Marriages Registration Act 1996, the Local Government Act 1934 and the Transplantation and Anatomy Act 1983; and for other purposes. Read a first time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:17): I move:

That this bill be now read a second time.

I am pleased to introduce the Burial and Cremation Bill 2012 which represents a new era in the regulation of burial and cremation in South Australia. At present there are a number of acts and regulations covering different aspects of the industry. For example, burial in council areas and the establishment and management of council operated cemeteries is regulated by part 30 of the Local Government Act 1934.

The disposal of human remains by cremation is regulated by the Cremation Act 2000 and the Cremation Regulations 2001. The Local Government (Cemetery) Regulations 2010 made under the Local Government Act 1934 govern exhumations, reinterments and the powers of cemetery authorities. The regulation of privately owned cemeteries, such as church cemeteries, is a different matter. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Although the establishment of new 'private' cemeteries is regulated under the *Development Act 1993*, and their operation is subject to the general law, such as public health legislation, these cemeteries are largely unregulated in terms of cemetery management provisions and length of tenure for interment rights.

The Bill repeals the *Cremation Act 2000* and Part 30 of the *Local Government Act 1934* in order to create a single comprehensive and consistent regulatory scheme that will cover all cemeteries and crematoria, whether public or private, and better reflect modern technologies, community expectations and industry practice. It is also made clear at the outset that human remains are to be treated at all times with dignity and respect.

The review of the legislation governing burial and cremation in South Australia has been underway for many years and has been the subject of two Select Committee inquiries. In 1986, the Select Committee of the Legislative Council on the Disposal of Human Remains tabled its report in Parliament.

In 2003, the Select Committee of the House of Assembly on the Cemetery Provisions of the Local Government Act tabled its report in Parliament. The 2003 Select Committee made a number of recommendations for reform of the legislation governing the industry, including the creation of a single Act, the removal of the 99-year limitation on interment rights in public cemeteries and the creation of a better system for the identification of human remains before disposal.

This Bill is the culmination of work undertaken by the 2003 Select Committee, subsequent consultation by the Government on the Select Committee recommendations, and recent public consultation on a draft Bill.

Valuable contributions on the draft Bill were received from a number of interested parties including the Adelaide Cemeteries Authority, the Cemeteries and Crematoria Association of South Australia, the Australian Funeral Directors Association (SA Branch), the Local Government Association, Centennial Park, the Monumental Masons Association of South Australia, religious groups, the Hon Bob Such MP and government agencies.

Although there was broad support for a single Act to replace the disjointed approach taken by the existing legislation, there were objections to some areas of the draft Bill, including strong objection to the proposal that an interment right run from the date on which remains are first interred and not the date of issue. In light of the concerns raised by respondents, that provision has been amended so that an interment right will commence from the date of issue. Other amendments to the Bill have also been made after careful consideration of all of the submissions received.

Having a comprehensive and consistent regime for the regulation of burial and cremation that recognises the diversity of the South Australian community is an important aim. This Bill achieves that aim by creating a single Act that builds on existing regulation and industry practice and provides greater transparency for the industry and the community.

I will now outline the key features of the Bill.

The only methods for the disposal of human remains contemplated by the current legislation are burial, which can include interment in a mausoleum or vault, and cremation. This has been carried over into the new legislation which makes it an offence to dispose of human remains by any other method.

That said, the Government understands that alternatives to cremation, such as resomation which is a water-based cremation process, are gaining popularity overseas and there have been inquiries about bringing these methods into South Australia. Any new method of disposal that is similar to cremation will need to be subject to strict regulatory requirements as the body is completely destroyed preventing any further examination for the purposes of a criminal investigation. What regulation is appropriate, however, is difficult to determine as these new methods are not yet in use in South Australia. The Bill has therefore been drafted so as to allow for any new methods of disposal to be dealt with in the regulations.

The use of natural burial as an alternative to more traditional forms of burial is recognised in the Bill. A natural burial ground is a place where human remains are buried in a shroud or biodegradable coffin and trees, shrubs or flowers are planted as a memorial instead of a headstone.

The current 99-year limitation on interment rights in public cemeteries has been removed. Cemetery authorities will be able to offer perpetual tenure if they wish but they will not be obligated to do so and may continue to issue interment rights with limited tenure. This is because for many cemeteries, particularly those in the Metropolitan area where there is a shortage of available land, perpetual tenure on all grave sites is simply not a viable option. Without grave site re-use, not only would the active life of a cemetery be greatly reduced, but perpetual funding would need to be made available for the maintenance of the cemetery.

How and when an interment site can be re-used by a cemetery authority, and the notification and consultation that must occur prior to re-use, has also been clarified in the Bill.

A lack of notice or inappropriate means of communication about the expiry of an interment right can be distressing for families. The Bill imposes a requirement on cemetery authorities pre and post expiry of the interment right. At least 12 months prior to the expiry, a cemetery authority must take reasonable steps to give the holder of the interment right a written notice setting out the rights to renewal and informing the holder that if the interment right is not renewed any memorialisation on the site can be reclaimed from the cemetery authority.

Once the interment right has expired, the cemetery authority is entitled to re-use the site and remove any memorials on the site provided it has given notice of its intention to do so by public advertisement and by written notice to the relatives of the deceased and there is no objection to the re-use or two or more years have passed from the date of the notice and the right has not been renewed within that period.

There is a new requirement for a certificate of identification to be sighted before a person can dispose of human remains to provide greater assurance for families that the deceased is being buried in the correct site. This will be in addition to the current requirements that a cremation permit must be issued, and the remains identified, before a cremation can occur.

The Bill provides clarification in regards to processes for burial other than in a cemetery. Requests for burial on private land do occur from time to time, particularly in remote areas and on rural properties where the nearest cemetery may be hundreds of kilometres away or the person has a special connection to the land. The Bill allows this to continue subject to certain requirements being fulfilled, such as obtaining the written approval of the landowner and, if the land is within a council area, the written approval of the council. Other conditions will be able to be specified in the regulations, such as a requirement that the landowner not build or develop within a certain distance of the burial site.

Clear guidelines for the closure of cemeteries and natural burial grounds, and the conversion of cemeteries to park lands or public parks or gardens where it is no longer possible for the cemetery to continue to operate, will be introduced. A cemetery or natural burial ground may be closed if it has become unsuitable for the disposal of human remains or 25 or more years have elapsed since human remains were last interred. Before the closure can occur, the relevant authority must give notice of the proposed closure in a newspaper circulating throughout the State on two separate occasions. The Bill also sets out the procedures for dealing with exercised and unexercised rights of interment in the closed cemetery, including the issuing of any refunds.

The processes for the renewal, surrender, transfer and enforcement of interment rights are clarified in the Bill. A cemetery authority will be obliged to renew an interment right for a minimum of 5 years if the holder of the interment right requests it and has paid the fee fixed by the cemetery authority for the renewal.

Interment rights will be able to be transferred, but a transfer will only become effective once it is registered with the cemetery authority. Further, the Bill provides that if an interment right is transferred, the consideration payable cannot be for more than it would be sold by the cemetery authority. This prevents unscrupulous persons profiteering from grieving families.

If an interment right is no longer wanted, the holder of the interment right has the option of surrendering it to the cemetery authority that issued it and, if the site has not been used, receiving a refund equal to the current fee payable for an interment right of the same kind, less a reasonable fee for administration and maintenance costs.

The question of who is entitled to enforce or exercise an interment right if the holder of the right has died is also addressed by the legislation. This is currently a significant issue for cemetery authorities and the relevant person can be difficult to determine. The Bill provides that if the holder of the interment right has died, the right can be enforced by the personal representative of the deceased or, if there is no personal representative, a person determined in accordance with the regulations. Where there is no executor or administrator to deal with the interment right the regulations will set out an agreed order of precedence that can be followed by all cemetery authorities. For example, the spouse or domestic partner of the deceased would have first priority followed by the children of the deceased and then other relatives of the deceased in descending order.

Determining who is entitled to ownership of any memorialisation on an interment site has also created problems for cemetery authorities. The current law relating to ownership of memorials is complicated and confusing and relies on complex rules of descent that are part of the common law. In many instances it is not possible to determine ownership of memorials conclusively leaving cemetery authorities unable to deal with memorials attached to an interment site when the interment right expires.

The Bill changes the existing common law position so that a memorial is the personal property of the person who holds the interment right in respect of the interment site where the memorial is situated. This provision will make it easier for the cemetery authority and the public to resolve ownership issues.

The maintenance obligations of an interment right holder has also been clarified. Maintenance of a memorial will be the responsibility of the holder of the interment right unless he or she has entered into an agreement with the relevant authority under which the authority has agreed to maintain the memorial. In addition, if a memorial becomes unsafe, the authority may give the owner a notice requiring them to remove, repair or reinstate the memorial. If the work is not carried out within the time specified the authority may have the work carried out and recover the costs from the owner.

Another feature of the Bill is the record-keeping obligations imposed on the relevant authority for a cemetery or natural burial ground to ensure the preservation and accessibility of historic records when the cemetery or natural burial ground closes.

Any person will be entitled to establish a cemetery, natural burial ground or crematorium, provided they have obtained all necessary approvals under the *Development Act 1993* and complied with any other relevant legislation such as the *South Australian Public Health Act 2011* and the *Environment Protection Act 1993*.

The Bill gives the relevant authority for a cemetery or natural burial ground general powers for the management and maintenance of the cemetery or natural burial ground, including the power to enlarge, improve or embellish the grounds or facilities or to restrict interments in any part of the grounds. It also imposes certain obligations, including a requirement that the relevant authority have due regard to the customs and needs of the various ethnic and religious communities that may resort to the cemetery or natural burial ground for the disposal of human remains.

This Bill is an important piece of legislation and I commend it to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

This clause provides for commencement of the measure by proclamation.

3—Interpretation

This clause defines terms used in the measure.

4—Application of Act

This clause provides that the measure does not apply in relation to tissue removed from the body of a deceased person in accordance with the *Coroners Act 2003* or the *Transplantation and Anatomy Act 1983*.

5—Relationship of Act with other laws

This clause makes it clear that the provisions of this measure are in addition to, and do not derogate from, the provisions of any other Act or law.

6—Human remains to be treated with dignity and respect

This clause expresses Parliament's intention that human remains be treated at all times with dignity and respect.

Part 2—Disposal of human remains

Division 1—Disposal by burial or cremation

7—Offence to dispose of human remains except by burial or cremation

This clause makes it an offence to dispose of human remains other than by burial (including placement of non-cremated remains in a mausoleum, vault etc) or cremation and fixes a maximum penalty of \$10,000 or imprisonment for 2 years.

8—Offence to dispose of non-cremated human remains except in cemetery or natural burial ground

Subclause (1) prohibits the interment of non-cremated human remains except in a lawfully established cemetery or natural burial ground. A maximum penalty of \$10,000 or imprisonment for 2 years is fixed. However, no offence is committed if the person has obtained the approval of the Attorney-General to inter non-cremated remains in some other place.

Subclause (2) provides that it is permitted to inter non-cremated human remains on land outside a township, Metropolitan Adelaide or in an area defined by the regulations if the person has the permission of the owner of the land, has the approval of the relevant council, and the interment is in accordance with the regulations.

Subclause (3) makes it an offence to bury human remains at sea or suffer, cause or permit this to happen, unless the person has the approval of the Attorney-General. A maximum penalty of \$10,000 or imprisonment for 2 years is fixed.

This clause supersedes section 593 of the *Local Government Act 1934*.

9—Offences relating to cremation

Subclause (1) prohibits the disposal of human remains by cremation unless it is authorised by a cremation permit issued by the Registrar of Births, Deaths and Marriages. The maximum penalty is \$10,000 or imprisonment for 2 years.

Subclause (2) prohibits the disposal of human remains by cremation except at a lawfully established crematorium. The maximum penalty is \$10,000 or imprisonment for 2 years.

Subclause (3) prohibits the disposal of human remains by cremation if the person knows or is aware that a personal representative or parent or child of the deceased objects to this method of disposal (unless the deceased directed by will or other attested instrument that his or her remains be disposed of by cremation). The maximum penalty is \$10,000.

Subclause (4) makes it an offence to dispose of human remains by cremation in contravention of an order under clause 11. The maximum penalty is \$10,000 or imprisonment for 2 years.

10—Cremation permits

This clause empowers the Registrar to issue cremation permits authorising the disposal of human remains by cremation. It sets out who may make an application for a cremation permit, how the application is to be made, the documents required to support an application and the powers of the Registrar to refuse an application.

11—Power of Attorney-General, State Coroner or magistrate to prohibit disposal by cremation

This clause empowers the Attorney-General, the State Coroner and magistrates to make orders prohibiting the disposal of the remains of particular deceased persons by cremation.

Division 2—Documents to be provided before disposal of human remains

12—Documents to be provided before disposal of human remains

This clause requires a certificate of identification to be sighted and prescribed details relating to it to be recorded before human remains can be disposed of. Failure to comply with these requirements constitutes an offence punishable by a maximum fine of \$10,000 or imprisonment for 2 years.

A person must also sight a partial certificate of cause of death, a disposal authorisation or an authorisation granted by the Minister or the Registrar, and must record the prescribed particulars relating to the certificate or authorisation before disposing of human remains. The maximum penalty for failing to do so is a fine of \$10,000 or imprisonment for 2 years.

However, these requirements does not apply if a cremation permit has been issued for disposal by cremation

Division 3—Opening of interment sites, exhumation and re-interment

13—Offences

This clause regulates the opening of graves, the exhumation and removal of human remains and the re-interment of human remains. These activities require the approval of the Attorney-General. A maximum penalty of \$20,000 or imprisonment for 4 years is fixed for engaging in such activities without approval.

However, it is not an offence to open an interment site to inter additional human remains if the existing remains there are cremated remains. In the case of non-cremated remains it is not an offence to open a site if additional remains can be interred without disturbing the existing remains or if a lift and deepen procedure is carried out in accordance with the regulations.

The clause also requires a relevant authority for a cemetery or natural burial ground to ensure that existing non-cremated remains are re-interred at a greater depth or dealt with in accordance with the regulations. The maximum penalty for not doing so is \$10,000 or imprisonment for 2 years.

Division 4—Miscellaneous

14—Prohibition on giving certificate of cause of death in certain circumstances

This clause makes it an offence for a medical practitioner to give a certificate of cause of death if the death is reportable under the *Coroners Act 2003*. A maximum penalty of imprisonment for 4 years is fixed. The clause also prohibits a medical practitioner giving such a certificate if—

- he or she, or his or her spouse or domestic partner, has a pecuniary or proprietary interest in the hospital, nursing home or aged care facility where the person died; or
- he or she, or his or her spouse or domestic partner, has a pecuniary interest in the death of the person under a policy of life insurance or superannuation; or
- he or she, or his or her spouse or domestic partner, is entitled to a benefit in the form of property under a will or intestate distribution.

A maximum penalty of imprisonment for 4 years is fixed but there is a defence if the defendant can prove that he or she did not know, and could not reasonably be expected to know, that he or she, or his or her spouse or domestic partner (as the case may be) had such a pecuniary or proprietary interest, or was entitled to such a benefit.

15—Handling, storage and transport of human remains

This clause requires compliance with the provisions of the regulations relating to the handling, storage and transport of human remains. A maximum penalty of \$10,000 or imprisonment for 2 years is fixed.

16—Authority to inter at particular site

This clause makes it an offence to inter human remains in a particular interment site other than those of a deceased person entitled to be interred at that site. A maximum penalty of \$10,000 is fixed.

17—Religious and other ceremonies not to be interfered with etc

This clause makes it an offence for a relevant authority to prevent or interfere with religious or cultural ceremonies in connection with the disposal of human remains in a cemetery, natural burial ground or crematorium unless necessary to protect the health or safety of any person. A maximum penalty of \$10,000 is fixed. The clause also requires a relevant authority to allow a member of the clergy of a religion for which a portion of a cemetery or natural burial ground is set apart to have free access and admission to that area to exercise religious functions. A maximum penalty of \$5,000 is fixed.

18—Disposal of unclaimed cremated human remains

This clause requires a relevant authority for a crematorium to ensure that cremated human remains are released only to the person to whom the cremation permit authorising the disposal of the remains was issued or a person authorised by that person. A maximum penalty of \$10,000 is fixed. However, if cremated remains are not claimed within 6 months the relevant authority can dispose of them as it thinks fit.

Part 3—Cemeteries, natural burial grounds and crematoria

Division 1—Establishment of cemeteries, natural burial grounds and crematoria

19—Establishment of cemeteries, natural burial grounds and crematoria

This clause allows the establishment of cemeteries, natural burial grounds and crematoria by any person.

20—Power of councils to establish and manage public mortuaries

This clause authorises councils to establish and manage public mortuaries. It supersedes section 585(3) of the *Local Government Act 1934*.

21—Establishment of mausolea within cemeteries

This clause authorises relevant authorities to establish mausolea within their cemeteries.

22—Designation of natural burial grounds within cemeteries

This clause authorises relevant authorities to set apart natural burial grounds within cemeteries.

23—Power to set apart part of cemetery or natural burial ground for particular religions

This clause authorises relevant authorities to set apart areas within cemeteries or natural burial grounds for the interment of human remains in accordance with the customs and practices of particular religions. It supersedes section 591A of the *Local Government Act 1934*.

Division 2—Closure and conversion of cemeteries and natural burial grounds

24—Closure of cemeteries and natural burial grounds

This clause allows cemeteries and natural burial grounds to be closed if they become unsuitable for the disposal of human remains or if at least 25 years have elapsed since the last interment of human remains. The clause sets out requirements for notice to be given before a cemetery or natural burial ground is closed and makes it an offence punishable by a maximum fine of \$10,000 or imprisonment for 2 years to inter human remains after the

closure or to knowingly disturb human remains interred in a closed cemetery or natural burial ground. This clause supersedes section 587 of the *Local Government Act 1934*.

If there are unexercised interment rights, the relevant authority may, by agreement with the holders, discharge the interment rights and give the holders a refund or a new interment right free of charge in another cemetery or natural burial ground. In relation to interment rights which have been exercised, the relevant authority may, by agreement with the holders, discharge the interment rights and issue new interment rights free of charge or move human remains to another interment site and transfer any memorial to the new site.

If the relevant authority and holder of an interment right cannot agree, the relevant authority can refer the matter to an independent party for mediation.

The relevant authority is required to make an inventory of memorials before demolishing, removing, relocating or replacing any grave or memorial. The inventory must be made available for public inspection. A maximum fine of \$2,500 is fixed for a failure to do so.

25—Dedication of closed council cemeteries as park lands

This clause provides that if a closed cemetery is on land held on trust by a council or includes dedicated land under the care, control and management of a council, the council may petition the Minister to have the trust determined and have the land dedicated as park lands. If a closed cemetery is dedicated as park lands, the council may remove, relocate or replace memorials. This clause supersedes section 588 of the *Local Government Act 1934*. If the closed cemetery is or forms part of a State heritage place this clause will not apply and the provisions of the *Heritage Places Act 1993* will apply instead.

26—Conversion of closed cemeteries into public parks or gardens

This clause allows the conversion of closed non-council cemeteries into public parks or gardens. It creates an offence of knowingly disturbing human remains interred in a converted cemetery and fixes a maximum penalty of \$10,000 or imprisonment for 2 years.

The relevant authority may remove, relocate or replace memorials.

If the closed cemetery is or forms part of a State heritage place this clause will not apply and the provisions of the *Heritage Places Act 1993* will apply instead.

27—Powers of relevant authorities in relation to closed cemeteries

This clause provides that the relevant authority for a closed cemetery may, for the purpose of converting the cemetery into park lands or a public park or garden—

- construct roads and pathways on the land; and
- erect or construct buildings or structures on the land; and
- construct on or under the land any vault or other structure as a repository for human remains that are not to be removed from the cemetery for interment elsewhere; and
- erect lighting, seating and any other infrastructure or public amenity; and
- take such other action as the relevant authority thinks fit for laying out the land as park lands or a public place or garden.

28—Obligations of relevant authorities on closure of cemeteries etc

This clause requires relevant authorities to notify the Registrar of the closure of a cemetery or natural burial ground. It requires relevant authorities to notify the Registrar and the Environment Protection Authority of the closure of a crematorium. It also requires relevant authorities to forward records to the Libraries Board of South Australia if a cemetery, natural burial ground or crematorium is closed. The maximum penalty for failing to comply with these requirements is \$5,000.

Division 3—Interment rights

29—Interpretation

This clause defines human remains for the purposes of this Division as including the remains of a human foetus.

30—Issue of interment rights

This clause deals with the issue of interment rights. It requires a relevant authority to first give a person a plain English statement setting out the matters required to be specified in the interment right. The clause sets out the obligations of a relevant authority in relation to an interment right.

31—Duration of interment rights

This clause provides that an interment right may be issued for any term or in perpetuity.

32—Renewal of interment rights

This clause confers an automatic right of renewal of an interment right for a period of not less than 5 years. A relevant authority must, at least 12 months before an interment right is due to expire, take reasonable steps to give

the holder notice setting out the right of renewal and informing the holder of certain matters, including the right to reclaim a memorial if the interment right is not renewed. The maximum penalty if a relevant authority fails to comply is \$5,000.

33—Transfer of interment rights

This clause provides that interment rights are transferable.

34—Surrender of interment rights

This clause provides that interment rights may be surrendered.

35—Exercise or enforcement of interment rights

This clause provides that if the holder of an interment right has died, the right may be exercised or enforced by a personal representative of the deceased, or if there is no personal representative, by a person determined in accordance with the regulations. If an interment right is held by more than 1 person it may be exercised or enforced jointly or severally.

36—Interment right not required for scattering of cremated remains

This clause provides that an interment right is not required to scatter cremated human remains in a cemetery or natural burial ground.

37—Register of interment rights

This clause requires the relevant authority for a cemetery or natural burial ground to keep a register of all interment rights issued by it and specifies what records must be made. The maximum penalty for failing to do so is a fine of \$5,000.

38—Re-use of interment sites

This clause permits relevant authorities to re-use interment sites in relation to which interment rights have expired. It sets out the requirements for notice which must be given prior to doing so.

Division 4—Memorials

39—Ownership of memorial

This clause provides that for the purposes of the law of this State, a memorial to a deceased person in a cemetery, natural burial ground or other place of interment is the personal property of the person who holds the interment right in respect of the interment site where the memorial is situated. However, a relevant authority may deal with and dispose of a memorial in a cemetery or natural burial ground in accordance with this measure.

40—Duty to maintain memorial

This clause makes the holder of an interment right in respect of an interment site in a cemetery or natural burial ground responsible for the maintenance of a memorial at that site unless he or she has entered into an agreement with the relevant authority under which the relevant authority has agreed to maintain the memorial.

41—Power to require repair, removal or reinstatement of memorial

This clause empowers a relevant authority to give the owner of a memorial that has become unsafe notice requiring the owner to repair, remove or reinstate the memorial. If the owner fails to carry out the work required the relevant authority can have it carried out and recover the cost from the owner. If a memorial becomes unsafe and urgent action is required, the relevant authority is not required to give notice and can go ahead and carry out the required works and recover the cost from the owner. However the powers conferred by this clause cannot be exercised if the relevant authority has itself agreed to maintain a memorial.

42—Power of relevant authority to dispose of unclaimed memorial

This clause allows a relevant authority to dispose of memorials that are unclaimed after notice has been given in accordance with the clause. It applies where 2 or more years have passed since an interment right has expired or since a cemetery is dedicated as park lands or converted into a public park or garden. The clause requires a relevant authority to keep prescribed records of memorials disposed of by it. The maximum penalty for failing to do so is a fine of \$5,000.

Division 5—Miscellaneous

43—General powers of relevant authority

This clause provides that a relevant authority for a cemetery, natural burial ground or crematorium may—

- enlarge the cemetery, natural burial ground or crematorium; and
- improve or embellish the cemetery, natural burial ground or crematorium; and
- restrict interments in any part of the cemetery or natural burial ground, except as may be required by interment rights granted before the commencement of this measure; and
- take any other action that the relevant authority considers necessary or desirable for the proper management and maintenance of the cemetery, natural burial ground or crematorium.

44—Multicultural needs to be recognised

This clause provides that a relevant authority for a cemetery or natural burial ground must, in the establishment, administration, extension or improvement of the cemetery or natural burial ground, have due regard to the customs and needs of the various ethnic and religious communities that resort to the cemetery or natural burial ground for the disposal of human remains.

45—Power to restrict interments in any part of cemetery or natural burial ground

This clause empowers relevant authorities to may restrict interments in any part of a cemetery or natural burial ground (but not so as to breach the terms of an interment right).

46—Neglected cemeteries and natural burial grounds

This clause provides that if a cemetery or natural burial ground is in a neglected condition or fails to comply with the requirements of this measure, the council or designated Minister may give the relevant authority a notice requiring work to be carried out to remedy the condition of neglect or comply with the requirements. If the work is not carried out as required by the notice, the council or Minister can have the work carried out and recover the cost of doing so as a debt from the relevant authority. This clause supersedes section 589 of the *Local Government Act 1934*.

47—Right of review

This clause gives a relevant authority the right to apply to the District Court for a review of a decision of a council or Minister under clause 46. On a review the Court can confirm or reverse the decision and make consequential and ancillary orders and directions.

48—Power of councils to accept conveyance of cemetery or natural burial ground land from trustees

This clause allows a council to accept the conveyance of a cemetery or natural burial ground that is on land held on trust. However, a council must not accept a conveyance if under the trusts on which the council will hold the cemetery or natural burial ground, the use of the cemetery or natural burial ground is confined to the interment of the remains of deceased persons who belonged to a particular religion. This clause supersedes section 591 of the *Local Government Act 1934*.

49—Power of councils to assume administration of cemeteries and natural burial grounds

This clause empowers councils to assume the administration of a cemetery or natural burial ground if there is no existing relevant authority for the cemetery or natural burial ground, if the relevant authority is unknown and not reasonably ascertainable, or if the relevant authority for the cemetery or natural burial ground agrees to transfer it to the council. This clause supersedes section 590 of the *Local Government Act 1934*.

50—Public access to cemeteries, natural burial grounds and crematoria

This clause provides that a relevant authority must allow a person access, free of charge, at any reasonable time, to a cemetery, natural burial ground or crematorium—

- for the purpose of visiting graves or monuments or conducting or attending a funeral or religious service; or
- for any other legitimate non-commercial purpose.

A maximum penalty of \$5,000 is fixed for a failure to comply.

If the relevant authority for a cemetery, natural burial ground or crematorium has reason to suspect that a person has committed, is committing or is about to commit an offence in the cemetery, natural burial ground or crematorium, the relevant authority may require the person to leave the cemetery, natural burial ground or crematorium. A person who fails to comply commits an offence punishable by a maximum fine of \$2,500.

51—Disposal of surplus cemetery land etc

This clause authorises relevant authorities to dispose of surplus land comprising or forming part of a cemetery or natural burial ground provided that they first discharge unexercised interment rights and give the former holders a refund or issue new interments rights free of charge in another cemetery or natural burial ground.

52—Disposal of land after closure of cemetery etc

This clause provides that if a cemetery or natural burial ground has been closed in accordance with this measure and all human remains and memorials have been removed, the relevant authority may deal with the land in the ordinary course of commerce.

53—Registers, records and plans to be kept by relevant authorities

This clause sets out the registers and records which must be kept by relevant authorities and fixes a maximum penalty of \$5,000 for non-compliance.

Part 4—Miscellaneous

54—Minister responsible for Crown Land Management Act 2009 to facilitate exercise of powers, functions and duties under this Act

This clause provides that if a power, function or duty under this measure is to be exercised or performed in relation to land that is dedicated land under the *Crown Land Management Act 2009* or is subject to a Crown

condition agreement under that Act, the Minister responsible for the administration of that Act must take such action under that Act as may be necessary or expedient to facilitate the exercise or performance of the power, function or duty under this measure.

55—Exemptions

This clause empowers the Minister to grant exemptions from specified provisions of this measure and makes it an offence for a person to contravene a condition of an exemption. The maximum penalty for a contravention is \$10,000.

56—Power of Public Trustee to act on behalf of holder of interment right etc

This clause allows the Public Trustee, at the request of a relevant authority, to act on behalf of the holder of an interment right or owner of a memorial if reasonable attempts by the relevant authority to ascertain or locate the holder or owner fail. However, the Public Trustee is not required to assume any financial responsibility on behalf of the holder of an interment right or the owner of a memorial.

57—Approvals and authorisations

This clause requires approvals and authorisations of the Attorney-General or State Coroner under this measure to be in writing and allows conditions to be included. It makes it an offence for a person to contravene, or fail to comply with, a condition of an approval or authorisation. The maximum penalty is \$10,000 or imprisonment for 2 years.

58—Authorised officers

This clause provides for the appointment of authorised officers by the Minister and councils.

59—Powers of authorised officers

This clause sets out the powers of authorised officers.

60—Hindering etc persons engaged in administration of Act

This clause makes it an offence punishable by a maximum \$10,000 fine for a person to—

- without reasonable excuse hinder or obstruct an authorised officer or other person engaged in the administration of this measure; or
- fail to answer a question put by an authorised officer to the best of the person's knowledge, information or belief; or
- produce a document or record that the person knows, or ought to know, is false or misleading in a material particular; or
- fail without reasonable excuse to comply with a requirement or direction of an authorised officer under this measure; or
- use abusive, threatening or insulting language to an authorised officer, or a person assisting an authorised officer; or
- falsely represent, by words or conduct, that the person she is an authorised officer.

61—False or misleading statement

This clause makes it an offence to make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under this measure. The maximum penalty is \$10,000 or imprisonment for 2 years

62—Statutory declarations

This clause provides that if a person is required to furnish information to the Minister or the Registrar, the Minister or the Registrar may require that the information be verified by statutory declaration and, in that event, the person will not be taken to have furnished the information as required unless it has been verified in accordance with the requirements of the Minister or the Registrar.

63—Self-incrimination

This clause provides that if a person is required to answer a question or to produce, or provide a copy of, a document or information under this measure and the answer, document or information would tend to incriminate the person or make the person liable to a penalty, the person must nevertheless answer or produce, or provide a copy of, the document or information, but the answer, document or information will not be admissible in evidence against the person in proceedings for an offence other than proceedings in respect of the making of a false or misleading statement or declaration.

64—Offences by body corporate

Subclause (1) provides that if a body corporate is guilty of an offence against clause 9, each member of the governing body of and the manager of the body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless the member proves that he or she could not by the exercise of due diligence have prevented the commission of the offence.

Subclause (2) provides that if a body corporate is guilty of any other offence against this Act, each member of the governing body of the body corporate and the manager of the body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence if the prosecution proves that—

- (a) the member or manager knew, or ought reasonably to have known, that there was a significant risk that such an offence would be committed; and
- (b) the member or manager was in a position to influence the conduct of the body corporate in relation to the commission of such an offence; and
- (c) the member or manager failed to exercise due diligence to prevent the commission of the offence.

Subclause (3) specifies the offences that are excluded from the operation of subclause (2).

65—Service

This clause sets out the methods by which notices and other documents may be served.

66—Regulations

This clause empowers the Governor to make regulations.

Schedule 1—Repeals, related amendments and transitional provisions

Part 1—Repeals

1—Repeal of *Cremation Act 2000*

This clause repeals the Cremation Act.

Part 2—Related amendments

Division 1—Preliminary

2—Amendment provisions

This clause is formal.

Division 2—Amendment of Adelaide Cemeteries Authority Act 2001

3—Amendment of section 8—Special provisions relating to Authority's powers

This clause amends section 8 to allow the Adelaide Cemeteries Authority to grant burial rights for any term or in perpetuity. Currently burial rights can only be issued for terms of up to 99 years.

4—Repeal of section 21

This clause repeals section 21 which provides that section 586 of the Local Government Act 1934 does not apply to an Authority cemetery. This measure repeals section 586 so section 21 is redundant.

Division 3—Amendment of Births, Deaths and Marriages Registration Act 1996

5—Amendment of section 4—Definitions

This clause inserts a definition of cremated remains.

6—Repeal of section 50A—Documents to be provided before disposal of remains

This clause repeals section 50A which is no necessary because this measure sets out the documents that must be provided before human remains can be disposed of.

Division 4—Amendment of Local Government Act 1934

7—Repeal of Part XXX

This clause repeals Part XXX of the Act which deals with cemeteries.

Division 5—Amendment of Transplantation and Anatomy Act 1983

8—Amendment of section 34—Regulations for the control etc of schools of anatomy

This clause makes a minor semantic amendment.

Part 3—Transitional provisions

9—Transitional provision relating to existing interment rights

This clause makes a transitional provision with respect to the term of existing interment rights.

Debate adjourned on motion of Ms Chapman.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

In committee.

(Continued from 28 November 2012.)

Clause 35.

Ms CHAPMAN: I had inquired of the Attorney as to the basis on which an extra week's bond had been identified in exchange for a tenant to bring one's pet or pets with them. As I understand the Attorney, there had been, effectively, a capacity for landlords to exclude people from the right to have an opportunity to be the tenant on the basis that they have a pet, unlike the provisions that had applied for decades—that is, you cannot discriminate against prospective tenants with children. A way around that would be to be able to say to the landlord, 'We will give you a chance to have a bit extra bond, but we want you allow these people to be considered for the tenancy.'

I think the approach is fine; the sentiment is good. The problem is that, clearly, a week's rent is not enough bond to cover large or multiple pet arrangements, in the opposition's view. So, we will look at how we might better deal with that. A graduated process might not be appropriate, but there may be an opportunity for not unreasonably withholding consent to occupy or a clause for the amount of the money to be determined ultimately by someone at the tribunal, in the circumstances. I just raise that as a concern on behalf of the opposition. I do not think that the minister needs to make any further comment.

The Hon. J.R. RAU: The point is, though, ultimately, this still gives the discretion to the landlord to say no. If somebody had five dogs or 10 cats or something and the landlord was concerned, the landlord does not have to offer the option of an additional bond. The landlord might say, 'I'm just not'—

Ms Chapman interjecting:

The Hon. J.R. RAU: The landlord may or may not think it is reasonable. I have seen images of places where there have been several cats and several dogs which had not been looked after very well. Even the image is disturbing without having your nostrils in the environment. I can understand why there may be a concern about these matters. I am happy to talk to the honourable member about that further if that is of any help.

Yesterday, the honourable member noted that clause 22 of the bill requires a landlord to provide certain contact details to the tenant. The member queried whether there is a similar obligation on the tenant to provide this information to the landlord, as well as other information, such as whether they had vacated the property, or whether someone has moved in. As stated yesterday, this matter is not addressed in the bill.

Clause 22 of the bill makes a few amendments to section 48 of the act, which lists the contact information a landlord is required to provide to the tenant. The act does not include a requirement for a tenant to provide similar information to a landlord, but it is assumed that this information will be provided willingly by tenants at the application stage, which is not regulated by the act. Section 51 of the act provides only that a tenant must not give false information to a landlord about their identity.

Requiring landlords to provide their contact details to tenants is to ensure that parties to a tenancy agreement can communicate with each other. Generally, landlords know how to contact their tenants because they know their residential address. Additionally, if a tenant wants to assign their interest in a tenancy agreement to another person or sublet the property, they are required to obtain the landlord's consent, under section 74 of the act.

If a landlord discovers that other people are living in the property, which they have not consented to, clause 10 of the bill makes it easier to serve a tribunal hearing notice on those unknown occupiers and subtenants.

Ms CHAPMAN: I think that is my point, and that is that there is no obligation on the tenant to provide that information. You say that, largely, they will provide that, and the landlord knows where they are living because they are going to be living in the landlord's premises. However, there should be a similar provision for a party who is a tenant to provide contact particulars, or at least be under an obligation (as landlords are) to be able to notify any change in circumstances, such as vacating the property. Then we go back to this issue again of not having to have a notice to the householder being left in the letterbox as some kind of official notice. That is my point. I ask that you review that matter as well, and the opposition certainly will now that we have that answer.

Clause passed.

Clauses 36 to 38 passed.

Clause 39.

Ms CHAPMAN: This clause relates to security of the premises. I think the opposition takes the view that it is not unreasonable for tenants or landlords to be able to secure the premises properly. If that is not acceded to by the landlord, for example, at the request of the tenant, then the tenant could attend to it and then have that expense reimbursed. I think that is the gist of this, and we support that.

I ask the Attorney whether there have been any circumstances where there has been some refusal to provide security of a lock. I assume we are talking about screen doors in addition to the usual locking arrangements or the refusal to add an extra level of locking services—viewing holes and these sort of things. I am not sure where this has come from. It would seem to me rather bizarre that whoever is occupying the property does not have the right to be able to ensure that it is secure, or that a landlord would leave their property in such a state that it would be accessible to be damaged or invaded by someone who is unwelcome or uninvited. Perhaps you can give us a bit of background to this.

The Hon. J.R. RAU: I am advised that the background to this is that it was a suggestion made by the Real Estate Institute. The particular problem they had confronted is, where a tenancy has expired and the tenants have left and new tenants come in, the new tenants, perhaps quite reasonably, say to the landlord, 'I want new locks,' because they do not know who is holding keys to the old locks. The point is that the landlords do not want to be in a position where they are constantly spending money on putting new locks on the premises.

They are saying, 'Look, it's fine if the tenant wants new locks, but if that's what they want then it is something that they can attend to.' The landlord provides the tenant with a functional, lockable premises and the tenant then says to the landlord, 'Well, I don't know who else might have a key; I want you to change all the locks.' The landlord might respond, 'Okay, you can change the locks if you want, but that's your lookout, not mine.'

Ms CHAPMAN: I will remember that the next time I am asking for the locks at the electorate office to be changed, which I asked the government to attend to 11 years ago and it still has not been attended to.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: I feel like I live there.

Clause passed.

Clauses 40 and 41 passed.

Clause 42.

Ms CHAPMAN: This clause relates to the alteration of premises. The opposition has had a number of inquiries about this—indeed, from my own colleagues and from constituents—as to exactly what this means. Essentially, there is a provision in the principal act, as I read it, which says that you cannot change, alter or add to someone's property except in certain circumstances. Now we are going to have a clause which will require that the landlord, however, cannot unreasonably withhold consent to these things happening.

If a new carpet was going to be put in at the expense of the tenant, one could think, 'Well, that's reasonable,' I suppose, especially if there is going to be some improvement and overall benefit to the landlord. If they are going to add a pergola or some other structure which is going to change the nature of the facility and/or attract any other land tax costs, etc., then these are the sorts of things that one has to be able to assess. In the absence of a definition about this in the principal act or in the bill that I can find, could the minister identify how this is going to work?

The Hon. J.R. RAU: I am advised that currently a landlord does not have to consent to a tenant altering the premises and does not need to have to give permission. By 'altering the premises' we do not mean here by demolishing walls or putting an extra storey on, or something. We are talking here about minor changes, and I will go into those in a moment. The bill provides that a landlord would be advised but cannot unreasonably withhold consent, and the unreasonableness of the withholding of the consent, which is the problem that the honourable member is pointing to, would be dealt with. It is envisaged that alterations of this type would include things such as the installation of a television antenna or mobility aids for elderly people, for example, a rail in a shower alcove, or something of that nature.

Clause passed.

Clause 43.

Ms CHAPMAN: This clause relates to the obligation or advice of the sale of the premises, and certain parties have to be advised. The Real Estate Institute contacted us about this issue and the obligation to advise the property manager and/or agent. It seems as though there must be some circumstances that have arisen where no-one knows about the sale except the person who is going to sell it, and that there are often many parties, not just the tenant, who might need to know about this.

That may place an unreasonable onus on the owner to advise other parties who are appointed agents, and the like, and in normal circumstances where people want to maintain good relationships with their agents, and so on, you would think that people would notify them, but I can see that there are situations where that does not happen. Was the government's view on receiving that recommendation that it was too onerous, or was there some other reason for declining to impose that on an expanded group of people?

The Hon. J.R. RAU: As I am advised, the situation is that the property agent and the tenant have no legal relationship with the sales agent. I gather that REISA was concerned that the sales agent therefore is not obliged in respect of those people to do anything absent of provisions such as this which would make it obligatory that they just provide basic notice of those matters.

Clause passed.

Clauses 44 to 65 passed.

Clause 66.

Ms CHAPMAN: This clause proposes the introduction of a regime of obligation that is to apply when one accesses a residential tenancy database, and it has been referred to as the black list. I think that the general tenor of complaint about the use of the black list or database has been one where one might find oneself on it and that it could be unfairly used against them—how do they get off it, how can it be rectified, who should have access to it, and so on. In my view, a rather cumbersome regime of obligation has been proposed here.

We have a number of questions about its operation. It is going to be the threshold question of whether or not we think it is necessary to have this whole regime, which the opposition is still considering. I understand the member for Mount Gambier has some questions about this as well. Rather than take up the time in this debate, because we are still looking at it, I will just alert you, Mr Chairman, to the fact that the member for Mount Gambier is keen to have some questions.

The Hon. J.R. RAU: This might help the member for Mount Gambier as well; this might be helpful to all members. It gives me considerable pleasure to be able to share with the chamber that this is a COAG reform. It is part of the seamless MCCA economy.

Ms Chapman interjecting:

The Hon. J.R. RAU: This is before my time. It is not even SCAG, actually; it is a thing called MCCA which I had never heard of until about 30 seconds ago—ministerial council on consumer affairs, which is now not called that. It is called something else now; that is why I did not know about MCCA. I postdate MCCA. Anyway, apparently Queensland drafted—

Ms Chapman interjecting:

The Hon. J.R. RAU: No, this was a little while ago. They put them in in 2010 and I gather all the other states have either got them in or are getting them in, and I suspect the answer to whatever questions come will be that because this is supposed to be a database that has a national operation, there are elements of this that are interconnected and, if we become disconnected with that, then the value of the thing changes.

However, if indeed I am a member of whatever MCCA used to be, which is CAF and CAANZ, and people have issues about this, I am more than happy to take them up in that forum but I think a unilateral variation of this might render this database non-congruent with others. Whether that causes difficulty or impracticalities, I cannot possibly say, but that is where it came from, anyway.

Ms Chapman: When's the next meeting?

The Hon. J.R. RAU: The next meeting is next week. We can put it on the agenda. Sorry, I could put it on the agenda, but as I do not yet know what you do not like about it, I would just have it on the agenda without knowing why it was there.

Mr PEGLER: The information that goes into this database, does that apply to the information held by landlords for their own purposes?

The Hon. J.R. RAU: If the honourable member goes to page 34, new section 99B provides:

This Division does not apply to a residential tenancy database kept by an entity (including a department of the government of a State or Territory) for use only by that entity or its officers, employees or agents.

'Entity', I am advised, includes a landlord.

Mr PICCOLO: The reason I raise this is that I have had a number of people who are tenants in my electorate whose names have appeared on TICA, one of the databases. I have actually dealt with the person who at that time ran TICA, and a most objectionable person he was. His conduct was referred to the federal commissioner for privacy. He did on this occasion what he did on previous occasions: he just ignored the commissioner's directions and findings.

My question is twofold. Given that the database is a national scheme, and is nationally run and that we have state law, and you mentioned COAG, I assume that, by operation of this proposed law in every state and also at a commonwealth level, you would be able to tackle these people like TICA who abuse the use of these databases. I acknowledge there is a proper place for databases, but, clearly, this person has no concern for the accuracy or inaccuracy of the information. Not only that, he also released information. So there are two issues: how do we tackle it and, secondly, is there any provision for penalties for breaches of privacy as well?

The Hon. J.R. RAU: I am going out on a limb here and going try to answer this without help.

Mr Gardner: What could possibly go wrong?

The Hon. J.R. RAU: What could possibly go wrong? Up on the wire, no net. Page 38, 99H—Ensuring quality of listing—database operator's obligation, and you will see that subsection (1) talks about the operator receiving written notice stating that personal information must be amended or removed, and subsection (2) provides that the database operator must—not may—amend the personal information in the stated way, or remove the personal information within 14 days, and there is a \$5,000 penalty for failure to comply. The second bit, if you go to 99J on page 39, deals with privacy concerns.

Mr PICCOLO: I thank the Attorney for his information. In terms of the operation of 99H and 99J, given that TICA was at the time based in either Queensland or New South Wales, how do we enforce it on somebody whose database is constructed and operated from a different state? That was my major concern.

The Hon. J.R. RAU: The good news is that if we go to 99K on page 40, it provides:

The Tribunal may, on the application of the Commissioner or a person whose personal information is [involved]...make such orders against a landlord...agent or database operator as may be necessary or expedient in the opinion of the Tribunal to ensure...compliance...

Mr PICCOLO: I am not sure that that answered my question.

The Hon. J.R. RAU: I am advised that 99K(1) is the relevant provision, but if you bear with me I will seek further information. I have just checked with parliamentary counsel and the situation is that, whilst this is a national scheme and you would have corresponding provisions in each state, it would not be the case that the South Australian tribunal could of its own motion make an order in respect of Queensland. So, it would be necessary, I would therefore assume, for a complaint to be made to the relevant tribunal in the state in which the database was housed, but then you could be assured that they would be applying the same rules in their jurisdiction.

Mr PICCOLO: Assuming that all the states play ball, which is not always the case, a tenant would have to take action in a different jurisdiction against where the database operator operates from to get an enforcement from the commissioner in that state.

The Hon. J.R. RAU: Yes, except inasmuch as it was a database which was operational in South Australia, in which case there would be a sufficient connection with South Australia. I will be corrected I am sure, but I think the position is basically this: if you had a national database or a

database which straddled more than one state, and in one of those jurisdictions somebody had a grizzle about what was in that database, because of the operational connection between that database and the jurisdiction, they would have to observe orders of the South Australian tribunal. If you had a database which was entirely enclosed within Queensland and did not have application here and a person was disgruntled about that database, the South Australian tribunal's orders would not be relevant, nor would there be jurisdiction to make them.

Mr PICCOLO: Sorry to labour this, but if I could just clarify it. If a landlord in South Australia takes advantage of that database service and sends a name off to that operator, and that person is then listed on that database, are you suggesting that, by virtue of the fact that both the property and the landlord are in this state, it creates a sufficient connection to this state, and therefore the tenant who has agreed, who lives in this state, could take action in this commission or in this state against that database operator?

The Hon. J.R. RAU: I think the only answer I can give with confidence, and this is on advice, is that inasmuch as there is a South Australian connection, there is jurisdiction in our tribunal to make orders which are to be observed.

Mr Piccolo interjecting:

The Hon. J.R. RAU: That may be so.

Ms CHAPMAN: I have one final question on that regime. It related to the proposed 99B. The South Australian Housing Trust or whatever its successor is, or the Land Management Corporation or whatever its successor is, and so on, may keep databases. I only mention the Land Management Corporation because it now has Housing Trust property in it under the new RenewalSA structure. These entities are state entities; they retain records of poor tenants, especially those who have trashed houses and so on. Are they exempt, or is this only in relation to other personal information—whether they have children who have run away from school or something?

The Hon. J.R. RAU: I think the answer is that there is an explicit inclusion of the government department or government agency and that therefore this division would not apply to them.

Ms CHAPMAN: That is why I asked the question, because it provides that this does not apply, including the department of whatever, for use only by that entity or its officers, employees or agents. Is the situation that there could actually be an internal database in these agencies that has inaccurate information on it and you are stuck on it, so how do you get off? I would have thought there is a process, through the Freedom of Information Act, for example, where you can still apply, I think, to remedy state records and so on. That might be a bit more of a cumbersome process, whereas I am not quite sure whether they are fitting into this obligation or not?

The Hon. J.R. RAU: It goes back to the honourable member for Mount Gambier's question about whether a landlord's own record is going to be in there. The landlord could be a little one who has one property, an individual person, or the landlord could be a much larger landlord like Housing SA. The idea is that we are not seeking in this legislation to regulate those internal records. It might well be that there are other methodologies for dealing with those internal records. What we are talking about here is the databases which sit above individual entities' recordkeeping capacity and purport to go across the whole range of tenants. They are private companies.

Clause passed.

Remaining clauses (67 to 80), schedule and title passed.

Bill reported without amendment.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (16:51): I move:

That this bill be now read a third time.

Ms CHAPMAN (Bragg) (16:51): I wish to add a small contribution to indicate that the Attorney's advisers from his department (consumer affairs) had provided advice to the opposition on this matter. We thank them for their time and briefings provided. I note that in summary from the debate on this bill the Attorney has undertaken to electronically provide me with copies of submissions after 7 December which is the time period he has given signatories of those submissions time to indicate their objection or otherwise to their view and also a draft form when

prepared by the commissioner and I thank the Attorney for giving that indication. I look forward to receiving the same.

Bill read a third time and passed.

STATUTORY OFFICERS COMMITTEE

The Legislative Council informed the House of Assembly that it had appointed the Hon. K.J. Maher and the Hon. D.W. Ridgway to the Statutory Officers Committee in place of the Hon. G.E. Gago and the Hon. S.G. Wade, resigned.

DEVELOPMENT (PRIVATE CERTIFICATION) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

CRIMINAL LAW (SENTENCING) (SUPERGRASS) AMENDMENT BILL

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

New clause, page 4, after line 31—After clause 6 insert:

7—Amendment of Schedule 1—Review of reduction of sentences

- (1) Schedule 1, clause 1(1)(a)—after 'as amended by the *Criminal Law (Sentencing) (Guilty Pleas) Amendment Act 2012*' insert:
and the *Criminal Law (Sentencing) (Supergrass) Amendment Act 2012*
- (2) Schedule 1, clause 1—after subclause (2) insert:
- (3) Nothing in this clause requires a person conducting an inquiry to disclose information in the report that identifies, or could tend to identify, a person if, in the opinion of the person conducting the inquiry, disclosure of the information would put at risk the safety of any person or would otherwise not be in the public interest.

Consideration in committee.

The Hon. J.R. RAU: I am delighted to say that I am happy to agree to the proposed amendment. Therefore, I move:

That the Legislative Council's amendment be agreed to.

Ms CHAPMAN: I thank the government for the indication that they will support this amendment. It might be a momentous occasion; it might just be because of the Christmas season of good cheer that the Attorney has seen fit to acknowledge and support the Hon. Stephen Wade's excellent amendment.

Motion carried.

[Sitting extended beyond 17:00 on motion of Hon. J.R. Rau]

FINANCIAL TRANSACTION REPORTS (STATE PROVISIONS) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 November 2012.)

Ms CHAPMAN (Bragg) (16:56): I speak on the Financial Transaction Reports (State Provisions) (Miscellaneous) Amendment Bill 2012. Members would be aware that the principal act, the Financial Transaction Reports Act, makes provision for the monitoring and reporting processes to deal with suspicious financial transactions. I read this bill with some interest, as it appeared to be, in itself, simply updating the regime in relation to the commonwealth Anti-Money Laundering and Counter-Terrorism Financing Act 2006, and we would need to complement this and some other legislative changes which have extended the regime and require a broader range of entities to report the types of transactions.

Essentially, the reporting process works on the basis that certain entities and persons are obliged to report significant and suspicious cash transactions to AUSTRAC, and that entity is obliged to keep those records; but, also, a number of entities are obliged to keep records of other

unreported transactions. I had some experience with the importance of this type of legislation when I was the chair of the audit committee of the TAB (pre its sale) and over a number of years it was frequently brought to my attention the number of transactions that needed to be reported consistent with this legislation.

It is obviously important in the cashless world that we are supposed to be now operating in, and certainly a number of us do, where there is a number of transfers and transactions via electronic means, and even these processes need to be accommodated in the updating in order to combat crime in relation to this era.

The basis of the principal legislation is one which is meritorious. From time to time entities do need to update. As I understand it, this bill is also consistent with a COAG-type agreement to bring things up to date. The proposed amendments to the principal act will require cash dealers to make reports to AUSTRAC when they suspect that the transaction could be relevant to the Criminal Assets Confiscation Act 2005 (SA) and the Serious and Organised Crime (Unexplained Wealth) Act 2009 (SA). The principal act previously required cash dealers to report with respect to an offence against any law stated specifically—the Criminal Assets Confiscation Act 2005 (SA). The amendment will merely add the crime (unexplained wealth) act 2009 (SA) to the provision.

With the advent of legislation covering these areas, the number of entities is extended and relevant to a broader range of legislation. I think the language in the act is also designed to be brought up to contemporary standards with the national scheme.

I am also advised, and I think this comes from the contribution of the Attorney, that once information has been reported to AUSTRAC, the Commissioner of Police or an investigating officer, namely from SAPOL, may only request further information from the cash dealer where further information is narrowly defined to be information relevant to the investigation of or prosecution of an offence, or would assist in enforcing the Criminal Assets Confiscation Act 2005.

As I understand it, SAPOL have presented their argument to the government that that definition is unduly restrictive and that a definition consistent with the 2006 act is appropriate. Accordingly, the amendments expand the scope of further information to include information that relates to any purpose, power or function of SAPOL under any act or law. Whether it is necessary to go that far is yet to be seen, I suppose, but, in any event, it seems the government has been persuaded to extend it to that level.

The act is also to be amended so that persons who become aware of information as a result of the regime will be prevented from disclosing information, unless the disclosure is in the course of their duties. This is intended to cover forensic accountants, lawyers, police, DPP, and the like, who may be involved in investigations, prosecutions or the defence of a case. That is a confidentiality in respect of that information, which appears to be with merit.

There is no question that the transfer of funds is one which needs to be monitored. The opposition considers this to be an important contemporising of the act. The opportunity for our law enforcers to be able to detect crime and also subsequently successfully prosecute criminals, particularly in respect of what is known as white collar crime, does require them to have access to this information. On the face of it, there is quite a steep obligation on cash dealers, and the like, to keep records and make reports, and that is quite onerous. However, the opposition takes the view that that is necessary for the proper enforcement of the law and it is not unreasonable that it be utilised to provide for better detection, with adequate aspects of privacy.

My recollection in relation to the TAB is that all bets over \$10,000, for example, were required to be reported. If they were suspicious—if there was a repeated pattern of large bets, for example—even amounts under that limit could be reported. The whole purpose of that exercise was to be able to alert, I suppose, the relevant authorities to a person who might be utilising the TAB facilities to launder money or to be able to 'clean' money, as it was said of those who used the TAB for the purpose of trying to cleanse their ill-gotten gains from other pursuits or activities. Money that had not been identified on the way in came out as winnings.

In fact the current Acting Speaker (Hon. Mr Wright), as a former minister for racing, sport and recreation, would be familiar with this practice. That these are areas that need to be kept under surveillance is a good clearing house point, upon which law enforcement officers are able to act. Accordingly, I indicate that the opposition will be supporting the bill.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:06): I want to say thank you

very much to the member for Bragg and, through her, to her colleagues for supporting this piece of legislation. I guess we will not need to go into committee or anything of that nature, and that is fantastic.

I want to say some highly relevant things in relation to this piece of legislation. The first one is that I would like to thank the member for Bragg for the cut and thrust of her parry across the chamber for the last 12 months. As always, it has been challenging and sometimes, from my point of view, a little bruising. She can be very tough with me. She does say some very hurtful and challenging things, but occasionally she does say something nice. I recall that on one occasion she said that I had finally got it. I cannot remember the other nice things she said, but that ranks amongst them. I want to say to the honourable member for Bragg that I enjoy it always—

Ms Chapman: Just say, 'Merry Christmas'.

The Hon. J.R. RAU: I'm coming to that. I would like to say that I enjoy it always, but that would suggest that I maybe have some sort of wish to be injured. I do sincerely thank the member for Bragg for her contributions in this place. If I am allowed to have a little lament, it is that the member for Bragg is not technically my counterpart in the parliament.

An honourable member interjecting:

The Hon. J.R. RAU: No; that's right. I am confident of this: if I were able to deal with many matters before the parliament across the chamber with the honourable member, I am sure that, before we got in here, we would be able to sit down have a very common-sense chat about things. I am sure that she would be quite merciless in her pursuit of me over matters about which we disagreed, but I suspect that they would be fewer and further between than they are presently.

Anyway, my wish to the honourable member for Bragg—and I hope this is not a curse or some sort of terrible thing to say—is that maybe next year we will get the chance to work a little bit more closely on a number things, and I think that would be highly productive for the state.

Ms Chapman interjecting:

The Hon. J.R. RAU: That's not really what I had in mind, no. I invite the honourable member to consider including some other portfolios amongst water, including Attorney-General, and consumer and business affairs, in particular. I thank all members of parliament for their terrific engagement in the parliamentary process over the last 12 months. My staff have advised me that we have had 38 bills, I think, in varying stages in the parliament, which means most of the time that people have spent here on bills has been, one way or another, connected with bills that we have been working on. I have had the privilege of listening to people talk about those bills and I am very happy to say that I think all of the contributions, without exception, have been useful and helpful, and it is good to see the parliament functioning in that way.

Thank you to all members of parliament, particularly my parliamentary colleagues, who are very supportive and very tolerant. I also thank members of the opposition and hope you all have a very peaceful, enjoyable and relaxing Christmas break and successful new year.

Ms Bedford: Not too successful.

The Hon. J.R. RAU: No, I am not thinking of 2014. I hope you have a good new year anyway. Let's leave it at that. Do not have too much to drink and all that sort of stuff. With those few highly relevant words I will close the debate.

Bill read a second time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Business Services and Consumers) (17:11): I move:

That this bill be now read a third time.

Ms CHAPMAN (Bragg) (17:11): I wish to agree with the Attorney that considerable work is undertaken by members of his department in providing us with advice during the course of the enormous amount of legislation that comes through the Attorney-General's office, and a little from the Consumer and Business Services. On the whole, that has been very well received and appreciated by the opposition. I hope that 2013 brings a new era of disclosure though on behalf of the Attorney, of information and, in particular, submissions and the like. In the absence of that, it does delay what I think would otherwise be a more orderly and prompt passage of legislation.

With that, I wish the Attorney and his family a merry Christmas, and you Mr Acting Speaker. I would like to say this: many of our committees are chaired by you. I appreciate your fair and balanced approach to the management of those committees. Sometimes they are not easy but, on my observation, you do a sterling job of that and I thank you for it.

Bill read a third time and passed.

ADJOURNMENT DEBATE

HANSON'S QUARRY

Mr ODENWALDER (Little Para) (17:14): Thank you for the opportunity to say a few words at the end of this session. I had the enormous privilege several weeks ago to accompany the minister for minerals on a visit to Hanson's quarry in my electorate to see firsthand some of the innovative practices they are using to both save water and produce a better product for our building and construction industries.

All members of this place are grateful to attend the opening of a piece of infrastructure or a new building across the state or in their electorate. Sometimes we are invited to cut the ribbon or make a speech and often we pay tribute to the contractors and builders involved during construction. We take the time to highlight the economic impact the project has had in relation to the jobs created and the economic activity associated with the construction phase, and we often make observations of the future of the economic output.

However, this visit to the Hanson quarry broadened my perspective on another important industry which often gets overlooked at the time of the cutting of the ribbon. It might seem like a trite observation, but we rely heavily on concrete to create this infrastructure and to generate this economic activity to build our schools, bridges, hospitals, stadiums, our homes and our workplaces.

It comes from the local concrete batching plants around Adelaide, and it is in turn supported by Adelaide Brighton Cement's plant at Birkenhead and myriad local quarries (around 350 in number), which extract the aggregate and sand to produce this complex but vital final product, and Hanson's in Golden Grove is one such quarry.

Across Australia the heavy construction materials industry directly employs around 18,000 individuals, and it further supports the employment of 85,000 flow-on jobs. It is absolutely vital to our residential, commercial and civil construction industries. It is literally the foundation on which our modern economy is built. So, at the invitation of Hanson and its peak industry group, Cement Concrete & Aggregates Australia (CCAA), I toured Hanson's Golden Grove quarry with the minister, and it was then that the importance of the industry in supplying our local construction industry was really brought home to me.

We were there looking at the extraction of sand, which is being used in the concrete to build the South Australian Health and Medical Research Institute, for example, and the Adelaide Oval redevelopment, and it has recently been used in the Tower 8 building which members in this place would know opened earlier last month and which will be the home of one of Australia's iconic companies, Telstra.

I am aware that back in June the minister presented the CCAA Environment Innovation Award for South Australia to Hanson for its stockpiled dewatering system. To briefly explain, concrete sand is required to be of a higher and consistent quality and is washed to remove any impurities. The traditional method is to then stockpile the sand onto a concrete pad where it is simply left to dry to reach the right moisture content.

As you can imagine, with the volumes involved, Hanson was noticing this drying process taking over a week, and the water was pooling in and around the stockpile and evaporating. In addition, as the sand was collected, the heavy moisture content meant more fuel usage and loss of water in the transportation process. Hanson was noticing that the moisture content in the sand was still high in relevant industry terms.

Hanson, in seeking a more environmentally-friendly option, researched international innovation models which it adapted and then introduced at Golden Grove. First, it removed the concrete pad and then dug a sloped recess, lined it, laid a pipe, covered it with specifically graded aggregates and what they call 'sacrificial sand' and then stockpiled the sand on top.

Not only does the system substantially reduce the drying time and improve the consistency and moisture content of the sand, but along the way it has led to water savings of 35 million litres of

water each, the equivalent of 14 Olympic swimming pools worth of water. Importantly, it does not use power-drawing pumps like some European models, instead relying simply on gravity to sufficiently drain the stockpile of excessive moisture. This innovation not only won the SA award but recently took out of the CCAA National Environmental Innovation Award, which was awarded at the Construction Materials Industry Conference in Melbourne recently.

When it came to judging, it was recognised as a simple but very effective model which was relatively cheap to construct. It can be easily transferred to other sites and leads to beneficial improvements to the product; and, in addition, obviously recycles a substantial amount of water. It is great to see a South Australian operation based in the north-eastern suburbs win this national award, and I congratulate Hanson on its outstanding achievement.

I would also like to pay tribute to the CCAA which has created not only this environmental award but also an occupational health and safety award as part of its annual awards. This gives its member companies appropriate credit, and it gives the employers and member companies peer recognition and makes the whole industry strive to be greener and safer.

Again, I congratulate Hanson, which I know is just one of many innovative companies operating in this state. I want to thank particularly Mr Todd Hacking (who some of us here may know), the State Director of the CCAA, for introducing me to its operation.

POLICE LOCAL SERVICE AREAS

Mr GARDNER (Morialta) (17:19): I have pleasure to rise on the adjournment debate prior to the valedictories because there is an issue of significant importance to the electors in Morialta, so I just want to take up a couple of minutes of the time of the house to share and, hopefully, to encourage the government to action.

It was at the end of last year that I wrote to the Minister for Police seeking assistance in relation to the police zones that cover the areas of Woodford and Teringie in the Morialta electorate. The police zones for those suburbs are in the Hills Fleurieu Local Service Area which has often led to extended waiting times for quite urgent issues to be dealt with. It took some time to get a response and, in fact, the Minister for Transport was the acting police minister who wrote a letter to me when the minister was away, confirming that the government would not be changing those zones. I brought a petition to the house and moved a motion in the house, on 3 May, which read:

That this house calls upon the police minister to request that the SAPOL local service area for the suburbs of Woodforde and Teringie be adjusted from the Hills Fleurieu Local Service Area to either the Eastern Adelaide or Holden Hill local services areas.

These suburbs of Adelaide deserve to be serviced as suburbs of Adelaide by police who would hopefully respond within the 10 minutes that it would take to get to those areas from the Norwood Police Station or the Holden Hill Police Station, as opposed to the hour and 10 minutes that a number of my constituents had to suffer while they had intruders trying to get into their house or circling their house and causing them great pain.

I will not go into all the arguments, as members can read *Hansard* and I am sure they have perfect knowledge of the same, but I will just quote one argument which I think was the nub of the minister's point at the time—and I am not trying to be political, I am trying to fairly represent her views—when she said:

I have also previously advised the member for Morialta that when a person calls 131 444 or 000, the state duty manager and the state shift controller have the authority to ask a patrol from an adjoining area to respond to a request for assistance. Boundaries of an LSA are not the Berlin Wall nor the Great Wall of China. A police vehicle may cross that boundary as easily as Mr Gardner himself.

I can inform members of the house that on occasions I have had street corner meetings. Earlier this year the member for Morphett and I had street corner meetings attended by 30 or 40 residents of Woodforde, and about 20 people at Teringie came out to talk about this issue. Some of them had had excellent experiences and not one of them had a bad word to say about the police officers who attended, but most of them had either experienced or heard of an experience of somebody who had had an hour and 45 minutes or an hour and a half for an important and urgent police attendance. I would like to share briefly with the house one recent experience of a Woodforde resident. She had written to her neighbours and this letter was shared with my office last week. The letter states:

On Saturday night, 4 August 2012, just after midnight, I was in bed, my 4 year old boy was in his room asleep (my 6 year old daughter was having a sleep over at a friend's house) and my husband fell asleep in the lounge room watching the Olympics. I woke up at 12.10am to a lady standing over my bed. I screamed and she started to run down our passage way.

She was wearing dark pink flannelette PJ with white star shapes on them, half her buttons undone and a black camisole top on, probably about 170cm tall and mid built, probably in her early 40s dark hair in a pick tale and very very disoriented.

She did not try and harm me and I asked her what she was doing. She said 'I am a mother too' which obviously means she had been in my son's room.

I called the police straight away and they arrived at the house 45 minutes later. They apologised but apparently our area here at Woodforde is zoned from the Mt Barker Police Station and not the Norwood Police Station which is 24 hours and much closer. Luckily she was not trying to harm us but imagine if you had an intruder with a weapon and you had to wait until the police could arrive from Mt Barker.

On investigation she had been in my car in our drive way which I accidentally left unlocked and the keys in it (obviously rushing with the kids and forgot to lock it). She must have sat in my car and smoked as she had pulled my car apart and there was ash all in my car. She also then proceeded to take the keys and lock my car and luckily we found my keys on the roadside the next morning.

This lady pulled 2 of our fly screens off windows trying to get into our house and then got into one of our backdoors that we had yet to lock—as my husband locks up before he goes to bed. She walked through the back door (with all the kitchen lights on and the tv going so was not concerned that we were inside) and she walked past expensive items such as laptops, ipad, my handbag with purse, camera etc and must have been sitting on my son's bed and she pushed all his toys to the end of the bed to sit down. My son did not know of her being in there.

We had the crime scene investigators come to our house on Sunday afternoon to finger print the house/car. The police asked that I bring this to all the neighbours attention in case you may know who this person is...and to ensure that even if you are home things like this can happen.

She then goes on to ask her neighbours to share any information that they may have. This is a real and present concern for electors in Woodforde and Teringie; despite the fact that they are in metropolitan Adelaide and are treated as if they are in metropolitan Adelaide in many ways, they are zoned within the Hills Fleurieu Local Service Area.

The Minister for Police has written to me again recently confirming that, although there is a new Commissioner of Police, his views on the matter are the same. I hope that the Minister for Police and the Commissioner of Police will consider this matter again. It is of urgent interest and concern to electors in Woodforde and Teringie, and I will continue to raise this issue in this house until some resolution of the matter is reached.

MURRAY-DARLING BASIN

Ms THOMPSON (Reynell) (17:24): I would like to put on record the contribution of previous occupiers of the office in parliament representing what is now Reynell in terms of the Murray-Darling Basin saga, as it can only be described. I am very pleased to have this connection with pioneers in action on the preservation of the Murray River. During the debate on the Murray River, it was identified clearly that South Australia took action in 1969 to cap the amount of water that could be extracted from the Murray River and was really leading the way in that, and that South Australia has invested heavily in infrastructure to replace open channel irrigation which has high levels of seepage and evaporation.

However, what was not mentioned at that time was the role played by the then member for Baudin, Don Hopgood, who led South Australia's mission to establish the Murray-Darling Basin Commission. Although this body has not delivered all that was hoped for, it did include environmental rather than just engineering matters in its responsibilities for the first time. As minister for the environment, Don also started the undergrounding of delivery channels, and this has not yet happened in many upstream areas of the river even today. In the late 1980s, Don successfully lobbied for the establishment of salt interception schemes as one of the first projects of the Murray-Darling Basin Commission.

These projects provided considerable protection to our Riverland irrigators during the recent drought. Without them, much more land would have been affected in the dreadful way experienced by irrigators in the Lower Lakes. Then there is the former member for Mawson, Susan Lenehan, whose main constituency was what is now Reynell. Susan, as minister for the environment, is still talked about by some of the older Riverland irrigators as the pioneer in convincing them to use drip irrigation.

Eastern states have been slow to upgrade infrastructure to adopt drip irrigation but in my early days in parliament as a member of the Public Works Committee I went up to the Riverland to examine a planned irrigation upgrade. I was approached by one of the older irrigators who looked at my footwear and said, 'Well, at least you're wearing decent shoes. That other woman, she came up here in her high heels but she talked sense, you know. We didn't believe her at the time when she told us that we needed to move from open channels to drip irrigation. We didn't know what she was talking about'—or words to this effect—'but she put up the money so we decided to be in on it and it's the best thing we've ever done.'

Members who have represented the south have taken a leading role in the history of the River Murray and in the protection of the River Murray. I am very pleased and proud to be their successor. I would also like to acknowledge the words of the member for Frome who talked about the health of the river in a compelling way. My assistant, Annemarie O'Reilly, also explained this to my constituents in an article in the newsletter, which states:

To understand how this major river system works you could compare it to a human body. A human drinks water and the water travels through the body cleaning the kidneys that in turn clean the blood of toxins and is then expelled.

It is the same with the river system. A minimum flow of water is required to prevent toxins such as salt from building up and killing it and the wet-lands are like the human kidneys—the cleaners of the system.

The river will die the same way as a human will die if it is prevented from having access to enough water and is prevented from eliminating or flushing out the toxins. This is why it is vital to the whole river system that enough water is able to flow to keep the river mouth open and expel the salt.

It is a very simple analogy that I am sure helped my constituents understand why it was just so important that the Premier launched the fight for the River Murray.

VALEDICTORIES

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for State Development)

(17:29): It is my duty to rise to make a few of the customary remarks at this time of the year, wishing best wishes to not only each of my colleagues, on both sides of the house, but also, in particular, to the staff who serve us so well in so many different ways. Can I first say something about the conduct in proceedings in the house. We have tried to lift standards in this house, sometimes with perhaps limited success, but I think that we have at least made an attempt to bring a degree of decorum and civility to this place, which is always important.

I think the truth about this place is that 90 per cent of the work is done by agreement. That, of course, does not suit those who seek to cover the proceedings of the parliament for entertainment purposes, but that is the truth of the matter. It is a pity that more of that did not receive the attention of the media because, in fact, that is the truth of the substance of the way in which this place operates. It is very much the tip of the iceberg that becomes the province of the daily news cycle.

Nevertheless, I would like to thank members opposite for their cooperation in this shared endeavour that we have, which is about serving the people of South Australia. I think that, despite our differences, that is our principal motivation.

Can I say also that the people who support us in this role are crucial. There is obviously, Mr Acting Speaker, the role you play and that of the Deputy Speaker. Madam Speaker herself, of course, often has the challenging task of maintaining order in this house but does so in her elegant, Whyalla way, if those two things can be said in the same sentence. She maintains a common-sense approach to maintaining the proceedings in the house and I think she is respected on both sides of the parliament for that.

Can I thank the clerks and the parliamentary officers. Without them, we would not know what we were doing, I can confidently say.

The Hon. P.F. Conlon: With whom we are often not sure.

The Hon. J.W. WEATHERILL: That's right. Together, we find a way of running the proceedings of the house to ensure the smooth disposition of business. Can I acknowledge the Hansard reporters for attempting to turn our gibberish into the Queen's English.

The Hon. P.F. Conlon: Their job is easier since they lost Gunny though.

The Hon. J.W. WEATHERILL: That's right. The job has been made much easier since the member for Morphett has slowed down to 1,000 words a minute, but certainly there is no doubt that

they do a tremendous job in recording our proceedings. I must say the speed and the accuracy with which they return the drafts is very beneficial.

Can I acknowledge also the marvellous work that is done by the attendants here. In that regard, I want to acknowledge in particular the recent illness of John Moylan and also the recent illness of Joy Cole—the chamber staff who, sadly, are struggling with illness. We wish them all the best as they meet that challenge.

Of course, there are the other people who make this building operate: the people who feed us, the people who make sure it operates effectively, the finance managers and the people who turn our ideas into law—parliamentary counsel. There are all of the staff who support us in our roles: ministerial staff, advisers from each of the agencies and, of course, the drivers who convey us around the place. They are extraordinary people who find a way of actually arriving at the correct venue without even being told where to go, which is a rare talent.

In that regard, I particularly want to acknowledge Steve Tippins, who has been a member of the Public Service for 43 years and who retired recently. He was my driver for the last 11 years and I must say that, frankly, it is like losing a member of the family. He was there at the birth of both of my children—not literally there at the birth but he was with me during the period when my children were born. I can confidently say they have spent more time with him than any other male, just because of the nature of the job and the many occasions that we are together. I miss him dearly. He is a lovely man, a fantastic driver, and he has offered to come back to babysit, which I make take him up on. Of course, what he is doing in his retirement is driving. He loves driving, inexplicably; so he is having a lovely time.

Can I also acknowledge our electorate staff. Many of the ministers and, indeed, country members, who are people who are away from their offices, really rely upon their staff to do the lion's share of the electorate work. They are there when the rubber hits the road. Often very difficult and thorny issues come into electorate offices. They are often dealing with people who are upset, sad or confused, and to turn their grievances into something that they can understand and get help with is a real talent, and we pay tribute to the enormous support they give us all.

Can I also conclude by talking about a group of people who are possibly for many of us the most important people in our lives; that is, our family members. They are people who sustain us in our employment, but, of course, sustain us with their love in our relationships. Our children, our partners, these are the people without whom much of this means very little but with whom we get to celebrate all the highs and we get to be supported in all the lows, which are part and parcel of public life.

It is obviously an enormous challenge when you have a young family, and it is something which requires an enormous amount of understanding from your partner when they attempt to support you in a role of this sort; so I want to thank all of our family members. I also want to thank those who come to this place and support us in a myriad of ways in our daily work back in our offices, back in the bureaucracy. I thank all members for what has been a successful year and a legislative program that we should be proud of. Thank you.

Honourable members: Hear, hear!

Mrs REDMOND (Heysen—Leader of the Opposition) (17:37): Again, it is my pleasure to make a few comments at the end of the year. Looking at the attentive faces of so many eager MPs, I am reminded somewhat of T.S. Eliot's poem *The Hollow Men* which was written, I think, in the 1920s. It begins with:

We are the hollow men
We are the stuffed men
Leaning together
Headpiece filled with straw. Alas!
Our dried voices, when
We whisper together
Are quiet and meaningless
As wind in dry grass...

But the thing that reminds me most about *The Hollow Men* is that ends with:

This is the way the world ends

This is the way the world ends

This is the way the world ends

Not with a bang but a whimper.

It seems to me there is an essence of that in the room tonight as we feel the love as Christmas comes upon us.

Can I begin where the Premier left off by first of all acknowledging my family. I do not have any of my children at home any more, and I miss the days that perhaps the Premier is still enjoying with his family. I have discovered during this past year that there is a wondrous thing called 'takeaway'. I was missing out on having meals with my family. I had spent 30 years as chief cook and bottle washer, and I must admit I was a bit tired of that. I remember coming home sometimes, exhausted after a long day, and their words of greeting would be, 'What's for dinner?' I was really quite pleased when they left home; but I do miss them.

This year, I decided that what I had to do was at least once a fortnight have them up for family meal night. They still need reminders to come, but I have discovered that because they are all poor, living on their own, and having to support themselves, they are more than happy to come home. We have wonderful Indian and Thai and all sorts of things by way of takeaway up in the Hills, so they happily come home because they know they will order far more than is needed and they will get to take leftovers home and feed themselves for the rest of the week. They are very keen to come to my place once a fortnight to have dinner. The other thing about my children, of course, is that they make me the butt of most of their jokes, so they very much keep my feet on the ground.

Can I also thank my colleagues, particularly my deputy, Steven Marshall, and my former deputy, Mitch Williams. Both those gentlemen have been wonderful to work with, and I intend that they both continue to be wonderful to work with. I thank the Hon. David Ridgway MLC, leader in the Legislative Council and his deputy leader, the Hon. Michelle Lensink. It really is a good team and we do have a lot of fun together.

Our new whip is the wonderful Mark Goldsworthy, member for Kavel. Our former whip, Steven Griffiths, of course, did most of the work for most of the year, but I am sure that Mark will catch up as we go into the new year. Deputy whip, Peter Treloar, is also taking on quite a workload. In the upper house, the Hon. John Dawkins is the whip and joint party and shadow cabinet secretary, along with Jing Lee.

Jing Lee does a wonderful job not only as the deputy whip in the Legislative Council but as my shadow parliamentary secretary for multicultural affairs. She does an enormous workload in that regard and I thank her very much for that. In fact, very rarely do you get a letter, as I did this week from the Bosnian community, saying, 'This was fantastic. You sent this person along to represent you and she did such a fantastic job we thought we should write and tell you how great she is.' But I already knew how great she was.

I want to take the opportunity to wish all my shadow cabinet and all my opposition colleagues and their families well for Christmas. I will do that individually as well. Only those of us in this game know what a long lonely life it can be at times. In fact, my friend Tony Abbott wrote a book called *Battlelines* and in that book he points out that those of us who go into politics are volunteers; our families, however, are conscripts.

Those conscripted into it by virtue of a spouse or a family member going into politics are the ones who really suffer and have to do things a lot of the time behind the scenes. We do spend a lot of time here and, in spite of all the rigour of the debate that goes on across the house, most of us when we are beyond this place treat each other with a great deal of respect and civility and actually get on pretty well.

I also acknowledge the Premier and the various ministers and members opposite. As I say, we do generally get on pretty well in spite of our political differences and in spite of the sometimes heated argument during the theatre of the day at 2 o'clock. Madam Speaker, I also acknowledge you, as well as your deputy and chair of committees, and the wonderful Michael Wright who, as we all know, does a fair bit of deputising in both those roles from time to time.

I also acknowledge our staff at headquarters. In the last few years particularly, we have found that we have a much stronger relationship with our staff at headquarters. In the last few

months Sanjay Kumar has been acting in the role of director of the Liberal Party at headquarters. He and his staff do a wonderful job for us over there. Of course with our headquarters, as was mentioned today, now being in Leigh Street, it is much more convenient and we have a lot more to do with them than perhaps we did in other days. I also acknowledge our president, Grant Chapman.

I thank all my staff. I will start with the staff in my Heysen electorate office. My staff member, Gaynor (who became a grandmother for the second time yesterday) has been with me for almost 19 years, so she has been on a journey with me since I opened my legal practice. Indeed, she came to work in the first days of my legal practice, before my office was available, at my home. I have seen her children grow up and they are now having children themselves.

Nineteen years is a reasonably long period of time to have a PA with you. When I first had to come to work down here full time as the leader, some years ago, it felt like having an arm cut off, because I was so used to having Gaynor running my life. Even Nick, whom I consider the new chap on the block up there, has been with me long enough to be going on long service leave, so he has been there for a goodly long time.

Down here, of course, I have wonderful staff in the front office. My chief of staff, Michael Fitzgerald, and the various media and policy people in the staff up there not only have to work for me. In government you may not appreciate it, but in opposition we only get my few staff and that has to do for all of the shadow cabinet, so they do an enormous number of hours and they do it with enormous good will. Indeed, one of the delights of my job is when I can hear their laughter from my office. I always think that that is a good sign when you can hear your staff laughing. I seem to hear it quite regularly in that place. I also like the fact that today there was popcorn in the office.

I also thank my driver, Warren. Warren—or 'Wazza' as he is known to many—certainly goes well above and beyond the call of duty. He is an exceptionally good driver who, like the Premier's driver, has a passion for driving and that is all he wants to do, be my driver. I am thoroughly spoilt by him and I thank him. All the opposition and government electorate and parliamentary staff and the Speaker's staff I think deserve our good wishes at Christmas for what they put up with through the year.

I now come to the people in this place because, as the Premier said, the people who work in this place must see numerous members of parliament over the years come and go and they must think that one is a bit of a feather duster and that one is a bit of a rooster at times. They must ponder the legitimacy of some of the people they see before them in this place. Nevertheless, they always maintain their dignity and decorum in the face of enormous provocation. Thank you to the chamber attendants (Legislative Council and House of Assembly), Serjeant-at-Arms Paul Collett, Clerk Malcolm Lehmann, Deputy Clerk Rick Crump, Jan Davis in the Legislative Council and her deputy, Black Rod Chris Schwarz, and the table staff. Like the Premier, I mention specifically John Moylan and Joy Cole and let them know that they are in our thoughts. We hope that their progress is as good as can be hoped for and that they have as much as they wish for at Christmas.

My thanks go to the building services people, David Woolman and all of that group, as well as Pauline Thompson and all the group in corporate services, the committee members and staff. Also, thanks to the library staff who do an enormous job for all of us. It is the most wonderful library. For the last two nights I have had guests in at the parliamentary dining room and I have taken them on the usual tour and afterwards had the opportunity to take them into the library because the Legislative Council has still been sitting, and they are so impressed with the library. Apart from being a lovely library—and I love books, so I am always enraptured with it—the fact is you can ask the staff in there to look up anything for you or to do any sort of research for you and it is done promptly, accurately, and they do a wonderful job for us.

Speaking of wonderful jobs, I mention Creon Grantham, James and all the parliamentary catering staff both in the dining room, members' bar and the Blue Room. How will we all survive over the Christmas break without fish Fridays? I ask you how we will get by without that wondrous odour of fried fish that spreads through the whole building on Friday. I do not know how we will cope with that. They do a wonderful job, especially when it comes to the dining room at night when we have visitors and we have very limited time. They do a magnificent job in there, making sure that our visitors feel like they have come somewhere very special and, indeed, they have. The procedures office, the cleaning staff, switchboard staff, maintenance and security staff, finance and even the PNSG staff deserve our thanks.

Last but absolutely by no means least, I thank the Hansard staff. Hansard, who make us all sound as though we know what we are talking about from time to time, are really worth their weight in gold. They do a wonderful job. They do it accurately, quickly and I am sure that everyone is grateful for the fact that we sometimes say gibberish but they make it sound as though we have said something sensible. So, thank you, and to all a good night—no, that is *Twas the Night Before Christmas*, isn't it!

I close by simply saying that this job is the most ridiculous job in the world in some ways but in many ways it is the most wonderful job in the world. It is certainly by far the most interesting. Being a member of parliament I think you get exposed to all sorts of things all around the state, but we nest here during the year. We owe those people who make this place as good as it is for us to work in a great vote of thanks. I take this opportunity on behalf of the opposition to wish all of those people around this place a wonderful Christmas break and a happy, prosperous and safe New Year.

The Hon. P.F. CONLON (Elder—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (17:49): I want to add briefly, as is customary, some of my thanks to people. I will not go through all of the people's names. I had better thank the Clerk and staff here otherwise they may cease to look after me in the future and you, Madam Speaker. From my perspective in the job I do, the whip is very important to me and to making this place run, so I am grateful to Robyn. For those who are new to this place, can I give you a word of advice? Always be nice to the whip because there will be occasions when there is an opportunity for someone to go home early that has arisen and it will be her choice who she rings first, so always be nice to the whip.

Ms Bedford: She's never rung me!

The Hon. P.F. CONLON: Well, I'm not saying anything.

Ms Bedford: I stay so you can go.

The Hon. P.F. CONLON: That is not absolutely correct. But the whips do a great job and I thank the Opposition Whip also. They have to run this place during private members' which does make it quite difficult. I just want to add some thanks to other staff. The library staff in this building are outstanding. We are fortunate—and some of us use the library more than others—and they do a fantastic job, and some of the research that comes out of there is absolutely first rate, and it is little recognised. Of course I thank the catering staff. It is sadly true that I have been here for slightly over 15 years and, so, I have undoubtedly been served more meals by the catering staff than I have been served at home and I guess that that is just the nature of the job. I also thank the building attendants, the centre hall staff, the security officers—I always like it when they do a good job—and the PNSG people of course.

I thank my staff and I would add, lastly, that young Mel has come to our staff in the last year and does an outstanding job. She is highly honest and frank with people, and has a wonderful work ethic. I have actually tried to send her home on occasions and she will not go, which is quite extraordinary. We are grateful for all the work the whip staff, Carol and Wendy do. For anyone that I have missed, I apologise. I again thank my family and my wife Tania. I should thank my chief of staff who has just spent the last 40 minutes stuck in a lift at the Roma Mitchell Building and I thought that was really quite funny. Thanks, Clemow, and I must say that he will now spend the next 40 minutes getting phone calls from people ringing him up, and pointing the finger and laughing at him, but such is life.

Can I thank all of my electorate staff. They vary from time to time. I put in a special word for my driver, Steve Tippens, who I have known—a lovely bloke, a very commonsense guy, a good driver and he does a great job and we will miss him too. I look forward to going along to his retirement show. I will say that it will ease the burden on the Blue Room! If we get Malcolm to retire too, they will probably cut the meals they serve in half because as far as I can ascertain, both Steve and Malcolm have about three lunches and two morning smokos every day. Good luck to them all.

Good luck to John and Joy, our heart goes out to them. I should say at this point, and I no doubt will have time to reflect on it again, do not pull the pin too early. I know that Ivan is sitting there as a parachute for someone else to come in, but I don't know, the place would not look the same without him, would it? He has been here for as long as I remember. We have done Ivan a great favour in the white paper on the CTP because Ivan owns about 50 cars or something like

that, so if we cut the rego by about 100 bucks, he is going to be about five grand better off, I think, and no doubt he will come and thank us for that. I say thank you to everyone.

I should say congratulations to the member for Port Adelaide and the member for Ramsay—it is still Ramsay isn't it, they keep changing it—as I think they celebrated one year in the place this week, is that correct? So you only have 14½ years to go to catch up with me, so put your noses down and get stuck into it. Thank you everyone, and I wish you, Madam Speaker, and everyone a very merry Christmas and a happy new year. I do say, try and enjoy it, because there is a lot of stuff in here that we do not enjoy, but for the most part we are decent people, and that is not well understood, so try and enjoy the time off that you all have. I am now going upstairs to engage in the drinking of red wine.

Mr GARDNER (Morialta) (17:53): Thank you for the opportunity to wish everybody a merry Christmas. As the member for Elder is still in the vicinity, can I say thank you to him for his advice and encouragement on a regular basis. I was taught when I was young to respect my elders and of course that means everybody in this place for me! To the member for Elder, in particular, I want to say thank you and, perhaps as much as anything, as I drive home tonight, I will be driving on a restricted single lane on the Gorge Road and, so, on behalf of all the people of Morialta, Athelstone, Paradise and Cudlee Creek in particular, thank you for that to the Minister for Transport. I wish him well over Christmas, as I do indeed Mel, who assists in the office of the Manager of Government Business.

I will go back to where I was going to start. Madam Speaker, to you and, indeed, to all the parliamentary staff (I will not repeat them, as they have already been named), thank you for your forbearance and your tolerance. 'A Daniel come to judgement,' somebody suggested to me, and it is not far from the truth. I am sure that Portia would have been proud of you.

In particular, in the parliamentary staff, I will add my best wishes to John Moylan and Joy Cole. We all, I know, have them in our thoughts. We have been well served by the people who have stepped up with John and Joy away, but we hope that they have a speedy recovery and get very well and, hopefully, we will see them in these halls before too long.

I will add my thanks to the Premier, the Leader of the Opposition and the manager of government business and the remainder of the Parliament House staff. From the point of view of manager of opposition business, I thank particularly the Liberal staff, who helped all the members on this side as we conducted our business as members of the opposition; the leader's office, who serves the whole opposition team; the whips, Mark Goldsworthy and Steven Griffiths, who he replaced, and their staff, who work for the whole team—Helen Dwyer, Brad Vermeer and Stacey Mussolino, who assists the shadow cabinet.

To the Liberal Party headquarters and, indeed, to my own staff—Scott Kennedy, Raelene Zanetti and Jenny Richardson, our trainee Kahlia Smith and our old trainee Bonnie Luedtke and our casual relief staff Samantha Mitchell and Priya Pavri. I thank the members of parliament on this side, in particular, the Leader of the Opposition, the Deputy Leader of the Opposition and all of the shadow ministers and all of the members of the team and, indeed, all of the opposition Liberal Party staff. Merry Christmas also to the Independents.

To our families, in particular, who, as others have mentioned, put up with a great deal and they did not necessarily ask for the opportunity but they support us. Hopefully, they love us as we, hopefully, love them and I certainly am grateful and wish all of them a merry Christmas, as I do the community groups, who we will all have much more time to spend with over the coming weeks, and I am sure that everyone will enjoy those community groups' Christmas functions and New Year's functions and all of the wonderful summer functions through January up to Australia Day before we come back to this chamber.

To members of the government, may I say I wish you all the happiness and joy in the world, just no political success. But the happiness and joy that can come without political success, may you have it all.

The Premier, earlier in the day, took the opportunity to repeat some words said by the member for Davenport just before Christmas last year, so perhaps I will conclude with some words that the Premier brought us at the beginning of his term as Premier just before Christmas last year and we might all reflect on them over the Christmas break as we head into next year. He said:

Our profession is not held in high regard. That is regrettable because the reason we are here is a worthy one: striving to create a better society to improve the lives of every South Australian. There can be no doubt that our

conduct in this place contributes to the perception that people have of us. My challenge to all of us today is to do better.

Civility is perhaps a quaint notion but civility in parliament is something we should always strive to uphold. It sets the tone for the community about how differences should be resolved. It represents a cornerstone of our democracy—the capacity to reasonably differ on matters of importance. If we do not uphold it, we begin to abandon our responsibilities as a member of parliament.

This Christmas debate tonight I think has shown some of the best that the parliament has to offer. I am sure over the Christmas season, as neighbouring MPs from different parties are at functions together, they will also respect each other and offer each other civility. When we come back next year, I encourage all members of parliament to keep those words of the Premier in mind and perhaps we will have a productive year, one where civilised questions get civilised answers, and we can all be proud representing the people of South Australia in the way that they expect of us.

The SPEAKER (17:59): Honourable members, I crave your indulgence that the clock might stop if it gets past six. I would like, first of all, to endorse all the comments that have been made tonight but again make my own, and please indulge me while I do.

First of all, to my Clerk, Malcolm Lehman, and to Deputy Clerk Rick Crump, thank you so much for all your assistance this year. I said today that your Clerk will make or break you, and I am not really sure what they have done for me, where I fit into that category, but I do appreciate all the help and support they have given me this year, and we will celebrate later.

When I asked the Serjeant-at-Arms, Paul Collett, 'What would happen if you weren't here to bring the Mace in with me in the morning,' he said, 'You can carry it yourself,' so I thought that was most impressive. To all our attendants and table staff in this chamber—Kane up there, keeping an eye on us, Nicole who has done a wonderful job this year and our new people who have come in. We have our table staff—Lauren, Shannon, David—we appreciate all the work you do in this place.

One thing that has been really appreciated, with the absence of John and Joy who have been here forever (particularly John, who has been here probably longer than Ivan, almost), we have realised how much work they have done for us in this place over years that we have not appreciated. Our hearts go out to them; we will be thinking of them over the Christmas period, and certainly we hope they will be back here with us again in February, working away again. We appreciate everything that happens in this chamber: you look after us so well and thank you so much for all the work you do.

To Hansard, to Philip and all his wonderful staff, the myriad reporters who glide silently down the corridors for years on end: we appreciate how good you make us sound. Sometimes I look at what I have said and have thought, 'Oh, that was all right,' and then I realise that it was really Hansard that sorted it out for me. Anthony Hudson, who does so much work around the place for us all, is wonderful with his technical brain. There are other people who assist with this as well. So, thank you to Hansard.

Thank you to the library staff, to Coral Stanley, ably assisted by Dr John Weste. I am so proud of our library now—it looks absolutely wonderful. It is a real showplace to take visitors to. The way it has been set up has involved a lot of hard work and it is a real asset to our parliament. Thank you to them and to all their wonderful hardworking staff. There are so many doctors in the library that Country Health would really appreciate if it had that number of doctors working for it.

To catering, to Creon and to all his staff—and there are so many who are wonderful people—thank you for all the long hours you work, often long after we leave. Thank you to the chefs, Mark and Craig, for your amazing creations. I say a big thank you on behalf of the members here for the reduction in the number of times we are served zucchini at meals. We really appreciate that—the number has dropped considerably. We only see it about once a fortnight now, which is an incredible achievement for this place, so thank you for that.

I also thank the building staff, particularly David Woolman, for the wonderful effort put in this year. It has been a stressful year for our clerks, the building staff and David with the asbestos problem and the work going on in Old Parliament House. It has been very difficult for them. David has some very good staff working all over the place. It is wonderful to see them around here and we appreciate the work they do. David has been a real gem since coming into this place.

A lot of other people have not got a mention here tonight—people like Tammy, the cleaner, who does an amazing job around the place. She wanders around and always has a smile on her face. It was a real credit to the cleaning area when they cleaned out this building here and said that

they were surprised how clean our chamber is. Tammy, thank you to you and to all your workers. Also, thank you to Chris and Lynn, who are often heard but never seen—they work in switchboard: we appreciate your work. Liz Lynch certainly looks after us on the JPSC but does so much other work around the place—she is a wonderful asset to us.

Pauline and the travel clerks in services are amazing people. We would all complain if they were not there to help us out. If we have the odd flight that does not work, it is not them as they do all they can to help us out. Also, I thank Kent, our finance officer. I do not know what he does, but he certainly seems to keep things on track here and there always seems to be a bit of money when we need it, so thank you to Kent.

Our security staff who come in here: we appreciate and feel happy you are here. We occasionally have an incident where members feel a little bit nervous, so we thank you that you are always here keeping an eye on us and helping out. The Centre Hall staff do an amazing job welcoming visitors and keeping things going—we appreciate your work.

All our members of parliament: I appreciate your efforts on both sides of the house and also your ministerial staff and staff in the electorate office, etc. The staff keep the building going and keep us going, so thank you to all of you. I would particularly like to thank my Deputy Speaker, Tony, for his efforts this year. The Leader of the Opposition mentioned Michael Wright, and I appreciate the fact that he is always very willing to help out whenever so that I do not have to sit here all day every day, because I think that might be very difficult to cope with.

I want to thank the President in the other place, the Clerk, the Black Rod and all their assistants. Really, we want to thank them for helping us out this year when we had our asbestos scare. I do not know what we would have done. There was all sorts of talk about relocating, etc. It would have been almost impossible, I think, for us to be able to do that. We really do appreciate their cooperation and their support in helping us out with that. We did enjoy our time in the upper house, but I must say that I was so glad to be back here when we did get back.

To all the committees and the committee staff, although you are far, far away, we do remember you and we do appreciate the work you do for our various committees. It is good to see that you come and go across the road and meet with us regularly. I am sure that all members will join me in thanking them.

A few other people perhaps have not been mentioned, people such as Penny Cavanagh, who does amazing work in this place, certainly with the number of young people who come through here, and other community groups do as well. Penny knows what she is talking about, she knows how to do it. There is never a problem with Penny; she goes in there with lots of enthusiasm. Shane Hilton has been a great support this year. I am getting a nod from the Clerk not to worry about him, so we will not worry about him. No, Shane, we do appreciate your work, and you are a delight to work with also.

I would also like to thank Josie in my office and Gary, my wonderful driver, who looks after me. He is better than a husband, because he looks after me far better than my husband ever did. He also now thinks that he is entitled to half of my super because he has been with me for so long. I am not too sure about that, but I have had these discussion with him, and I have just told him, 'Forget it, mate—you're not going to get it.'

To the whip, who is also a dear friend of mine, we have had many adventures this year. Thank you for your cooperation and your support. I will not tell them any of the stories about you, but if they want to see me afterwards, I will. To the Opposition Whip—we have had a couple of changes—I know that you find it tough, Mark, you are learning, but you are certainly doing a very good job. So, thank you for your help and your support.

I also want to thank Carol Putland and Wendy Gee in the whip's office because they certainly keep us going here in government. Carol particularly always seems to know what she is doing, even if nobody else does. Thank you to both of them.

I have probably forgotten people, and I am really, really sorry if I have. I have been racking my brain all day thinking who I need to thank. I guess it is just a big thank you to everybody who works in this place. We would not operate without your support. We spend so many hours here, and particularly for country members, it is our second home. Without your support, help and cooperation, it would be awful to have to come here. You do look after us very well, and we do appreciate all that you do. My family, I won't worry about thanking them because they just have to put up with it and they are in the will, so they will get their just desserts when I am gone.

Merry Christmas to everyone. I hope that you have a wonderful and peaceful Christmas. Everybody have a bit of a break. We don't need to work for 365 days a year. We are entitled to some time out, and I hope that you all take it and that you have a wonderful Christmas and a happy New Year. I look forward to us all coming back bright-eyed and bushy-tailed in February next year and all raring to go again and enjoy those question times, as we do now. Thank you.

At 18:08 the house adjourned until Tuesday 5 February 2013 at 11:00